

THE HAGUE NOTEBOOKS

Ratko Mladic

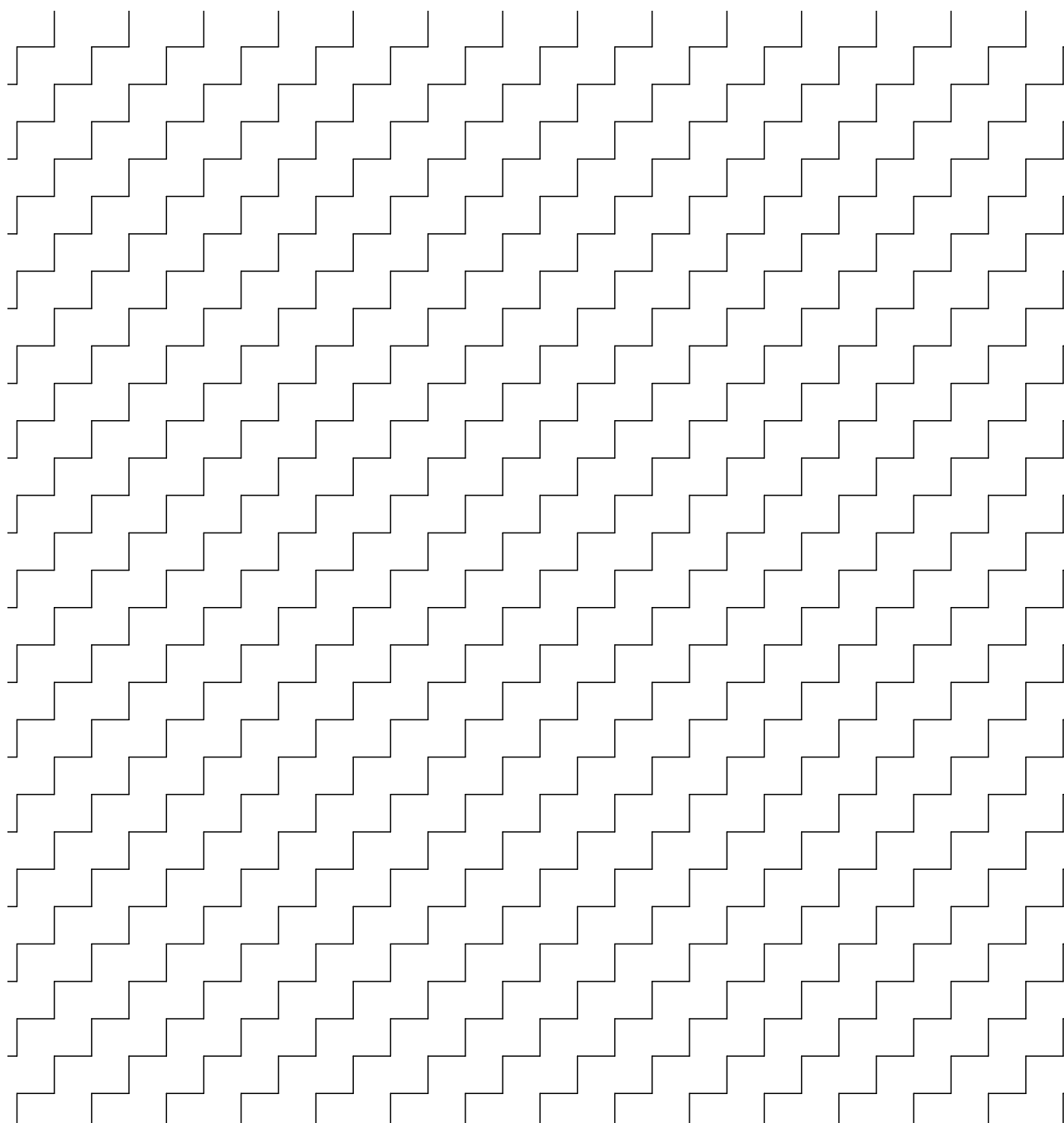


Table of Contents

THE HAGUE NOTEBOOKS	23
2004-12-13	24
"BLACK HOLE" IN RATKO MLADIC'S CAREER	
2010-05-13	25
MLADIC'S AND KARADZIC'S INDICTMENTS TO BE BROUGHT INTO LINE	
2011-05-26	25
CHARGES AGAINST RATKO MLADIC	
2011-05-27	26
BRAMMERTZ: TOO EARLY TO SAY HOW THE TRIAL WILL BE ORGANIZED	
2011-05-31	27
RATKO MLADIC IN TRIBUNAL'S CUSTODY	
2011-06-01	28
BRAMMERTZ: MLADIC'S ARREST CAME LATE BUT NOT TOO LATE	
2011-06-03	29
MLADIC POSTPONED PLEA ON 'OBNOXIOUS' CHARGES	
2011-06-17	30
PROSECUTION AND MLADIC'S DEFENSE FACE OFF FOR THE FIRST TIME	
2011-07-04	30
MLADIC EJECTED FROM COURTROOM, JUDGE ENTERS A PLEA OF NOT GUILTY ON HIS BEHALF	
2011-07-20	31
MLADIC CHOOSES BRANKO LUKIC AS DEFENSE COUNSEL	
2011-08-17	32
PROSECUTION: MLADIC SHOULD BE TRIED IN TWO SEPARATE PHASES	
2011-09-01	33
MLADIC AGAINST SEVERING OF INDICTMENT	
2011-09-13	33
MLADIC OBJECTS TO "DEFICIENCIES" IN THE INDICTMENT	
2011-10-06	34
SHOULD RATKO MLADIC DEFEND HIMSELF OR SERBIAN NATION?	
2011-10-13	35
TRIAL CHAMBER DECIDES AGAINST SEVERING RATKO MLADIC'S CASE AND REJECTS MLADIC'S APPEAL AGAINST THE FORM OF THE INDICTMENT	
2011-10-19	35
PROSECUTION CONSIDERS REDUCING INDICTMENT AGAINST MLADIC	
2011-11-16	36
RATKO MLADIC TO UNDERGO MEDICAL CHECKUP	
2011-11-18	37
PROPOSAL TO REDUCE MLADIC'S INDICTMENT	
2011-11-28	37
MLADIC RESPONDS TO PROPOSAL TO REDUCE INDICTMENT	
2011-12-02	38
REDUCTION OF MLADIC'S INDICTMENT ACCEPTED	
2011-12-08	38
MLADIC TRIAL MAY START AS EARLY AS IN MARCH 2012	
2012-01-19	39
'COMRADE ORIE' AND 'MISTER MLADIC'	
2012-02-10	40
410 PROSECUTION WITNESSES AT RATKO MLADIC'S TRIAL	
2012-02-15	40
RATKO MLADIC'S TRIAL TO BEGIN ON 14 MAY 2012	
2012-02-23	41
PREPARATIONS FOR RATKO MLADIC'S TRIAL PROGRESS APACE	
2012-03-29	42
FINAL PREPARATIONS FOR RATKO MLADIC'S TRIAL	

2012-04-16	EVIDENCE AGAINST MLADIC TO BE CALLED IN FIVE 'SEGMENTS'	42
2012-04-24	MLADIC 'PERKS UP' BEFORE TRIAL	43
2012-04-26	MLADIC'S DEFENSE INSISTS TO POSTPONE TRIAL	44
2012-05-03	WILL DELAYED DISCLOSURE POSTPONE MLADIC'S TRIAL	44
2012-05-04	MLADIC TRIAL WILL NOT BE POSTPONED	45
2012-05-07	WITNESSES FOR 'FIRST SEGMENT' IN THE CASE AGAINST MLADIC ANNOUNCED	46
2012-05-11	MLADIC SEEKS TO DISQUALIFY JUDGE ORIE AND FOR A STAY OF PROCEEDINGS	46
2012-05-14	MLADIC AGAIN ASKS THE JUDGES TO ADJOURN HIS TRIAL FOR SIX MONTHS	47
2012-05-15	MLADIC'S MOTION TO DISQUALIFY JUDGE ORIE DENIED	48
2012-05-16	PROSECUTION: 'GENERAL MLADIC HAD A HAND IN CRIMES'	48
2012-05-17	MLADIC – MASTER OF LIFE AND DEATH	49
2012-05-21	PROSECUTION'S 'TECHNICAL ERROR' IN MLADIC CASE	50
2012-05-24	RATKO MLADIC'S TRIAL CONTINUES ON 25 JUNE 2012	51
2012-05-31	MLADIC'S NEW MOTION TO ADJOURN TRIAL	51
2012-06-18	RATKO MLADIC TRIAL SUSPENDED 'UNTIL FURTHER NOTICE'	52
2012-06-22	PROSECUTION: MLADIC'S DIARIES ARE EVIDENCE AGAINST MLADIC	52
2012-06-22	RATKO MLADIC'S TRIAL TO CONTINUE ON 9 JULY 2012	53
2012-06-26	SEVEN WITNESSES IN THE FIRST SEGMENT OF RATKO MLADIC'S TRIAL	54
2012-07-02	MLADIC'S DEFENSE WANTS THREE WITNESSES TO TESTIFY LATER THAN PLANNED	54
2012-07-05	MLADIC'S MOTION TO POSTPONE EVIDENCE OF THREE WITNESSES DISMISSED	55
2012-07-09	MLADIC'S DEFENSE: TRIAL CHAMBER SUCCUMBED TO THE POLITICAL PRESSURE FROM THE PROSECUTION	55
2012-07-09	ORDEAL OF MUSLIMS FROM VILLAGE OF HRVACANI	56
2012-07-10	RATKO MLADIC BLAMES SERB CIVILIANS	57
2012-07-10	HARLAND: MLADIC WAS A FRUSTRATED COMBATIVE BULLY	58
2012-07-11	DEFENSE: SERBS DID NOT TERRORIZE SARAJEVO, THEY SANCTIONED IT	59
2012-07-12	MLADIC IS UNWELL, TRIAL ADJOURNED	60
2012-07-13	MLADIC UNDERGOES MEDICAL TESTS	60
2012-07-16	MLADIC SHOWS HE IS IN GOOD SHAPE	61
2012-07-17	DEPORTATION IS 'FORCIBLE EVACUATION'	62

2012-07-18	KINGORI: IN SREBRENICA MLADIC DIDN'T MEAN WHAT HE SAID	63
2012-07-19	MILITARY OBSERVERS OR 'BUNKER OBSERVERS'	63
2012-07-19	WHEN SHELLS SPEAK	64
2012-07-20	MLADIC MAKES OFFENSIVE REMARKS ABOUT SREBRENICA VICTIMS	65
2012-08-21	'SCOURGE OF SARAJEVO' CONTROLLED PRESSURE IN CITY	66
2012-08-22	MLADIC CAUTIONED FOR INSULTING WITNESS AND MAKING LOUD COMMENTS IN COURT	67
2012-08-23	MLADIC REPRIMANDED, HIS DEFENSE CAUTIONED	68
2012-08-23	LORD CARRINGTON'S VAIN HOPES	69
2012-08-24	MLADIC APOLOGIZES	69
2012-08-27	MLADIC WANTED TO 'ROLL OUT THE MINDS' OF THE PEOPLE IN SARAJEVO	70
2012-08-28	'ARSONISM' IN SARAJEVO	71
2012-08-29	WITNESSES SURVIVED EXECUTIONS BY A MIRACLE	72
2012-08-30	EVIDENCE ON EXECUTION IN BILJANI COMPLETED	73
2012-08-31	MLADIC REMOVED FROM COURTROOM	74
2012-09-03	WITNESS OF MASSACRE IN ROOM 3 IN KERATERM PRISON CAMP	75
2012-09-04	VRHPOLJE BRIDGE MASSACRE	76
2012-09-04	SEFIK HURKO'S SECOND ENCOUNTER WITH RATKO MLADIC	76
2012-09-05	DEFENSE: MLADIC WASN'T TOLD ABOUT TREATMENT OF PRISONERS	77
2012-09-05	PEOPLE DIED FOR NO REASON IN BRISEVO	78
2012-09-06	PICKAXES, SHOVELS, BLOOD AND TEARS	79
2012-09-06	WITNESS ACCUSES ARMY, DEFENSE BLAMES PARAMILITARIES	79
2012-09-19	'KARADZIC'S GUESTS' IN OMARSKA AND TRNOPOLJE	80
2012-09-20	IMPRISONED BY HIS ERSTWHILE NEIGHBORS	81
2012-09-20	MLADIC'S DEFENSE: TRNOPOLJE WAS 'HUMANITARIAN CENTER'	82
2012-09-21	POLICE RAN PRISON CAMP, ARMY TOOK PEOPLE TO DO FORCED LABOR	83
2012-09-24	TESTIMONY OF INSIDER FROM MANJACA	84
2012-09-25	WHAT'S IN A ZERO?	84
2012-09-25	MURDERS IN FRONT OF MANJACA PRISON CAMP COMMAND	85
2012-09-26	MLADIC REFUSES TO FOLLOW WITNESS TESTIMONY VIA VIDEO LINK	86

2012-09-26	BUS MASSACRE DESCRIBED IN ABSENCE OF ACCUSED	86
2012-09-27	SELAK TAKES PRIDE IN ORDERS HE DIDN'T OBEY	87
2012-09-28	NEW RULES FOR MLADIC	88
2012-09-28	'VOLUNTARY' EXPULSION FROM PALE	89
2012-10-01	PRISON CAMP FOR ETHNIC CLEANSING	89
2012-10-02	RATKO MLADIC'S FIRST VICTIMS IN SARAJEVO	90
2012-10-02	ETHNIC CLEANSING WAS BASED ON THE 'PROPERTY MAP' OF PRIJEDOR	91
2012-10-03	MLADIC'S DEFENSE SAYS ARMY HAD NOTHING TO DO WITH CRIMES IN OMARSKA	92
2012-10-04	MLADIC'S RESPONSIBILITY FOR TERROR IN SARAJEVO	93
2012-10-05	DEADLINE TO CLEANSE ROGATICA	94
2012-10-05	COMMANDER AND SUPREME COMMANDER	94
2012-10-08	MLADIC THREATENS TO GO ON HUNGER STRIKE	95
2012-10-08	SARAJEVO WAS PUNISHED AND TERRORIZED	96
2012-10-09	SIMILARITIES AND DIFFERENCES BETWEEN US ARMY AND MLADIC'S ARMY	97
2012-10-10	MLADIC HAD 'MORE CANNONS THAN SOLDIERS'	97
2012-10-11	GENERAL MLADIC 'OUT OF CONTROL'	98
2012-10-12	MLADIC COULD ORDER A CEASE FIRE IF HE WANTED	99
2012-10-29	TOO YOUNG TO SERVE IN THE ARMY, OLD ENOUGH TO KILL	100
2012-10-31	CHILDREN MASSACRED WHILE PLAYING IN THE SNOW	100
2012-11-01	BLOCKING SARAJEVO TO ACHIEVE OBJECTIVES IN OTHER BATTLEFIELDS	101
2012-11-02	LEGITIMATE MILITARY TARGETS IN SARAJEVO	102
2012-11-02	VENTING ANGER ON PRISONERS	103
2012-11-05	ISMET SVRAKA TESTIFIES FOR THE SECOND TIME AT THE TRIBUNAL	104
2012-11-06	VRS INSIDER GIVES EVIDENCE	104
2012-11-07	STRICT LINE OF COMMAND WITH MLADIC ON TOP	105
2012-11-08	ARMY AND PRISONS CAMPS IN PRIJEDOR	106
2012-11-08	WHO CONTROLLED ARTILLERY AROUND SARAJEVO: MLADIC OR SDS?	107
2012-11-09	'BLOODY ADMISSION SYSTEM' IN OMARSKA	107
2012-11-12	DEFENSE: TRAM HIT BY STRAY BULLET	108
2012-11-15	MLADIC 'DOMINANT PERSONALITY' IN THE VRS	109

2012-11-16	WITNESS OF MADNESS IN BILJANI	110
2012-11-20	FORMER PRISONER IN KPD FOCA GIVES EVIDENCE	110
2012-11-21	THE DAY FIRE RAINED ON SARAJEVO: 3,777 SHELLS IN 12 HOURS	111
2012-11-22	'ADJUSTING' MORTAR FIRE	112
2012-12-03	SNIPER AND ARTILLERY TERROR IN DOBRINJA	113
2012-12-05	VRS 'DELIBERATELY TARGETED' CIVILIANS	113
2012-12-06	WHY NATO AIRCRAFT DIDN'T BOMB BOTH SIDES?	114
2012-12-10	CHALLENGING ORIGIN OF FIRE IN SARAJEVO	115
2012-12-11	UNPROFOR OFFICER: MLADIC HAD FULL CONTROL OF VRS	116
2012-12-13	1,200 SHELLS A DAY HIT SARAJEVO 'ON AVERAGE'	116
2012-12-14	MLADIC REMOVED AGAIN FROM COURTROOM	117
2013-01-10	EXPERT ON SNIPER TERROR IN SARAJEVO	117
2013-01-11	VICTIMS OF DELIBERATE FIRE OR STRAY BULLET?	118
2013-01-14	HOSPITAL IN THE LINE OF FIRE	119
2013-01-16	GENERAL ROSE: MLADIC HAD 'COMPLETE CONTROL'	120
2013-01-17	'DRASTIC DIFFERENCE'	120
2013-01-18	MLADIC ABSENT DURING PART OF TRIAL	121
2013-01-21	'RANDOM BUT RATIONAL' FIRE ON CIVILIANS	122
2013-01-22	CONTESTING MARKALE 2 MASSACRE	123
2013-01-23	CONTROVERSIAL PROTOCOL	123
2013-01-24	MLADIC'S 'TIRADE OF THREATS'	124
2013-01-25	MLADIC: GENERAL SMITH IS 'BRITISH HAWK'	125
2013-01-28	GENERAL SMITH: NOTHING PERSONAL IN STRIKES AGAINST MLADIC	125
2013-01-29	WITNESS: MLADIC CONCEIVED VRS STRATEGY IN SARAJEVO	126
2013-01-30	MLADIC REMOVED FROM COURT AGAIN	127
2013-01-31	PALE'S OBSESSION WITH MAPS	127
2013-02-01	MLADIC TO PAY PART OF COST OF HIS DEFENSE	128
2013-02-01	MEDIA WERE 'UNCONSCIOUSLY' BIASED	128
2013-02-05	WITNESS SPEAKS ABOUT MARKALE ON THE ANNIVERSARY OF MASSACRE	129
2013-02-06	CONTESTING SARAJEVO INVESTIGATIONS	130

2013-02-07	RATKO MLADIC – CHARMER AND BULLY	131
2013-02-08	'HONEST MAN' WHO DIDN'T SPEAK THE TRUTH	132
2013-02-11	'ROSES' AND 'PAWS' ON ASPHALT IN SARAJEVO	132
2013-02-12	POLICE 'PLANTED' EVIDENCE	133
2013-02-13	'STRATEGIC' SHELLING OF HOSPITAL	134
2013-02-14	WHICH HALF OF THE HOSPITAL WAS SHELLED MORE?	135
2013-02-15	COUNTING BODIES AT MARKALE	135
2013-02-19	MURDERS IN KPD FOCA	136
2013-02-20	MLADIC'S DEFENSE CONTENDS 'SOWS' WERE ACCURATE WEAPONS	137
2013-02-21	WAITING TO DIE	138
2013-02-26	'APPROPRATE RESPONSE' TO NON-EXISTENT FIRE	138
2013-04-08	NEW BREAK AT MLADIC'S TRIAL	139
2013-04-09	MLADIC TRIAL ADJOURNED	140
2013-04-10	MLADIC REMOVED FROM COURT	140
2013-04-11	FIVE STAGES OF SREBRENICA INVESTIGATION	141
2013-04-12	SREBRENICA INVESTIGATION, MADLEINE ALBRIGHT AND MLADIC'S DIARIES	142
2013-04-17	DEFENSE OBJECTS TO 'SREBRENICA MAP COLLECTION'	142
2013-04-18	MLADIC'S 'THREATENING' RHETORIC	143
2013-04-19	SHIFTING THE RESPONSIBILITY ON THE DUTCH	144
2013-04-19	'WOLVES' AND 'SCORPIONS' AT RATKO MLADIC'S TRIAL	144
2013-04-23	DID THE DUTCH 'DECLARE WAR' ON MLADIC'S TROOPS?	145
2013-04-24	UNPROFOR WAS DECEIVED	146
2013-04-25	MLADIC DEFENDS HOLLAND	146
2013-04-26	ONLY EXECUTION VICTIMS WERE BURIED IN SREBRENICA GRAVES	147
2013-05-01	DID THE WITNESS SEE THE KILLING IN POTOCARI?	148
2013-05-02	UNPROFOR'S MISJUDGMENT AND FEARS	149
2013-05-03	DEFENSE: UNPROFOR WAS A SIDE IN CONFLICT	149
2013-05-07	DID SREBRENICA POPULATION HAVE A CHOICE?	150
2013-05-08	MLADIC'S THREATS TO 'BLUE HELMETS'	151
2013-05-09	SURVIVOR FROM RIVER JADAR BANK	152

2013-05-09	ORAHOVAC KILLING FIELDS	152
2013-05-10	HOW TO 'SECURE' DETAINEES	153
2013-05-14	WITNESS: THERE WAS HATE, BUT NO DESIRE FOR REVENGE	154
2013-05-16	MOTHERS FROM SREBRENICA TELL THEIR STORY	155
2013-05-21	WHO PLANNED AND CARRIED OUT SREBRENICA OPERATION?	156
2013-05-22	KARADZIC'S DIRECTIVE WAS USED AS SANCTION DESIGNED TO ACHIEVE 'CHANGE OF REGIME'	157
2013-05-23	DIGGING MASS GRAVES	157
2013-05-24	SERBIAN JOURNALIST CONTRIBUTED TO SREBRENICA INVESTIGATION	158
2013-06-03	PREPARING AND CONCEALING CRIMES	159
2013-06-04	FALSE PREMISES, UNRELIABLE SOURCES AND INACCURATE FINDINGS	159
2013-06-04	THE HAGUE INSTEAD OF 'HAPPY HUNTING GROUNDS'	160
2013-06-05	DEFENSE CONTESTS INSIDER'S EVIDENCE ON MLADIC'S GESTURE	161
2013-06-06	BOY FROM EXECUTION SITE IN ORAHOVAC	162
2013-06-07	VICTIMS OF FIGHTING AND REVENGE	162
2013-06-10	EAR-WITNESS OF THE EXECUTION IN KRAVICA	163
2013-06-11	EXECUTION SITE AT PETKOVCICI DAM	164
2013-06-12	PRISONERS IN NOVA KASABA: WAS A LIST MADE OR NOT?	165
2013-06-14	SECURITY BEFORE EXECUTION	165
2013-06-18	WHEN DID MLADIC RETURN TO CRNA RIJEKA?	166
2013-06-20	COULD MLADIC REALLY NOT KNOW WHAT 'EVERYONE ELSE KNEW'	167
2013-06-25	ACIMOVIC: EXECUTION ORDER DEFIED ALL PRINCIPLES OF HUMANITY	168
2013-06-26	'SOLDIERS' ARMED WITH PARING KNIVES	168
2013-07-02	DRAZEN ERDEMOVIC TESTIFIES FOR THE TENTH TIME	169
2013-07-03	DEFENSE CONTESTS ERDEMOVIC'S CLAIMS USING ACCOMPLICES' STATEMENTS	170
2013-07-04	FOOTBALL WITH 'CHETNIKS'	171
2013-07-05	CLEAN-UP OPERATION AFTER FALL OF SREBRENICA	172
2013-07-08	QUESTION WITHOUT ANSWER	172
2013-07-09	NEW FIGURES FOR SREBRENICA VICTIMS	173
2013-07-10	AUSTRALIAN POLICE OFFICER IN SREBRENICA'S KILLING FIELDS	174

2013-07-15	EVIDENCE FROM MASS GRAVES	174
2013-07-16	BLINDFOLDS TELL A TALE	175
2013-07-18	SREBRENICA SYNDROME	176
2013-07-19	BLINDFOLDS AND TIES FROM MASS GRAVES	177
2013-07-22	BULLET CASINGS FROM SREBRENICA EXECUTION SITES ANALYZED	177
2013-07-23	'OVERLAPPING' IN COURTROOMS	178
2013-07-24	DEFENSE: FINDINGS FIT PROSECUTION NEEDS	178
2013-07-25	DEMOGRAPHY OF SREBRENICA GENOCIDE	179
2013-08-19	ALMOST 7,000 VICTIMS OF SREBRENICA GENOCIDE IDENTIFIED	180
2013-08-20	TERRAIN CLEAN-UP, NOT CRIME COVER-UP	180
2013-08-21	ESCAPE FROM CERTAIN DEATH	181
2013-08-22	DRINA RIVER WAS NOT TO BE THE BORDER	182
2013-08-23	MLADIC'S TRIAL ADJOURNED TEMPORARILY	183
2013-08-26	VIOLENCE AGAINST SARAJEVO A 'PROPAGANDIST CARICATURE'	183
2013-08-27	RATKO MLADIC'S 'INFLUENTIAL VOICE'	184
2013-08-28	JUSTIFYING THE SHELLING OF SARAJEVO	185
2013-08-29	'INSANE' THEORIES ABOUT CAUSE OF MARKALE EXPLOSION	185
2013-08-29	MLADIC WANTS WEDNESDAYS OFF	186
2013-09-02	FORENSIC EVIDENCE FROM FIRST STAGE OF SREBRENICA INVESTIGATION	187
2013-09-04	MLADIC'S ROLE IN SREBRENICA OPERATION	187
2013-09-05	EVERYTHING WAS UNDER MLADIC'S CONTROL	188
2013-09-06	A BAD ATTEMPT TO COVER UP SREBRENICA MASSACRE	189
2013-09-09	TRIAL OF EXHAUSTED MLADIC ADJOURNED AGAIN	190
2013-09-10	TRIAL CHAMBER: 'TRIAL CANNOT BE DELAYED BECAUSE MLADIC IS UNDER STRESS'	191
2013-09-11	MLADIC BACK IN COURT	191
2013-09-12	TESTIMONY ABOUT MLADIC'S 'SHOCKING AND OFFENSIVE' COMMENTS	192
2013-09-13	VRS DOCUMENTS CONFIRM AUTHENTICITY OF INTERCEPTED CONVERSATIONS	193
2013-09-16	'CARPET-BAGGERS' WERE A LEGITIMATE MILITARY TARGET	194
2013-09-17	MILOVANOVIC AND MLADIC: TWO BODIES, ONE SOUL	195
2013-09-18	MILOVANOVIC: DIRECTIVE 7 WAS ILLEGAL	195

2013-09-19	KARADZIC'S DIRECTIVE 7 WAS 'ILLEGAL', MLADIC'S 'LEGAL'	196
2013-09-20	RATKO HAD HEART OF DOVE	197
2013-09-20	AIR BOMBS WERE WORSE THAN UNRELIABLE	198
2013-09-23	FORENSIC EVIDENCE OF SREBRENICA CRIMES	198
2013-09-26	RECONSTRUCTION OF SNIPER INCIDENTS IN SARAJEVO	199
2013-09-30	VICTIM FROM FOCA: 'THEY TOOK AWAY MY HAPPINESS'	200
2013-10-01	CONTESTING SARAJEVO INCIDENTS	201
2013-10-16	DESTRUCTION OF COMMUNITY SYMBOLS	201
2013-10-17	CONTESTING PROSECUTION EXPERT'S CREDIBILITY	202
2013-10-17	SARAJEVO: NO PLACE WAS SAFE	203
2013-10-18	'AN OCEAN OF TRAUMA, DESPERATION, SOLITUDE AND FEAR'	204
2013-10-21	MLADIC'S CURSING IN COURT	204
2013-10-22	PROSECUTION BEGINS CALLING EVIDENCE ON UN HOSTAGES	205
2013-10-23	WITNESS ILL, MLADIC'S TRIAL ADJOURNED	206
2013-10-25	'HOSTAGE OPERATION' RUN BY TOP VRS ECHELON	207
2013-10-28	EVIDENCE FROM ORAHOVAC MASS GRAVES	207
2013-10-29	HUMILIATED AND LET DOWN	208
2013-11-05	MLADIC'S DEFENSE CONTESTS EXPERT FINDINGS ABOUT MARKALE 2	209
2013-11-07	CONTESTING MARKALE 1	210
2013-11-08	DEFENSE: INVESTIGATIONS OF ARTILLERY INCIDENT FULL OF FLAWS	210
2013-11-12	MLADIC RESPONSIBLE WHETHER 'HE LIKES IT OR NOT'	211
2013-11-13	PROSECUTOR: TOMASICA FINDINGS TO BE ADMITTED INTO MLADIC CASE	212
2013-11-14	HUMAN SHIELD ON MOUNT JAHORINA	213
2013-11-15	TRIAL CHAMBER ORDERS MEDICAL EXAMINATION FOR MLADIC	213
2013-11-18	PROSECUTION EXPERT WITNESS USED INAPPROPRIATE' TERMINOLOGY	214
2013-11-19	VRS OPERATIONS WERE BASED ON STRATEGIC GOALS	214
2013-11-22	NUTRITIONIST IN MANJACA PRISON CAMP	215
2013-11-25	ABOUT PRISONERS 'INDIRECTLY, WITHIN LIMITS OF LEGALITY'	216
2013-11-26	VALID INSTRUCTIONS AND UNAUTHORIZED ORDERS	217
2013-11-27	PROSECUTION COLLECTS EVIDENCE ON TOMASICA	217

2013-12-02	ETHNIC DIVISION IN BH	218
2013-12-03	MLADIC WAS ACTIVE AND INFORMED COMMANDER	219
2013-12-05	STRATEGIC GOALS ACHIEVED UNDER MLADIC'S COMMAND	219
2013-12-06	DIRECTIVES ISSUED BY 'CHARISMATIC COMMANDER'	220
2013-12-09	DEFENSE CONTESTS EXPERTISE OF PROSECUTION'S WITNESS	221
2013-12-10	MLADIC'S 'OSTENSIBLY GOOD INTENTIONS'	221
2013-12-12	BREAK IN RATKO MLADIC'S TRIAL	222
2013-12-17	MLADIC SEEKS DISQUALIFICATION OF TWO JUDGES	223
2014-02-26	PROSECUTION RESTS ITS CASE, MLADIC'S DEFENSE CASE TO BEGIN ON 13 MAY 2014	224
2014-03-17	MLADIC 'LOOKS FORWARD' TO HIS DEFENSE CASE TO START	224
2014-03-18	PROSECUTION: MLADIC HAD FULL CONTROL OF VRS 'AT HIS FINGERTIPS'	225
2014-03-19	DEFENSE: 'IRRECONCILABLE DIFFERENCES' BETWEEN MLADIC AND KARADZIC	226
2014-03-31	MLADIC BACK TO FIVE-DAY WORKING WEEK REGIME	227
2014-04-08	JUDGMENT TO MLADIC AT 'HALF-TIME' OF TRIAL ON 15 APRIL 2014	227
2014-04-15	MLADIC STILL FACES SAME CHARGES	228
2014-04-22	MLADIC'S DEFENSE FOLLOWS IN KARADZIC'S FOOTSTEPS	228
2014-04-28	MLADIC'S DEFENSE HAS ITS PROBLEMS	229
2014-05-02	MLADIC'S DEFENSE GETS ANOTHER WEEK TO PREPARE	230
2014-05-12	MLADIC'S DEFENSE WITHOUT OPENING STATEMENT	230
2014-05-17	APPEALS CHAMBER TO CONSIDER MLADIC'S 'HALF-TIME' JUDGMENT	231
2014-05-19	RATKO MLADIC'S DEFENSE KICKS OFF	231
2014-05-20	'DOUBLE RING' AROUND SARAJEVO	232
2014-05-21	WAS SARAJEVO UNDER BLOCKADE?	233
2014-05-22	'NEIGHBORLY AGREEMENT' ON POPULATION EXCHANGE	234
2014-05-23	DISCREPANCIES BETWEEN DOCUMENTS AND WITNESS'S EVIDENCE	235
2014-05-23	THE PRAISE OF 'SOWS'	236
2014-05-26	GRATEFUL TO 'SERB BROTHERS'	237
2014-05-27	WITNESS: CIVILIAN CASUALTIES WERE COLLATERAL DAMAGE	237
2014-05-28	'STAGED' MASSACRE	238
2014-05-29	WHO BROUGHT PRISONERS TO FRONTLINES	239

2014-05-30	APPLICATION FOR A CHANGE OF RESIDENCE	240
2014-05-30	MARKALE 1 COMMISSION: PHANTOM OR REAL?	241
2014-06-02	EVIDENCE ON EVENTS BEFORE AND AFTER PERIOD RELEVANT FOR INDICTMENT	242
2014-06-03	'MUSLIM SIDE RESPONSIBLE FOR POWER CUTS IN SARAJEVO'	243
2014-06-04	WHY AND HOW MUSLIMS LEFT PALE	244
2014-06-05	SEVERED HEADS ALL OVER SARAJEVO	245
2014-06-06	PROSECUTION: 'WITNESS IS INCONSISTENT AND INCREDIBLE'	246
2014-06-06	'HONEST PEOPLE'S CLUB' AGAINST PARAMILITARY FORMATIONS	246
2014-06-10	'DISPOSABLE' INSPECTOR	247
2014-06-10	COMMANDER'S KNOWLEDGE OF GENEVA CONVENTIONS PUT TO TEST	248
2014-06-11	TWO 'BAR TRUTHS' ABOUT ARMING OF SERBS AND MUSLIMS	249
2014-06-12	WHO OCCUPIED SARAJEVO?	250
2014-06-13	'IF ELVIS PRESLEY IS A STAR, I AM A 'GRANDE' STAR', SAYS MLADIC	250
2014-06-16	MLADIC'S TRIAL ADJOURNED FOR STOMACH FLU	251
2014-06-17	MLADIC TRIAL DIDN'T RESUME TODAY	252
2014-06-19	MLADIC'S TRIAL CONTINUES NEXT WEEK	252
2014-06-23	WITNESS DENIES MARKALE 2 RESPONSIBILITY, INVOKING TYPING ERRORS	253
2014-06-24	'RANDOM' BOMBS LAUNCHED ON SARAJEVO	254
2014-06-25	CONTRADICTION EVIDENCE ON SARAJEVO 'RANDOM' BOMBS	255
2014-06-26	UN SOLDIERS WERE ARRESTED "IN MUTUAL INTEREST"	256
2014-06-27	MILITARY TARGET MISSED OR CIVILIAN TARGET HIT?	256
2014-07-03	WHO TERRORIZED WHOM IN SARAJEVO	257
2014-07-04	WITNESS: 'MUSLIMS STAGED MARKALE 1'	258
2014-07-07	NEIGHBORS COMMUNICATING OVER GUN SIGHTS	259
2014-07-08	DEFENDING 'LIVING SPACE'	260
2014-07-09	MLADIC'S WITNESS: SERBS ARE GENETICALLY STRONGER, BETTER, HANDSOMER AND SMARTER	260
2014-07-10	NENAD KECMANOVIC WAS DELUDED FOR TWENTY YEARS	261
2014-07-11	NENAD KECMANOVIC REVISES ERSTWHILE OPINIONS AND POSITIONS	262
2014-07-14	KECMANOVIC: 'NO GENOCIDE IN BH'	263

2014-07-15	MLADIC'S WITNESS: BH ARMY VIOLATED LAWS OF WAR	264
2014-07-16	SERB FROM FOCA BLAMES 'DOGS OF WAR' FROM SERBIA AND MONTENEGRO FOR CRIMES	265
2014-07-17	GUARD FROM 'RECEPTION CENTER' FOR WOMEN IN FOCA TESTIFIES AT MLADIC TRIAL	266
2014-07-18	WHO RAPED WOMEN IN FOCA: WITNESS OR HIS NAMESAKE?	266
2014-07-21	NO CRIMES IN FOCA...ONLY CRIMINAL OFFENSES	267
2014-07-22	NO INVOLVEMENT IN RIVER JADAR CRIME	268
2014-07-23	NON-SERB PATIENTS IN SERB HOSPITAL	269
2014-07-24	WITNESS: WE AVOIDED MLADIC LIKE PLAGUE	270
2014-07-24	DOUBLE GENOCIDE REMAINS IN MLADIC'S INDICTMENT	270
2014-08-25	DID SERBS ASSIST CROATS FOR HUMANITARIAN OR OPPORTUNISTIC REASONS?	271
2014-08-25	MLADIC'S DEFENSE: WE DON'T WASTE COURT TIME	272
2014-08-26	DOCUMENTS FULL OF 'ERRORS'	273
2014-08-27	PROSECUTION CALLS FOR OPPORTUNITY TO PRESENT TOMASICA EVIDENCE	273
2014-08-28	NO POINTS FOR PRESENTATION	274
2014-09-01	EVIDENCE ON DEPLYMENT OF BH ARMY TROOPS IN SARAJEVO	275
2014-09-02	PROBATIVE VALUE OF DEFENSE EVIDENCE – 'ZERO'	276
2014-09-04	BOSNIAN SERB 'NEW DEMOGRAPHIC POLICY'	277
2014-09-08	HOW TO RAZE 'HALF OF SARAJEVO' TO GROUND WITH 'EMPTY GUN'	278
2014-09-09	PRIME MINISTER KNEW NOTHING ABOUT RAPE	279
2014-09-10	WITNESS REFUTES 'BAD SERBS' THEORY	280
2014-09-11	MLADIC OPPOSES TOMASICA EVIDENCE	281
2014-09-16	MLADIC'S WITNESS TESTIFIES ABOUT BUS MASSACRE	281
2014-09-17	AFTERMATH OF ATTACK ON AHATOVICI	282
2014-09-18	WITNESS: 'ENGENDERING CHAOS AND VILIFYING SERBS AS MUCH AS POSSIBLE'	283
2014-09-19	PROSECUTION REFUSES TO GIVE UP ON TOMASICA	283
2014-09-22	'MY FATHER WAS CONVICTED, BUT HE IS NOT GUILTY'	284
2014-09-23	'VOLUNTARY' DEPARTURE OF MUSLIMS FROM ROGATICA	285
2014-09-24	FORCED LABOR FOR MUSLIM PRISONERS	286
2014-09-25	MLADIC'S STRAIGHT-A STUDENTS	287

2014-09-25	(UN)REASONABLE USE OF AMMUNITION IN SARAJEVO	287
2014-09-29	DEMOCRATIC PROCEDURE IN BATKOVIC PRISON CAMP	288
2014-09-30	'SHELTERS' FOR DETAINED CIVILIANS	289
2014-10-01	KOTOR VAROS: FROM CRIME TO GENOCIDE	290
2014-10-02	CONTRADICTIONARY VIEWS OF SANSKI MOST CONFLICT	291
2014-10-13	ROGATICA TEEMING WITH MUSLIM 'VOLUNTEERS'	292
2014-10-14	PRISONERS WERE KILLED IN LINE WITH GENEVA CONVENTIONS	293
2014-10-15	PROSECUTOR IGNORES WITNESS'S EULOGIES ABOUT MLADIC	294
2014-10-16	CRIME COMMITTED BY 'DERANGED PERSON' OUT OF MLADIC'S CONTROL	295
2014-10-20	RESPONSIBILITY OF THE ARMY FOR EXECUTION OF PRISONERS IN RASADNIK FARM	296
2014-10-21	HOW FOCA BECAME SRBINJE	296
2014-10-22	DNA ANALYSIS CONTRADICTS SREBRENICA GENOCIDE DENIAL	297
2014-10-23	PROSECUTION MOTION TO CALL EVIDENCE ON TOMASICA GRANTED	298
2014-10-23	RHYME DID NOT WORK FOR EVERYONE	299
2014-10-27	WAR-TIME ASSISTANT DEFENDS MLADIC	300
2014-10-28	LETING HUMANITARIAN CONVOYS THROUGH MLADIC'S WITNESS: 'NO ONE STARVED TO DEATH IN WAR IN BH'	301
2014-10-30	WAR STORIES FROM FOCA HOSPITAL	302
2014-11-03	CIVILIANS WARNED TO KEEP AWAY AS VLASENICA MOSQUE WAS BLOWN UP	303
2014-11-04	SERBS SECEDED FROM BH BECAUSE THEY WERE 'HUMILIATED AND OUTVOTED'	304
2014-11-05	WITNESS KNOWS NOTHING ABOUT CRIMES OF HIS FELLOW FIGHTERS	305
2014-11-06	HOW MILITARY COURT PROSECUTED SERBS IN BIJELJINA	306
2014-11-10	BLAMING THE 'OTHER SIDE'	307
2014-11-11	'SERB' OR 'INDEPENDENT' AUTONOMOUS REGIONS?	308
2014-11-12	NO MUSLIMS IN ROGATICA BY THE END OF WAR	309
2014-11-13	'IGNORANT TYPIST' MADE A MISTAKE	310
2014-11-17	KARADZIC'S 'BIOLOGICAL ANALOGIES'	311
2014-11-18	ARKAN AND 'ARKAN'S MEN' ARE RESPONSIBLE	311
2014-11-19	MAKING MUSLIMS FEEL LIKE THEY LIVED 'IN A GHETTO'	312
2014-11-19	'SELF-ORGANIZED' SERB GUARDS IN ROGATICA	313

2014-11-20	MLADIC'S WITNESS: MASSACRE IN VELAGICI 'REVENGE FOR WORLD WAR II'	314
2014-11-24	WITNESS: THERE WERE NO CRIMES IN SUSICA	315
2014-11-24	'SILK ROPE FOR ALIJA'	315
2014-11-25	EVACUATION ALLOWED, RETURN PROHIBITED	316
2014-11-26	NO NEED TO LIST CRIMES AGAINST NON-SERBS BECAUSE THEY WERE 'GENERAL KNOWLEDGE'	317
2014-11-27	PRAISE FOR 'COURAGEOUS AND FAIR' GENERAL MLADIC	318
2014-12-01	SITUATION IN SREBRENICA BEFORE 1995	319
2014-12-02	TWO VERSIONS OF MURDER OF PRIEST	320
2014-12-03	CLEANSING 'UNCLEAN' KRAJINA	321
2014-12-04	WERE MLADIC'S TROOPS RESPONSIBLE FOR CRIME IN GRABOVICA?	322
2014-12-08	WHO ORDERED ATTACK ON POFALICI?	323
2014-12-09	CRIMES IN 'GOOD CONDITIONS' IN MANJACA	324
2014-12-10	MUSLIMS FLED IN FEAR OF MUSLIMS	325
2014-12-11	KRAJINA PEOPLE FIGHTING FOR THEIR MONEY	325
2014-12-15	'FULL PICTURE OF THE TRUTH' IN MLADIC'S DEFENSE	326
2014-12-16	WITNESSES ROLL OFF ASSEMBLY LINE	327
2014-12-16	WHO NEEDED WAR IN BH?	328
2014-12-16	'TRICK' TO PREVENT NATO STRIKES	329
2014-12-17	NEW WITNESS, OLD CLAIMS	329
2014-12-17	THIN LINE IN MLADIC WITNESS'S HEART	330
2014-12-18	HEAD OF MLADIC'S INFORMATION SERVICE CLAIMS HE DID NOT RECEIVE INFORMATION	331
2015-01-19	WHY AND WHEN DID MUSLIMS LEAVE PRIJEDOR?	332
2015-01-20	WAR CRIMES COMMITTED BY 'OUT OF CONTROL INDIVIDUALS'	333
2015-01-22	'NO ONE TOUCHED MUSLIMS IN KLJUC'	334
2015-01-23	'PROTECTION' OF MUSLIMS IN KLJUC	335
2015-01-23	GENERAL MLADIC'S 'FLOWER GARDEN'	335
2015-01-26	AUTHENTICITY OF INTERCEPTED CONVERSATIONS CONTESTED	336
2015-01-27	MLADIC 'SENSITIVE' TO SUFFERING OF CIVILIANS	337
2015-01-28	INTELLIGENCE OFFICER HAD NO ACCESS TO INTELLIGENCE	337

2015-01-28	THOSE WHO KILLED CIVILIANS PUNISHED BY RETURNING TO THEIR UNITS	338
2015-01-29	AUTONOMOUS REGION OF BIRAC: DID IT PROTECT SERB INTERESTS ONLY?	339
2015-02-02	CIVILIANS STRONGER THAN ARMY	340
2015-02-03	CROATS HAD TO PAY THEIR WAY THROUGH SERB TERRITORY	341
2015-02-04	MUSLIMS LEFT BOSANSKI NOVI 'VOLUNTARILY'	342
2015-02-05	WAS KOTOR VAROS BRIGADE 'MULTI-CULTURAL'?	342
2015-02-05	NON-SERBS WERE GIVEN 'ASSISTANCE' TO LEAVE SANSKI MOST	343
2015-02-09	CONTESTING SREBRENICA PENITENT'S 'ABSOLUTE UNTRUTHS'	344
2015-02-10	'VOLUNTARY' PRISONERS IN PRIJEDOR PRISON CAMPS	345
2015-02-11	DR. DAVIDOVIC'S DIARY: 'EXPEL FOREVER'	346
2015-02-12	HOW TO DRESS UP BODIES	346
2015-02-12	TRNOPOLJE – JOURNALISTS BEHIND FENCES, PRISONERS ROAM FREE	347
2015-02-16	WERE PEOPLE BEATEN OR JUST PUSHED AROUND IN TRNOPOLJE?	348
2015-02-17	UNDER 'UMBRELLA' OF MANJACA	348
2015-02-18	ON THE EVE OF ATTACKS ON SREBRENICA AND ZEPA	349
2015-02-19	SREBRENICA TIMELINE: WITNESS AND PROSECUTION AT ODDS	350
2015-02-23	WITNESS 'TRIES TO WEASEL OUT' OF SREBRENICA EVENTS	351
2015-02-24	FISH ON ST. PETER'S DAY?	352
2015-02-25	WHAT WITNESSES TALK ABOUT AS THEY WAIT TO TESTIFY	353
2015-02-26	ARE MUJAHIDEEN CRIMES RELEVANT FOR MLADIC'S TRIAL?	354
2015-03-02	WITNESS: THERE WERE CRIMES, BUT I CAN'T SAY WHICH ONES	354
2015-03-03	EXCHANGES WERE PART OF ETHNIC CLEANSING MACHINERY	355
2015-03-04	WHAT IS AND WHAT ISN'T CREDIBLE?	356
2015-03-05	WHAT DID MLADIC SAY AND DO IN KONJEVIC POLJE ON 13 JULY 1995?	357
2015-03-05	WITNESS KNOWS NOTHING ABOUT UNIDENTIFIED INCIDENTS	357
2015-03-09	PREPARATIONS IN TRNOPOLJE FOR 'PROPAGANDA VISIT'	358
2015-03-09	VOLUNTARY SURRENDER AND KILLING AROUND SREBRENICA	359
2015-03-10	THE HYATT HOTEL IN TRNOPOLJE	360
2015-03-11	'SICK PEOPLE' COMMITTED CRIMES	361
2015-03-12	MLADIC'S DEFENSE: MORE TIME AND MONEY FOR TOMASICA INVESTIGATION	362

2015-03-12	IMPUNITY POLICY IN REPUBLIKA SRPSKA ARMY	363
2015-03-16	WERE BOSNIAN SERBS FORCED TO SPLIT FROM BH INTERIOR MINISTRY OR WAS IT ALL PART OF A PLAN	363
2015-03-17	'TOP PROFESSIONAL' UNINFORMED	364
2015-03-18	UNPLEASANT STENCH OF DEAD BODIES	365
2015-03-19	FROM DEFENSE TO SELF-DEFENSE	366
2015-03-20	PROSECUTION OPPOSES FOUR-MONTH BREAK AT MLADIC TRIAL	367
2015-03-23	WHO ARE TURKS FROM GORAZDE?	368
2015-03-24	VIDOJE BLAGOJEVIC'S 'DEFENSE ZONE'	368
2015-03-25	HOW CAPTURED SREBRENICA MEN WERE PROTECTED AGAINST NATO STRIKES	369
2015-03-26	DELETED FROM TAPES AND WITNESS MEMORY	370
2015-03-26	UNPLEASANT MEMORIES	371
2015-03-26	WITNESS HEAPS SCORN ON PENITENT	371
2015-03-27	PROSECUTION WILL REOPEN ITS CASE TO CALL TOMASICA EVIDENCE ON 22 JUNE 2015	372
2015-03-30	PELEMIS WILLING TO COME TO SARAJEVO BUT...	373
2015-03-31	LARKS' DIRTY JOBS	373
2015-04-01	'VULNERABLE CATEGORIES' MOVED OUT VOLUNTARILY	374
2015-04-02	MLADIC'S ROUTE FROM SREBRENICA TO HAN PIJESAK	375
2015-04-07	PEOPLE FROM SREBRENICA 'KILLED EACH OTHER'	376
2015-04-08	WHAT WITNESS DIDN'T SEE IN KONJEVIC POLJE	377
2015-04-09	'SOLDIERS' TALES' ABOUT EXECUTIONS	377
2015-04-20	WHAT ARMY DIDN'T DO IN SANSKI MOST	378
2015-04-21	'COLLATERAL DAMAGE' IN SANSKI MOST	379
2015-04-22	WITNESS'S ENCOUNTERS WITH MLADIC	380
2015-04-23	WHO IS RESPONSIBLE FOR BILJANI MASSACRE?	380
2015-04-28	MUSLIMS HAD TO LEAVE 'FOR THEIR OWN GOOD'	381
2015-04-29	'ORGANIZING' SUSICA PRISON CAMP	382
2015-04-30	'TRAGIC TOLL' IN KRAVICA	382
2015-04-30	SERBS SEIZED POWER TO KEEP PEACE	383
2015-05-04	'EXTIRPATION' IN PRIJEDOR	384

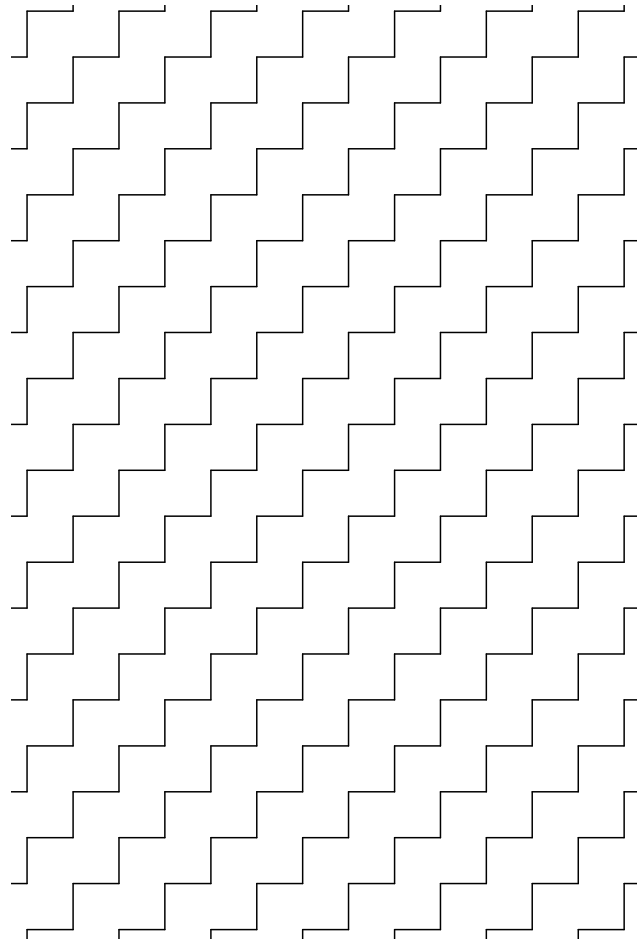
2015-05-05	.....	385
	'TRIAGE' AT SREBRENICA EXECUTION SITES	
2015-05-06	.....	385
	CRIMES WERE NOT ORDERED	
2015-05-07	.....	386
	SMUGGLING ARMS THROUGH SERB KRAJINA	
2015-05-07	.....	387
	NOT A WORD ABOUT SREBRENICA VICTIMS	
2015-05-11	.....	388
	SETTING UP EXECUTION SQUAD FOR BRANJEVO	
2015-05-12	.....	388
	WAS PECANAC MLADIC'S MAN FOR 'SPECIAL TASKS'?	
2015-05-12	.....	389
	WHO WERE THE VICTIMS OF ORIC'S ATTACK ON BIJELOVAC: CIVILIANS OR SOLDIERS?	
2015-05-13	.....	390
	WAR CRIMES IN 'VACUUM'	
2015-05-14	.....	390
	WHAT HAPPENED TO PRIJEDOR MEDICAL DOCTORS?	
2015-05-18	.....	391
	WHAT DID MLADIC'S ARMY WANT TO ACHIEVE?	
2015-05-19	.....	392
	PUBLIC DECEIVED ABOUT 'DEFENSIVE' MILITARY ACTIONS	
2015-05-20	.....	393
	WHERE WAS MLADIC IN THE EVENING ON 16 JULY 1995?	
2015-05-21	.....	394
	THIN LINE BETWEEN UNLAWFUL AND LAWFUL SHELLING	
2015-05-22	.....	394
	WHAT IS ARTILLERY SUPPORT?	
2015-06-22	.....	395
	TOMASICA EVIDENCE BEGINS IN CLOSED SESSION	
2015-06-23	.....	396
	TOMASICA EVIDENCE CLOSED TO PUBLIC	
2015-06-24	.....	396
	HUNDREDS OF 'GROUPS' IN TOMASICA MASS GRAVES	
2015-06-25	.....	397
	(UN)BIASED TOMASICA EXHUMATIONS	
2015-06-25	.....	398
	BALISTIC EXPERTISE OF BULLET SHELLS FROM TOMASICA	
2015-06-29	.....	399
	385 TOMASICA VICTIMS IDENTIFIED	
2015-06-30	.....	399
	ANALYSIS OF ITEMS FOUND IN TOMASICA	
2015-06-30	.....	400
	BALLISTIC FINDINGS CONTESTED	
2015-07-01	.....	401
	WHAT POST MORTEMES OF TOMASICA VICTIMS SHOWED	
2015-07-02	.....	401
	DEFENSE: VICTIMS BURIED IN TOMASICA WERE KILLED IN COMBAT	
2015-07-02	.....	402
	712 OF TOMASICA VICTIMS IDENTIFIED	
2015-07-07	.....	403
	CAUSE OF DEATH – ETHNIC CLEANSING	
2015-07-08	.....	404
	PROSECUTION RESTS TOMASICA CASE	
2015-07-09	.....	404
	MISSING PERSONS LIST CONTESTED	
2015-07-13	.....	405
	OFFICER OF 'EUROPE'S LARGEST CORPS' DENIES CRIMES	
2015-07-14	.....	406
	NO PUNISHMENT FOR CRIMES IN BOSNIAN KRAJINA	

2015-07-15	CRIMES PAVED WAY TO SERB STATE IN BH	407
2015-07-16	FROM YES TO NO AND BACK AGAIN	408
2015-07-16	LIFE IN GRBAVICA: HELL AND HARMONY	409
2015-08-10	CONTESTING CLAIMS ON CULTURAL HERITAGE DESTRUCTION	410
2015-08-11	WAS DESTRUCTION OF MOSQUES 'HAPHAZARD' OR ORGANIZED?	410
2015-08-12	COMMANDER AT WEDDING, TROOPS AT EXECUTION SITES	411
2015-08-13	MLADIC'S EXPERT TESTIFIES ABOUT INTERCEPTED CONVERSATIONS	412
2015-08-18	NO ONE COULD EAVESDROP ON MLADIC... OR COULD THEY?	412
2015-08-19	WHO TERRORIZED WHOM IN SARAJEVO	413
2015-08-20	MARRIED COUPLE CONFIRMS MLADIC'S ALIBI	414
2015-08-24	DEFENSE EXPERT: PROSECUTION 'MIXING APPLES AND ORANGES'	415
2015-08-25	SREBRENICA – MASSACRE OR ACCIDENT?	416
2015-08-27	'I CONTEST METHODOLOGY, NOT FIGURES'	416
2015-08-31	MLADIC'S WITNESS: '3,300 SERBS KILLED IN SARAJEVO'	417
2015-09-01	SERB VICTIMS OR VICTIMS OF SERBS	418
2015-09-02	MLADIC'S TRIP FROM CRNA RIJEKA TO BELGRADE	419
2015-09-07	OFFICIAL VS. SUBJECTIVE CONCLUSIONS ON MARKALE	419
2015-09-08	NICE HOLIDAY IN VRS CAPTIVITY	420
2015-09-09	DEFENSE: NIKOLIC INVENTED STORY ABOUT MLADIC'S HAND GESTURE	421
2015-09-15	DENYING FACTS ABOUT MARKALE MASSACRE	422
2015-09-16	PROVING MLADIC'S ALIBI	422
2015-09-17	MARKALE HIT BY SHELL THROWN FROM WINDOW	423
2015-09-21	WITNESS CONCLUDES THERE ARE NO RELIABLE CONCLUSIONS	424
2015-09-22	DEFENSE: 'DEFICIENT' EVIDENCE ON BREAD QUEUE MASSACRE	425
2015-09-23	EXPERT CONTESTS RESPONSIBILITY FOR ARTILLERY INCIDENTS	425
2015-09-28	BALLISTIC SCIENCE IN MLADIC'S DEFENSE	426
2015-09-29	FOCUS ON MARKALE FOR MLADIC'S EXPERT	427
2015-09-30	MLADIC'S EXPERT: 'SOWS' WERE ACCURATE, MARKALE MASSACRE WAS STAGED	428
2015-10-01	PROSECUTOR HIGHLIGHTS DEFENSE EXPERT'S ERRORS	428
2015-10-05	MISREPRESENTING EVIDENCE OR PAINTING A 'FULL PICTURE' OF SARAJEVO ATTACKS?	429

2015-10-06	EXPERT'S CONSPIRACY THEORIES	430
2015-10-07	WERE 'SOWS' IN SARAJEVO ACCURATE OR NOT?	431
2015-10-08	MLADIC'S EXPERT COMPLETES HER MARATHON EVIDENCE	432
2015-10-19	COMMON GOAL - UNITED SERB STATE?	432
2015-10-20	SERBS 'MOST LIKELY' DIDN'T SHELL MARKALE	433
2015-10-21	'RUMORS' ABOUT SREBRENICA GENOCIDE	434
2015-10-22	DRAGAN KIJAC'S EVIDENCE INTERRUPTED	434
2015-10-22	MLADIC'S DEFENSE WITNESS PASSES AWAY	435
2015-10-26	DUSAN DUNJIC DIED OF NATURAL CAUSES	435
2015-10-26	FROM VALJEVO VIA JAHORINA TO SREBRENICA	436
2015-10-27	NO LINE OF SIGHT FROM SERB POSITIONS TO SNIPER VICTIMS	437
2015-10-28	OTHER SIDE RESPONSIBLE FOR SNIPER VICTIMS	438
2015-10-29	PROSECUTION CONTESTS MLADIC'S EXPERT METHODOLOGY	438
2015-11-02	ERRONEOUS PREMISES RESULT IN WRONG CONCLUSIONS	439
2015-11-03	CONTROVERSIAL LINE OF SIGHT FOR SARAJEVO SNIPER TARGETS	440
2015-11-04	MLADIC'S EXPERT'S 'TECHNICAL ERRORS'	440
2015-11-05	EXPERT COMPLETES EVIDENCE ON SARAJEVO SNIPERS	441
2015-11-09	ARMY'S ROLE IN OMARSKA AND TOMASICA	442
2015-11-10	'THE LESS I KNOW, THE BETTER I AM'	442
2015-11-11	KRAJINA WAS MLADIC'S TESTING GROUND FOR BOSNIA	443
2015-11-12	OBSTRUCTING 'NON-EXISTENT' TRIBUNAL IN THE HAGUE	444
2015-11-16	'TYPICAL CIVIL WAR' IN BH	445
2015-11-17	EXPLOITING ISLAMOPHOBIA IN TRIBUNAL'S COURTROOM	446
2015-11-18	'PLAGIARISM' IN MLADIC'S EXPERT REPORT	447
2015-11-19	SARAJEVO CIVILIANS LACKED 'SAFETY CULTURE'	448
2015-11-23	'QUANTUM DIFFERENCE' IN CRIMES	449
2015-11-24	AKASHI'S 'THINKING OUT LOUD' ABOUT MLADIC	450
2015-11-25	EVERYONE IS TO BLAME FOR SREBRENICA GENOCIDE EXCEPT MLADIC AND KARADZIC	451
2015-11-30	HISTORIAN CORRECTS GRAMMAR	452
2015-12-01	HOW WITNESSES IN VOJISLAV SESELJ'S CASE WERE MADE TO 'CHANGE THEIR MINDS'	453

2015-12-01	.....	453
	DIFFICULTIES UNDERSTANDING CRIMINAL PROCEEDINGS	
2015-12-03	.....	454
	CONTESTING REPORTS ON SREBRENICA EXHUMATIONS	
2015-12-07	.....	455
	FROM ISLAMIC DECLARATION TO ISLAMIC STATE	
2015-12-08	.....	456
	DODIK: SDS PARTY LEADERSHIP INVOLVED IN WAR CRIMES	
2015-12-09	.....	457
	LISBON AGREEMENT – CHANCE FOR PEACE OR PLAN TO DESTROY BOSNIA?	
2015-12-10	.....	458
	SNIPERS 'WERE ONLY KIDDING'	
2015-12-14	.....	459
	MLADIC'S EXPERT ON SREBRENICA COLUMN OF SOLDIERS AND CIVILIANS	
2015-12-15	.....	460
	SELF-SHELLING FOR 'THE RIGHT CAUSE'	
2015-12-17	.....	461
	WHAT CARL BILDT KNEW ABOUT SREBRENICA	
2016-02-02	.....	461
	CONTROVERSIAL LIST CONTAINS CONTROVERSIAL NAMES	
2016-02-03	.....	462
	POLICE OFFICER DID NOT CONCERN HIMSELF WITH CRIMES	
2016-02-05	.....	463
	PUBLIC HEARING ON SERBIA'S NON-COMPLIANCE SLATED FOR NEXT WEEK	
2016-02-08	.....	464
	BREAK AT MLADIC'S TRIAL, FOCUS ON SERBIA	
2016-02-28	.....	464
	MLADIC BACK IN COURT	
2016-03-01	.....	465
	MLADIC'S DENIAL	
2016-04-18	.....	465
	HOW DEFENSE EXPERT CHALLENGES PROSECUTION EXPERTISE	
2016-04-19	.....	466
	DEFENSE EXPERT: TOMASICA VICTIMS COULD HAVE DIED IN COMBAT	
2016-04-20	.....	467
	BLINDFOLDED VICTIMS OR FIGHTERS WITH 'BANDANAS'	
2016-04-21	.....	468
	CLOSE TO ACCUSED AND INCONSISTENT IN EVIDENCE	
2016-04-25	.....	468
	BELGRADE PATHOLOGIST'S 'LONDON CONNECTIONS'	
2016-04-26	.....	469
	CONTESTING TOMASICA EVIDENCE	
2016-04-28	.....	470
	WITNESS WITH MEMORY PROBLEMS	
2016-05-02	.....	471
	DEFENSE: PROSECUTION EXPERT'S 'STATISTICAL EXHIBITIONISM'	
2016-05-03	.....	471
	IT DOES NOT MATTER IF VICTIMS WERE ARMED OR NOT, AS LONG AS THERE WAS FIGHTING	
2016-05-20	.....	472
	WHO CAN(NOT) WRITE RATKO MLADIC'S JUDGMENT?	
2016-06-01	.....	473
	PROSECUTION: REJECT MLADIC'S MOTION	
2016-06-14	.....	473
	CONSPIRACY AGAINST SERBS, UN'S PARTIALITY AND BOSNIAK AGGRESSION	
2016-06-15	.....	474
	CONFUSED COLONEL AND SOPHISTICATED PROSECUTOR	
2016-06-16	.....	475
	DEMURENKO LEFT BEFORE COMPLETING EVIDENCE	

2016-06-23	DEFENSE: POSTPONE CLOSING ARGUMENTS UNTIL JANUARY 2017	475
2016-07-04	MLADIC'S DEFENSE MOTION FOR MISTRIAL DENIED	476
2016-07-08	DEADLINES FOR FINAL BRIEFS EXTENDED	477
2016-07-12	MLADIC'S DEFENSE CALLS FOR REVIEW OF TRIAL CHAMBER'S DECISION	477
2016-08-16	MLADIC'S DEFENSE RESTS ITS CASE	478
2016-08-26	MLADIC'S MOTION FOR JUDGES' DISQUALIFICATION DENIED	478
2016-09-10	CLOSING ARGUMENT AT RATKO MLADIC'S TRIAL SET FOR DECEMBER 2016	479
2016-09-14	MLADIC'S COMPLAINT ABOUT 'SYSTEMATIC BIAS' REJECTED	480
2016-09-22	MLADIC'S MOTION FOR MISTRIAL DENIED	480
2016-09-27	DECISION TO END MLADIC'S DEFENSE CASE WILL NOT BE RECONSIDERED	481
2016-10-10	MLADIC SEEKS DISQUALIFICATION OF THREE APPELLATE JUDGES	481
2016-10-28	MLADIC'S DEMAND FOR JUDGES' DISQUALIFICATION REJECTED	482
2016-12-05	PROSECUTOR: MLADIC KEY PERSON ON 'ROAD TO HELL'	483
2016-12-06	FROM ETHNIC CLEANSING TO GENOCIDE	483
2016-12-07	PROSECUTOR CALLS FOR LIFE SENTENCE FOR RATKO MLADIC	484
2016-12-09	MLADIC'S DEFENSE: PROSECUTION FAILED TO MEET BURDEN OF PROOF	485
2016-12-12	A SEARCH OF A BETTER LIFE, NOT GENOCIDE	486
2016-12-13	DEFENSE: ACQUIT MLADIC OR SENTENCE HIM TO NO MORE THAN 5 TO 15 YEARS IN PRISON	487
2016-12-15	LAST TRIBUNAL TRIAL ENDS	488
2017-02-28	MLADIC'S MOTION ALLEGING UNFAIR TRIAL REJECTED	489
2017-03-21	MLADIC WANTS TO GO TO RUSSIAN HOSPITAL	489
2017-04-03	PROSECUTION: MLADIC HAS 'OPTIMAL TREATMENT' IN THE HAGUE	490
2017-04-07	DEFENSE: MLADIC'S LIFE IN THE HANDS OF JUDGES	491
2017-05-12	MLADIC WILL NOT GO TO RUSSIA FOR TREATMENT	491
2017-11-22	LIFE SENTENCE FOR RATKO MLADIC	492



THE HAGUE NOTEBOOKS

SENSE has collected an extensive archive over nearly 20 years of reporting from the International Criminal Tribunal for the former Yugoslavia (ICTY). Included in the archive are thousands of pages of news reports serving as a kind of chronicle of the Hague trials. With the edition of PDF publications titled THE HAGUE NOTEBOOKS, the SENSE Center organizes its archive of reports around ICTY cases, covering each of them from an indictment to the final judgment.

Each notebook contains a collection of chronologically arranged reports on a particular trial, written while the proceedings were still ongoing. These reports quote statements from victims and witnesses, insiders, forensic and other experts, and refer to documents accepted into the evidence material.

Through chronologically arranged reports, case by case, The Hague Notebooks offer an insight into an entire trial, including key testimonies, findings, and facts established during the evidentiary proceedings. Consolidated in the Hague Notebooks, SENSE reports represent a kind of guide for further research into the entire ICTY archive of judicially established facts about the wars in the former Yugoslavia.

2004-12-13

THE HAGUE

“BLACK HOLE” IN RATKO MLADIĆ’S CAREER

The decree promoting Ratko Mladic to the rank of a four-star general, signed by the then president of the FRY on 16 June 1994 – is the only record entered in Mladic’s “personnel file” in the period from his arrival in Sarajevo in May 1992 until his removal from the records of the VJ professional military personnel in June 2001 is. Who was Mladic’s supreme commander: Zoran Lilic or Radovan Karadzic?



◀ Ratko Mladic

According to the information in Ratko Mladic’s personnel file, his military career spans the period from 27 September 1965, when he joined the JNA after graduating from the military academy, to 28 February 2002 when he was “discharged from professional military service” pursuant to a decree of the president of Republika Srpska. The details from his file have been published in the press all over the world recently – from the Sarajevo Avaz to the London Times.

His JNA/VJ personnel file shows a huge black hole in his career. After his posting to the Chief of Staff of the Second Military District Command in Sarajevo, pursuant to a decree of the rump SFRY Presidency of 25 April 1992, Mladic’s “paper trail” in the JNA/VJ files disappears. One might say that it is only logical given that the JNA withdrew from BH in May 1992 and Mladic was appointed a commander of another army, in another country.

However, there are two or three details in his personnel file that do not support this logic. The first is that on 16 June 1994 Ratko Mladic received an early promotion to four-star general pursuant to a decree issued by the then president of FR Yugoslavia, Zoran Lilic. Heads of state do sometimes bestow the highest decorations on the army commanders of friendly states, but this is probably a unique case: the president of a country which is “not involved in the war” promotes to a higher rank a commander in the military of another state which has emerged from the war. Someone might conclude that Zoran Lilic was Ratko Mladic’s supreme commander, not

Radovan Karadzic. This may indeed be the reason why the Belgrade authorities were reluctant for so long to respond to the request of the OTP to hand over Mladic’s military file.

After a note on his early promotion in June 1994, the personnel file does not contain any new entry about Mladic’s career until 16 June 2001, when he is “removed from the records of professional soldiers of the Yugoslav Army” by a decree of the then FRY president, Vojislav Kostunica. His future status, it is noted, “shall be regulated in accordance with the provisions of the Agreement on the Establishment of Special Parallel Relations between the FRY and Republika Srpska.”

It is interesting that this is the first entry in Mladic’s personnel file – in June 2001 – making explicit mention of Republika Srpska. The second and last time it is mentioned is in the decree of the RS president discharging Mladic from professional military service, dated 28 February 2002.

The part of his military curriculum that is absent from his personnel file has been reconstructed in the indictment in which Ratko Mladic is charged with genocide and other war crimes within the jurisdiction of the ICTY, committed between May 1992 and the end of the war in BH in November 1995 – which is precisely the period in which there are no entries in his personnel file, except for the one on his promotion to a four-star general, an honor he received from the president of another state.

2010-05-13

THE HAGUE

MLADIC'S AND KARADZIC'S INDICTMENTS TO BE BROUGHT INTO LINE

The OTP in The Hague filed a motion to amend the current indictment against Ratko Mladic to bring it into line with Karadzic's indictment; ultimately, this should make it possible to join their cases should the former commander of the VRS Main Staff appear in The Hague soon



◀ Image from the film "Rise and Fall of General Mladic"

While chief prosecutor Serge Brammertz was in Belgrade, the Tribunal's OTP filed a motion to amend the current operative indictment against Ratko Mladic. The current indictment against the former commander of the VRS Main Staff, the most wanted fugitive from international justice, was issued in October 2002.

The proposed amendments to the indictment aim to bring it into line with the Tribunal's jurisprudence and new evidence the OTP was able to gather since 2002 when two indictments against Mladic, issued in June and November 1995, were joined. The Mladic indictment is being harmonized with the Karadzic indictment to allow the two cases to be partially or completely joined if

Mladic appears in The Hague soon. Instead of the 15 counts, the new indictment charges Mladic in 11 counts with the same crimes as Karadzic: double genocide, crimes against humanity and violations of laws and customs of war.

The indictment alleges that Mladic was a key personality – together with Karadzic – in four separate but intertwined joint criminal enterprises. The first JCE is ethnic cleansing aimed at forcible and permanent removal of Bosnian Muslims and Croats from large areas in BH. In eight BH municipalities this effort reached the level of genocide. In three remaining joint criminal enterprises Mladic is charged with terror campaign against the civilians in Sarajevo, taking UN staff hostage in May and June 1995 and genocide in Srebrenica in July 1995.

As in the Karadzic indictment, the genocide charges are divided into two separate counts. The first count refers to 1992 and covers eight BH municipalities: Bratunac, Foca, Kljuc, Kotor Varos, Prijedor, Sanski Most, Vlasenica and Zvornik. The second genocide count covers the period from July to November 1995 and describes the killing of about 7,000 Muslim men and boys and inflicting serious physical and mental suffering on thousands of women, children and elderly who were forcibly transferred from the Srebrenica enclaves.

Despite reducing the number of counts from 15 to 11 in the new indictment, the scope and the substance of the charges against Mladic remain unchanged. The new indictment amends and clarifies the allegations that pertain to individual criminal responsibility of the accused and delineates more precisely the character of his command responsibility. Finally, since final judgments have been handed down in other cases for all crimes in the indictment – except for taking UN staff hostage, the crime-base evidence would be admitted in the form of adjudicated facts and written statements or transcripts of previous evidence of the witnesses. This would reduce significantly the time necessary for the prosecution to present its case.

2011-05-26

THE HAGUE

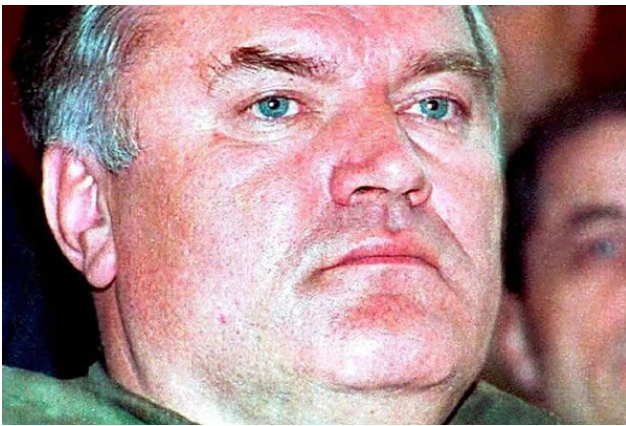
CHARGES AGAINST RATKO MLADIC

According to the proposed amended indictment filed last year, General Ratko Mladic is charged with the same crimes as Radovan Karadzic: double genocide, crimes against humanity and violations of laws and customs of war. Since the judges have yet to decide what to do with the new indictment, the one in force is the old operative indictment issued in October 2002

The current indictment against former commander of the VRS Main Staff Ratko Mladic dates back to October 2002; it charges him in 15 counts with genocide and complicity in genocide, persecution on political and religious grounds, extermination and murder, deportations, inhumane acts and cruel treatment, attacks on and terrorizing civilians, and taking UN staff hostage in May and June 1995.

Last May, the prosecution filed a motion seeking leave to amend the operative indictment in order to bring it into line with the Tribunal's jurisprudence and to take into account the new evidence the prosecution had amassed after 2002, when the two initial indictments against Mladic, from June and November 1995, were merged. The indictment was to match Karadzic's indictment. Had Mladic been arrested earlier, this would have made it possible to join their cases in part or in full and try them together.

The judges have yet to rule on the amended indictment filed last year. The new indictment charges Mladic with the same crimes as Karadzic, in 11 counts: genocide, crimes against humanity and violations of laws and customs of war. According to the indictment, Mladic and Karadzic were key players in four interrelated joint criminal enterprises.



◀ Ratko Mladic

The first joint criminal enterprise concerned a campaign of ethnic cleansing aimed at forcible and permanent removal of the Bosnian Muslims and Croats from large swathes of BH; in eight municipalities, this campaign amounted to genocide because of its scale. The allegations in the remaining three joint criminal enterprises pertain to the terror campaign waged against the civilians in Sarajevo; taking UN staff hostage in May and June 1995, and genocide in Srebrenica in July 1995.

As in Karadzic's indictment, the genocide charges are now alleged in two separate counts: the first one pertains to the events in eight BH municipalities: Bratunac, Foca, Kljuc, Kotor Varos, Prijedor, Sanski Most, Vlasenica and

Zvornik, in 1992. The second genocide count covers the period between July and November 1995, and pertains to the killing of more than 7,000 Muslim men and boys, and causing serious bodily or mental harm to thousands of women, children and the elderly who had been forcibly transferred from the Srebrenica enclave.

Despite the reduced number of counts, the scope and substance of the charges against Mladic will remain unchanged in the new indictment, if it is confirmed by the judges. The proposed amendments in effect supplement and further clarify the allegations that pertain to the individual criminal responsibility of the accused and describe in greater detail the character of his command responsibility.

2011-05-27

THE HAGUE

BRAMMERTZ: TOO EARLY TO SAY HOW THE TRIAL WILL BE ORGANIZED

In his statement for tonight's edition of *Tribunal*, a TV program produced by SENSE Agency, Chief Prosecutor Serge Brammertz notes that the prosecution 'is looking at a number of options' as to how the trial of Ratko Mladic will be organized. ICTY Registrar John Hocking adds that "whatever Mladic needs in terms of medical assistance, he will receive".



◀ Serge Brammertz, chief prosecutor in the Tribunal

'I am not really surprised with the arrest. As you know, we were waiting for this moment for many years', Tribunal's chief prosecutor Serge Brammertz said for tonight's edition of *Tribunal*, a TV program produced by SENSE Agency. Brammertz admitted Mladic managed to slip through on a number of occasions, but that he was "pleased that this time it had worked and that the arrest had took place", after "16 years". 'The Serbian authorities have fulfilled an important obligation', the chief prosecutor said, adding, 'of course I'm confident and very much hope that the same efficiency will be shown in the arrest of Hadzic'.

Commenting on Mladic's arrest, former chief prosecutor Carla Del Ponte and Karadzic's legal advisor Peter Robinson broached the possibility that the two cases might be joined and Karadzic and Mladic tried together. Brammertz refused to discuss it, noting instead that the prosecution 'is looking at a number of options'. As he said, there 'are a number of possibilities' as to how the trial can be organized. Brammertz also warned that now 'it's really too early to say how the trial will be organized in what kind of context'. In Brammertz's view, the most important thing is to complete the proceedings in Belgrade and have Mladic in The Hague as soon as possible. 'Appropriate decisions' will be taken then, he said.

John Hocking, Tribunal's Registrar, agrees with Brammertz's view of the situation. Speaking to SENSE, Hocking said, 'upon [Mladic's] transfer to the Tribunal he will have his initial appearance and then there will be a very vigorous period of pre-trial activity and it's during this pre-trial activity that the judges will be able to make a determination as to the scope of his trial, how long will this trial take, how long will it take to conduct the trial'. As he said, 'the arrest of Ratko Mladic was always a part of the completion strategy of the Tribunal'; 'it's critical that all of those persons indicted by the Tribunal are tried by the Tribunal'.



◀ John Hocking, Tribunal secretary

As the Registrar stressed, 'we are waiting for the information from Belgrade authorities as to [Mladić's] state of health and as soon as we have that, the medical services here will assess what type of procedures or what sorts of facilities need to be available to him upon his arrival'. According to Hocking, doctors will examine Mladić as soon as he is transferred into the ICTY custody in the Tribunal and he will receive all the medical assistance he needs. Hocking noted that the health of the detainees was a key responsibility of the Registry, adding, 'all of our detainees have available to them the best medical service that the Dutch health system can provide'.

'In fact it's quite common, a lot of our detainees come to the Tribunal when they are transferred [with] pre-existing medical conditions and their state of health in fact improves during their stay in the detention unit for exactly that reason, the quality of the medical services that the host state, the Dutch provide to the detainees', Hocking concluded.

2011-05-31

THE HAGUE

RATKO MLADIĆ IN TRIBUNAL'S CUSTODY

Former commander of the VRS Main Staff has been transferred to the UN Detention Unit. He will be kept in isolation for the first few days, and will then be able to join the other detainees. Chief Prosecutor Brammertz will hold a press conference tomorrow. Mladić should have his initial appearance before an ICTY judge in the next two or three days



◀ Detention unit in Scheveningen

Ratko Mladić, former commander of the Republika Srpska Army Main Staff, accused of genocide, crimes against humanity and laws and customs of war in Bosnia and Herzegovina, has been transferred to the UN Detention Unit in Scheveningen near The Hague today, the Tribunal has confirmed tonight.

The Serbian government plane landed at Rotterdam airport at 1945 hours, and taxied straight from the runway into a hangar, where the accused was formally handed over to the custody of the host country authorities. The host country is responsible for the transfer of the accused from the airport to the UN Detention Unit. Mladić remained in the hangar for almost one and a half hours. Two police helicopters then took off from the airport and at the same time, a police motorcade headed out: it is unclear which took Mladić to the UN Detention Unit, some 20 kilometers away from the airport. At around 2130 hrs, he was taken into the custody of the Tribunal.



◀ Ratko Mladić landed at The Hague airport

Immediately after the intake, the Registry personnel read out to Mladić his rights and explained the basic rules in the Detention Unit and the procedure before the Tribunal. He will then receive the indictment and will be examined by the medical personnel from the medical service in the UN Detention Unit.

Chief Prosecutor Serge Brammertz and Registrar John Hocking will hold a press conference tomorrow at noon, and will then fly to New York where they are due to submit their semiannual report to the UN Security Council, on 6 June.

Ratko Mladić's initial appearance before an ICTY judge, where he will be invited to enter his plea on the counts in the indictment, will be scheduled in the next two or three days.

2011-06-01

THE HAGUE

BRAMMERTZ: MLADIC'S ARREST CAME LATE BUT NOT TOO LATE

The Tribunal's chief prosecutor insisted on the importance of Mladic's arrest for the Tribunal, the international community and the victims of the crimes Mladic is charged with. Brammertz also spoke about various options for the upcoming trial. The Tribunal's Registrar spent several hours with Mladic at the Rotterdam Airport and the UN Detention Unit. The Registrar described the accused as 'very cooperative'. Mladic will have his initial appearance before a judge on Friday at 10 am



◀ Serge Brammertz, chief prosecutor in the Tribunal

'Of course Ratko Mladic should have been arrested sooner! He should have been arrested 16 years ago and that would have been the only good solution. So this is taking place very late, but not too late', said Chief Prosecutor Serge Brammertz at a press conference today when a reporter asked him about the long time it had taken to finally transfer the former commander of the VRS Main Staff to The Hague. Mladic is to face charges of genocide, crimes against humanity and war crimes in Bosnia and Herzegovina.

Brammertz began by stressing the importance of Mladic's arrest for the Tribunal, which is nearing the end of its mandate, and for international justice and global

fight against impunity. As Brammertz said, Mladic's arrest was of 'greatest importance for the victims'. Brammertz recognized the victims' 'patience and courage': they have 'waited too long for justice and have every right to be frustrated'.



◀ John Hocking, Tribunal secretary

Brammertz recognized the efforts made by Serbia and the 'security services' that took part in the search for Mladic. Brammertz paid tribute to the international community too, and in particular to the European Union and its conditionality policy. According to Brammertz, this was of crucial importance. Brammertz also thanked various civil society organizations in the former Yugoslavia and the Tribunal's staff who had worked 'in the shadow of the Tribunal's closing down', as Brammertz put it.

Talking to the journalists, Brammertz said that the Tribunal was considering various options that might make the upcoming trial as expeditious as possible. As Brammertz said, the indictment may be reduced in

scope and Mladic's case may be joined with the Karadzic trial. The latter is not believed to be highly likely, given that the trial of the former Republika Srpska president is too far gone. Brammertz didn't want to comment on an option suggested by another journalist, to try Mladic separately for each of the four joint criminal enterprises – Srebrenica, Sarajevo, ethnic cleansing in various BH municipalities and UN hostage taking. This would not depend only on the prosecution, Brammertz noted, but also on the health of the accused and his defense strategy and the judges would at any rate have the final say.

After Brammertz, the ICTY Registrar John Hocking appeared before the journalists. Yesterday evening, Hocking met Mladic at the Rotterdam Airport and escorted him to the Detention Unit. Hocking spent several hours talking to Mladic. Mladic was 'very cooperative', Hocking said, and they had 'no problems understanding each other'. The doctor who examined Mladic at the airport confirmed that Mladic was fit for the trip to the Detention Unit. The doctors in the Unit established that there were no urgent medical problems. Mladic didn't talk about the charges against him and didn't contest the jurisdiction of the Tribunal, the Registrar recounted. They mostly discussed the procedure, the detention rules and the rights of the accused, visits, telephone calls and similar issues. Finally, in response to a journalist's question, Hocking stated 'categorically' that Mladic was not under suicide watch.

Ratko Mladic will leave the UN Detention Unit in Scheveningen for the first time on Friday, 3 June 2011, for his initial appearance, which has been scheduled for 10 am. Mladic will face a judge – or judges – and be asked to enter his plea on the counts in the indictment.

2011-06-03

THE HAGUE

MLADIC POSTPONED PLEA ON 'OBNOXIOUS' CHARGES

In his initial appearance before the Tribunal, the former commander of the VRS Main Staff acted as if he didn't know what he was charged with and why he had to be in hiding for 16 years. Mladic asked to be allowed to postpone entering his plea until he familiarized himself with 'the obnoxious charges' and 'monstrous words' in the indictment. Mladic's second appearance before the court has been slated for 4 July 2011



◀ Ratko Mladic in the courtroom

In his initial appearance before the Tribunal, General Ratko Mladic refused to enter a plea on the indictment charging him in 11 counts with genocide and other crimes in BH. Under the Rules of Procedure and Evidence, the accused can enter a plea within 30 days of the initial appearance. Presiding judge Alphons Orié ordered the accused to return to the courtroom on 4 July 2011.

When he was asked if he received the indictment and was informed of its contents, the former commander of the VRS Main Staff said that he was given some materials. He didn't read the materials, the accused said, adding that his duty counsel Aleksandar Aleksic showed him two pages of the indictment. Defense counsel Aleksic denied

this, explaining that he had gone through the entire indictment, forty pages of text in Serbian, with the accused. Aleksic 'never got the impression' that Mladic was not aware of the charges against him. Asked if he wanted to have the entire indictment read out to him, Mladic replied, 'I don't want to hear a single letter or sentence of that indictment read out to me.'

Mladic nevertheless was compelled to hear the charges he faces because the Trial Chamber decided to read out the summary of the indictment at the hearing today 'for the sake of both the accused and the public'. The presiding judge took about 20 minutes to briefly outline the 11 counts in the indictment, charging Mladic with double genocide, crimes against humanity and violations of law and customs of war he allegedly committed by participating in four joint criminal enterprises. The first joint criminal enterprise, described in the indictment as 'comprehensive' was the ethnic cleansing aimed at achieving the forcible and permanent removal of Bosnian Muslims and Croats from large parts of BH. In eight BH municipalities, the ethnic cleansing reached the scale of genocide. The other three joint criminal enterprises comprise the terror campaign against the civilians in Sarajevo, taking UN personnel hostage in May and June 1995 and genocide in Srebrenica in July 1995.

As the judge read out the summary of the indictment, the accused shook his head, particularly when genocide in Srebrenica was mentioned. After the summary, the accused acted as if he had never heard the charges against him before. It was as if he had been hiding from international justice for 16 years, without actually knowing what the charges against him were. Mladic said he would 'want to read carefully the obnoxious charges' and 'monstrous words' describing the crimes listed in the indictment. Among them are murder, persecution, extermination, deportation, torture, rape, attacks and terror against civilians and taking UN personnel hostage. Mladic insisted he would need more than a month to study the indictment. Judge Orié informed Mladic that under the Tribunal's Rules he could enter his within 30 days. 'As no valid reason against it has been put forth', Judge Orié scheduled the second appearance for 4 July 2011 at 10 am.

Mladic arrived in the courtroom wearing a military-style cap and moved his hand as if to salute before he sat down in the dock. The years he spent in hiding and lack of medical care have visibly taken their toll. The retired general's speech was slightly slurred, but Mladic nevertheless was able to articulate his opinion clearly. He said that he would 'not defend Ratko Mladic, but the Serb nation and country' before the court. Judge Orié then reminded Mladic that he himself was indicted, advising him to focus his defense on that. Mladic responded by nodding.

The accused asked to discuss his medical issues in closed session. Apart from saying that he has been treated 'humanely and with respect', when the presiding judge asked him the circumstances of his arrest and conditions in the detention unit, Mladic took the opportunity to talk about other things. Mladic said, 'I didn't kill Muslims because they were Muslims and Croats because they were Croats and I am not killing anyone in Libya today'. 'I just want to live long enough to be free again', Mladic said.

It remains to be seen if Mladic will live to be free. A number of Mladic's subordinate officers on trial before the Tribunal for crimes in BH, including the shelling of Sarajevo and genocide in Srebrenica, have sentenced to long-term prison sentences and some to life in prison.

2011-06-17

THE HAGUE

PROSECUTION AND MLADIC'S DEFENSE FACE OFF FOR THE FIRST TIME

The prosecution has asked the Trial Chamber to 'restrict' the disclosure of the materials and information provided to Ratko Mladic's defense by the prosecution in order to safeguard the privacy and protection of victims and witnesses. Mladic's court-appointed counsel Aleksandar Aleksic has replied that the prosecution is 'violating Ratko Mladic's basic right to a fair and public trial'



◀ Ratko Mladic i Aleksandar Aleksic in the courtroom

Belgrade lawyer Aleksandar Aleksic, who has been appointed by the Tribunal to represent Ratko Mladic, has urged the Trial Chamber to reject prosecution motion for protective measures for victims and witnesses and documentary evidence in the case of the former commander of the VRS Main Staff.

In the motion filed on 3 June 2011, prosecutor Dermot Groome asked the Trial Chamber to restrict the disclosure of 'materials and information' provided to the defense by prosecution, arguing that the prosecution disclosed the documents for the sole purpose of enabling the accused to participate in the proceedings and to prepare and present his case. The prosecution "does not provide this

information so that it can be provided to the media and the public', the motion notes. The prosecution contends that making the material public might compromise the security of the victims and witnesses and "compromise or impair the investigations and the trial".

The document notes that the information about the whereabouts of the witnesses and victims is 'private' and the prosecution treats it as 'confidential'. This information cannot be disclosed to third persons without prior approval. According to the prosecution, it is in the interest of justice to keep the information confidential, to reduce the risk for the witnesses and victims and protect their privacy. The prosecution has consequently sought leave to redact any information about 'the whereabouts' of witnesses or their families and other persons mentioned in the statements whose testimony the prosecution either has disclosed or plans to do it.

Defense counsel Aleksic contends that the motion 'has negative impact on Mladic's ability to prepare his defense' and that it violates the basic right of the accused to 'a fair and public trial'. According to the defense counsel, the request is in no way "justified" and it 'allows the prosecution to edit information contained in the witness statements and other documents'.

Former VRS general Ratko Mladic has been in the Tribunal Detention Unit since 31 May 2011. At his initial appearance, Mladic postponed entering his plea to the allegations in the indictment until 4 July 2011. Mladic is charged with double genocide and other crimes in the war in Bosnia and Herzegovina.

2011-07-04

THE HAGUE

MLADIC EJECTED FROM COURTROOM, JUDGE ENTERS A PLEA OF NOT GUILTY ON HIS BEHALF

After repeated warnings not to disrupt the hearing and interrupt the presiding judge, the accused was ejected from the courtroom. Judge Orić read the list of charges count by count concluding that the Trial Chamber would enter a plea of not guilty on Mladic's behalf



◀ Ratko Mladic in the courtroom

Ratko Mladic re-appeared today before the judges and refused to enter his plea on the indictment charging him with genocide and other crimes in Bosnia and Herzegovina from 1991 to 1995. The judges therefore did it instead of Mladic. In line with the Rules of Procedure and Evidence, if the accused refuses to enter his plea at the initial and any further appearance before the court, the Trial Chamber is allowed to enter a plea of not guilty on the behalf of the accused. The judges have already invoked this rule and entered the not guilty pleas on

behalf of Slobodan Milosevic, Radovan Karadzic, Vojislav Seselj, Zdravko Tolimir, Radomir Stankovic and other accused.

The hearing today was marred by incidents caused by the accused. He tried to disrupt the reading of the counts in the indictment against him by making loud remarks. After repeated warnings, Mladic was ejected from the courtroom. As he was being escorted out by the security officers, Mladic shouted 'you are not letting me defend myself' and 'you don't let me breathe'. Mladic wanted to highlight the problems with the appointment of his permanent defense counsel, to replace his interim lawyer, Aleksandar Aleksic. Mladic's permanent defense team is expected to be named by 1 August 2011. The accused has submitted a list of his potential defense lawyers on 22 June 2011. ICTY Registry needs time to verify if the lawyers on the list meet the Tribunal's requirements.

While Mladic was still more or less reasonable, he was allowed to address the Trial Chamber. The accused took the opportunity to once again demand a postponement of his plea until he was able to appoint his permanent defense counsel. As Mladic said, Belgrade lawyer Milos Saljic and Russian Alexander Mezyayev were among them. The judges rejected the request for the postponement, explaining that the Trial Chamber had been willing to allow Saljic to be in the courtroom today, and the 'only reason why that didn't happen' is the fact that Saljic was not present physically in The Hague. After visiting Mladic, Saljic traveled back to Serbia.

When Mladic was removed from the courtroom, presiding judge Orie indicated the record would reflect that the accused had pleaded not guilty to all 11 counts in the indictment. Mladic is charged with genocide in several BH municipalities in 1992, genocide in Srebrenica in 1995, and with persecution, murder, deportation, forcible transfer of non-Serbs throughout Bosnia and Herzegovina, unlawful attacks against civilians, spreading of terror among the citizens of Sarajevo and taking UN staff hostage. The presiding judge stressed that Mladic could at any time change his plea and possibly plead guilty for all or some counts in the indictment. 'This wouldn't be the first time something like that happened', Judge Orie noted.

From the beginning of the hearing the former commander of the VRS Main Staff behaved like an unruly schoolboy, interrupting the judges and trying to communicate through the security glass with the members of the public in the gallery. Mladic also spoke out of turn and while his microphone was off. Mladic was warned to turn to face the judges, to put the headphones on to follow interpretation and take his cap off. 'My hearing's better in my left ear', the accused replied, adding that he wanted to keep his military cap on because, as he said, 'my head is getting cold'. The Trial Chamber didn't allow him to keep the cap on, and told Mladic that all his health concerns would be considered. However, the Trial Chamber had not received any reports of Mladic's medical issues because Mladic had revoked the permission to disclose his medical records to the Trial Chamber. Today Mladic looked considerably better than at his initial appearance before the Tribunal on 3 June 2011; the care he has been receiving in the UN Detention Unit appears to agree with him.

At the end of the hearing, Judge Orie didn't say when Mladic will be back in court; it is unlikely that another hearing will be held before the Tribunal's summer recess in August 2011 and the appointment of a permanent defense team for Mladic.

2011-07-20

THE HAGUE

MLADIC CHOOSES BRANKO LUKIC AS DEFENSE COUNSEL

Ratko Mladic, former commander of the VRS Main Staff, has signed a document authorizing Belgrade lawyer Branko Lukic to represent him in the proceedings against him before the Tribunal



◀ Branko Lukic, defence attorney of Ratko Mladic

The drama surrounding the selection of Ratko Mladic's defense team is about to end. Late last week, the ICTY Registry informed Mladic that Belgrade lawyer Milos Saljic could not be appointed as his lead counsel because he does not speak either of the two official languages of the Tribunal. The former commander of the VRS Main Staff today signed the power of attorney, authorizing Branko Lukic to act as his lead counsel at the trial before the Tribunal. It is now up to the ICTY Registry to accept Mladic's choice; it has already launched the procedure necessary to appoint counsel.

Branko Lukic certainly meets all the requirements for defense counsel and has until now represented several accused before the Tribunal. Lukic was lead counsel for police general Sreten Lukic and former Prijedor mayor Milomir Stakic, and co-counsel of Miroslav Kvočka. He also briefly represented Mico Stanisic, Mitar Rasovic and Momcilo Gruban. The fact that Lukic was co-counsel of Major Dragan Jokic, former chief engineer in the VRS Zvornik Brigade, who was charged with crimes in Srebrenica, just like Mladic is, may be a problem. However, when Lukic was

to defend one of the accused at the so-called Srebrenica Seven trial, the ICTY Registry decided that Lukic's previous representation of Jokic didn't lead to a 'conflict of interest'. It is expected that the same conclusion will be reached this time.

Lukic's name was among the seven 'potential defense lawyers' Mladic submitted to the Registry on 22 June 2011. The next day, Mladic decided to retain Milos Saljic from Belgrade and Russian lawyer Alexander Mezyayev. Mladic insisted on their appointment as lead and co-counsel respectively until today. Saljic and Mezyayev may be part of the defense team headed by Branko Lukic, if the Registry confirms Mladic's choice.

2011-08-17

THE HAGUE

PROSECUTION: MLADIC SHOULD BE TRIED IN TWO SEPARATE PHASES

The prosecution has filed a motion to sever Mladic's indictment into two parts allowing the trial of the former Bosnian Serb army commander to proceed in two phases. The first trial would cover the genocide in Srebrenica. After it, the focus would shift to the crimes in the BH municipalities, the terror campaign in Sarajevo and taking UN staff hostage



◀ Serge Brammertz, chief prosecutor in the Tribunal

Tribunal's chief prosecutor Serge Brammertz has filed a motion to sever the indictment against the former commander of the Bosnian Serb Army Ratko Mladic into two parts. The prosecution wants the Mladic trial to be split in two: he should be tried first for genocide in Srebrenica, and then for the crimes in 23 BH municipalities, the terror campaign in Sarajevo and taking UN staff hostage. According to the document made public today, the motion has been motivated by the need to 'ensure justice for the victims', the desirability of commencing a trial as soon as possible and the need to plan for the contingency that Mladic's health could deteriorate.

The prosecution estimates that its case for the Srebrenica genocide could be completed in one year, because it is a compact case covering 'events taking place over a relatively short period of time in a relatively confined geographic area'. The prosecution contends that Mladic played a particularly 'central role' in those events, an allegation which has been proven at the previous Srebrenica trials of VRS officers who served as Mladic's subordinates.

Severing the indictment does not diminish in any way the importance and gravity of the crimes perpetrated in the ethnically cleansed BH municipalities, during the 44 months of terror in Sarajevo and the crimes against UN members taken hostage and used as 'human shields', the motion notes. Both indictments, the motion specified, 'are equally important'. For practical purposes the prosecution wants to prosecute Mladic for Srebrenica first. The trial on the second indictment would commence as soon as practicable after the first trial.

The prosecution argues the separation would be advantageous for the prosecution, the defense and the judges in a number of ways. At the same time, it will not jeopardize Mladic's rights as the two separate indictments will not contain any new charges or new forms of responsibility.

This is the first time that the prosecution has sought leave to split the indictment and the trial of an accused into two or more phases. In Slobodan Milosevic's case the prosecution did the opposite: it sought to join the three indictments – for crimes in Kosovo, in BH and in Croatia – into a single mega-case against the former president of Serbia and FR Yugoslavia. The prosecution's motion was granted by the Appeals Chamber. The experience from that case and the fact that Mladic arrived in The Hague in the final stages of the Tribunal's work has led the prosecution to proceed differently in this case; the prosecution wants to prevent, inasmuch as this is possible at all, another accused to evade justice by dying before a judgment is handed down.

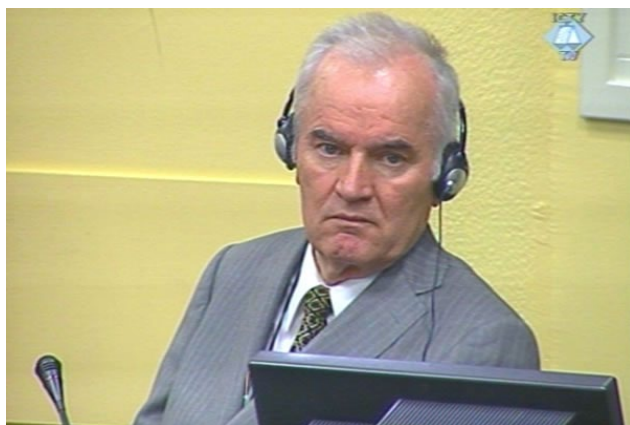
The accused Mladic and his defense team now have to respond to the prosecution's motion. Mladic's defense is headed by Branko Lukic. The Trial Chamber with judges Orić, Moloto and Floeć will rule on the motion.

2011-09-01

THE HAGUE

MLADIC AGAINST SEVERING OF INDICTMENT

In its reply disclosed today, the defense of the former commander of the VRS Main Staff contends that granting the prosecution motion to try Ratko Mladic in two phases – first for Srebrenica and then for ethnic cleansing, Sarajevo and hostages – would have a negative impact on the right of the accused to a fair and expeditious trial. It would also put the defense to a disadvantage



◀ Ratko Mladic in the courtroom

Ratko Mladic's defense opposes the prosecution motion to sever the indictment and to try the former commander of the Bosnian Serb army in two phases. The first trial would deal with the genocide in Srebrenica, and the second phase would cover the ethnic cleansing in BH, the terror campaign in Sarajevo and taking UN staff hostage.

In its reply, the defense maintains that the prosecution's motion was based on erroneous legal standards. The motion runs contrary to the current jurisprudence of the Tribunal and to the Criminal Code of the former SFRY valid at the time relevant for the indictment, the defense contends.

The reply, signed by Mladic's lead counsel Branko Lukic, focuses for the most part on the negative impact that severing the indictment and trying the accused in two stages would have on the right of the accused to a fair trial. Severing the indictment would jeopardize the principle of equality of arms; it would prejudice the defense. The defense would have to proceed to trial on the Srebrenica charges and at the same time prepare for the second trial covering the ethnic cleansing, the crimes in Sarajevo and hostage-taking. According to the prosecution, the second trial could commence as soon as the first one is finished. If the prosecution's motion were granted, the defense argued, it would require 'another three to four defense teams' to ensure a fair trial at each stage of the proceedings.

The defense went on to note that the prosecution had reversed the timeline of the events listed in the indictment when it suggested that the crimes from 1995 should be tried first followed by those from the 1992-1995 period. According to the defense, this is wrong not only chronologically, but substantially, because it is 'impossible to understand Srebrenica without the events that preceded it', the defense stated in its reply.

The defense insisted in its reply on the 'poor health' of the accused which will no doubt limit his ability to work with the defense team. Because of his health Mladic 'needs more and not less time to prepare his defense'.

Finally, the defense contends that severing the indictment wouldn't contribute to the efficiency and fairness of the trial. On the contrary, it would render it more complicated and the defense therefore urged the judges to dismiss the motion.

2011-09-13

THE HAGUE

MLADIC OBJECTS TO "DEFICIENCIES" IN THE INDICTMENT

The defense demands that the prosecution amend the indictment to include the names of the victims and perpetrators of the crimes the former VRS Main Staff commander is charged with. If the prosecution cannot do this, the defense urges the judges to "dismiss the counts based on defective portions of the indictment", including those for genocide in Srebrenica and terror campaign against citizens of Sarajevo

Ratko Mladic's defense has exercised its right to file preliminary motion objecting to the form of the indictment. The former commander of the Bosnian Serb army is charged in 11 counts with double genocide in BH, crimes against humanity and violations of laws and customs of war. In its motion, the defense contends that the prosecution has alleged 'general and vague references' instead of clear allegations with the names of both victims and perpetrators of the crimes Mladic is charged with.

The defense is aware that the prosecution is not obliged to name each victim if the scope of a crime is extensive. Nevertheless the defense contends that victims should be listed in the indictment with their names, date of birth, personal ID number, address, father's name and all other available personal data. If this is not done, an 'imprecise' indictment will 'drastically impede' the ability of the defense to prepare 'efficiently and effectively' for the trial.

As the defense noted, the indictment is "shockingly" defective, "vague and non-specific". The prosecution fails to provide the names to identify 'a single, solitary victim' of the crimes in Srebrenica, Sarajevo and other municipalities

alleged in the indictment, with the exception of two persons who were killed and 22 who were injured in Sarajevo in sniping incidents. Instead of giving the names and exact number of victims in the indictment, the defense noted, there were unspecified expressions like 'approximately', 'at least', 'about', 'more than', 'up to' and 'a number of' dead persons. A good example is the annex pertaining to the Srebrenica genocide, which states that 'some' in a group of 'about' 1,000 men were killed in the school in Rocevici, and 'the rest' were killed at the Drina river bank near the place called Kozluk. The defense claimed that even when specific number of persons killed at a location is given in the indictment, there were no names of the victims.

According to the defense, there is a similar problem with victims of torture, murder and rape in detention facilities and other locations in the municipalities listed in the indictment and the charges related to forced labor performed by prisoners. The names are not listed and the victims are again identified as 'Bosnian Muslims and Croats'.

A part of the motion contained the defense's objections against four counts in the indictment alleging rape. The defense believes they are defective because the victims' names are not specified and "no concrete nor even general details are provided for dates nor locations" of the crimes, let alone 'the perpetrators' names'.

Mladić's defense counsel Branko Lukic urged the Trial Chamber to dismiss those parts of the indictment that contain alleged defects and to order the prosecution to either "properly plead them with specificity, or if it is unable to do so, to remove them from these proceedings".

2011-10-06

THE HAGUE

SHOULD RATKO MLADIĆ DEFEND HIMSELF OR SERBIAN NATION?

At the second status conference, the accused Ratko Mladić took 20 minutes to complain about his 'serious health problems' and to indicate that 'even in my condition' it was his intention to defend Republika Srpska, Serbia and the entire nation. This prompted Judge Orić to remind Mladić that 'nobody else is in the dock but you' and that therefore Mladić should defend himself and not 'any other persons, organizations or entities'



◀ Ratko Mladić in the courtroom

The first part of the status conference in the case against the former commander of the VRS Main Staff Ratko Mladić focused on the adjudicated and agreed facts, the status of the disclosure of evidence, guidelines for calling of evidence and the possibility to reduce the indictment. This is the usual agenda for the pre-trial stage of the proceedings. The hearing was delayed for more than an hour because the accused had some health problems.

In the 20 minutes he took to address Judge Orić and the public, Mladić said he woke up this morning in pain caused by the movement of a kidney stone. This forced Mladić to ask the guards – whom he called 'my good friends' – to help him. The guards assisted Mladić in

getting up, getting dressed and getting him into the courtroom. Mladić's 20-minute speech was to deal with his health problems only. Instead, the accused rambled on. His speech was often slurred and disjointed; he jumped from one topic to another.

Mladić first said that he was 69 years old and had 'serious health problems'. Mladić also indicated that 'even in my condition', it was not his intention to defend himself before the Tribunal but 'to defend Republika Srpska, Serbia and the entire nation'. This prompted Judge Orić to interrupt Mladić and clearly let him know 'it is you and nobody else, not a republic or a nation' was in the dock. Therefore, Mladić should 'defend himself and not other persons, organization or entities', Judge Orić insisted.

Mladić demanded to be examined by the doctors who treated him in Serbia from 1996 to 1998 and were familiar with his problems. As Mladić said, he is 'not ashamed of being ill' and that he wanted to 'get treatment' without 'delaying the proceedings' because, he insisted, 'I want to get to the truth'. Mladić also said, 'I don't consider the Tribunal and its personnel enemies' urging the UN to 'be patient' and not to exert pressure to start the trial with the Srebrenica crimes. Instead, Mladić pleaded, the trial should begin with the events in 1991 and proceed municipality by municipality, dealing with each village listed in the indictment. Mladić then complained that the lawyers he wanted appointed to his team had not yet joined the defense: Russian Alexander Mezayev and American Dan Ivetic. Mladić concluded that Judge Orić holds all the cards in his hands: the presiding judge is a 'powerful man' and the Tribunal was 'the best company, factory and bank in Europe'. There 'obviously is enough money' to bankroll its operation.

Presiding judge Orić briefly dealt with the request Mladić made at the previous status conference not to be handcuffed during his transfer from the Detention Unit to the Tribunal. Judge Orić told the accused this was the 'standard procedure' of the Dutch authorities and the transfer of the accused is in their bailiwick. The possibility that an accused might be exempt from the rule was 'limited', Judge Orić said.

The next status conference in the case of Ratko Mladić for double genocide and other crimes in the war in BH has been scheduled for 10 November 2011.

2011-10-13

THE HAGUE

TRIAL CHAMBER DECIDES AGAINST SEVERING RATKO MLADIĆ'S CASE AND REJECTS MLADIĆ'S APPEAL AGAINST THE FORM OF THE INDICTMENT

The Trial Chamber rejected the prosecution motion to sever the case against Ratko Mladić into two trials, the first for genocide in Srebrenica, followed by the second trial for ethnic cleansing, terror campaign in Sarajevo and hostage-taking. The prosecution's motion to amend the indictment to include the crime in Bisina was granted. The defense's interlocutory appeal against the form of the indictment was also rejected.



◀ Ratko Mladić in the courtroom

The Trial Chamber rejected the prosecution motion to sever the indictment against Ratko Mladić. The prosecution's idea was that the former Bosnian Serb army commander would first be tried for genocide in Srebrenica and then for the ethnic cleansing in BH, the terror campaign against civilians in Sarajevo and taking UN members hostage in May and June 1995. At the same time, the judges granted the prosecution's request to amend the indictment to include the crimes committed in the village of Bisina. Mladić will enter his plea on this charge at the next status conference slated for 10 November 2011.

In its decision made public today, the Trial Chamber noted that severing the case and having two separate

trials could 'prejudice' the accused and jeopardize his right to 'personal participation' in the preparation of his defense. The Trial Chamber found that simultaneous involvement in the pre-trial phase at one trial and in the appellate proceedings for the other trial would 'unfairly overburden' the accused and both trials would inevitably proceed at a slower pace.

The Trial Chamber took into account the prosecution's argument that the second trial might be postponed until the accused has prepared for it. The judges nevertheless noted that this would jeopardize the right of the accused to a 'trial without delay'. In the case of 'lengthy' appeals process, this delay might be 'significant', the Trial Chamber noted.

Contrary to the prosecution claims, the Trial Chamber concluded that the trial on the current indictment wouldn't be 'unmanageable'; any problems that may crop up wouldn't be resolved by severing the case. The judges reminded the prosecution that condensing the indictment as it was done in the Radovan Karadzic case remained an option.

Finally, the Trial Chamber found it was 'less efficient' to have two trials, because they would require far more time. Some witnesses testifying about the position, powers and conduct of the accused would have to give evidence twice instead of just once, the judges recalled. This would also 'be an unnecessary burden' on the witnesses. According to the Trial Chamber, this is 'a relevant and important factor' which militated in favor of their decision not to sever the case.

As the judges deliberated on the motion, they did not take into account the health of the accused as the information about his health was not "properly presented" to the Chamber. The submissions of the parties about Mladić's health are 'speculative and unsubstantiated', the judges said.

Today the Trial Chamber also made public its decision to dismiss Ratko Mladić's interlocutory appeal alleging defects in the form of the indictment. Mladić's defense lawyers claimed that the indictment was 'defective' because it didn't specify the identity of the victims and perpetrators of crimes that the accused is charged with. The judges explained that in light of the scope and nature of the crimes and forms of responsibility Mladić is charged with, the indictment was specific enough. The Trial Chamber ordered the prosecution to file a list with identifying information of the victims by 1 November 2011, in order to assist the Defense in preparation of its case.

2011-10-19

THE HAGUE

PROSECUTION CONSIDERS REDUCING INDICTMENT AGAINST MLADIĆ

The prosecution will not appeal against the decision of the Trial Chamber not to allow the severing of the indictment against Ratko Mladić into two parts, chief prosecutor Serge Brammertz said as he met with the foreign correspondents accredited in Holland. Brammertz indicated that various options were under consideration to 'reduce' the case against the former commander of the VRS Main Staff



◀ Serge Brammertz at the working lunch with journalists

As he talked to the representatives of the press at the traditional 'lunch with the chief prosecutor' organized by the Foreign Press Association in The Hague, Serge Brammertz said that the prosecution would not appeal against the decision of the Trial Chamber dismissing the motion to sever the indictment against Ratko Mladić. The judges decided there 'are no legal grounds for the appeal'. The decision of the judges not to allow the indictment to be severed into two parts 'shows that their opinion differs from ours, but differing opinions are not legal grounds for an appeal', Brammertz added.

The future strategy of the prosecution in the case against Ratko Mladić hasn't yet been decided. Brammertz and

his team are currently considering various options to 'reduce' the indictment. The indictment charges Mladić with genocide and other crimes in several BH municipalities, the siege and terror campaign in Sarajevo, taking UN staff hostage and the genocide in Srebrenica in July 1995.

It is difficult to find a formula to reduce the indictment without diminishing 'the importance and magnitude' of the crimes the accused is charged with, the chief prosecutor said. Brammertz confirmed that the prosecution would not drop any of the four segments in their entirety.

In mid-November 2011 the chief prosecutor will submit his regular biannual report to the UN. The issue of cooperation of the states of the former Yugoslavia with the Tribunal remains extremely important, Brammertz emphasized. Though there are no accused out of the Tribunal's reach, the OTP still regularly sends requests seeking access to documents to the local authorities. At the same time, the Tribunal sends to the local judiciaries documents pertaining to the crimes whose perpetrators will not be prosecuted in The Hague but before domestic courts in the region. More than 500 requests have already been submitted to the Office of the Prosecutor in The Hague by the local judiciaries in the region. Nevertheless, as Brammertz noted, the political leaders in the region in their public appearances do not always support this cooperation. Politicians are responsible for the fact that a significant portion of the population in the region doesn't support the Tribunal and isn't 'properly informed' about its work, Brammertz said.

2011-11-16

THE HAGUE

RATKO MLADIĆ TO UNDERGO MEDICAL CHECKUP

The Trial Chamber ordered the ICTY Registrar to organize a medical examination of Ratko Mladić. The medical examination should assess Mladić's current medical condition and, if possible, list of health problems Mladić has had prior to his arrival in The Hague together with their influence on current medical status of the accused

Today, Judge Orić's Trial Chamber ordered the Registrar to organize a 'complete medical examination' of the former Bosnian Serb army commander Ratko Mladić. The decision was made after the issue of the health of the accused had been 'informally raised' several times, and more importantly, because of Mladić's 'apparent inability' to attend the last status conference on 10 November 2011 because of his health problems.

The report on the physical and mental condition of the accused, the decision goes on to specify, will help the Trial Chamber to assess if, and to what extent, Mladić's health status will affect the preparations for the trial. Ratko Mladić faces charges of double genocide and other crimes in the war in BH.

The decision states that the medical report should contain the findings on the current health status of the accused, including his overall health condition and listing all the specific problems and their impact on Mladić's physical and mental health. The physicians who will examine him should list the treatments Mladić has received since his arrival in the Detention Unit to the present.

The second part of the report should include Mladić's 'medical history': all previous information from the 'original sources' on the health of the accused prior to his arrival in The Hague. The report should also contain an evaluation of the 'Accused's medical history' by the same expert who will examine him now. In the report, the expert should state 'whether and to what extent' the current overall health condition of the accused is related to his previous health problems.

The Registrar was ordered to submit the report as soon as it is completed, but not later than 6 December 2011.

2011-11-18

THE HAGUE

PROPOSAL TO REDUCE MLADIC'S INDICTMENT

The prosecution has filed a proposal to reduce the indictment charging Ratko Mladic with ethnic cleansing in BH municipalities, terror campaign in Sarajevo, genocide in Srebrenica and taking UN staff hostage. The prosecution has dropped almost half of the incidents listed in the existing indictment but argues that the remaining crimes reflect the criminal conduct attributed to the former VRS commander

On the deadline set by the Trial Chamber, the prosecution filed its proposal to reduce the indictment charging the accused former commander of the VRS Main staff Ratko Mladic with double genocide and other crimes in BH. According to the proposal, the indictment will be significantly reduced but the scope and substance of the accusations against Mladic will remain the same.

According to the prosecution's proposal, Mladic will still stand trial for genocide, crimes against humanity and violations of laws and customs of war. As alleged in the indictment, the crimes were committed as part of the persecution aimed at a forcible and permanent elimination of Bosnian Muslims and Croats from large parts of the BH territory. Mladic is also charged with the terror campaign against civilians in Sarajevo, taking UN staff hostage in May and June 1995 and genocide in Srebrenica in July 1995.

As the prosecution contends, the crimes that remain in the indictment 'reasonably and appropriately' reflect the criminal conduct of the accused and 'establish the basis for the conviction' on all 11 counts. The prosecution has opted for those crimes as they are representative of the atrocities committed in 'different regions of BH' and of the scope of harm and injury suffered by victims. The crimes include large scale murders, forcible transfer, persecution, unlawful detention, inhumane treatment, torture, sexual violence, theft or destruction of private property and of religious and cultural heritage.

According to the table attached to the proposal, the prosecution will call evidence about 66 incidents in 15 municipalities: Banja Luka, Bijeljina, Foca, Ilidza, Kalinovik, Kljuc, Kotor Varos, Novi Grad, Pale, Prijedor, Rogatica, Sanski Most, Sokolac, Trnovo and Vlasenica. The prosecution has decided not to call any evidence on the crimes in eight municipalities but reserves the right to do so in order to prove the criminal intent of the accused. According to the proposal, the new indictment will drop the municipalities of Bosanska Krupa, Bosanski Novi, Bratunac, Brcko, Hadzici, Novo Sarajevo, Vogosca and Zvornik.

As for the siege of Sarajevo, the prosecution has decided to call evidence about ten sniper and ten artillery incidents, which best reflect the elements of unlawful attack on Sarajevo and the involvement of the accused. In the Srebrenica part of the indictment, the prosecution will drop only two incidents, in which eight people lost their lives. Any further reduction of that part of the indictment would be 'inappropriate', the prosecution believes. Finally, the prosecution maintains that there is no need to reduce the part of the indictment relating to hostage-taking: this was a single incident and it will not take long to prove it.

General Mladic's defense should file their response to the prosecution's proposal by 25 November 2011.

2011-11-28

THE HAGUE

MLADIC RESPONDS TO PROPOSAL TO REDUCE INDICTMENT

Ratko Mladic's defense counsel contends it is not up to the defense to present its views on the prosecution's proposal to reduce the indictment. Mladic's defense is concerned about the prosecution's request to be allowed to call evidence about the incidents dropped from the indictment, when necessary to establish "mens rea of the accused". This reduction will not reduce the time the defense will need to answer the prosecution case, the defense argues

Branko Lukic, Ratko Mladic's defense counsel, contends that it is not up to the defense to state its views on the prosecution's proposal to reduce the indictment. Branko Lukic quoted the rule which show that the prosecution and the Trial Chamber play the "main role" in this procedure. The former commander of the VRS Main Staff faces charges of genocide and other crimes in Bosnia and Herzegovina.

On 18 November 2011, in line with an order of the Trial Chamber, the prosecution submitted its proposal to reduce the indictment against Mladic. The prosecution proposed to cut down significantly the number of incidents listed in the indictment but to retain all the counts and the substance of the accusations. The prosecution intends to call evidence on Mladic's responsibility for all four components of the indictment: ethnic cleansing in 15 BH municipalities, terror campaign in Sarajevo, taking UN hostages in May and June 1995 and the genocide in Srebrenica in July 1995.

Despite its intention not to take a stand on the proposed amendments, the defense presented its position regarding the prosecution's request to be allowed to present evidence related to the incidents dropped from the indictment, when necessary to establish "*mens rea* of the accused". If the Trial Chamber grants this request, the defense will have

to contest this evidence and the time needed to cross-examine prosecution witnesses and present Mladić's case wouldn't be significantly decreased. The indictment should clearly inform the accused as to what the charges against him are so that he can respond to that, the defense stated.

If the Trial Chamber decides to allow the prosecution to call evidence on the incidents left out from the indictment, the defense wants this evidence to be limited to the corroboration of facts and the establishment of a 'pattern of conduct of the accused', but provided this evidence does not lead to a 'conviction of the accused' for the crimes removed from the indictment. The defense also demanded for an estimate from the prosecution as to when it would call such evidence and to allow the accused to present additional arguments and enter additional objections.

The defense urged the Trial Chamber to bear in mind that the 'reduction will not decrease the work' required of the defense to rebut the prosecution case, to cross-examine witnesses and to present its case.

2011-12-02

THE HAGUE

REDUCTION OF MLADIĆ'S INDICTMENT ACCEPTED

The Trial Chamber accepted the prosecution's proposal to reduce the indictment against former commander of the VRS Main Staff Ratko Mladić. The Trial Chamber decided that the 106 incidents for which Mladić would be tried were 'representative' of the accusations against the former commander of the VRS Main Staff

The Trial Chamber in charge of Ratko Mladić's case has accepted the prosecution's proposal to reduce the indictment charging the former commander of the VRS Main Staff with ethnic cleansing in BH municipalities, terror in Sarajevo, genocide in Srebrenica and taking UN staff hostage. The Trial Chamber concluded that the incidents listed in the prosecution's latest proposal were 'representative' of the accusations against Mladić.

According to the prosecution's proposal, Mladić will be tried for 106 instead of the 196 incidents in the original indictment. The crimes Mladić is charged with in the 'reduced' indictment were committed in 15 municipalities in Bosnia and Herzegovina: eight municipalities less than in the original indictment. In the opinion of the Trial Chamber, the reduction of the number of incidents and crime sites is 'in the interest of a fair and expeditious trial'.

The judges also decided that the prosecution couldn't call evidence on the crimes committed at the sites not listed in the indictment unless 'such evidence is necessary to establish an element of any of the counts in the indictment'. If the prosecution decides to call such evidence, it must explain why it is relevant for the case. The Trial Chamber specified that Mladić couldn't be convicted of the incidents dropped from the indictment.

The decision also states that the judges first expected the prosecution not to call evidence on individual crimes in Kalinovik and Kotor Varos municipalities, just as it was done at Radovan Karadzic's trial. Since the prosecution has reduced the indictment against Mladić to a greater extent than the one against Karadzic, the Trial Chamber decided not to insist on dropping the charges related to the municipalities of Kalinovik and Kotor Varos.

The prosecution has two weeks to submit an amended indictment and a new list of victims of the incidents Mladić is charged with.

2011-12-08

THE HAGUE

MLADIĆ TRIAL MAY START AS EARLY AS IN MARCH 2012

The trial of Ratko Mladić may start on 27 March 2012, but the date 'is not carved in stone' as the presiding judge noted at the status conference. When he was invited to enter his plea on a count charging him with the murder of more than 30 Bosniaks in the village of Bisina on 23 July 1995, Mladić said 'I'm not guilty' and 'I don't have anything to do with that place, that date or anything'

Former commander of the VRS Main Staff Ratko Mladić today pleaded not guilty to a count charging him with the murder of more than 30 Bosnian Muslims in the village of Bisina on 23 July 1995. According to the amended indictment filed by the prosecution on 20 October 2011, some victims that were executed there had previously been detained in the Susica prison camp.

Before he entered his plea, Mladić asked the presiding judge to explain to him what Bisina was. Is it 'a mountain, a river, a bridge, a moving object, a plane or a truck', Mladić asked. Mladić also asked the judge not to speak too fast as Mladić was, as he put it, 'slow' and couldn't follow the proceedings. Judge Orić then explained to Mladić slowly that Bisina was a 'location where more than 30 Bosniaks were killed'. Mladić thanked the presiding judge and said that 'I'm not guilty and I had nothing to do with that place, date or anything'.

Upon entering the courtroom, Mladić saluted the visitors in the public gallery and then refused to take off his jacket and fur cap for a while. Mladić was visibly upset and kept repeating 'I'm tied up, handcuffed and in bullet-proof vest

during transport'. The presiding judge warned Mladic, saying 'my patience has limits'. After that the accused took off his fur cap.



◀ Ratko Mladic in the courtroom

After Mladic entered his plea, a status conference followed. Judge Orić said he expected that the pre-trial conference would be held on 26 March 2012. The opening statement of the prosecution was slated for 27 March 2012. Defense counsel Lukic indicated that he was 'nowhere near' being ready to proceed to trial so early. Judge Orić said that the 'dates aren't carved in stone'. He set deadlines for the submissions on adjudicated facts, the pre-trial brief of the prosecution and the defense, the witness list and the prosecution's exhibit list.

At the end of the status conference, the accused Mladic addressed the Trial Chamber. Mladic said that he didn't understand why he couldn't include 'Mezayev, who is

Russian, and Ivetić, who is American' in his defense team. The judge interrupted Mladic noting that the issue had been dealt with in private session, which the public could not follow. Mladic then skipped to the next topic saying he was 'sorry for every victim, every innocent person' killed in the conflicts in the former Yugoslavia. Mladic wanted to get the names of every person killed in the war, their ethnicity and personal details and whether they fought in the war or not, in order to be able to 'pay my respects to the innocent'. Finally, Mladic said that he 'didn't commit a crime against peace, and it was not my desire to do it' adding, 'I don't want the war to be mentioned ever again'.

The next status conference is scheduled for 19 January 2012.

2012-01-19

THE HAGUE

'COMRADE ORIE' AND 'MISTER MLADIC'

At the fifth status conference in Ratko Mladic's case, the defense insisted it was 'impossible' for it to be ready to proceed to trial before late October 2012. To start the trial before that date would be 'unfair', the defense argued. Mladic today addressed the judge as 'Comrade Orić'. The judge warned 'Mister Mladic' once again that he would order him to be removed from the courtroom if he disrupted the proceedings. Mladic sees himself as 'the Serbian knight Gavrilo who sacrificed himself for his country and his people'



◀ Ratko Mladic in the courtroom

At the fifth status conference in Ratko Mladic's case the preparations for the beginning of the trial were discussed. The former chief of the VRS Main Staff is charged with genocide and other crimes in the war in BH. At the previous status conference, the pre-trial judge set a tentative date for the start of the trial: 27 March 2012. The date was however 'not carved in stone'. Pre-trial judge Alphons Orić indicated today that the Trial Chamber would issue a new scheduling order soon.

In his reply to the judge, defense counsel Branko Lukic stressed it was 'impossible' for the defense to be ready to proceed to trial so soon. Starting the trial before late October 2012 would be 'unfair' for the defense

and accused Mladic, the defense counsel insisted. Lukic also noted that the defense had to read hundreds of thousands of pages of documents in the case that, in his view, comprised 'three and a half' cases: the crimes in the municipalities, the terror campaign in Sarajevo, the genocide in Srebrenica and UN hostages. On the other hand, prosecutor Dermot Groome maintained this was 'a single case with a single accused'. Groome indicated his intent to call evidence chronologically from 1992 on, instead of doing it according to the locations where the crimes occurred.

The defense was granted an extension of deadline to submit a brief with the names and addresses of the witnesses they intend to use for alibi defense and other forms of 'special defense'. Other topics dealt with today were the disclosure of evidence, the prosecution's proposal to admit about 3,000 adjudicated facts, the progress (or rather, lack thereof) of the parties' negotiations about the agreed facts, and the reports of prosecution experts. The judge insisted that the prosecution should submit its pre-trial brief by 10 February 2012, and the defense by 2 March 2012.

Addressing the judge as 'Comrade Orić', Mladic said that he 'expects a fair trial' but was afraid that in the end he would get sham justice, 'like in the old folk saying, the village judge charges you with a crime and then sits in judgment'. Mladic complained about his illness and the 'Vietnam syndrome'. He also complained about not being

allowed to wear a cap because the air conditioning in the courtroom blasted cold air on his head. As Mladic said, this was 'a breach of the Geneva conventions'. The judge interrupted Mladic after ten minutes, telling him his maundering speech went beyond the scope of a status conference. Noting that Mladic addressed him as 'Comrade Orić', the judge told the accused 'I will address you as Mister Mladic, if that's OK with you.'

Mladic once again asked to be given the floor, but the judge asked him to first say which issues he would like to talk about and to consult with his defense lawyers, Branko Lukic and Milos Saljic. Mladic didn't want to share the topics with his lawyers. He told the judge that he wanted to speak about his notebooks and about the year 1918. The judge replied that the notebooks were an evidentiary issue and that 1918 was a matter of 'historical context'. Both topics would be discussed at the trial, not at a status conference, the judge warned. Although the judge didn't allow him to speak, Mladic began his speech about 'the Serbian knight Gavrilo Princip' who 'gave his life for his country and his people, just like me'. When his microphone was turned off, Mladic continued shouting and banging his fist on the table. Judge Orić warned Mladic once again that 'the nation or the country are not in the dock, but you, as an individual'. Judge Orić also cautioned Mladic that he would be removed from the courtroom if he interrupted the judge again.

The next status conference has been scheduled for 23 February 2012 and there will be an extra status conference on 7 March 2012.

2012-02-10

THE HAGUE

410 PROSECUTION WITNESSES AT RATKO MLADIC'S TRIAL

The prosecution has submitted the list of witnesses and exhibits it intends to call at the trial of the former commander of the VRS Main Staff for genocide and other crimes in BH. The prosecution plans to call a total of 410 witnesses, including 25 experts. About 150 witnesses are expected to appear in court; the rest will submit written statements. The prosecution needs approximately 200 hours to examine its witnesses in chief

The prosecution team in the case against Ratko Mladic, former commander of the VRS Main Staff, has submitted a list of witnesses and exhibits it intends to call in the course of its case. The list itself has been submitted under seal, but the basic statistical data have been made public in an attachment.

According to the document, 410 names are on the witness list: 385 are fact witnesses and 25 are expert witnesses. The prosecution intends to call 148 witnesses to testify in court, but most of them will provide their written statements, and Mladic's defense will cross-examine them in court. Only seven witnesses will testify *viva voce* which means that they will give their entire evidence in court. The prosecution also plans to examine 10 of its 25 experts in court.

The prosecution estimated that about 200 hours would be necessary for the examination-in chief of the witnesses who will appear in court. This is 100 hours less than in the case against Karadzic. Statements or transcripts of evidence of 220 witnesses will be tendered into evidence. Many of those witnesses will testify about the authenticity of other evidence, the identity and cause of death of victims and other issues which are not directly related to the alleged acts of the accused. Eighteen prosecution witnesses have died in the meantime and the prosecution will move to tender into evidence their previous testimonies from other trials or their statements to the OTP investigators.

The prosecution's list contains 27,906 exhibits, mostly documents originating from the VRS and RS government and ministries and the documents pertaining to the recovery and identification of victims' remains. Among the exhibits are the personal notebooks and audio and video materials seized in Ratko Mladic's house.

In order to facilitate the defense preparations, the prosecutors identified 19,579 priority exhibits, including 2,316 top priority ones. The trial is scheduled to open on 27 March 2012 but the defense contends that it will not be ready because of the disclosure issues. The prosecution denied there were any problems and asked the judges to schedule a hearing to discuss the issue. The next status conference has been scheduled for 23 February 2012. There will also be an extra status conference on 7 March 2012.

2012-02-15

THE HAGUE

RATKO MLADIC'S TRIAL TO BEGIN ON 14 MAY 2012

The trial of Ratko Mladic, former commander of the VRS Main Staff, for genocide and other crimes in BH is slated to begin on 14 May 2012. After the opening statements, the prosecution will call its first witnesses of the 410 witnesses on 29 May 2012

The trial of Ratko Mladic, former commander of the VRS Main Staff, is scheduled to begin on 14 May 2012. A pre-trial conference will be held on 17 April 2012.

The trial had been originally scheduled to start on 27 March 2012, but the Trial Chamber decided to give both parties additional time for preparations. The Trial Chamber ordered the prosecution to deliver the opening statement on

14 May 2012. Furthermore, at the beginning, the number of sessions will be limited to allow the parties additional time to prepare. The decision setting the trial date, signed by presiding judge Alphons Orie, specifies that after the opening statements, the prosecution will call evidence from 29 May to 13 July 2012. There will be a break after that until 20 August 2012.

The prosecution has recently indicated it would call a total of 410 witnesses. Of that number, 158 witnesses will testify in court. Most of the witnesses will give written statement and will only be cross-examined by Mladić's defense.

The Trial Chamber also ruled that the health of the accused didn't require any modifications in the sitting times. There is no need to sit for less than five days a week and to have shorter hearings. However, the judges have granted the defense's request for morning sessions only. A new status conference, part of the preparations for the trial, will be held on 29 March 2012.

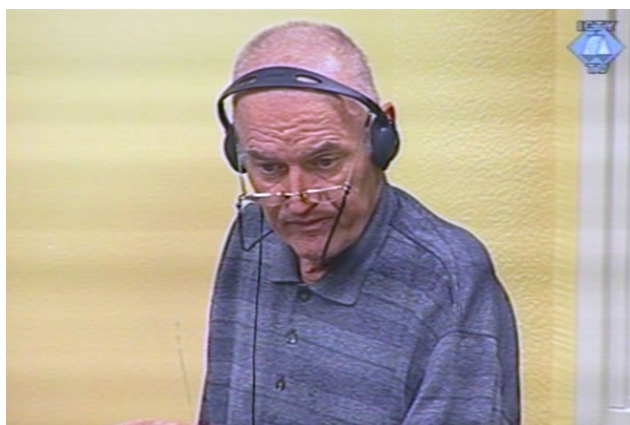
Former commander of the VRS Main Staff faces charges of genocide and other crimes in Bosnia and Herzegovina, committed as part of a joint criminal enterprise which included former RS president Radovan Karadzic, who is currently on trial for the same crimes. Ratko Mladić was arrested on 26 May 2011 after 16 years on the run.

2012-02-23

THE HAGUE

PREPARATIONS FOR RATKO MLADIĆ'S TRIAL PROGRESS APACE

The sixth status conference in the case against former Bosnian Serb army commander Ratko Mladić was held to expedite the preparations for the trial. Mladić demanded to be allowed to wear his general's uniform and military cap, protested against the Tribunal calling it a 'partial NATO court' and expressed his concern over the fate of the planet if Iran should come under attack



◀ Ratko Mladić in the courtroom

At the sixth status conference in the case against Ratko Mladić, presiding judge Alphons Orie confirmed that the trial of the former commander of the VRS Main Staff would begin on 14 May 2012 with the opening statement of the prosecution and the defense and the accused if they wished to present it. Two weeks later, on 29 May 2012, the prosecution will start calling evidence. The prosecution has already submitted its witness list with the names of 410 witnesses, including 386 fact witnesses. Others will submit expert reports. Most of the witnesses will present their evidence in writing, either in the form of their statements to the OTP investigators or transcripts of their evidence in other cases. Only seven witnesses will present their entire evidence *viva voce* in court. The

defense will have the opportunity to cross-examine 141 witnesses. Mladić is charged with double genocide and other crimes in Bosnia and Herzegovina from 1992 to 1995.

The goal of this and other status conferences is to follow the progress of the pre-trial efforts and the preparations for the trial. After a lengthy discussion of technical issues, the disclosure of evidence, agreed and adjudicated facts and expert reports, Judge Orie gave the floor to the accused.

At the beginning of his 15-minute presentation, Mladić said that he had asked his wife to send him his full combat uniform, as he was now wearing the clothes he wore 'during the war and after the war' and, as he put it, 'in exile', while he was hiding from international justice. Mladić went on to show a series of family photos, lamenting that 'for some reason' he was denied the right to visit his mother's grave and the graves of his other deceased relatives. Mladić then started launching accusations, stating 'I and my nation' were on trial before a 'partial NATO court'. 'I don't want to turn this into a circus', Mladić said, noting he was an 'old man'. To him, it 'does not matter how long I will last'; what matters is 'for me to leave an impact on people'.

Before Judge Orie switched off his microphone, Mladić once again repeated his request to be allowed to wear 'a Russian cap' in court. Mladić also expressed his concern over the future of the planet as it was, in his opinion, in danger from 'NATO's expansion into Africa and Asia'. As Mladić said, 'I want to protest to end all the wars in the world', adding that 'once NATO attacks Iran, it will be pointless to hold conferences'. Finally, Mladić concluded saying that 'seven countries in Asia have nuclear weapons' and it was enough to destroy them in their depots and 'our planet will be no more'.

As the hearing drew to a close, Mladić raised his right arm with a clenched fist and compared himself with Afro-American athletes who raised their fists in black gloves in support of the fight for human rights in 1968 in Mexico City.

The next status conference has been scheduled for 29 March 2012.

2012-03-29

THE HAGUE

FINAL PREPARATIONS FOR RATKO MLADIC'S TRIAL

Judge Orić set a number of deadlines to the prosecution and the defense, as they prepare for the Ratko Mladić trial, slated to begin on 14 May 2012. Ratko Mladić took the floor at the end of the hearing and presented himself as a man fighting for the truth, not trying to defend himself. Mladić denied the existence of BH adding that his wish is to be able to return free to Belgrade, 'the capital of the Serb people', a people that is divided by the Drina River

The seventh status conference in the case against Ratko Mladić, former commander of the VRS Main Staff, addressed the final preparations for the trial, scheduled to start on 14 May 2012. In 11 counts, the indictment charges Mladić with double genocide and other crimes in Bosnia and Herzegovina.

In line with the deadlines, the prosecution must inform the Trial Chamber by 20 April 2012 how much time it would need for its opening statement. The defense must state by the same date if it intends to deliver its opening statement after the prosecution and if the accused Mladić wants to address the Trial Chamber with a statement without making a solemn declaration.

Pre-trial judge Alfons Orić noted that the prosecution and the defense were granted 30 to 60 minutes of time for the examination-in-chief of the witnesses whose evidence would be based on previously given written statements or transcripts of their evidence from other trials. The defense will have two and a half hours to cross-examine the witnesses. As for witnesses testifying *viva voce*, the defense will have 60 percent of time the prosecution used for the examination-in-chief. The Trial Chamber today set 14 April 2012 as the deadline for the list of first prosecution witnesses. It was indicated today that 14 prosecution witnesses would contest Mladić's alibi defense. About four hours will be used for the testimony of witnesses who were in the midst of the 1995 hostage crisis.

The disclosure was one of the issues dealt with at the status conference. Most of the documents have already been disclosed to the defense. The adjudicated and agreed facts and expert reports were also discussed. If the prosecution fails to comply with its disclosure obligations fully, defense counsel Branko Lukic will seek the postponement of the trial.

At the end of the hearing, Mladić addressed the judge. He insisted he was only interested in 'the truth', not in 'defending myself'. As he said, 'I want to earn my right to go as a free man to Belgrade, the capital of the Serb people' and to be with his family even if he had to 'eat from a dumpster'. Mladić complained of numbness in the right side of his body. This is preventing him from using a computer and making him 'slow'. Mladić asked the presiding judge to warn him whenever 'I speed up and raise my voice'. The presiding judge did it several times. The accused also said he didn't accept the adjudicated facts and the written statements of the witnesses and he insisted on facing all of his accusers in court. Mladić today disclosed an aspect of his alibi defense, saying that he was at the Military Medical Academy in Belgrade on 16 July 1995, at the time when the crimes in Srebrenica he is charged with were committed. Mladić also said he still thought that the Serbs from both sides of the Drina River were 'our people', and denied the existence of 'the state of Bosnia and Herzegovina'. Mladić was upset because only the officials from Serbia visit him while those from Republika Srpska stay away.

The former commander of the VRS Main Staff arrived in court wearing a suit and tie, without a cap. For once, unlike at previous status conferences, Mladić was mostly calm and respectful when he talked to the judge. At the end, he said he wanted to 'be on better terms with the Tribunal'. He also said he would stand up the next time a judge enters the courtroom in order to participate in the trial properly.

Mladić will appear in court next on 24 April 2012, at the pre-trial conference.

2012-04-16

THE HAGUE

EVIDENCE AGAINST MLADIC TO BE CALLED IN FIVE 'SEGMENTS'

As the preparations for Ratko Mladić's trial enter its final stage, the prosecution has indicated it would present its case in five segments. In the first, introductory, segment, which will start in late May and last until 13 July 2012, the prosecution will present an 'overview of the entire case'. The other four stages will present evidence about the terror campaign in Sarajevo, taking UN staff hostage, crimes in BH municipalities in 1992 and the Srebrenica genocide

Less than a month before the start of the trial of former commander of the Bosnian Serb army Ratko Mladić, the prosecution has today submitted to Judge Alphonse Orić's Trial Chamber its work plan: an outline of the prosecution case. The trial is set to begin on 14 May 2012 with the prosecution's opening statement. The opening statement will take six hours, as indicated in the brief, and the first evidence will be called on 29 May 2012. The prosecution case will be divided into five segments.

Ratko Mladić is charged, as is the former Republika Srpska president Radovan Karadžić, with participation in four joint criminal enterprises in the territory of Bosnia and Herzegovina. The first joint criminal enterprise is the ethnic cleansing aimed at achieving a forcible and permanent elimination of Bosnian Muslims and Croats from large parts of the BH territory in 1992. In several municipalities, the ethnic cleansing reached genocide scale. Three other joint criminal enterprises are the artillery and sniper terror campaign against civilians in Sarajevo, taking UN personnel hostage in May and June 1995 and the genocide in Srebrenica in July 1995. The prosecution case will be divided into five segments. Each joint criminal enterprise will be dealt with in its own segment.

In the brief filed today, the prosecution has presented in detail the first, introductory segment, which will last from 29 May until 13 July this year. The prosecution will call evidence relating to the entire period covered in the indictment, including the evidence on two massacres against civilians in 1992, cruel treatment and murders in two prison camps, the start of the shelling campaign in Sarajevo, two sniper attacks on civilians in the town and a mass killing of the captured inhabitants of Srebrenica in 1995. In the first segment, the prosecution will also call evidence on the structure of the VRS and the role of its commander, Ratko Mladić.

In the first stage of the trial, the prosecution will call a total of 23 witnesses. Through the testimony of David Harland, a UN official who was in BH during most of the war, the prosecution will present evidence which will bring together the different parts of the indictment. Among the witnesses is a prosecution military expert, former chief of the British Army General Staff, Richard Dannat. His evidence and expert report will focus on the military operations and Mladić's role in them.

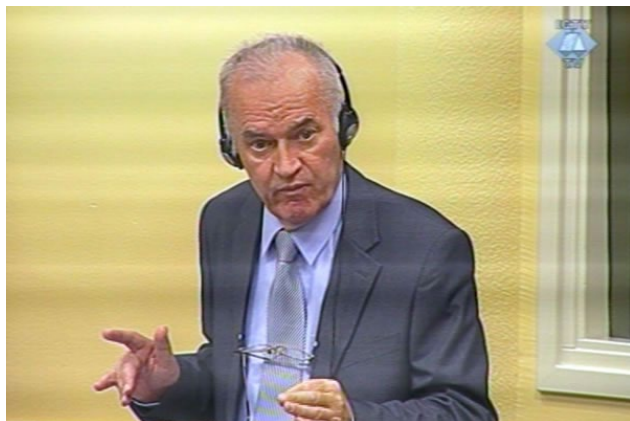
The prosecution used a similar approach at the trial of Radovan Karadžić, where it has been calling evidence in stages. The prosecution case at the Karadžić trial is now in the final stage, dealing with the genocide in Srebrenica.

2012-04-24

THE HAGUE

MLADIĆ 'PERKS UP' BEFORE TRIAL

The preparations for the trial were reviewed at the pre-trial conference in the case against Ratko Mladić. The trial is due to begin on 16 May 2012 with the prosecution's opening statement. Mladić said that he had 'perked up' after his arrival in The Hague, as his health has improved. He did insist that he wouldn't be able to follow the trial if the judges decided on a full schedule of five working days per week. As Mladić said, he didn't mind if the trial lasted 'five or a hundred years'



◀ Ratko Mladić in the courtroom

At the pre-trial conference in the case of the former Bosnian Serb army commander Ratko Mladić, it was indicated that the prosecution would start its opening statement not on 14 May 2012, as initially planned, but two days later, on Wednesday, 16 May 2012. The opening statement will last six hours, or two working days. The first prosecution witness is expected to appear in court on 29 May 2012, according to the existing scheduling order. It remains to be seen if that will be the case, because the defense has sought to postpone the beginning of the prosecution case by 90 days, claiming that not all evidence has been disclosed to the defense yet.

Although the prosecution has made considerable effort in the past days to train the defense team how to use the software to search through the disclosed materials, defense counsel Lukic contends that there are still problems and that some of the documents have yet to be delivered. The undisclosed evidence, according to the defense, includes witness statements and transcripts of previous testimonies before the Tribunal and a number of documents the prosecution plans to tender into evidence. The prosecution added two more expert witnesses to its initial witness list that contains 411 names. Only about 180 witnesses will appear in court and the prosecution was granted 200 working hours for their examination-in-chief. The time allotted to the defense to cross-examine each witness will depend on the number of exhibits admitted into evidence through these witnesses. The statements by other witnesses will be admitted into evidence in writing.

Judge Orić's Trial Chamber made it clear at the hearing today that it was committed to making sure the trial would proceed as efficiently as possible, with no time-wasting and the admission of excessive exhibits into evidence. The other judges in the Trial Chamber are Moloto and Fluegge.

Though this is not customary for pre-trial conferences, the judges allowed Mladić to address them. The accused said he was an old man and would not be able to participate in a trial five days a week. Mladić insisted he didn't mind if the trial took 'five or a hundred years'. This was an indication Mladić intended to file a motion for a shorter working week.

As Mladić said, he felt well despite his age and had 'perked up a bit' lately. Mladić wanted to say that to the camera 'in

order for my friends to see me', and in order for his enemies 'to gnash their teeth because I am still alive'. Mladic then went off-topic completely, and referred to the Tribunal as the 'NATO commission'. The presiding judge interrupted Mladic and brought the hearing to its end.

Although the pre-trial conference ended there, it may continue next week. This depends on the results of a meeting between the prosecution and the defense at which they will try to find out where they stood with the disclosure.

2012-04-26

THE HAGUE

MLADIC'S DEFENSE INSISTS TO POSTPONE TRIAL

In response to the prosecution's latest motion to extend the deadline for the disclosure of potentially exculpatory materials to Ratko Mladic's defense, his lawyers recalled that the deadline has already been extended once. They insist that the trial, slated to begin on 16 May 2012, be postponed to a date 90 days after the prosecution completes disclosure.

Ratko Mladic's defense responded today to the recent request of the prosecution to extend from 30 April to 8 June the deadline for the disclosure of all the material 'may suggest the innocence or mitigate the guilt of the accused'.

A previous scheduling order indicated that Mladic's trial would begin with the opening statement of the prosecution on 16 May 2012 and continue on 29 May 2012 with the evidence of the first prosecution witness. The prosecution said it would call evidence in five stages. In the first part, expected to end by 13 July 2012, the prosecution will present a detailed overview of the case. After the Tribunal's summer recess, the prosecution will call evidence on the artillery and sniper attacks on the citizens of Sarajevo, taking UN Staff hostage, crimes in BH municipalities in 1992 and the massacre of civilians in Srebrenica. Mladic is charged with double genocide, crimes against humanity and violations of laws and customs of war.

As the defense lawyers insisted, they understand the problems the prosecution faces in its bid to deliver all potentially exculpatory evidence. However, they recall that the very volume of the materials means the defense would need a long time to review them. This in turn will 'drastically shorten' the time the defense has to prepare for the trial. The motion stresses the importance of the disclosure of such materials, adding that it would be 'reasonable and proper' to postpone the trial in such circumstances.

The defense used the example of Radovan Karadzic's trial. After the prosecution disclosed 32,000 pages to the defense, the judges ordered a six-week break. The defense also recalled that their team was far more 'limited' than the human resources the prosecution had at its disposal.

The defense argued that extending the deadline for the disclosure had already caused problems which could only be dealt with if the trial were to be postponed. Any additional extensions of the deadlines would result in new delays. Specifically, the defense wants the trial to begin 90 days after the prosecution has disclosed all potentially exculpatory materials, regardless of the deadline. The initial deadline was set on 30 April and may be extended to 8 June.

2012-05-03

THE HAGUE

WILL DELAYED DISCLOSURE POSTPONE MLADIC'S TRIAL

The prosecution admitted it failed to disclose some of the documents the defense needs to prepare for the trial, without 'good excuse'. However, at the pre-trial conference in the case against Ratko Mladic, the prosecution assured the judges and the defense that most of the documents for the first witnesses had been disclosed on time. For the time being, the prosecution case will not be delayed. Mladic claims he has problems with 'short-term memory' and has requested the prosecution to deliver documents he already has.

The pre-trial conference in the case of former commander of the Bosnian Serb army Ratko Mladic which began last week continued today. The parties discussed the current state of disclosure of potentially exculpatory materials and documents the defense needs to prepare for the cross-examination of witnesses. The prosecutor today admitted there had been some mistakes in the disclosure of some documents and transcripts of the evidence of witnesses who had testified at previous trials. These transcripts are however available at the Tribunal's public website, except for the parts that proceeded in closed session. The prosecutor added that 'there is no good excuse' for this error.

Most of the documents relating to the 23 witnesses who are supposed to testify before the Tribunal's summer recess have been disclosed. As the presiding judge Orić noted, it is to be expected that some documents will be disclosed with a delay. In that case, the testimony of some witnesses may be postponed or they may be recalled for re-examination, the presiding judge explained. The Trial Chamber obviously wants the trial to begin on time and would prefer to order short breaks as the trial goes on.

The defense's motion to schedule the opening of the prosecution case 90 days after the full disclosure is still pending. The judges were supposed to deliver the informal decision to the parties today, but there was no indication whether the decision would be made public.

The prosecution today urged the Trial Chamber to alter its guidelines for the trial because they significantly hinder the presentation of the prosecution case. The guidelines instruct the prosecution to take new consolidated statements from the witnesses who have previously testified before the Tribunal. Furthermore, the number of documents the prosecution may tender into evidence with written statements is limited. The presiding judge indicated the judges would consider the prosecution's motion.

Mladić's defense lawyer Lukic told the Trial Chamber about his client's problems as he reviews the materials disclosed by the prosecution. Mladić complains that he is unable to keep logging in and out of the computer system all the time because he has 'problems with short-term memory'. Mladić has purportedly received written instructions only in English. Judge Orić recalled that the Trial Chamber had a document signed by Mladić confirming that he had received the instructions in Serbian too. Judge Orić advised defense to first enquire into the details of a problem before they present it to the Trial Chamber.

Mladić also complained about the regime of visits of his friends and relatives and his ability to send letters from the detention unit, his defense counsel said. The accused wanted to address the Trial Chamber on these issues, but the judges didn't permit it, because this was the pre-trial conference, rather than a status conference. The judges invited the defense to present Mladić's latest alleged problems in writing. At the hearing today, the accused occasionally made loud remarks to the defense lawyers and the judges. As the hearing drew to a close, Mladić cursed to himself.

According to the current schedule, Mladić is due back in court on 16 and 17 May for the prosecution opening statement. The prosecution will call its first witness on 29 May 2012, unless the Trial Chamber grants the defense's request to postpone the trial.

2012-05-04

THE HAGUE

MLADIĆ TRIAL WILL NOT BE POSTPONED

Judge Orić's Trial Chamber dismissed the fifth motion filed by the defense, in which it sought that the trial be postponed for 90 because of the disclosure delays. The opening statements have been scheduled for 16 and 17 May 2012

The trial of the former Bosnian Serb army commander Ratko Mladić will definitely open on 16 and 17 May 2012 as scheduled, with the prosecution's opening statement. The plan is still for the prosecution to call its first witness on 29 May 2012. The situation might change if there are any further disclosure delays.

In its decision, the Trial Chamber, with Dutch judge Orić presiding, thus dismissed the latest defense motion in which it asked the judges to set the date for the start of the prosecution case 90 days after the defense has received all the documents it needs.

These materials may be exculpatory for the accused. Among the documents are witness statements, transcripts of their previous evidence and other items the defense will need in order to prepare for the trial. At the second part of the pre-trial conference on Thursday, it was said that the most of the documents pertaining to the first 23 witnesses who are slated to testify before the summer recess have been disclosed to the defense. Some of the transcripts of the witnesses' previous testimonies are available at the Tribunal's public website.

Yesterday, the Trial Chamber indicated it might act in the course of the prosecution case as required, by postponing the evidence of some witnesses or recalling them for additional cross-examination if there are any delays in the disclosure of evidence to the defense.

A detailed explanation of the decision will be forthcoming, the judges indicated.

Ratko Mladić is facing the same charges as the former Republika Srpska president Radovan Karadžić: taking part in four joint criminal enterprises in Bosnia and Herzegovina. The first joint criminal enterprise was the ethnic cleansing aimed at a forcible and permanent removal of Bosnian Muslims and Croats from large parts of BH in 1992, which reached the scale of genocide in several municipalities. The other joint criminal enterprises are the artillery and sniper terror campaign against civilians in Sarajevo, taking UN staff hostage in May and June 1995 and the genocide in Srebrenica in July 1995. The prosecution will present its case in five stages. After the introductory part, expected to last from 29 May to 13 July 2012, the prosecution will devote a segment to each joint criminal enterprise.

2012-05-07

THE HAGUE

WITNESSES FOR 'FIRST SEGMENT' IN THE CASE AGAINST MLADIĆ ANNOUNCED

In the introductory segment of the prosecution case at the trial of the former Bosnian Serb army commander, the prosecution will call six survivors of mass executions, two insiders, three journalists and several international observers. The witnesses' evidence will relate to the crimes against non-Serbs in BH from 1992 to 1995, including the terror campaign against citizens of Sarajevo and the Srebrenica genocide

The prosecution submitted the list containing the names of the first group of witnesses, scheduled to appear at the trial of former Bosnian Serb army commander Ratko Mladić from 29 May to 13 July 2012. The list contains six survivors of mass executions alleged in the indictment, seven international representatives who were in BH during the war, three war reporters and several witnesses who will testify about the conditions in military detention facilities.

The first on the prosecution's witness list is Elvedin Pasic. In November 1992, Pasic survived the execution of about 150 persons in the village of Grabovica in Kotor Varos municipality. It remains to be seen if Pasic will be the first to appear in court. In the motion filed today, the prosecution indicates the final order of appearance of its witnesses will be decided in consultation with the defense in order to make it easier for the defense to prepare for the cross-examination. The prosecutor told the Trial Chamber that all the documents necessary for the cross-examination of the first group of witnesses had been disclosed to the defense.

Five other survivors of mass executions in the war in BH are on the prosecution witness list. One of the protected witnesses will testify about the murder of 150 persons in the village of Biljani near Kljuc. Another protected witness will give evidence about the massacre of civilians in Jelasicko Polje near Kalinovik. Rajif Begic will recount the murder in the village of Vrpolje in Sanski Most municipality. All these crimes were committed in 1992. A survivor from Branjevo, a Srebrenica execution site in July 1995, is also on the witness list.

A Dutch Battalion soldier Eelco Koster, UN observer Joseph Kingori, a medical doctor whose identity will be protected, journalist Robert Block and a key insider witness, Momir Nikolic will testify about the crimes in Srebrenica. Nikolic served as the security officer in the VRS Bratunac Brigade and pleaded guilty to the charges against him before the Tribunal.

SKY News war correspondent Aernout Van Lynded will testify about his experience in the besieged Sarajevo. Two protected witnesses who survived the shelling from the VRS positions in Sarajevo are also on the list. An insider witness, a senior officer of the Bosnian Serb army, will testify about the orders issued to the VRS snipers during the siege of Sarajevo. Former UN observers in Sarajevo Richard Mole and John Wilson are also slated to give evidence, as is John Jordan, former chief of the fire brigade operating in Sarajevo under the UN auspices.

Sefik Hurko, who was detained in the Vlasenica camps, and Idriz Merdzanic, who worked as a doctor in the prison infirmary in Trnopolje, will testify about the crimes in detention centers under the VRS control. Ed Vuillamy, who wrote for the British newspaper *The Guardian*, will testify about the prison camps in Prijedor.

Former head of the civil affairs in the UN mission David Harland is also on the witness list. Harland will testify about his meetings with the accused Mladić and Karadzic. General Sir Richard Dannatt, former chief of the British Army General Staff, will appear as a prosecution military expert.

All these witnesses will testify as a part of the first segment of the prosecution case, which will present a general overview of the crimes Ratko Mladić is charged with. In the remaining four segments, expected to follow after the summer recess, the prosecution will call detailed evidence about the crimes committed as a part of the four joint criminal enterprises alleged in the indictment. The first joint criminal enterprise is the ethnic cleansing aimed at the forcible and permanent elimination of Bosnian Muslims and Croats from large parts of BH in 1992. In some BH municipalities, this ethnic cleansing reached the scale of genocide. The three remaining joint criminal enterprises are related to the artillery and sniper terror campaign against civilians in Sarajevo, taking UN staff hostage in May and June 1995 and the Srebrenica genocide in July 1995.

The prosecution is due to present its opening statement next Wednesday and Thursday.

2012-05-11

THE HAGUE

MLADIĆ SEEKS TO DISQUALIFY JUDGE ORIE AND FOR A STAY OF PROCEEDINGS

Ratko Mladić's defense has asked the Tribunal's President to disqualify presiding judge Orić because of 'an appearance of bias'. The defense has listed no less than 17 reasons for the Dutch judge's disqualification: Orić's vested 'personal' and 'national interests' and alleged favoritism toward the prosecution



◀ Alfons Orić, sudija Tribunala

Five days before the beginning of the trial, scheduled to start on 16 May 2012, Ratko Mladić's defense has filed a motion to disqualify presiding judge Alfons Orić on grounds of his possible bias. The defense also called the proceedings to be suspended and the trial itself postponed pending the decision on the motion.

In about 40 pages, the defense of the former commander of the VRS Main Staff presents the arguments in support of its demand to disqualify Judge Orić. The defense details all 17 reasons that, in its view, would each merit Judge Orić's disqualification.

First and foremost, Judge Orić showed his bias at the initial appearance of the accused. When Mladić refused

to have the indictment read to him, Judge Orić ignored Mladić's wishes, the defense argues. Judge Orić also addressed the accused as 'Mr. Tadić'. This, the defense notes, was the name of an accused Judge Orić defended until April 1997. Because of his previous involvement in the case against Dusko Tadić, Judge Orić is in conflict of interest, defense counsel Lukic contends.

The defense notes that Judge Orić has a vested personal interest in preserving the

findings of the judgments handed down to Stanislav Galic and Momcilo Krajsnik, as he was the presiding judge at those trials. He would also want the conclusions in the sentencing judgments of 'penitents' Ranko Cesic, Milan Babic and Darko Mrdja to stand. As the defense argues, Judge Orić has sided with the prosecution in the preparatory stages of the trial, tolerating delayed disclosure of the evidence and the prosecution's refusals to deliver the documents in the language of the accused.

According to the defense, not only does Judge Orić have a vested 'personal' interest in the Ratko Mladić case, but also 'national interests'. The crimes Mladić is charged with include the events in Srebrenica. A Dutch court has established the responsibility of the Dutch State for the Srebrenica crimes, the defense says in its motion. Finally, the defense has brought up some orders issued by Judge Orić in his 'informal' communication with the parties. The defense has also recalled the prosecution's comment that it is happy with the way the presiding judge has been running the trial of Stanisić and Simatović.

The defense contends that the disqualification of judge Orić is the only way to protect the "integrity of the trial and the rights of the accused", urging the Tribunal's President to issue an order to disqualify the Dutch judge and appoint another judge to preside over the Trial Chamber. In the meantime, the defense argues, the proceedings should be adjourned and the trial itself postponed. Alternatively the defense wants the President to appoint a bureau of judges to rule on the disqualification motion.

2012-05-14

THE HAGUE

MLADIĆ AGAIN ASKS THE JUDGES TO ADJOURN HIS TRIAL FOR SIX MONTHS

Less than two days before the beginning of the trial Ratko Mladić's defense submitted a new motion to adjourn the trial for six months. At the Tribunal, preparations are underway to open the trial on Wednesday morning, 16 May 2012

As Ratko Mladić's defense awaits the ruling of Tribunal's President on its motion to disqualify Judge Orić and suspend the proceedings, tonight it presented Judge Orić's Chamber with yet another motion seeking the adjournment of the trial for six months. This is the sixth motion Mladić's defense has submitted, citing the purported drastic delays in disclosure by the prosecution. Alternatively, the defense wants the Trial Chamber to prohibit the prosecution from calling witnesses whose evidence has not been disclosed on time or to tender into evidence documents and other materials disclosed with delay.

The Tribunal's President, who spent the whole day today at the appellate hearing of the Croatian generals charged with crimes in Operation Storm, has yet to rule on the motion to disqualify the presiding judge filed by Mladić's defense on Friday afternoon. In the meantime, the Tribunal's staff has been busy with the routine preparations for the trial of the former Bosnian Serb army commander, scheduled to start on Wednesday, 16 May 2012 at 9am.

2012-05-15

THE HAGUE

MLADIC'S MOTION TO DISQUALIFY JUDGE ORIE DENIED

The Tribunal's President denied an urgent motion filed by Mladic's defense in which it sought the disqualification of presiding judge Alfons Orié and a stay of proceedings. There are no obstacles now for the trial to begin, as scheduled



◀ Theodor Meron, president of the MICT

The Tribunal's President Theodor Meron denied the motion filed by Ratko Mladic's defense to disqualify Judge Alfons Orié and to suspend the proceedings. President Meron thus removed all obstacles for the trial of the VRS Main Staff commander to begin on 16 May, on schedule. Mladic is charged with genocide and other crimes in Bosnia and Herzegovina.

Having considered all 17 grounds in Mladic's motion to disqualify the presiding judge, to adjourn the proceedings and postpone the trial, the Tribunal's President concluded that the applicant failed to demonstrate that a 'reasonable observer, properly informed, would reasonably apprehend bias' of Judge Orié, as he stated

in the decision released. The defense's motion was therefore denied as unfounded. In a brief statement of reasons, the President states that the judges of the Tribunal enjoyed the 'assumption of impartiality' and the party seeking to disqualify a judge must bear the burden of proof.

President Meron's decision contains as an attachment Judge Orié's detailed response to the allegations in the motion filed by Mladic's defense. In the response, Judge Orié went through all the arguments in the motion, item by item, dismissing them as groundless.

The opening statement of the prosecution at the trial of Ratko Mladic is scheduled to begin 16 May 2012 at 9am.

2012-05-16

THE HAGUE

PROSECUTION: 'GENERAL MLADIC HAD A HAND IN CRIMES'

In the first part of the opening statement at the trial of the former VRS Main Staff commander for double genocide, crimes against humanity and violations of laws and customs of war in Bosnia and Herzegovina, the prosecution described Mladic's role in the ethnic cleansing, the terror campaign in Sarajevo and taking UN staff hostage. The Trial Chamber reprimanded the prosecution for a 'very significant disclosure error', indicating it might decide to postpone the prosecution case



◀ Dermot Groome, prosecutor at the Ratko Mladic trial

The prosecution began its opening statement at the trial of Ratko Mladic by describing the fate of two boys. Eight-year old Elvedin Pasic survived the massacre of more than 150 Muslims in the village of Vecici in November 1992. Dino Salihovic is the youngest victim among the six inhabitants of Srebrenica captured and executed in the village of Trnovo in July 1995 by the notorious Scorpions unit.

According to prosecutor Dermot Groome, the cases of Elvedin and Dino are inextricably tied with the 'criminal intent to permanently eliminate Bosnian Muslims and Croats from the territories the Bosnian Serb leadership claimed as their own'.

The massacre in Vecici and the execution of prisoners in Trnovo are just some of the incidents which will be dealt with at the upcoming trial and the prosecution will 'show beyond reasonable doubt that General Mladic had a hand in each of these crimes'.

At the beginning, the prosecution recalled that the twentieth anniversary of Mladic's appointment as the Bosnian Serb army commander was marked four days ago. Mladic joined the joint criminal enterprise that was already in

progress with alacrity. In the first part of the opening statement, prosecutor Groome covered three segments of the joint criminal enterprise: the ethnic cleansing which reached the scale of genocide in some parts of Bosnia and Herzegovina in 1992, the artillery and sniper terror campaign in Sarajevo and taking UN staff hostage and using them as human shields in May and June 1995. Prosecutor Peter McCloskey will talk about the final, fourth segment of the joint criminal enterprise tomorrow as the opening statement continues.

The foundation of all crimes listed in the indictment is the effort to separate the Serbs from non-Serbs, the prosecution contends. That was the first of the six strategic goals the Bosnian Serb Assembly declared on 12 May 1992. Mladić was appointed the commander of the VRS Main Staff at the same session. The remaining strategic goals – establishment of a corridor, elimination of the border between the Serb states on the Drina river, establishment of borders on the Una and Neretva rivers and access to the sea – are in the prosecution's view just 'different facets of the first', demographic goal.

Even before Mladić assumed command of the Army, the Bosnian Serb leadership seized power in 35 municipalities in Bosnia and Herzegovina with support of the JNA, police and paramilitaries. The prosecution used a slide showing what Mladić achieved in the first two weeks as the commander, by the end of May 1992: shelling of Muslim villages in the Prijedor area, massacres in Sanski Most, establishment of detention camps in Prijedor, Foca, Vlasenica, Rogatica and Ilidza and large-scale shelling of Sarajevo. June 1992 began with another round of intense shelling of Sarajevo on Mladić's orders, massacres continued in other municipalities and thousands of families were forced to leave their homes. In July 1992, the VRS took part in some of the cruelest instances of ethnic cleansing in Prijedor, the terror in prison camps continued, the ammunition depot in Mladić's birthplace was turned into a detention facility. In August 1992, the arrests, murders and forcible transfer of people continued. The indictment lists 57 crimes committed until the end of November 1992 that General Mladić is responsible for, as the prosecution alleges.

The evidence about most, if not all, of those crimes has already been called at previous trials of various Bosnian Serb political and military leaders, including several officers who served in the Main Staff, and the corps and brigade commanders in the VRS. Today, the prosecution insisted on establishing a direct link between Mladić and perpetrators of crimes as well as on the fact that Mladić was well informed about all the developments in the field. Several entries in Mladić's diaries were quoted, showing that Mladić was able to follow the results of ethnic cleansing in real time. In an entry on 8 January 1992, Mladić wrote that 17,000 Muslims lived in Ključ. Several days later, the number dropped to 5,000. By 11 September 1992, there were 3,500 Muslims in the municipality. A few weeks later, as noted by Mladić in his diary, there were only 2,000 Muslim civilians left in the municipality. Mladić also wrote that he was told that the number of Muslims in Bratunac fell from the pre-war 64 percent to just two people. In the next entry, Mladić notes there 'isn't a single Muslim' left there and that Bratunac is 'a fully liberated town'.

Today, Mladić followed closely the opening statement, and was seen taking notes from time to time. Several times, Mladić nodded as if he was agreeing with what the prosecutor was saying about the crimes and Mladić's role in them.

At the very beginning of the hearing, the Trial Chamber severely reprimanded the prosecution for, as judge Orić put it, a 'very significant disclosure error'. The Trial Chamber is in process of determining whether to reconsider its decision of 3 May 2012 denying the defense's motion to postpone the prosecution case or to take some other remedial measure, Judge Orić said. Prosecutor Groome admitted the prosecution was at fault and agreed it might affect the ability of the defense to prepare for the trial. The prosecution wasn't opposed to 'a reasonable postponement' of its case, slated to begin on 29 May 2012.

2012-05-17

THE HAGUE

MLADIĆ – MASTER OF LIFE AND DEATH

In the second part of the opening statement at the trial of former VRS Main Staff commander Ratko Mladić, the prosecution set the stage for the evidence of Mladić's individual criminal responsibility for the genocide in Srebrenica. After the opening statement, the trial was adjourned 'until further notice'. It remains uncertain when the prosecution will start presenting its evidence



◀ Peter McCloskey, prosecutor at the Ratko Mladić trial

The prosecution continued the opening statement at the trial of Ratko Mladić, focusing on one of four joint criminal enterprises and one of two genocide charges listed in the indictment: murder of more than 7,000 men and boys and the deportation of more than 30,000 women, children and elderly from Srebrenica and Zepa in July 1995. The evidence of those crimes has already been presented at previous Srebrenica trials. Prosecutor Peter McCloskey indicated the prosecution's case would not focus on crimes but on 'individual criminal responsibility of Ratko Mladić'.

As the prosecutor argued, there was 'overwhelming evidence' about the events in Srebrenica, such as the remains of 5,977 persons exhumed from mass graves. Most of them have been identified using DNA analysis. There are also testimonies of 11 'miraculous men' who managed somehow to survive the executions and 'escape the bloodshed'. There were also aerial photos of mass graves, VRS documents about the effort to dig up and transfer the bodies to secondary graves, the evidence of Serb soldiers involved in the executions, intercepted conversations of VRS officers discussing the mass executions and two videos of actual executions in Kravica and Trnovo.



◀ Ratko Mladic in the courtroom

In a bid to highlight Mladic's responsibility, the prosecutor said the crimes in Srebrenica were committed by an army 'strictly under the control from the top': the accused who was its commander throughout entire war in BH. The crimes were carried out with 'incredible discipline, organization and military efficiency'. VRS soldiers carried out the orders, 'capturing, detaining, transporting, murdering and burying' over 7,000 men and boys in just four days, from 12 to 16 July 1995. The fact that such a crime was committed in full secrecy was a 'truly amazing feat of utter brutality', prosecutor McCloskey emphasized.

According to the prosecution's evidence, Ratko Mladic exercised full control over his troops at the time of the Srebrenica operation. Mladic issued orders and received regular reports about the developments in the field. Mladic was present in the Srebrenica and Bratunac area between 11 and 14 July 1995. Mladic then went to Belgrade and stayed there for two days, but again received reports about the crimes on at least one occasion. British general Rupert Smith warned Mladic at a meeting in Belgrade on 15 July 1995 that there were 'rumors of atrocities, massacres and rape' in Srebrenica. Instead of investigating the allegations, Mladic attended a wedding with his wife, as shown by photos in possession of the prosecution.

Many video recordings in the prosecution's possession testify to Mladic's involvement in the genocide in Srebrenica. Some of them were shown in court today, including the recording made on 25 July 1995, showing Mladic promising safe passage out of Zepa to the Muslims leaving the town; among them were some men of military age. 'I am giving you the gift of life', Mladic told them. According to the prosecution, this indicates that Mladic considered himself as a man who 'can take or give life'. At that time, Mladic knew that the news of the mass executions in Srebrenica had spread, and was trying to portray himself in the best possible light, by 'giving the gift of life'. The prosecution will try to prove that more than 7,000 Muslims from Srebrenica weren't as lucky and that Mladic was responsible for their deaths.

Concluding the prosecution's opening statement, lead attorney Dermot Groome gave an indication of the prosecution's closing argument. After the trial has ended, he will urge the judges to 'give to the Bosnian people what they have been waiting for such a long time: truth about what Ratko Mladic did to that wonderful and complex country'.

The Trial Chamber decided that the prosecution could not start presenting its evidence on 29 May 2012 as previously scheduled, because it has failed to turn over to Ratko Mladic all the materials necessary for the preparation of his defense. The presiding judge Alphons Orie said the trial was adjourned 'until further notice'.

2012-05-21

THE HAGUE

PROSECUTION'S 'TECHNICAL ERROR' IN MLADIC CASE

Due to a 'technical error' that occurred several years ago, the prosecution 'believed' it disclosed all the documents on the list to the defense, whereas in fact the documents were not on the hard disk. The prosecution notes that the accused has not received 3.19 percent of the total of 155,256 documents. The error will have 'a limited impact' on the ability of the defense to prepare for the commencement of the evidence presentation

The prosecution submitted a detailed explanation of the error in the disclosure of evidence to the defense of the former VRS Main Staff commander Ratko Mladic. The error has resulted in an indefinite suspension of the trial. The prosecution stressed it regretted the mistake, noting that it was in fact a technical error. According to the prosecution, the error has 'a limited impact on the ability of the defense to prepare for the commencement of the evidence presentation'. The error affects only 3.19 percent of the disclosed evidence or about 5,000 out of a total of 155,256 documents, photos and videos.

The prosecution explained that the mistake was made 'several years ago' when a database containing about 100,000 documents was set up. The inventory of the documents in the database didn't correspond with the actual contents of the database. The prosecution 'believed' that it disclosed to the accused the documents which in fact weren't on the hard disc delivered to the defense.

The prosecution became aware of the error on 11 May 2012 and immediately notified the Trial Chamber and the defense. Of 19 sets of documents disclosed to the defense, only two “batches”, marked 4c and 5, are affected. The first batch comprises 3,089 documents: ‘previous statements and transcripts of the testimony of potential prosecution witnesses’. Apart from a small portion of testimony given in closed session, the documents are available on the Tribunal’s website. The statements and transcripts of witnesses scheduled to testify in the first segment of the trial, before the summer recess, were disclosed fully to the defense on 27 April 2012. The second batch contains 12,330 maps, photographs and other documents; one fourth has already been disclosed, while more than 2,250 documents are in fact English translations from BCS. Most of the other documents disclosed to the defense on 17 May 2012, pertain to the part of the prosecution case set to be presented after the summer recess.

Some of the documents disclosed late may affect the defense’s preparations for the cross-examination of witnesses scheduled to testify in the first stage of the trial, the prosecution admits. As a remedy, the prosecution decided to examine 19 of planned 24 witnesses before the summer recess. Four witnesses will be heard after the break. David Harland, former head of civil affairs in the UN mission, will be the last witness to testify before the summer recess. Some 236 potential exhibits haven’t yet been disclosed, but the deadline for their disclosure hasn’t expired yet.

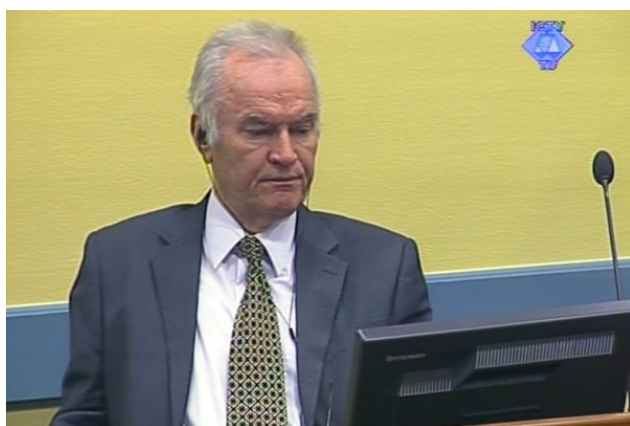
As the prosecution insisted, it is not opposed to ‘reasonable adjournment’ in order to ensure a fair trial, but any delays should be ‘of limited duration’.

2012-05-24

THE HAGUE

RATKO MLADIĆ’S TRIAL CONTINUES ON 25 JUNE 2012

The Trial Chamber hearing the case against Ratko Mladić, former commander of the VRS Main Staff, ordered the prosecution to start calling its evidence on 25 June 2012. Mladić is charged with genocide and other crimes in BH



◀ Ratko Mladić in the courtroom

The first witnesses at the trial of Ratko Mladić, former commander of the VRS Main Staff, will appear in court on 25 June 2012, the Trial Chamber ordered in its decision. The prosecution would continue its case until the three-week summer recess which begins on 20 July.

The trial of the former Bosnian Serb military leader began on 16 May with the opening statement of the prosecution. Initially it was planned that the prosecution would start calling evidence on 29 May 2012. However, due to a ‘significant error of the prosecution in disclosing of the evidentiary material to the defense’ the judges suspended the trial until further notice, because they wanted to establish the impact of the delayed disclosure

on the ability of the defense to cross-examine the first prosecution witnesses.

The Trial Chamber agreed with the defense that an adjournment before the start of the prosecution’s case was necessary. Nevertheless, the Trial Chamber “does not consider that the requested amount of six months should be granted”. In determining the length of the adjournment to be granted, the Chamber considered the work required to be performed by counsel and their support staff due to the disclosure failures of the Prosecution. The Trial Chamber concluded that the ‘effect of the disclosure failures is sometimes very small or even non-existent’. The Trial Chamber urged the prosecution to consult with the defense and make sure the witnesses called before the summer recess are those that are the least affected by the failures.

Ratko Mladić is on trial for his part in four joint criminal enterprises. The first ‘comprehensive’ joint criminal enterprise was the ethnic cleansing aimed at the forcible and permanent elimination of Bosnian Muslims and Croats from large parts of BH in 1992. In several municipalities, this reached the scale of genocide. The other three joint criminal enterprises are the artillery and sniper campaign in Sarajevo, taking UN staff hostage in May and June 1995 and the genocide in Srebrenica in July 1995.

2012-05-31

THE HAGUE

MLADIĆ’S NEW MOTION TO ADJOURN TRIAL

After the Trial Chamber granted a one-month adjournment of the trial, General Ratko Mladić has requested the judges to reconsider the decision and to postpone the prosecution’s case for six months. The prosecution has submitted an amended list with the names of 14 witnesses to be examined in the first stage of its case, from 25 June to 20 July 2012

The defense of the former VRS Main Staff commander Ratko Mladic has asked for the trial to be adjourned for six months, to allow it to go through the evidence the prosecution has disclosed with delay. The defense has already submitted a number of similar motions. The Trial Chamber has denied most of them and partially granted one of them.

In its latest motion, the defense has asked the Trial Chamber to reconsider its decision of 24 May 2012 postponing the start of the prosecution case from 29 May to 25 June 2012. The decision was 'made in haste', the defense argues, and was based on "clear errors'. The judges failed to take into consideration 'new relevant information and arguments' presented by the defense. According to the defense, the judges' decision was motivated by their determination to start the trial as soon as possible. It may even serve as evidence of their 'bias'. The defense has concluded that the Trial Chamber made the decision "based on mis-understanding by the Chamber of the technical capabilities of computer technology".

Mladic's defense counsel Branko Lukic claims he has yet to receive all the information necessary for the cross-examination of the first witnesses, scheduled to give evidence from 25 June to 20 July 2012. The prosecution plans to examine just 14 of the 24 witnesses in had initially planned to call in the first segment of its case. The witnesses will testify about the massacres in the municipalities of Kotor Varos and Sanski Most, the start of the shelling campaign and one sniper incident in Sarajevo in May 1992, and the crimes in Srebrenica in July 1995. The Trial Chamber will also hear evidence about the structure of the VRS and the way in which Mladic exercised his authority.

The first witness on the prosecution list is Elvedin Pasic. In November 1992, Pasic survived the execution of about 150 persons in the village of Grabovica in Kotor Varos municipality. The following witnesses will all deal with the events in Srebrenica: the judges will hear a survivor of the execution at the Branjevo farm, a UN military observer Joseph Kingori, a Dutch Battalion soldier Eelco Koster, a medical doctor who will testify under protective measures, and former security officer in the VRS Bratunac Brigade, Momir Nikolic. Nikolic pleaded guilty to the crimes in Srebrenica.

In the week of 9 July 2012, the prosecution will call Rajif Begic, a survivor of the massacre in the village of Vrhpolje in the municipality of Sanski Most. He will be followed by the prosecution military expert, General Sir Richard Dannat, former commander of the British armed forces, and David Harland, former civil affairs chief in the UN mission. In the last working week before the summer recess, the court will hear testimony of two persons who were injured in one of the first shelling incidents in Sarajevo, a VRS insider who will testify about the instructions issued to the snipers in Sarajevo, former firefighter in the international fire brigade John Jordan and the Sky News war correspondent Aernout van Lynden.

2012-06-18

THE HAGUE

RATKO MLADIC TRIAL SUSPENDED 'UNTIL FURTHER NOTICE'

A brief press release this evening indicates that the start of presentation of the prosecution's evidence at the trial of Ratko Mladic was 'suspended until further notice'. The Trial Chamber's full decision and explanation will be made public in due course

Six days before 25 June, the date when the prosecution was supposed to start calling its evidence, it was announced by the Tribunal that the Judge Orić's Trial Chamber suspended the trial of the former VRS Main Staff commander Ratko Mladic 'until further notice'. The full decision and the explanation will be made public in due course, it was said. The Trial Chamber has clearly granted the motion filed by Mladic's defense to reconsider its decision of 24 May 2012, postponing the start of the prosecution's case for less than a month, from 29 May to 25 June 2012, instead of the six months the defense had requested.

The defense filed a motion asking the judges to reconsider their decision because of the delays in the disclosure of the prosecution's evidence; this delay has made it difficult for the defense to prepare for the cross-examination of prosecution witnesses. In its response, the prosecution admitted there still were problems with the disclosure of a number of documents. It didn't oppose the defense's motion.

It remains to be seen how long this suspension will last. In light of the fact that the Tribunal's summer recess is four weeks away, it is unlikely that the prosecution will begin its case before the second half of August 2012.

2012-06-22

THE HAGUE

PROSECUTION: MLADIC'S DIARIES ARE EVIDENCE AGAINST MLADIC

The prosecution has filed a motion to tender into evidence 22 notebooks Ratko Mladic used to write his notes during the war, from 1991 to 1996. As the prosecution contends, the notebooks could be very useful in proving the responsibility of the former Bosnian Serb army commander

Though the beginning of the prosecution's case has been suspended 'until further notice' because of its failure to disclose evidence to the defense on time, today the prosecution submitted a motion to Judge Orić's Trial Chamber to tender into evidence all of Ratko Mladić's war diaries, contained in 22 notebooks. From 1991 to 1996, Mladić wrote in his impressions from various meetings, first as a JNA officer and then as the commander of the VRS Main Staff.



◀ Dermot Groome, prosecutor at the Ratko Mladić trial

The motion recalls that the Serbian authorities seized the notebooks in two searches of Mladić's apartment in 2008 and 2010. At other trials, parts of the notebooks were admitted into evidence as prosecution exhibits because they were deemed relevant for those cases. The judges at those trials decided that the diaries were 'relevant, reliable and have evidentiary value'. Highlighting the evidence on the authenticity of the diaries, the prosecution recalled that Mladić's key associate in the VRS Main Staff Manojlo Milovanovic confirmed before the Tribunal that the handwriting was that of the accused. When the prosecution tendered parts of the notebooks into evidence at Vojislav Seselj's trial, the judges called

a handwriting expert who confirmed that the diaries were authentic. Finally, as the prosecution recalled, Mladić himself has recently confirmed in court that the notes were his.

Apart from their unquestionable authenticity, the prosecution argues that admitting the diaries into evidence from the bar table could save court time and streamline the prosecution's case. Explaining why it was tendering the diaries into evidence in their entirety, the prosecution noted that 20 diaries contained evidence about the actions, behavior and state of mind of the accused in the period relevant for the indictment, which charges Mladić with genocide and other crimes in BH. The two remaining notebooks show Mladić's intentions during the armed conflict.

In their entirety, the diaries paint a picture of the effort to 'plan and implement the joint criminal enterprises alleged in the indictment', the prosecution contends. The motion notes that the entries show that even before Mladić's involvement in the crimes in BH, he took part in the ethnic cleansing of parts of Croatia while he served as the commander of the JNA Knin Corps. The notebooks also show that the accused took part in the preparations for the crimes by providing arms and training to the units subordinated to the people who were also part of the joint criminal enterprises. The prosecution argues that the diaries show the accused was 'kept informed from early on' about the purpose and nature of the planned campaign of crimes, including the separation of the Serb territories from the territories which were to be inhabited by the two other ethnic communities in BH. This goal was implemented by ethnic cleansing.

In the prosecution's view, the diaries show there was 'communication and cooperation' of various members of joint criminal enterprises and lay bare the crimes, either listed in the indictment or not alleged therein.

Ratko Mladić is charged with taking part in four joint criminal enterprises. The first was ethnic cleansing aimed at the forcible and permanent elimination of Bosnian Muslims and Croats from large parts of BH in 1992, which reached the scale of genocide in some municipalities. The remaining three joint criminal enterprises are the artillery and sniper terror campaign in Sarajevo, taking UN staff hostage in May and June 1995 and the genocide in Srebrenica in July 1995.

2012-06-22

THE HAGUE

RATKO MLADIĆ'S TRIAL TO CONTINUE ON 9 JULY 2012

The prosecution will start presenting its evidence at the trial of the former VRS Main Staff commander on Monday, 9 July 2012 and will go on for two weeks until the beginning of the Tribunal's summer recess on 21 July 2012. Mladić is on trial for double genocide and other crimes in BH

On Tuesday, 18 June 2012, Judge Orić's Trial Chamber suspended the trial of Ratko Mladić 'until further notice' because of the prosecution's failure to disclose evidence to the defense on time. Late this afternoon, the Trial Chamber issued a new scheduling order indicating that the first prosecution witnesses against the former VRS Main Staff commander would appear before the Tribunal on Monday, 9 July 2012. The trial will go on until the Tribunal's summer recess, which begins on Friday, 20 July 2012. Mladić's trial will be adjourned until 20 August 2012.

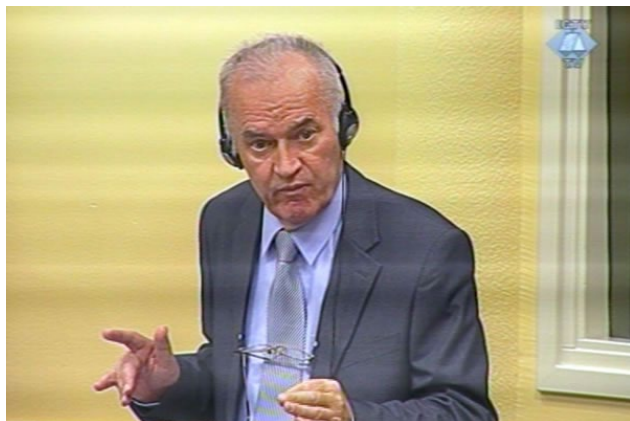
The prosecution was ordered to submit a new witness list for the first two weeks of its case by 26 June 2012. The Trial Chamber instructed the prosecution to choose the witnesses whose testimony and the supporting documents were disclosed to the defense on time. The prosecution was also ordered not to call witness RM 319 before 20 August 2012. According to the prosecution documents in the public domain, this witness is Momir Nikolic, former security officer of the VRS Bratunac Brigade. Nikolic pleaded guilty before the Tribunal for crimes committed in July 1995 in Srebrenica. He has already testified at number of trials.

2012-06-26

THE HAGUE

SEVEN WITNESSES IN THE FIRST SEGMENT OF RATKO MLADIĆ'S TRIAL

The prosecution has disclosed a revised list of witnesses who will testify in the first two weeks of the prosecution's case at the trial of Ratko Mladic, from 9 to 20 July 2012



◀ Ratko Mladic in the courtroom

The prosecution has submitted a list of witnesses it intends to call in the first two weeks of its case at the trial of the former VRS Main Staff commander Ratko Mladic, from 9 to 20 July 2012. Instead of 24 witnesses the prosecution initially planned to call in the first segment of its case, the court will hear evidence of seven prosecution witnesses before the Tribunal's summer recess.

The document disclosed today states that the prosecution has consulted with the defense and the defense still 'has some concerns' about its ability to prepare for the cross-examination of these witnesses following the most recent problems with the disclosure.

The prosecution considers the defense's concerns 'justified' and will not oppose any defense motions to re-call witnesses for additional cross-examination.

The first prosecution witness is Elvedin Pasic. In November 1992, Pasic survived a massacre of about 150 persons in the village of Grabovica, in the municipality of Kotor Varos. He will be followed by David Harland, former chief of the civil affairs sector in the UN mission in Bosnia and Herzegovina. British general Richard Dannat will testify as a prosecution's military expert.

The second week of the prosecution's case will be dedicated to the crimes in Srebrenica. A survivor of the execution at the Branjevo farm will testify under the pseudonym RM 255. He will be followed by UN military observer Joseph Kingori and German nurse Christina Schmitz. Schmitz arrived in Srebrenica on 24 June 1995 and worked there until 21 July 1995 as part of the humanitarian organization *Medecins sans frontiers*. The last witness on the list is Eelco Koster, who served in the Dutch Battalion at the time. Koster will testify about the arrival of Muslim refugees in Potocari and his conversation with the accused Mladic who told him he intended to 'evacuate the refugees and there will be problems if the Dutch refuse to cooperate'.

The prosecution case will continue after the Tribunal's summer recess. Mladic is on trial for his part in four separate but interconnected joint criminal enterprises. The first joint criminal enterprise was the ethnic cleansing aimed at the forcible and permanent elimination of Croats and Muslims from large parts of BH in 1992. In some municipalities the cleansing campaign reached the scale of genocide. The rest of the charges pertain to the campaign of artillery and sniper terror against civilians in Sarajevo, taking UN staff hostage in May and June 1995, and the genocide in Srebrenica in July 1995.

2012-07-02

THE HAGUE

MLADIĆ'S DEFENSE WANTS THREE WITNESSES TO TESTIFY LATER THAN PLANNED

Lawyer Branko Lukic has asked the judges to postpone the testimony of David Harland, Richard Dannat and Joseph Kingori, or at least to postpone their cross-examination. Lukic has asked for the postponement because the prosecution was late disclosing a large volume of materials related to these witnesses and the Trial Chamber has yet to rule on the prosecution's motion seeking admission of witness statements and associated exhibits

The defense of the former VRS Main Staff commander Ratko Mladic has called for the testimonies of former UN civil affairs chief in BH David Harland, British general Richard Dannat and UN military observer Joseph Kingori to be delayed. Alternatively, the defense wants the cross-examination of these witnesses to be delayed. The prosecution has planned to call the three witnesses in the first two weeks of its case, from 9 to 20 July 2012.

The prosecution wants Harland, Dannat and Kingori to testify on the basis of their previous statements and transcripts of their earlier testimonies. The prosecution asked for these documents to be admitted into evidence. The Trial Chamber however has yet to decide on the admission as well as on the defense's objections. Mladic's defense counsel Branko Lukic notes that the Trial Chamber's decision would 'directly affect the manner and scope of preparations' for the defense's cross-examination of those witnesses and the length of their examination.

If Harland, Dannat and Kingori were to testify too early in the trial, this would violate the right of the accused to a fair trial, the defense argues, insisting again that it has not been given enough time to prepare for the cross-examination of these witnesses.

The defense is not opposed to nurse Christina Schmitz and former Dutch Battalion soldier Eelco Koster testifying in the first two weeks of the prosecution's case, as they are the last witnesses on the list. The defense nevertheless notes that even in their case, some relevant documents are among the recently disclosed materials. The defense does not object to the testimony of Elvedin Pasic and protected witness RM 255, the men who survived the massacre in the village of Grabovica near Kotor Varos in 1992 and at the Branjevo farm in July 1995, respectively.

In a letter to the Trial Chamber and the prosecution, the defense once again insists that it is 'unreasonable' for the prosecution to begin its case now. As the defense argues, an 'adjournment is necessary' to deal with some 'serious problems in the preparation' for the trial, stemming from the way in which the prosecution has disclosed the evidence.

2012-07-05

THE HAGUE

MLADIC'S MOTION TO POSTPONE EVIDENCE OF THREE WITNESSES DISMISSED

The Trial Chamber has denied the motion filed by General Mladić's defense to postpone the examination of witnesses Harland, Dannat and Kingori until "a later date". Mladić's motion to disqualify expert witness Dannat was also dismissed. The Trial Chamber decided it would evaluate Dannat's report and expertise after he completes his evidence

The Trial Chamber led by the Dutch judge Orie has been plowing through the pending motions submitted by Ratko Mladić's defense to clear the ground for the prosecution case to begin as scheduled, on Monday, 9 July 2012. The Trial Chamber dismissed the defense's motion to postpone the evidence of three of the prosecution's first seven witnesses – former chief of the civil affairs in the UN mission in BH David Harland, British general Richard Dannat and UN military observer Joseph Kingori – until "a later date", after the Tribunal's summer recess.

In the motion submitted on 2 July 2012, the defense asked for a postponement of their testimony, stating that the prosecution had disclosed a lot of the evidence with delay. The defense also claimed that the Trial Chamber had not yet ruled on their objections to the motions seeking admission into evidence of the transcripts of previous witnesses' testimonies and related evidence. This has interfered with their preparations for the cross-examination of witnesses, the defense argued.

As the judges state in their decision, the fact that the Trial Chamber hasn't yet ruled on all the motions for the admission of statements and testimonies 'shouldn't affect preparations' of the defense for the examination of those witnesses. The defense should prepare for the cross-examination based on all the materials available to it.

As regards Harland and expert witness Dannat, the Trial Chamber reminded the defense that "they were proposed to be called to testify" since April 2012. The Trial Chamber also noted that less than 30 new documents pertaining to witnesses Harland and Kingori had been disclosed recently. The Chamber considers that "the information it has received from the parties does not show that the additional material is of such nature as to necessitate delaying the testimony and/or cross-examination of these witnesses'.

The defense has had access to most of the materials it needed to prepare for the examination of these witnesses since April 2012, the Trial Chamber said, emphasizing it would consider "any request by the defense to recall witnesses Harland And Kingori for further cross-examination". Finally, as the Trial Chamber noted, the defense has had Dannat's previous expert reports at its disposal since November 2011 and his current report since 24 April 2012.

The Trial Chamber also denied the motion to disqualify Richard Dannat as a prosecution military expert. The judges will decide if General Dannat qualifies as an expert and whether his report is admissible after Dannat completes his evidence at General Mladić's trial.

2012-07-09

THE HAGUE

MLADIC'S DEFENSE: TRIAL CHAMBER SUCCUMBED TO THE POLITICAL PRESSURE FROM THE PROSECUTION

In three 'urgent motions', Mladić's defense has accused the Trial Chamber that it had "succumbed to the political pressure from the prosecution". As the defense argues, the Trial Chamber has 'drastically changed the rules of the game at the eleventh hour', threatened the 'integrity of the trial' and created conditions that might 'lead to miscarriage of justice'. The defense has therefore called for another six-month postponement of the trial

Just as the prosecution was ready to begin presenting its evidence the defense of Ratko Mladic called for another 6-month postponement of the trial in an 'urgent motion'. Alternatively, the prosecution sought the Trial Chamber to reconsider its recent decision that partially changed guidelines for the parties to call and tender evidence.

In an 'urgent motion' that contains unusually harsh language, Mladic's defense accused the Trial Chamber that it had modified the guidelines because it had 'succumbed to the political pressure from the prosecution', 'changing the rules of the game drastically at the eleventh hour'. The Trial Chamber has thus, in the view of the defense, threatened the 'integrity of the trial' and the rights of the accused, creating conditions that might 'lead to miscarriage of justice'.

In addition to the request for another postponement or for a reconsideration of the changes, Mladic's defense filed two more urgent motions, claiming the rules of the game had been changed. The defense wants the cross-examination of British general Richard Dannat, called as the prosecution military expert, to be postponed by at least 90 days. The defense also wants the Trial Chamber to prohibit the prosecution from tendering through David Harland some documents not listed on the previously submitted list of exhibits.

At the beginning of the hearing today, prosecutor Dermot Groome announced the prosecution would respond orally to the 'urgent motions' tomorrow. The Trial Chamber ordered the prosecution to call its first witness, Elvedin Pasic, because the defense's objections and motions don't pertain to Pasic and his evidence.

2012-07-09

THE HAGUE

ORDEAL OF MUSLIMS FROM VILLAGE OF HRVACANI

The prosecution started its case at the trial of Ratko Mladic, former commander of the VRS Main Staff, with the evidence of Elvedin Pasic, who spoke about the ordeal of the villagers of Hrvacani and other Muslim villages in Kotor Varos municipality in 1992. Pasic's testimony refers to the counts in the indictment about the crimes in 20 BH municipalities. These crimes, as the prosecution alleges, reached the scale of genocide in Kotor Varos



◀ Elvedin Pasic, witness at the Ratko Mladic trial

Elvedin Pasic, the first prosecution witness at the trial of Ratko Mladic, described in his emotional evidence the five-month ordeal he had gone through as a 14-year-old boy. He often broke down, sobbing. He described in detail the terrible fate of the people from the village of Hrvacani in Kotor Varos municipality. Through Pasic's evidence, the prosecution wants to prove the pattern of ethnic cleansing the forces under the command of accused Mladic implemented in 20 municipalities in Bosnia and Herzegovina. As alleged in the indictment, in Kotor Varos the ethnic cleansing reached the scale of genocide.

The ordeal of the villagers of Hrvacani began on the second day of Eid Al-Adha in June 1992. In the previous months, the villagers had noticed some military activities in the neighboring Serb villages: trenches were being dug, there were some troop movements and military machinery was brought in. They didn't expect their neighbors to attack and shell them. After a night spent in the cellar, Elvedin, his mother and other villagers sought shelter first in the nearby Croatian village of Plitska. Five elderly people remained in the village of Hrvacani. The refugees from Hrvacani spent the next few months wandering from one village to another – Garici, Cirokino Brdo, Bilica – and after a while, tried to return to their home village. There, they found that their homes had been looted, destroyed and burned down. They also found the charred bodies of five elderly people who had refused to leave their houses. The cows and dogs had been killed. Realizing they had no place to stay and nothing to live on, the villagers wandered through the villages in Kotor Varos municipality. Finally, they arrived in the village of Vecici where Elvedin and his mother were reunited with Elvedin's father.

In early November 1992, Elvedin and his family decided to leave Vecici, where hundreds of people from the Muslim villages around Kotor Varos had gathered, and move towards Travnik, to the territory under the control of the BH Army. The women and children set off in a convoy of buses. Elvedin's father insisted that Elvedin should accompany him in a large group of men: they had heard that the Serb forces took boys of his age away from their mothers in the refugee convoys at check points. The witness cried as he described the parting of his mother and father. The hearing was adjourned for about ten minutes to allow him to compose himself.

Elvedin Pasic recounted how the column with more than 200 men, about a dozen women and a dozen children trekked through the heavily wooded hills for two days in the rain. The column was ambushed twice, and at one point, the people got into a mine field. Some people in the column were killed by mines. Finally, the column was surrounded by Serb troops and they decided to surrender.

After they surrendered, they were forced to pass through a tunnel which was some 50 meters long. On the way out of the tunnel, the soldiers ordered those who had weapons to drop them on a pile to the left, and those who had

valuables and money to put them on the right side. The soldiers threatened they would kill those who were found to be in possession of as much as a pin. The captured Muslims had a lot of money and valuables with them, Pasic said, because the women who travelled to Travnik by bus didn't want to carry the valuables: they were afraid the Serb forces would search them. The prisoners were ordered to lie face-down in three rows in the mud. They were called out one by one, questioned and beaten. Elvedin heard when the soldiers asked his father as they beat him if he had any relatives in the group. His father replied he had no one in order to protect Elvedin. The soldiers then ordered the women and children in the group to form a separate group. Elvedin didn't want to join them but his father and uncle insisted, so Elvedin joined the other children and women. They were taken to the school in the village of Grabovica. A Serb soldier told them they would 'live but their men will pay'.

That same night, the captured men from the group were also transferred to the school. Elvedin's father was among them. The next morning, the women and children were ordered to board the buses parked some 200 meters away from the school. They were told they would be taken to Travnik. On their way to the buses, they passed a gauntlet of men. The men spat at them, hit them with sticks, pitchforks and other things. The soldiers told them that all those who tried to run through the gauntlet would be killed. Immediately before he boarded a bus, a woman put a knife to the witness's throat. She threatened she would 'kill the little Balija' just like her sons had been killed in the village of Vecici. A guard managed to grab the witness and shove him into the bus.

From the bus, Elvedin could see a hand waving at them from a window of the school where the men were detained. 'I didn't see the body, just the hand, and in my dreams I always see that hand', Pasic said at the end of his examination-in-chief.

According to the adjudicated facts from previous cases before the Tribunal, all 150 prisoners from the school in Grabovica were executed.

Ratko Mladić's defense counsel began his cross-examination of the witness by establishing the details about the witness's stay in each of the places where he and his family had sought shelter. The cross-examination continues tomorrow.

2012-07-10

THE HAGUE

RATKO MLADIĆ BLAMES SERB CIVILIANS

Continuing the cross-examination of Elvedin Pasic, the first prosecution witness, Ratko Mladić's defense contested the allegation in the indictment that about 150 Muslims detained in the school in Grabovica, near Kotor Varos, were executed. 'If something did happen' to those people, the defense argued, the army under the command of the accused was not responsible. Mladić's defense blames 'local civilians'



◀ Elvedin Pasic, witness at the Ratko Mladić trial

Ratko Mladić's defense denies that a crime was committed in the village of Grabovica near Kotor Varos. Yesterday, Elvedin Pasic, whose father was killed there, testified about the incident as the first prosecution witness at the trial of the former VRS Main Staff commander. Before continuing his cross-examination today, Mladić's defense counsel Branko Lukic presented the defense case: since the bodies of the victims have never been recovered, there is no evidence that the 150 Muslims captured as they tried to reach Travnik were actually executed. If 'anything did happen' to those people, 'the local civilians are responsible' and not the army headed by the accused, Lukic said.

Through Elvedin Pasic's evidence, the prosecution wants to prove the pattern of ethnic cleansing implemented by the forces under the command of the accused in 1992 in about 20 municipalities in Bosnia and Herzegovina. In Kotor Varos and some other areas, the ethnic cleansing reached the scale of genocide. The murder of 150 persons in the school in the village of Grabovica that the defense contested or blamed on 'the local [Serb] civilians' is one of the facts adjudicated at previous trials at the Tribunal.

In the cross-examination, the witness repeated that both the armed Serbs he saw in the villages around Kotor Varos, and those who in early November 1992 captured the group of about 150 to 200 men and some 20 women and children, appeared to be part of an organized military unit. They wore camouflage uniforms with insignia and ranks. The defense lawyer read out parts of the witness's statements in which he said that some of them rode on tractors and didn't drive military vehicles, and that there was a woman among soldiers.

The defense wants to prove that some of the victims who are alleged to have been killed in Grabovica were in fact killed elsewhere. To corroborate the argument, Lukic tendered into evidence statements taken from the family members of Nedžad Menzel and Seval Opakic. Their relatives spoke about their disappearance, saying that Menzel

and Opakic were last seen when 'they were ambushed by Chetniks' as they tried to break through towards Travnik. Pasic nevertheless remained adamant that he saw both Menzel and Opakic in the tunnel where the Serb soldiers captured them and took them to the school in Grabovica. Presiding judge Orić was prompted to note that their family members weren't there at the time when the events they described in their statements to local courts had taken place. The statements don't specify the source of their information, the presiding judge remarked.

The defense counsel pointed out the purported inconsistencies in Pasic's evidence. Lukic recalled that the witness first said that he and other men were robbed of everything when they were captured and they 'didn't have as much as a pin', only to say later that they were robbed again on the way from Grabovica to Travnik. The witness explained that he and a few other lucky men who had been allowed to leave Grabovica really didn't have any valuables worth robbing: in fact, the refugees from the area of Kotor Varos who were travelling to Travnik across Vlasica in a convoy of about 10 buses had money and other valuables.

The defense counsel also insisted that not all Muslim and Croat villages were attacked and destroyed, but only those from which attacks on Serb units were launched. When the prosecutor re-examined the witness, Pasic said that the representatives of the village of Dabovica, where his sister lived, signed a pledge of loyalty to the Serb authorities, and yet a group of Muslim men from the village were detained in a barn. They were shot to death and then burned.

At the end of his testimony, Elvedin Pasic asked all those who have any information about his father, whose body has never been found, to forward it to him. In tears, Pasic said he missed his father. 'I miss him now more than ever, now that I am a father myself; everything I do with my children brings back memories of my father', the first prosecution witness at the trial of Ratko Mladić said at the end of his evidence.

As the hearing continued today, former chief of the civil affairs in the UN sector in BH David Harland began his evidence.

2012-07-10

THE HAGUE

HARLAND: MLADIĆ WAS A FRUSTRATED COMBATIVE BULLY

Former chief of the civil affairs in the UN mission in BH, David Harland, described Ratko Mladić as a frustrated, combative bully. It was impossible to speak 'rationally' with Mladić and he 'didn't have any kind of a vision' as to how to win the war despite the uncontested military supremacy he enjoyed. According to Harland, Mladić's strategy was based on 'terrorizing civilians'



◀ David Harland, witness at the Ratko Mladić trial

Ratko Mladić's trial continued with the evidence of David Harland, who served as the chief of the civil affairs in the UN mission in BH from June 1993 to the end of the war. Harland testified about the artillery and sniper terror against civilians in Sarajevo, the attacks on the safe area of Gorazde and the events that preceded the attack on Srebrenica in July 1995. Harland also spoke about some 20 meetings and conversations with the accused Mladić.

At those meetings, 'Mladić sat and wrote down notes into his diary. He would then take the floor and very aggressively present a series of points which were not logically linked'. According to the witness, Mladić was 'self-confident and combative'. Harland recalled

that a young Serb officer came to a meeting bearing the news that Izetbegovic had failed to agree to Owen's and Stoltenberg's peace plan. Izetbegovic wanted more territory, the officer said. When Mladić heard that, he laughed and said, 'I would like to be young and good-looking but that isn't going to happen'.

Mladić listed harsh measures he intended to take in order to step up the pressure on the Bosnian government. He also refused to cooperate to rescue the wounded UN soldiers. It was the 'standard behavior of the Serb leadership': when they didn't like something they would threaten to retaliate against civilians and the UN. If, for example, the Serb side didn't get oil, Mladić would say he would 'hijack' oil supplies and establish a 'new policy': 'nobody else will get the stuff that Serbs are not getting'. He would not allow UNPROFOR and UNHCR to monitor the developments on the front lines and to deliver humanitarian aid to the civilians.

The Serb political and military leadership, headed by Karadzic and Mladić, used 'eight basic levers' to pressure the Bosnian government, the witness said. Shelling, sniping and restricting basic supplies – including food, water, electricity and gas – were among them. Seven of the eight levers targeted the civilians. The Bosnian Serb leadership had its hand on the 'terror tap', increasing pressure when they wanted to wring political and military concessions out of the Bosnian government. When they felt they were courting an international intervention, the Bosnian Serb leadership would reduce the pressure.

In Harland's opinion, Mladic was 'frustrated both as a military commander and as a person'. Mladic saw himself as an efficient commander and blamed the political leaderships for the failure to translate the military effectiveness in the field to other areas. At the height of the war, Mladic was centre stage, only to find himself suddenly pushed into the wings; as a result, he became 'very vocal'.

At a meeting in November 1993, Mladic was with the witness when he threatened he would 'kill everyone in the Eastern enclave except children' unless the enemy side released all the captured Serbs. Mladic voiced such threats quite often, and this was cause for concern among the UN staff. Generally speaking, 'conversations with Mladic were not rational', the witness concluded. When UN representatives protested against something the Serb side had done, Mladic's response was hostile. 'He was like a bully', Harland said.

Based on their conversations with Mladic, Harland and other UN representatives concluded that he 'didn't have any kind of a vision' as to how to win the war, 'except by terrorizing civilians'. This was despite the uncontested military supremacy of the Serb side. Mladic's strategy was based on capturing territory, killing or expelling the people and forcing them to cram into an enclosed area. Mladic would then cut off gas, electricity and water supply and expect the Bosnian government to adopt a position which would jibe with his own. Mladic was frustrated because the Bosnian side refused to play that game.

David Harland continues his evidence on Wednesday, 11 July 2012, in the morning.

2012-07-11

THE HAGUE

DEFENSE: SERBS DID NOT TERRORIZE SARAJEVO, THEY SANCTIONED IT

Ratko Mladic's defense claimed in the cross-examination that the Serb forces didn't 'terrorize' Sarajevo. They imposed 'sanctions' to weaken the enemy side. According to Mladic's defense counsel, UNPROFOR 'mostly sided with Muslims' and 'predominantly opposed Serbs' during the war

David Harland, originally from New Zealand, served as the chief of the civil affairs in the UN mission in BH from June 1993 to the end of the war. In the final part of the examination-in-chief he said that he and other UN members 'never had any doubt that Ratko Mladic was in command of his troops'. Other members of the VRS Main Staff and corps commanders treated Mladic 'with great respect' and 'accorded him primacy', Harland added. The UN representatives could also see a direct causal link between what Mladic said and what happened in the field, regardless of whether the issues were important or petty.

Mladic's defense counsel Branko Lukic put it to the witness in his cross-examination that at least 5,000 Serbs were killed in the part of Sarajevo controlled by the BH Army. Harland begged to differ: according to him, some 10,000 persons were killed during the siege. About 10 percent of this number were Serbs. As Harland noted, this was in line with the ethnic composition of Sarajevo during the war. Following in the footsteps of all the other defense lawyers at previous Sarajevo trials, in his cross-examination Lukic put it to Harland that 'it remains controversial who shot at whom' and that the BH Army held Serb neighborhoods under siege. According to Lukic, the BH Army had more soldiers and at one point became better armed, while the Sarajevo-Romanija Corps had at its disposal 'medium quality' weapons.

In his evidence yesterday, Harland spoke about the 'eight levers' used to exert pressure on the BH government and about the 'terror tap' Bosnian Serbs would open and close as it suited them. Mladic's defense counsel put it to Harland that the 'eight levers' were not used to 'terrorize civilians' but as 'sanctions' aimed to weaken the enemy army. Lukic asked Harland 'what in your view is more drastic - to capture a city with troops or to impose sanctions'. Provided that rules and laws of war were respected and civilians protected, a military capture of a city would be a 'less drastic measure' than 'sanctions' which include shelling, sniping, and cutting off water, electricity and gas supply, Harland replied. According to him, the war in Bosnia wasn't a 'medium intensity war but high intensity gangsterism'.

As Lukic noted, only Serbs in BH were threatened with air strikes. He put it to the witness that the UN 'mostly sided with Muslims' and were 'predominantly opposed to Serbs, that is, the VRS'. Harland denied this claim, saying that Serbs were threatened with air strikes 'only after they had implemented their terror campaign against civilians'. If the other parties in the conflict had done that at the same scale, Harland was sure they would have been treated the same way as Bosnian Serbs.

In his written statement, Harland said that in his view Serb leaders were 'not sincere with the international factor'. Was the international factor sincere with Serbs, Lukic asked Harland in turn. The United Nations were 'truthful', Harland said, but he did admit that he and General Smith 'weren't really that sincere' when they said after the second Markale massacre that they didn't know where the projectiles had been fired from.

'I advised General Smith to be vague about our findings regarding the direction from which the shells had been fired at Markale as a stalling tactic, to give us time to remove UN members from areas controlled by the Serb army before he called in NATO air strike on Serb positions', Harland explained.

Lukic asked Harland if the representatives of the international community negotiated with Serbs 'in good faith' or if 'as time went by, they increasingly sided with the other faction'. 'Without a doubt, there were UNPROFOR members,

such as myself, who came to realize, as time went by, that it would not be possible to find a solution to stop the war without some form of a military intervention against the Serbs', Harland replied.

David Harland's cross-examination will continue tomorrow.

2012-07-12

THE HAGUE

MLADIC IS UNWELL, TRIAL ADJOURNED

As David Harland's cross-examination continued today, Ratko Mladic's defense counsel notified the Chamber that the accused was not feeling well and asked for a break. After he was examined in the Tribunal building by a nurse, Mladic was taken to see a doctor for additional exams. If his health improves, the trial will resume on Friday, 13 July, in the morning.

Ratko Mladic's trial for genocide and other crimes in BH was adjourned after less than an hour of David Harland's cross-examination. At one point, Mladic's counsel Branko Lukic said the accused was not feeling well. Mladic had covered his face with his hands. Judge Orić ordered a recess.

After more than an hour, the judges and the other participants in the trial returned to court briefly. The presiding judge stated, 'Mr. Mladic has some health concerns'. He added that he 'has been given a preliminary exam by a nurse in the Tribunal building'. It was decided that 'additional exams were called for' and he was taken to see a doctor. The trial is scheduled to continue on Friday, 13 July, in the morning. As Judge Orić noted, 'the Chamber is for the time being unable to determine when Mladic will be able to attend the trial'. The Registry was asked to submit a confidential report on the results of the additional exams during the day, or whenever practicable.

As the cross-examination of the former UN civil affairs chief David Harland continued today, Mladic's defense counsel Branko Lukic focused mostly on issues related to NATO's close air support for UNPROFOR troops in 1994. As he argued, late that year NATO 'regularly targeted' the VRS positions around Sarajevo, Bihac and Gorazde. Mladic's defense is trying to prove that NATO was a warring faction and that UNPROFOR staff sided with the enemy, because they spotted Serb targets for the NATO aircraft.

As Harland explained, the UN Security Council Resolution 836 from 1993 allowed the use of NATO aircraft to protect UNPROFOR's mandate. UNPROFOR called in air support when the Serb forces hindered the humanitarian aid supplies into the enclave or launched attacks on them. The then UNPROFOR commander Rose and special envoy of the UN Secretary General, Akashi, exhibited 'maximum restraint', and used NATO air strikes far less than their mandate authorized them to.

Mladic's defense counsel Lukic should continue his cross-examination of witness Harland tomorrow morning, provided Mladic is well enough to attend court.

2012-07-13

THE HAGUE

MLADIC UNDERGOES MEDICAL TESTS

Former VRS commander Ratko Mladic didn't show up in court today. As presiding judge Orić said, he has been hospitalized for a 24-hour round of medical tests and observation.

After the trial was interrupted yesterday because the accused complained he was not feeling well, Ratko Mladic didn't show up in court today for the scheduled continuation of the prosecution case. Presiding judge Alphonse Orić notified the court that Mladic was in hospital for a 24-hour round of medical tests and observation.

Judge Orić informed the public and the parties that he had discussed Mladic's health twice with an official from the Tribunal's Registry, Martin Petrov. The first time they discussed the time needed for the medical exam and the scope of the report on Mladic's health requested by the Chamber.

'In the second conversation, Petrov told me that one of the tests required Mr. Mladic's presence over a 24-hour period, and he will therefore be unable to attend trial today,' Judge Orić said, concluding that in light of the situation, the witness will return to the stand on Monday morning.

The continuation of Mladic's trial will depend on the results of the medical exam and the physician's assessment of the ability of the accused to follow the trial. After the trial ended today, Mladic's counsel Branko Lukic said to the journalists that Mladic's health was better than it seemed yesterday when he was not feeling well. He was not able to move his right hand and right leg. 'We suspected that he had a stroke but we were told that everything was fine', the defense counsel confirmed. He explained that the available medical results showed Mladic had high blood pressure and elevated blood sugar levels. After two brain scans, it was confirmed that he didn't have a stroke.

Lukic said that he hoped Mladic's trial might continue on Monday morning. The defense counsel should then continue his cross-examination of witness David Harland, former chief of the civil affairs in the UN mission in BH. Former commander of the VRS Main Staff commander is on trial for genocide and other crimes committed in Bosnia and Herzegovina.

2012-07-16

THE HAGUE

MLADIC SHOWS HE IS IN GOOD SHAPE

In the break between two sessions, Ratko Mladic did several push-ups in the dock, probably to show the public and the UN guards he was in good shape. In the final part of David Harland's cross-examination, defense counsel Branko Lukic tried to prove that the Serb forces didn't kill civilians in Sarajevo intentionally: they merely 'responded' to the BH Army's attacks



◀ Ratko Mladic in the courtroom

Last week, doctors confirmed Mladic had no health problems which would require any special medical treatment, and today Mladic was back in court. Former chief of the civil affairs in the UN mission in BH David Harland continued his evidence. As usual, Mladic nodded or shook his head to signal his agreement or lack thereof as the witness answered. Before the third session began, Mladic leaned against the bench and did four or five push-ups, showing the few people in the public gallery and the UN guards that he was in good shape.

In the final part of Harland's cross-examination, Mladic's defense counsel Branko Lukic highlighted the importance of the 'context of the conflict' in BH, in a bid to prove that the Serb side didn't 'intend' to kill the civilians in Sarajevo. In fact, the Sarajevans were killed in combat, or when the Serb side 'responded' to the BH Army's offensives. Lukic put it to the witness that President Karadzic favored 'peace, not war' whenever he could, but the 'Muslim side didn't want a permanent solution, and preferred temporary cease fires'.

Harland recalled that the Serb side controlled about 70 percent of the BH territory and maintaining the status quo on the front lines played right into its hand. The Bosnian government rejected the proposal and in the spring of 1995, the Serbs decided to end the war using military means, Harland said. They were unaware of the Bosniak and Croat plans to do the same.

As Lukic noted, the BH Army outnumbered the Serbs, and it was able to obtain weapons by violating the arms embargo. UNPROFOR was aware of it but did nothing, Lukic said. Harland didn't deny that the embargo was violated, but noted it was not up to UNPROFOR to ensure compliance with it. According to Harland, the core of UNPROFOR's mandate was to deter attacks on the six UN-protected areas, using every means at its disposal. This could only be achieved by force or by a credible threat of force. By 1995, there was growing awareness that UNPROFOR's goals couldn't be accomplished without a 'more robust implementation of the mandate', Harland explained.

Mladic's defense counsel once again asked why UNPROFOR threatened only the Serb forces with air strikes; no such threats were made against Bosniak and Croat forces. The threats and air strikes did not follow after the VRS attacked BH Army positions, but because the Serbs terrorized civilians to force the government in Sarajevo to make certain concessions demanded by Pale, Harland said.

In the re-examination, Harland was asked some questions by prosecutor Dermot Groome. Harland recounted how he visited the village of Kravica near Srebrenica, in the first winter after the end of the war in BH. There he saw a 'shocking scene'. There were six internal surfaces in the warehouse in Kravica, Harland said, and he could see the remains of human soft tissue, hair, skin and blood. Around the warehouse, Harland saw a large number of bullet casings and black stains caused by the explosion of hand grenades on the walls inside and outside, and on the ceiling.

According to the indictment against Mladic, on 13 July 1995, two days after the fall of Srebrenica, the Serb forces executed more than 1,000 Muslim captives in the warehouse. Their bodies were later buried in mass graves in the neighboring villages of Glogova and Ravnice.

Ratko Mladic's trial for genocide and other crimes in BH continues on Tuesday, 17 July 2012.

2012-07-17

THE HAGUE

DEPORTATION IS 'FORCIBLE EVACUATION'

Prosecution witness Christine Schmitz didn't deny that in July 1995 Muslim civilians wanted to leave Potocari, but she insisted they had already been expelled from their homes in Srebrenica. According to her, this was a deportation and not evacuation. The German nurse described two meetings with Ratko Mladic in Potocari in July 1995



◀ Christine Schmitz, witness at the Ratko Mladic trial

German nurse Christine Schmitz arrived in Srebrenica on 24 June 1995, about ten days before Mladic's troops attacked the enclave which was nominally protected by the UN. Schmitz was there as a project coordinator with a non-governmental organization, the Doctors without Borders, to help the sick and exhausted locals. In her evidence, Schmitz spoke about the events before and after the Serb troops overran Srebrenica in July 1995.

During Schmitz's testimony today, the accused diligently took notes, exchanged about 10 written messages with his defense lawyers and consulted with them. When Mladic started talking to his defense lawyers too loudly, the judge ordered the witness to stop talking to allow

Mladic to consult with his defense properly. Mladic saluted Judge Orić as a sign of gratitude.

Nurse Schmitz testified in March 2012 at the trial of Radovan Karadžić and today the consolidated statement she gave the OTP investigators was admitted into evidence. In the summary of the statement, the witness described the heavy shelling of Srebrenica's surroundings that woke her up on 6 July 1995. At the time, she lived in the town center. As days went by, the shells hit closer and closer to the town center. On 11 July 1995, the witness decided to evacuate together with her patients to the UN base in Potocari. Schmitz estimated that by that evening, about 20,000 persons were gathered there. As she recounted, the people trembled in fear and were either in a state of shock or completely apathetic.

The next day, on 12 July 1995, Schmitz met the accused twice. The first encounter happened around noon, when Schmitz approached Mladic to protest against the VRS plan to evacuate the wounded. Schmitz insisted her organization was to be in charge of their evacuation. The interpreter told her, 'get out of here and mind your own business'. Schmitz didn't know if those were Mladic's words, because he spoke to her in Serbian. That same evening, Schmitz met Mladic again and asked him for permission to separate the sick and wounded civilians from the group of refugees in Potocari in order to give them medical treatment. Mladic granted her permission to do that. Various international humanitarian organizations later evacuated all the 55 wounded from the Srebrenica hospital and the local staff working for the Doctors without Borders. Only one person wasn't evacuated: logistics clerk Meho Bosnjaković who decided to stay with his family. Bosnjaković's remains were found in one of the mass graves in which the victims of genocide in Srebrenica were buried.

The prosecutor showed several reports the witness sent to the Doctors without Borders' team in Belgrade. In her reports, Schmitz described in detail the shelling, the evacuation of patients from the hospital and the deportation of civilians from Srebrenica. In the cross-examination, Mladic's defense counsel Nenad Petrusić objected to her use of the word 'deportation'. It is a legal term, Petrusić argued, and Schmitz does not have a law degree. Schmitz explained that to her as a layperson a deportation meant 'forcible evacuation' and this is what happened in Srebrenica. Schmitz didn't deny that civilians 'wanted to leave Potocari' but in her opinion they had been forced to leave their homes in Srebrenica before getting to Potocari. 'They wanted to leave Potocari, but they didn't want to leave Srebrenica', Schmitz concluded. Schmitz described what the 'forcible evacuation' looked like, saying that the Serb soldiers formed a 'chain' or a gauntlet to direct civilians towards buses.

Christine Schmitz left Srebrenica on 21 July 1995. After 15 years with the Doctors without Borders, Schmitz now works as a nurse in Berlin. After Schmitz completed her evidence, Ratko Mladic's trial will continue tomorrow with the testimony of a former UN observer who served in Srebrenica, Joseph Kingori.

2012-07-18

THE HAGUE

KINGORI: IN SREBRENICA MLADIC DIDN'T MEAN WHAT HE SAID

In July 1995, UN military observer Joseph Kingori witnessed the fall of the Srebrenica enclave. Kingori described his two meetings with General Ratko Mladic and Mladic's conduct in Potocari. According to Kingori, when Mladic assured thousands of refugees in front of the UN base that nothing bad would happen to them, 'he didn't mean what he said'



◀ Joseph Kingori, witness at the Ratko Mladic trial

Ratko Mladic again tried to take an active part in his defense during the evidence of Kenyan colonel Joseph Kingori. Several times, Mladic made the 'time out' sign in order to be allowed to give instructions to his defense lawyers. He sent them written messages and made loud comments about the course of the trial. This prompted the defense lawyers to tell him to lower his voice.

Kingori and Mladic met for the first time almost exactly 17 years ago, on 12 July 1995, when the Kenyan colonel served as a UN military observer in the Srebrenica area. After they talked a bit about 'Kenya and athletics', Kingori tried to explain to Mladic that the UN would provide the buses needed to transport about 30,000 persons

gathered in Potocari on 11 July 1995. 'No, I have my own vehicles', Mladic replied.

In the video recordings showed in court, Kingori was able to recognize a scene in Potocari when Serb soldiers gave sweets, chocolate and biscuits to children. Ljubomir Borovcanin, commander of the joint police forces, was among the Serbs. According to Kingori, this was just a show for the cameras: once the camera stopped rolling, the VRS soldiers took the sweets away. In another recording, Mladic assures the refugees that 'nothing bad will happen' to them and that 'everyone will be transported [out of the enclave], the big and the small, the old and the young alike'. Mladic said that to allay the fears of the refugees, but it was clear he 'didn't mean what he said', Kingori contends.

At their second meeting, Kingori asked Mladic to let him see the men held in the White House. Kingori believed they were held there 'in poor conditions', but wasn't allowed to visit them. The men were first separated from women and children, and then taken from the White House to some buses, in which they were driven away. Kingori tried to write down their names as they shouted them out while they were being herded onto the buses but he failed. When Kingori asked why the men had been separated, he was told it was done to facilitate the identification of soldiers who would be exchanged for captured VRS soldiers.

In the cross-examination, Mladic's co-counsel Miodrag Stojanovic put it to the witness that the UN military observers had their HQ in the same building as the BH Army's 28th Division. Stojanovic also argued that there were five Muslim brigades in the enclave, plus a mountain battalion. According to Kingori, it was 'impossible' to maintain such a force in the enclave. A division is a 'large formation' which had to have heavy weapons, tanks and artillery support that didn't exist in Srebrenica. Kingori contends that 'a handful of civilians without heavy weapons' operated in the enclave. This was in stark contrast to the VRS, which was a 'real army'. 'It would be disproportionate to compare [those troops] with the VRS', Kingori said.

The discussion about the balance of power between the 28th Division and the VRS caused General Mladic to pay attention. Mladic signaled his approval of some of the things the witness said, and openly disagreed with others. At times, it was apparent that what the witness was saying came as a surprise to Mladic, who talked loudly to his defense lawyers and took notes busily. As the hearing drew to a close, Mladic's interest in the trial waned and he focused on calisthenics. He started exercising his right arm, did exercises to improve his posture and stretched his torso. At the end, Mladic began smiling and winking, either at the security guards in the courtroom or at the ladies in the public gallery.

2012-07-19

THE HAGUE

MILITARY OBSERVERS OR 'BUNKER OBSERVERS'

Referring to a report made by the Dutch Institute for War Documentation, Ratko Mladic's defense tried to contest the credibility of UN military observer Joseph Kingori. According to the report, the Kenyan colonel and his colleagues observed the interior of bunkers where they were hiding, rather than the situation in Srebrenica and Potocari in July 1995



◀ Ratko Mladić in the courtroom

'Have no fear...the people will all get on board...make sure you don't lose any children', Ratko Mladić said to the refugees gathered in Potocari on 12 July 1995. According to the Kenyan colonel Joseph Kingori, Mladić 'didn't mean what he said'. Today, after the footage of that conversation was played again, the former commander of the Bosnian Serb army commented loudly, 'yes, that's right', nodding his head in approval of what he said in July 1995.

Defense counsel Miodrag Stojanovic played the recording in a bid to contest the claims made by the Kenyan colonel that on 12 July 1995 he talked to Mladić about the men detained in the White House in 'poor conditions'. The

men had previously been separated from the women and children in Potocari. They were then removed from the White house, put on the buses and executed. The defense claimed that the conversation 'never took place' and referred to a statement made by a member of the special police unit who purportedly served as Mladić's interpreter that day.

In a bid to contest the credibility of the witness, the defense lawyer quoted from a report of the Dutch Institute for War Documentation (Nederlands instituut voor oorlogsdokumentatie-NIOD) about the events in Srebrenica, which states that the Dutch Battalion soldiers called the UN military observers "UNBO - United Nations Bunker Observers" because they never left their bunkers for safety reasons. According to the report, the UN military observers followed the situation in the field through interpreters they sent to Srebrenica.

The Kenyan colonel reacted strongly to that claim, insisting it was 'wrong for several reasons'. As Kingori said, in Srebrenica they observed the shelling and they described it in their reports before they went to Potocari on 9 July 1995. 'We didn't meet with Mladić in a bunker, we wouldn't have been able to hear the rockets, shells, the artillery in a bunker', the witness replied.

After they withdrew to the Dutch Battalion base, the two military observers sent interpreter Emir Suljagic to Srebrenica and kept in touch with him over the radio. Based on Suljagic's reports, the observers wrote their own reports and sent them to the HQ in Zagreb. According to the defense, they couldn't vouch for the information contained in those reports because they didn't actually see the events they reported to their superiors. Kingori didn't agree with this argument, noting, 'we could see for ourselves what was fired on Srebrenica'.

At the beginning of the hearing, Mladić showed a book in a green cover to the visitors in the public gallery. Mladić kept the book, entitled *Srebrenica 1993 to 1995: A War Diary of Hamed Salihovic*, in front of him for a while. When the examination turned to the topic of the shelling of Srebrenica, Mladić gave the book to his defense counsel and indicated to him the parts he had marked in red.

The trial of Ratko Mladić for double genocide and other crimes in Bosnia and Herzegovina continued with the evidence of a protected witness testifying under the pseudonym RM 255. In July 1995, the witness survived the execution at the Branjevo farm near Zvornik.

2012-07-19

THE HAGUE

WHEN SHELLS SPEAK

One of the few survivors of the Srebrenica execution sites testified at Ratko Mladić's trial today. This is the sixth time he has given evidence before the Tribunal. The witness described why he decided to leave his house in Srebrenica together with his family on 11 July 1995



◀ RM255, witness at the Ratko Mladić trial

A Bosniak from Srebrenica, survivor of the execution of prisoners at the Branjevo farm near Pilica in July 1995, has already testified five times before the Tribunal. At the trial of Ratko Mladić, the witness testified under the pseudonym RM 225 but without image protection. The prosecutor read out the summary of his statement. On 11 July 1995, the witness and his family left Srebrenica and headed to Potocari and the UN Dutch Battalion base. The witness's sons joined the column of civilians and soldiers trying to reach Tuzla through the woods.

In Potocari the witness was separated from his wife, daughter-in-law and grandchildren and was detained

briefly in 'a house', as he described it. The next morning, the witness was transferred to Bratunac together with the rest of prisoners. There, he was detained in the Vuk Karadzic school. Some prisoners were taken out, beaten up and killed. Two days later, on 15 July 1995, they were told they would be taken to Tuzla. However, the buses they were on headed towards Zvornik. Prisoners were detained again in a school, this time in Pilica. On 16 July 1995, they were taken from the school, brought to 'a field about 2.5 km away' and executed. The witness was miraculously left unharmed and managed to flee the execution site that same night. After about 10 days of wandering through the woods, the witness surrendered to the Bosnian Serb forces. He was transferred to a prison camp in Batkovic and remained there until 23 December 1995 when he was exchanged. The witness's sons didn't survive.

The witness first answered some additional questions by the prosecutor, recounting how nobody questioned the men detained in the house in Potocari or even wrote down their names. 'The only thing they wanted to know was if anyone had any money', the witness said. The prosecutor tried to show that the VRS soldiers didn't separate the men from the rest of the population in a bid to determine if there were any men suspected of crimes against the Serbs among them. This is what the defense argued at all the trials for the crimes in Srebrenica so far. The real reason the men were separated was because they were to be killed, the prosecution argues.

In the cross-examination, Mladić's defense counsel revisited the topic. When the defense counsel asked the witness if he had heard about the lists of Bosniak suspected of war crimes against Serbs, the witness replied that he did, but there had been no questioning at all. 'I heard about that but no one was questioned and sent to the camp, instead of killing all of them just because they were Muslims'.

In a bid to prove that the BH military and political leadership ordered the Srebrenica population to leave the enclave, the defense lawyer asked the witness who told him on 11 July 1995 that he should go to Potocari. 'The shells told me', the witness replied, describing how the shells came in from everywhere, hitting the town. The only choice was to flee Srebrenica, he recounted.

Judge Orić thanked the witness on behalf of the Trial Chamber for coming once again to The Hague to testify. 'I want to thank you for calling me to give evidence and tell the truth and seek justice, and there is no justice without life imprisonment', the witness replied.

2012-07-20

THE HAGUE

MLADIĆ MAKES OFFENSIVE REMARKS ABOUT SREBRENICA VICTIMS

The defense lawyer asked Dutch colonel Eelco Koster if in July 1995 he had removed the top parts of the clothes worn by the nine civilians killed near the UN base in Potocari to confirm whether they had really been shot in the back and that entry wounds were two centimeters in diameter, as Koster claimed. This led General Mladić to suggest loudly to his defense counsel to ask the witness if he had also taken off the bottom parts of their clothes to see 'if they were circumcised' in order to verify if they really were Muslims. The judges have already cautioned the accused several times for making loud remarks, but they obviously missed this comment



◀ Eelco Koster, witness at the Ratko Mladić trial

The last witness before the Tribunal's summer break has taken the stand at the trial of Ratko Mladić today. From January to July 1995, Dutch officer Eelco Koster served as a logistics officer in the UN Dutch Battalion in Srebrenica. Koster gave a statement to the OTP investigators in September 1995, two months after the UN withdrew from Srebrenica, describing how Mladić's troops attacked the protected enclave. The statement was admitted into evidence and its summary was read out in court.

On 10 July 1995, it became clear that the Serb army would overrun the town. That day, the witness was in a group of 30 Dutch soldiers and officers who had received an order to secure the road from Srebrenica to the UN base in Potocari and thus allow the Muslim civilians to take shelter there. The witness saw thousands of civilians going to the base, most of them women, children and the elderly. Koster contends that on 12 and 13 July 1995, the men and boys were separated from their families and a number of them were taken to the White House.

The witness met with General Mladić several times in those days. As he recounted, Mladić was an arrogant officer. He treated the Dutch battalion commander, who had requested to meet Mladić, with disdain. According to Koster, Mladić said that 'he doesn't care about the UN' and that he would do 'as he pleases': immediately evacuate civilians from Srebrenica. When Koster protested, Mladić purportedly replied with a threat: 'anyone who opposes him will have a problem'.

The most striking event the witness saw in Potocari on 13 July 1995 was the discovery of the dead bodies of nine

men near the base. The witness was with two other Dutch Battalion soldiers. Describing the incident, Koster said that the victims lay on the grass and had bullet wounds in their backs. The holes were approximately two centimeters in diameter. All the victims were face-down, the wounds were in the middle of their backs and they were lined up, all facing the same direction. This all indicated they might have been shot in the back. As Koster said, the blood was fresh and he concluded they had been killed a few hours earlier. There were no weapons near the bodies. Koster remembered they were dressed as civilians. When a Serb soldier spotted them, Koster and his colleagues from the Dutch Battalion retreated in fear. When fire was opened at them, they threw away the documents they had found near the victims. Koster and other UN troops pulled out from Srebrenica on 21 July 1995.

In the cross-examination, Mladić's defense lawyer Petrusic tried to contest the witness's observations about the bodies, putting to the witness that he couldn't see the entry wounds in the victims' backs because the victims wore clothes. The defense lawyer asked Koster if he and other members of his battalion had tried to remove the top parts of the victims' clothes in order to have a better look at their wounds. The witness said they hadn't, adding that the wounds 'could be seen with clothes on'.

At that point, Ratko Mladić decided to take part in the cross-examination with a remark, as has been his habit. Presiding judge Orić has already warned Mladić several times not to do it since the beginning of the trial, including today. Louder than usual, Mladić's comment could be heard even in the public gallery. He suggested to his defense lawyer to ask the witness if he had removed the bottom part of the victims' clothing to see 'if they were circumcised', to verify if they were really Muslims. Defense counsel Petrusic ignored his client's offensive remark, only to revisit the issue a bit later, by asking Koster how he had been able to establish if the victims were Serbs or Muslims. The witness said he hadn't been able to determine it for sure. In the re-examination, the witness told the prosecutor that in those days in Srebrenica, all the Serbs he saw wore uniforms. When Judge Orić asked him whether it was possible to distinguish Serbs from Muslims by their physical appearance, Koster said it wasn't.

It was announced today that the Trial Chamber had denied the defense's motion to postpone the trial for six months and the trial is set to continue on 21 August 2012 after the Tribunal's summer recess. The defense had also asked for the number of working days to be reduced from five to four per week because of Mladić's ill health. This request was also dismissed; as the judges said, it should have been supported by a detailed medical report. The Trial Chamber granted the defense's request for the court to go in session half an hour later after the summer recess.

2012-08-21

THE HAGUE

'SCOURGE OF SARAJEVO' CONTROLLED PRESSURE IN CITY

The first witness at the trial of Ratko Mladić after the summer recess, is Aernout van Linden, war correspondent for the British TV network Sky News. He testified about the two meetings he had with the accused. In a TV footage, van Linden called Mladić 'the scourge of Sarajevo'. Mladić's army around Sarajevo would 'turn the screw to increase pressure according to the demands of political and military situation'. Mladić smiled at the witness, but also insulted him, calling him a 'CIA spy' and a 'Tomahawk rider'



◀ Aernout van Linden, witness at the Ratko Mladić trial

When Ratko Mladić heard for the first time that he was called 'the scourge of Sarajevo' and that he was 'the holy terror' of its citizens, he smiled with pleasure and invited Aernout van Linden, who first thought of the nickname, for lunch. Van Linden was a war correspondent for the Sky News TV network. Mladić reacted the same way today in court as he watched TV footage from September 1992 in which Van Linden also described him as a 'warrior with an appropriate name – Ratko [warrior]'.

Former British reporter and Dutch diplomat testifies for the seventh time in The Hague. Van Linden arrived in Sarajevo in late May 1992. In June 1992, he filed a series of reports about the suffering of the citizens of Sarajevo

and the 'mental and physical terror' inflicted by Mladić's forces on the civilians. Today Van Linden said that the Serb forces positioned on the mountains around Sarajevo could shell any part of the city under siege. The city was left without food, water and electricity. Bosnian Serb forces could 'turn the screw' and 'increase the pressure according to the demands of the political and military situation', Van Linden said. As the witness insisted, the people in Sarajevo lived under 'immense physical and mental pressure'.

The prosecution showed Van Linden's several reports; they were admitted into evidence. The reports describe the constant 'rain' of shells on Sarajevo, 'eerie' and lit by the intermittent flashes of missiles, the destruction of UNIS skyscrapers, the fire in the Marsal Tito barracks after the JNA pull-out. The reports also spoke about persons with amputated limbs, sniper injuries and the dead in Sarajevo hospitals. According to Van Linden, the artillery and sniper fire came from the positions held by the Bosnian Serb army.

Van Linden visited one such position in September 1992 when he interviewed Mladic. The accused took Van Linden to an artillery position; they could see all of Sarajevo from it. Mladic told Van Linden that the Security Council would have to accept the fact that 'Serbs are a reality, not aliens; they have the right to defend themselves, they have to defend themselves for as long as they exist as a nation'. Mladic confirmed his statement in court today, saying 'that's right'. He smiled when Van Linden described how Mladic made a hand gesture to show he had Sarajevo in a stranglehold. Mladic then asked for a short break to consult with his defense lawyers. Instead consulting them, Mladic launched into a string of insults directed at Van Linden, all clearly audible. Mladic said Van Linden was a 'scourge of war, a thief, a liar, a dog, a spy', 'riding on Tomahawks and counting dead Serbs'. Tomahawks are missiles fired by NATO on the Bosnian Serb military positions after the second Markale town market massacre in the summer of 1995.

When they met for the last time, after the first mortar attack on the Sarajevo town market in February 1994, Mladic openly showed he was unhappy with Van Linden's reporting on the BH Army's capture of Mount Zuc and the situation in Gorazde. Mladic 'started shouting' and grabbed Van Linden by the jaw. When the accused let go of him, Van Linden managed to utter just one sentence: 'We'll meet in The Hague'. And indeed, they have, today.

In the cross-examination, Mladic's defense counsel Branko Lukic noted that the positions the Bosnian Serb army had targeted were military facilities: this made them legitimate military targets. 'I checked what I could', Van Linden replied. As he said, he looked for uniformed soldiers and bullet casings in the buildings that had been shelled and he talked to the people and the UN staff. According to what Van Linden was able to learn, the BH Army didn't use those facilities. However, Van Linden did note that he 'didn't conduct a police investigation as one would in peacetime'. The 'city was at war' and their investigations 'were limited'.

The defense counsel then tried to prove that Van Linden received information from biased UNPROFOR staff and interpreters. Van Linden didn't know who controlled which positions and was unaware that the BH Army troops 'opened fire on their own people in Sarajevo', the defense counsel argued. Lukic then moved on to what the British reporter did in Afghanistan in the first half of the 80s. Lukic justified this line of questioning by claiming that Van Linden had links with the Mujahideen in Afghanistan and in Bosnia and contributed to the effort to arm them. 'This is not true,' Van Linden said, adding that every reporter who spends more than 24 hours in a war zone knows that any such activities would result in their death. Van Linden's cross-examination continues tomorrow.

2012-08-22

THE HAGUE

MLADIC CAUTIONED FOR INSULTING WITNESS AND MAKING LOUD COMMENTS IN COURT

Ratko Mladic's defense counsel covered a number of topics in the cross-examination of Aernout Van Lynden: from the deployment of the BH Army infantry and artillery, technical aspects of artillery and sniper attacks to the search for the Green Berets and the Mujahideen. Van Lynden was a war correspondent for the Sky News network. The judges cautioned Mladic for making loud comments in court and warned him to refrain from insulting witnesses



◀ Aernout van Lynden, witness at the Ratko Mladic trial

A number of issues was covered in the cross-examination of Aernout Van Lynden. Many of them, according to the prosecution and the judges, would need to be addressed by a military expert rather than a war correspondent for the British TV network Sky News. Branko Lukic, Ratko Mladic's lead counsel, asked questions about the use and deployment of artillery, how various surfaces affected the accuracy of rounds and the use of snipers. Lukic even asked the witness if he had ever been a 'tank crew member'.

At the beginning of the hearing, Mladic's defense counsel noted that Van Lynden never 'personally' saw anyone actually get hit by a sniper and that he didn't know the

victims' and shooters' religion. The defense lawyer put it to Van Lynden that had been a 'lot of armed civilians' in Sarajevo. Van Lynden confirmed this suggestion. The witness also confirmed that the former military hospital was located close to the line of conflict and the *Marsal Tito* barracks. TV crews used the top floors of the military hospital to record the round-the-clock shelling of the city. The military hospital was hit in 'exchanges of fire' and wasn't targeted deliberately, Van Lynden confirmed. The defense lawyer also put it to the witness that mortars were fired from positions close to the hospital, and that multiple rocket launchers, deployed all over Sarajevo, fired at Serb-held positions. Van Lynden replied that he had 'never seen' such fire and that he would 'certainly film' rocket launchers if he saw them. As Van Lynden noted, 'nobody reported to me about the sites in the city where the BH Army soldiers operated'.

The defense counsel put it to Van Lynden that the 'Muslim authorities' prohibited civilians from leaving Sarajevo and Srebrenica. Van Lynden said Sarajevo had been a 'war zone' and 'you couldn't walk across the front lines just like that'. As Van Lynden said, he spent just one day in Srebrenica in November 1992 and didn't report from the enclave but from Gorazde. In Gorazde Van Lynden saw civilians crossing the Serb-held lines in search for food on a daily basis. The mention of Gorazde caught Mladić's attention. During that part of the cross-examination, Mladić constantly made loud comments, wrote down questions on papers and sent them to his defense lawyers.

The defense counsel asked the witness about his meetings with the 'criminals' Juka Prazina and Musan Topalovic Caco. He also asked Van Lynden about the Green Berets units and the Mujahideen. The witness did see some BH Army's special units, such as the Black Swans, but in his opinion, the Green Berets were just 'a figment of the Bosnian Serbs' imagination in Bosnia and Herzegovina'. As Van Lynden noted, he met a Japanese man who introduced himself as a 'Japanese Chetnik'. Van Lynden also saw Russian volunteers in Grbavica. The BH Army denied there were any Mujahideen among its ranks. Van Lynden denied he knew about the contents of a US Congress report about the arms deliveries from Iran to the government troops in Sarajevo.

Finally, the defense counsel tried to show that there was 'lack of discipline and disobedience vis-à-vis the orders from the top' in the VRS. The claim was too general, the witness said, explaining that he didn't spend enough time with the VRS troops to know that.

As Van Lynden was re-examined by prosecutor Dermot Groome, he confirmed that the top floors of the State Hospital in Sarajevo had been evacuated because the doctors thought they weren't safe enough. Patients were moved to three lowest floors as they weren't exposed to direct fire from Serb positions. As the witness said, when he visited an artillery position near Sarajevo he didn't get the impression that the Serbs felt they were under threat and that the Bosnian forces could respond by firing at that position. In his answers to the prosecution, Van Lynden insisted he didn't think he had been biased in his reports from Bosnia. As Van Lynden said, 'I suppose I would never tolerate' any attempts to influence his reporting.

Van Lynden brought to the attention of the Victims and Witnesses Unit the insults leveled at him yesterday by the accused Mladić in court. The Trial Chamber let Mladić know that he 'cannot make comments about witnesses during the trial' and warned the accused that he would be removed from court if he continued with his unruly behavior.

Mladić's trial continues tomorrow with the evidence of Lord Carrington's former personal envoy in BH, Colm Doyle.

2012-08-23

THE HAGUE

MLADIĆ REPRIMANDED, HIS DEFENSE CAUTIONED

Judge Moloto warned Mladić that the Trial Chamber had at its disposal measures it could take if the accused didn't behave properly in court. The defense lawyers must react and stop their client from insulting witnesses, the judge insisted

The Tribunal's Victims and Witnesses Unit yesterday brought to the judges' attention the unacceptable comments and insults made by the accused Ratko Mladić in court against witness Aernout Van Linden. Today, prosecutor Dermot Groom revisited the issue. Noting that some of Mladić's insults and the witness's discontent and disappointment with such treatment in court were reported by some media outlets, the prosecution asked the Trial Chamber to take measures to 'protect future witnesses from being insulted in court'. The prosecution 'had not expected a military officer of such high rank to behave in this manner', prosecutor Groom added.

Judge Bakone Moloto from South Africa is standing in for Judge Orić who is absent. Judge Moloto once again reminded Mladić where he was and what kind of behavior was expected of him in court. As Judge Moloto noted, the Tribunal 'had at its disposal measures that could be taken to improve the situation' if Mladić persisted with this kind of behavior.

Judge Moloto was even harsher with the defense counsels. In the courtroom, defense counsels sit just in front of Mladić. If the prosecution could hear the insults Mladić hurled at the witness from the other side of the courtroom, the judge 'assumes' that the defense heard them too. As Moloto said, he would 'expect them to do something and stop the accused'. The defense counsels speak the same language and understand the accused without the assistance of interpreters. Before he gave the defense the floor to respond and explain their conduct, Judge Moloto said as a 'preliminary remark' that the Trial Chamber 'finds it very serious that the defense lawyers didn't react to what their client said'.

The accused Mladić tried to join the discussion, but Judge Moloto didn't give him the floor.

2012-08-23

THE HAGUE

LORD CARRINGTON'S VAIN HOPES

Irish colonel Colm Doyle described at the trial of Ratko Mladic his meeting with Slobodan Milosevic in Belgrade 1992. At that time, the Serb troops were shelling Sarajevo mercilessly. Doyle's chief, Lord Carrington, 'waited impatiently' for Milosevic to wield his influence over General Mladic and make him stop the shelling of Sarajevo. This never happened



◀ Colm Doyle, witness at the Ratko Mladic trial

Irish colonel Colm Doyle started his evidence at the trial of Ratko Mladic today. Doyle served as the chief of the European Community Monitoring Mission in BH and personal envoy of Lord Carrington, chairman of the International Conference for the former Yugoslavia. In October and November 1991, Doyle was stationed in Banja Luka and was then transferred to Sarajevo where he stayed until 12 May 1992 when he was evacuated.

In the statement that was admitted into evidence, Doyle spoke in detail about the growing tensions in the municipalities along the border with Croatia in the fall of 1991 and in Sarajevo before the independence referendum on 19 February and 1 March 1992. Doyle

also spoke about the shelling of Sarajevo in May 1991. The tales of 'Chetniks' and 'Ustasas' started circulating among the people, and the topic of the crimes committed in World War II gained prominence. At the same time, the number of armed Serb reserve soldiers grew, causing the Muslim and Croats to feel unsafe.

When a JNA helicopter evacuated Doyle from Ilidza to Pale in May 1992, he saw a large number of artillery weapons, large-caliber mortars and tanks on the hills around Sarajevo on positions controlled by the Serb troops. In the examination-in chief, Doyle said it was the JNA weaponry that had been handed over to the Serb reserve troops, called up in 1991. At the same time, Croats and Muslims dodged the draft and ended up weaponless.

As Doyle recounted, at the beginning of the conflict in Sarajevo the staff in his hotel in Ilidza suddenly changed: the ethnic Muslims were gone. The Serb representatives explained to Doyle that Muslims had been transferred to the center of Sarajevo. The only Muslim still working in the hotel was the chef, Doyle was told, because he 'was an excellent cook'. At a meeting in Pale on 1 May 1992, Biljana Plavsic told Doyle that Serbs in BH should get at least 75 percent of the territory, Doyle said.

As the chief of the European Community Monitoring Mission and Lord Carrington's personal assistant, Doyle often met with the representatives of the warring sides. He met Slobodan Milosevic in Belgrade on one occasion. Lord Carrington 'was waiting impatiently' for Milosevic to wield his influence over General Mladic and make him stop the shelling of Sarajevo. Milosevic condemned the shelling of Sarajevo but the shells continued falling until the end of the conflict in BH in late 1995. In the meantime, Western media nicknamed Mladic 'the scourge of Sarajevo'.

In the first part of the cross-examination, Mladic's defense counsel Dragan Ivetic insisted that 'everyone' who responded to the 1991 call-up had been issued a weapon. People from the international community ignored the fact that the decision to call the referendum was legally invalid and the fact that the Muslim side 'was getting ready for a war, not peace' in late 1991, Ivetic said.

Ivetic also brought up a statement by Sefer Halilovic, in which the first war commander of the BH Army says that as early as on 2 December 1991 he had presented a defense plan to Izetbegovic and other Muslim leaders. After that, nine regional and 98 municipal commands of the Patriot League were established. In March 1991, the Patriot League had about 80,000 personnel under arms. The defense will continue cross-examining Colm Doyle tomorrow.

2012-08-24

THE HAGUE

MLADIC APOLOGIZES

After Judge Moloto conveyed to Mladic's defense counsel Branko Lukic the Trial Chamber's view that Ratko Mladic should 'behave' if he wished to remain in the courtroom and follow his own trial, Lukic 'apologized to everyone' on behalf of his client, albeit in closed session. Irish colonel Colm Doyle completed his evidence later today



◀ Ratko Mladić in the courtroom

The Trial Chamber reprimanded Ratko Mladić for his unacceptable comments and insults in the courtroom, leveled at witness Aernout Van Linden. As the trial continued, Mladić's defense counsel Branko Lukic strove to justify his client's behavior saying he was unwell, tired and even hungry.

After three strokes, Mladić 'is easily riled', defense counsel Lukic said. As the trial is on in the morning, Mladić never has time to prepare his own breakfast and when he takes blood pressure medication 'on an empty stomach', it is ineffective. Mladić is also frustrated as in his view the prosecution 'is hiding away documents and disclosing them with delay'. Witnesses, in Mladić's

opinion, 'don't tell the truth about him' and that is why he tends to 'overreact'.

The judges were not happy with the explanation: they didn't see why this should make Mladić 'insult people'. The Trial Chamber also found it unacceptable that the defense team did nothing to check Mladić's behavior and advise him not to insult people. The defense had to have heard the insults because the prosecution was able to hear them from the opposite side of the courtroom.

'Tell him if he wants to remain in the courtroom and follow his own trial, he has to behave', Judge Bakone Moloto told Lukic and other members of the defense team. Lukic then 'apologized to everyone' on Mladić's behalf, but in so-called private session. When the trial continued in open session, Judge Moloto indicated that the Trial Chamber would ask that the part of the hearing when Mladić apologized be made public 'in the interest of justice and the accused himself'.

In the cross-examination of Irish colonel Colm Doyle, Mladić's defense counsel Dragan Ivetic tried to prove that the shelling of the RTV building in Sarajevo was justified by military necessity. As far as the Serb side knew, Muslim paramilitaries were stationed in the building and opened fire on Serb positions. According to the defense, the international community blamed Serbs without even checking if there were any troops inside the building.

Doyle in principle agreed that generally speaking facts should be checked before blaming one of the sides. 'However, I had received advance notice from the Serb side that the building would be shelled', the witness said. As Doyle said, this prompted him to ask Karadzic for help but Karadzic assured Doyle there would be no attack. In the re-examination, the witness said he had gone to the RTV Sarajevo building on several occasions and saw only civilians there. From the nearby PTT building, where Doyle's office was located, Doyle never saw any fire opened on the Serb-held positions.

Ratko Mladić's trial continues on Monday, 27 August 2012 with the evidence of witness RM-147.

2012-08-27

THE HAGUE

MLADIĆ WANTED TO 'ROLL OUT THE MINDS' OF THE PEOPLE IN SARAJEVO

During the evidence of a protected witness, who worked in the Sarajevo hospital at the start of the war and was injured there, the prosecution played the infamous recording of an intercepted radio communication between Mladić and Colonel Vukasinovic. In the intercept, Mladić orders Colonel Vukasinovic to shell parts of the city in order to 'roll out the minds' of Sarajevo citizens, 'so that they can't sleep'. After he was reprimanded last week for insulting a witness in court, today Ratko Mladić followed the trial in silence, communicating with the defense only by passing them written notes

Ratko Mladić's voice was familiar to 'every child in Sarajevo because he would direct artillery fire so often', Witness RM 115 said at the trial of the former commander of the VRS Main Staff for genocide and other crimes in BH.

The woman worked in the Military Hospital in Sarajevo; at the beginning of the war the hospital was renamed Sarajevo State Hospital. She was seriously injured in the night of 28 May when a shell hit a room where she was, on the hospital second floor. The witness was in a coma for a while and needed more than six months of treatment following the injury. Immediately before she was injured, the witness heard on the radio a recording of an intercepted conversation between General Mladić and Colonel Mirko Vukasinovic. The prosecution tendered the intercept into evidence during the witness's evidence. Mladić ordered artillery officer Vukasinovic to 'fire at' the suburbs of Velesici and Pofalici because, as Mladić put it, 'there are not many Serb people living there'. Mladić orders his men to fire Dobrovoljacka Street, the area around Humska and Djure Djakovica Street and to 'fire one more salvo at the Presidency building'. Finally, Mladić ordered Vukasinovic not to let the Sarajevo citizens sleep and to 'roll out their minds'.

After he was repeatedly reprimanded last week for insulting the witness, Ratko Mladić today followed the hearing in silence, communicating with his defense counsels only by passing them written notes.

Before the cross-examination, defense counsel Miodrag Stojanovic conveyed to the witness a 'sincere apology on behalf of the Mladic's defense team for everything you have been through, for your injury and permanent consequences you suffer'. Stojanovic added that he as the defense lawyer had to ask the witness several questions.

In the cross-examination, Mladic's defense lawyer Stojanovic tried to establish the points of compass and locations of various buildings and parts of Sarajevo. This prompted presiding judge Orić to warn the defense counsel to stop 'bothering the witness, because geography obviously isn't her strong suit'. The defense counsel then put to the witness the defense's case that the 'terrain around the hospital was under the control of the BH Army which was targeting Serb positions with artillery, snipers and machine guns'. This prompted the witness to say once again she knew nothing about it because she was in the basement whenever she wasn't working.

The defense lawyer also showed transcripts of two other intercepted conversations involving the accused. Although the defense challenges the authenticity of the recordings and transcripts of the intercepts, Stojanovic decided to use one of them, in which Mladic says the Bosnian side uses 'imitators and pantomime performers who are able to mimic voices' of the VRS soldiers, including Mladic himself. Presumably, the defense is ready to accept at least that intercept as authentic.

After Witness RM 155 completed her evidence, the court moved into closed session for the testimony of a protected witness, an insider, who is testifying under the pseudonym RM 147. From documents made public earlier, it could be concluded that the witness was a former VRS soldier who will speak about the orders issued to Serb snipers around Sarajevo.

2012-08-28

THE HAGUE

'ARSONISM' IN SARAJEVO

In his evidence at the trial of Ratko Mladic, John Jordan spoke about the efforts of Sarajevo firemen and foreign volunteers to put 'fires and arsonism' under control and put out hundreds of fires caused by the shelling of Sarajevo. The defense put it to the witness that the international fire brigade who were armed did not protect their Sarajevo colleagues but in fact endanger both them and civilians



◀ John Jordan, witness at the Ratko Mladic trial

The entire evidence of a witness testifying under the pseudonym RM 147 was heard in closed session. The trial of the former VRS Main Staff commander continued with the testimony of John Jordan, former US marine and member of the independent fire brigade (GOFRS, Global Operation Fire Rescue Services) that was tasked to put out fires on both sides of the front line in Sarajevo. GOFRS worked under the UN auspices.

The prosecution tendered into evidence Jordan's statement and several video recordings that the witness handed to the OTP in 2006. CNN and ABC TV crews recorded the efforts of the international and Sarajevo firemen to place under control 'large scale fires and arsonism' in Sarajevo.

Jordan was in Sarajevo from November 1992 to October 1995. During that time, he helped extinguish 200 to 300 fires and helped hundreds of injured civilians. Jordan and the members of his brigade were shot at when they fought to put out fires, to protect Sarajevo firemen or to help injured civilians. In most of cases, the shots came from locations under the control of Bosnian Serbs. On one occasion, the international firemen were hit by shrapnel of a shell fired by the BH Army troops.

Jordan saw dug in VRS mortars on the hill slopes overlooking Sarajevo; the mortars were ready to fire. As he answered questions asked by Mladic's defense counsel Dragan Ivetic, Jordan confirmed that he never saw mortars firing as he passed by. He did see and feel their activity while he was in the city, Jordan added.

The defense counsel tried to discredit the witness by putting it to him that he had been a 'mercenary' who took part in secret missions outside the USA. As Jordan said, he came to Sarajevo to serve as a fireman, but added that he and other members of his team had been armed. Ivetic put it to him that armed firemen were a legitimate target, that they provoked the warring sides to open fire and thus endangered the unarmed firemen and civilians. Jordan countered the claims by saying that until their arrival, one in five firemen had been killed or injured by gunfire as they were putting out fires. Their Sarajevo colleagues 'never lost a single man' after his brigade took them under their protection, Jordan claimed.

The defense lawyer also put it to witness that the BH Army troops had portable mortars, easy to 'assemble and dismantle'; it was standard military procedure to 'respond to fire by firing at the location from which it came'.

Jordan confirmed he saw an 82-mm mortar in the Kosevo hospital which was active. He also confirmed that this type of mortar was inaccurate and could in fact hit the territory held by the troops that fired from it. The targets were undershot 'more often than it was desirable', Jordan said. This topic roused the interest of the accused who exchanged several notes and smiles with his defense counsel Saljic. The accused also asked through his defense counsel for permission to speak and read out '30 words about the accuracy of smart technology' that was not used in Sarajevo. The Trial Chamber didn't give him the floor.

In the re-examination, the witness said that though he was in the city every week he saw a portable mortar firing only once. There were more weapons outside of the city than inside and the fire was opened 'from the hills': the positions held by the Bosnian Serbs, he added. The BH Army responded from 'the valley': their positions were in the city, Jordan explained.

Ratko Mladić's trial for genocide and other crimes in Bosnia and Herzegovina continues tomorrow with the evidence of Fejzija Hadzic. On 5 August 1992, Hadzic survived the massacre in Jalasacko Polje in Kalinovik municipality.

2012-08-29

THE HAGUE

WITNESSES SURVIVED EXECUTIONS BY A MIRACLE

In a bid to prove that numerous crimes were committed against Bosnian Muslims in 1992 as part of the ethnic cleansing campaign in large parts of BH, the prosecution called two witnesses who managed to escape the execution sites after executions and live to see the end of the war



◀ Fejzija Hadzic, witness at the Ratko Mladić trial

The trial of Ratko Mladić continued today with the evidence of two witnesses, who come from two different parts of BH. The two had been through almost identical experiences. In 1992, they were arrested, robbed, held captive for a while, tortured and then brought to an execution site. Both were lucky to escape. The prosecution wants to prove the systematic and widespread nature of the crimes listed in the indictment and the pattern of killing and expelling non-Serbs from areas the Bosnian Serb leadership claimed as theirs.

The first to appear this morning in court was Fejzija Hadzic. Before the war, Hadzic was a director of the municipal service company in Kalinovik. In late June

1992, Hadzic and dozens of Muslim civilians were arrested, robbed and detained in the local primary school. The witness was then transferred to a nearby gunpowder depot. Curiously enough, Mladić himself was born in the village of Bozinovici in Kalinovik municipality, where the crimes Hadzic described were committed.

As he answered questions asked by prosecutor Bibles, Hadzic said he was detained in the school in Kalinovik until 5 August 1992, when members of Pero Elez's unit took Hadzic and 23 other prisoners out and drove them in military vehicles to a field near the village of Ratine in Foca municipality. The detainees were lined up and executed. The bodies were moved to a barn, doused in gasoline and set on fire. Before the fire engulfed the entire building, the witness was able to escape unnoticed. He had been shot in the leg and his hands were tied. After a while, the witness joined a column of other refugees in the nearby hills and he was given first aid.

Since then, the witness said, 'I've lived with my trauma'. Hadzic has already testified at the trial of Momcilo Krajsnik in The Hague. In Sarajevo, Hadzic appeared as a witness at the trial of several members of the Bosnian Serb army and the police who took part in the crimes in Kalinovik municipality. The judges in the Krajsnik case accepted Fejzija Hadzic's testimony in its entirety, basing their findings about the events in Kalinovik on his statement and other evidence.

In the cross-examination, Miodrag Stojanovic, the defense lawyer of the former Bosnian Serb Army commander tried to shift the blame for the crimes in Kalinovik and Foca areas on the police. The witness confirmed that policemen took part in his arrest. However, Hadzic insisted that he was taken from the primary school to the gunpowder depot in a military vehicle. Soldiers wearing olive drab uniforms took the group of prisoners to the execution site and executed them there, Hadzic said. The defense counsel put it to the witness that the crime was committed because a number of Serb soldiers had been killed in combat in the area before the incident. This prompted the witness to say that 'there can be no causal link between killing soldiers on the front line and murdering civilians'.

Another Bosnian Muslim was called after Hadzic completed his evidence. The protected witness testified with voice distortion and under the pseudonym RM 010. The court went into private session often during his testimony. The witness described how soldiers in olive drab uniforms arrested him in the summer of 1992 in Kljuc municipality. The witness and about 150 to 170 other Muslims were detained in the primary school in the village of Biljani. They were searched by police officers who robbed them. On 10 July 1992, the prisoners were beaten and put on buses. They

were taken to a field and executed. The witness's group was fired on by soldiers but the witness wasn't hit. About an hour later, he was able to escape from the execution site and save his life by fleeing to the woods.

The indictment against Ratko Mladic alleges that after the witness escaped, 144 dead bodies were left lying in the field. As the witness said, this was not the only crime in which Muslims were murdered in Kljuc municipality. After the war, in the fall of 1996, bodies of hundreds of civilians were exhumed at three sites nearby. The witness was present when two of the mass graves were exhumed.

Prosecutor D'Ascoli completed the examination-in chief of the witness RM 010. General Ratko Mladic's defense will cross-examine the witness tomorrow. Mladic is on trial for double genocide and other crimes in BH. The accused didn't cause any problems today during the hearing, except for the fact that he didn't come back into the courtroom after one of the breaks. Defense counsel Stojanovic told the judges that Mladic was 'very upset, red in the face and his speech is agitated'. Mladic returned to the courtroom soon afterwards and the trial resumed.

2012-08-30

THE HAGUE

EVIDENCE ON EXECUTION IN BILJANI COMPLETED

A protected prosecution witness described in the cross-examination what happened before and after the execution of about 150 Muslims in the village of Biljani near Kljuc. The witness survived the execution by a miracle. Mladic 'conferred quietly and properly' with his defense counsel. After the presiding judge commended Mladic, he responded by clapping

Yesterday, at the trial of Ratko Mladic a protected prosecution witness testifying under the pseudonym RM 010 described in court how he survived the execution of about 150 Bosnian Muslims on 10 July 1992 in the village of Biljani near Kljuc. In the cross-examination today, defense counsel Miodrag Stojanovic asked the witness what happened after he fled from the execution site.

The witness spent two months hiding in the woods nearby. Around 10 September, the witness left Kljuc in an organized convoy and went to Travnik. After a while, he joined the BH Army because he 'had nowhere to go'. The witness remained in the army until the end of the war. As the defense counsel was keen to stress, the only reason he was asking the witness about it was because of what the witness had claimed in evidence yesterday: that to this day, he felt fear as a result of the incident he had survived. And yet, the defense lawyer said, the witness joined the army so soon after the incident. The witness said that during his service in the BH Army he 'more or less was never issued any weapons'.

The defense counsel noted that in the Kljuc area, Muslims were the first to organize. In the spring of 1992, Muslim paramilitary units attacked a JNA column as it was pulling out and then a Serb police patrol, the defense counsel put to the witness. Six soldiers and a police officer were killed in the two incidents. The witness heard about the incidents some months after they happened and didn't know much about them.

The witness was asked questions about the arming of the Muslims. Some Muslims were able to obtain automatic rifles before the war in BH, mostly from the Serbs who had come back from the battlefields in Croatia. The witness had two hunting rifles and a 'homemade' gun. Most of the weapons, including those owned by the witness, were handed over to the local police. In the re-examination, the witness explained to the prosecutor, Silvia D'Ascoli, that the arms were handed over after the police demanded their surrender, threatening to 'shell and cleanse' entire villages. Only Muslims were called to surrender the weapons, not Serbs, who had been issued weapons on several occasions. This was an organized effort, the witness said.

Ratko Mladic's behavior in court has been improving on a daily basis, after a number of cautions issued by the Trial Chamber earlier for loud and inappropriate comments. Today, Mladic became the centre of attention only once, when he interrupted the cross-examination of the witness with a request to confer with his defense lawyer. He was allowed to do so. Afterwards, presiding judge Orić commended Mladic for complying with the proper procedure. Mladic had asked for permission to speak to his defense counsel and the conversation was conducted at a 'satisfactory volume': not too loud. The accused clapped his hands, although it remained unclear whom he was applauding – himself for managing to be quiet or the judge for commending him.

As the hearing continued, the prosecution called a new witness, who will testify in closed session, under the pseudonym RM 018.

2012-08-31

THE HAGUE

MLADIC REMOVED FROM COURTROOM

Ratko Mladic was removed from the courtroom for 'inappropriate behavior'. During the evidence of Adil Medic from Sanski Most, Mladic kept waving some papers in a bid to attract the attention of his lawyers, the judges, visitors in the public gallery or cameras. As Judge Orije explained, this was a temporary measure. Mladic is expected back in the courtroom on Monday morning to attend the trial



◀ Adil Medic, witness at the Ratko Mladic trial

The judges decided today to remove Ratko Mladic from the courtroom during the hearing for 'inappropriate behavior'. As Adil Medic from Sanski Most was testifying, Mladic kept waving papers in front of him in a bid to attract the attention of his lawyers, judges, visitors in the public gallery or the cameras. The judges warned the defense team that their client's behavior could have 'consequences'. When they returned to the courtroom,

Just before the second recess, Judge Orije noticed Mladic kept waving some papers in front of him in a bid to attract the attention of his lawyers, judges, visitors in the public gallery or the cameras. The judges warned the defense team that their client's behavior could have 'consequences'. When they returned to the courtroom,

the judges said that the guards and other court officials had taken notice of Mladic's inappropriate behavior. Mladic was ordered out of the courtroom until the witness completed his evidence.

The first part of the hearing today went on in closed session to allow the protected witness RM 018 to complete his evidence. Adil Medic was called to testify next. In 1992, Medic worked for *Merhamet*, a humanitarian organization, and visited the prison camp in Manjaca, where Muslim and Croat civilians from Prijedor, Sanski Most, Kljuc and other towns and villages in the area were detained. In March 1993, the witness was arrested together with five other leaders of *Merhamet* and detained in the Mali Logor military prison in Banja Luka. The witness was released in December 1993.

During his first visit to Manjaca on 18 June 1992, Medic saw that prisoners were held in terrible conditions, that food and clothing were scarce and that they were beaten on a daily basis. Omer Filipovic, one of the prisoners, told the witness in front of several Serb officers, including colonels Tepsic and Dikic, and the camp warden Bozidar Popovic in detail what had happened to the captured civilians from the moment of their arrest. Soon afterwards, Omer Filipovic and Esad Bender were beaten to death.

In his evidence, Medic said that Colonel Tepsic told him Manjaca was under the control of the VRS 1st Krajina Corps. As Tepsic said, it was a 'prison camp for prisoners of war', although most of the detainees were demonstrably civilians. The purpose of the prison camp was to ethnically cleanse the non-Serbs, in line with the Serb leadership's policy: not to allow more than 5 percent of Muslims and Croats to remain in the areas under the Serb control. The goal was implemented by 'killing some of them, detaining others in prison camps and expelling the rest'.

'In order to achieve that as easily as possible, the people had to be left leaderless. How to do that? Omer Filipovic and other intellectuals like Omer should be detained, killed or expelled. People who command respect should be eliminated: there are such people in small communities. Thirdly, there are well-off people in those small communities who provide security to the residents. They were targeted first. Those were the first three categories that were eliminated', Medic explained. From his village of Sanice, one in ten non-Serbs were killed, one in five ended up in Manjaca; the rest were expelled, Medic said.

In the cross-examination, Mladic's lawyer Branko Lukic tried to prove that the conditions in Manjaca were better than the witness described. Lukic put it to the witness that after his first visit to the prison camp in June 1992, the conditions improved and that relief dispatched by *Merhamet* played an important role. 'Oh, sure. It was like offering a stick to someone stuck in quick-sand', the witness replied.

2012-09-03

THE HAGUE

WITNESS OF MASSACRE IN ROOM 3 IN KERATERM PRISON CAMP

Safet Taci from Prijedor described what he saw during the massacre in the notorious Room 3 in Keraterm prison camp. In late July 1992, about 150 non-Serb prisoners were killed there. Taci was detained in a room next door. Mladic finds fault with blood pressure measurement procedure



◀ Safet Taci, witness at the Ratko Mladic trial

The working week at the trial of Ratko Mladic began this morning with the evidence of Safet Taci, a victim of crimes in Prijedor and witness of one of the worst mass murders in the war in BH. Before the conflict broke out, Taci returned from Zagreb, where he had been working, to the village of Hrnjici in the Prijedor area in a bid to get his wife and children out of there. Soon afterwards, Taci and hundreds of non-Serb civilians were arrested and brought to the Keraterm prison camp.

Taci was placed in Room 2. There were already about 500 Muslim and Croat prisoners in there; their ages ranged from 16 to 70. The room was overcrowded, Taci said. Some prisoners had been severely beaten, the hygienic

conditions were terrible, the people crawled with lice and the walls were damp from the heat. The worst crime in the Keraterm prison camp happened in the night of 24 July 1992 when about 150 prisoners from Room 3 were killed, the indictment alleges.

The witness observed the incident through the door of the room in which he was detained. As Taci recounted, he saw lights and machine guns firing at the people who were calling for help and begging soldiers to kill them. Later he spoke to one of the survivors. The survivor told Taci that panic broke out when poison gas was released into the room. Prisoners broke down the doors and ran out and into the hail of bullets from two machine guns that had previously been placed in front of the building. In the morning, trucks arrived. Prisoners, including the witness, loaded the dead bodies and the wounded victims of the massacre onto the trucks. The witness said he never saw any of the wounded again.

Today, prosecutor Arthur Traldi showed a report of the VRS 1st Krajina Corps, stating that in the evening of 24 July 1992, 50 detainees were killed in an attempted 'mass escape' in the 'Keraterm collection center'. Safet Taci said this was 'completely untrue'. First, Keraterm was a prison camp, not a collection center, Taci said. He contends that about 200 persons were killed, not 50, and nobody had been trying to escape. In a bid to prove that the military report was true, Mladic's defense counsel Miodrag Stojanovic referred to the witness's previous statements in which he said that the detainees from Room 3 'were running all over the place'. Nobody ran before the gas was released into the room, Taci replied; at that point, the prisoners tried to get out and 'get some air'. The witness didn't have an answer when the defense lawyer put it to him that Serb police officers, rather than soldiers, were responsible for the Keraterm massacre.

Safet Taci was transferred from Keraterm to Trnopolje. On 21 August 1992, Taci was put on a convoy heading to Travnik across Mount Vlasic. En route, some of the prisoners, including Taci's brother-in-law, were taken off the bus and vanished without a trace. The witness's wife and children had been detained in Trnopolje as well, but they were transferred to the free territory by rail, in 'livestock cars', the witness said.

The accused was not in court at the beginning of the hearing to demonstrate his discontent with the Registrar's decision to have his blood pressure taken by the security officers trained to do that. Mladic insisted on the medical staff measuring his blood pressure. After a brief delay and a warning by the presiding judge Orić that the trial would continue with or without him, Mladic returned to the courtroom. Today, Mladic refrained from waving papers about as he had done last week. The only item Mladic brought into court was his comb; he used it liberally during Taci's evidence.

Rajif Begic, the sole survivor of the incident at the Vrhpolje bridge, began his evidence in the final session today. On 31 May 1992, about 20 Muslim men from the hamlets around Sanski Most were killed at the bridge. Begic already testified twice before the Tribunal, at the trials of Radoslav Brđjanin in 2002 and Momcilo Krajisnik in 2004.

At the beginning of his testimony, Begic described how the soldiers of the 6th Krajina Brigade stationed in the local primary school attacked his village, Donji Begici, on 25 May 1992. Six days later, Begic was arrested together with about 20 men from his village and the other villages in the area. They were told they would be taken to Sanski Most, where buses would be waiting for them to transport them further. It turned out they only got as far as the Vrhpolje bridge. Jadranko Palija, a soldier who was in charge of the prisoners' transport, shot and killed four men in the column. Rajif Begic continues his evidence tomorrow.

2012-09-04

THE HAGUE

VRHPOLJE BRIDGE MASSACRE

Yesterday, Rajif Begic began his evidence at the trial of Ratko Mladic, former Bosnian Serb army commander. Continuing his testimony today, Begic described in detail how 19 Muslim men were killed on the Vrhpolje bridge on 31 May 1992. Nedzad Begic, the witness's brother, was among the victims



◀ Rajif Begic, witness at the Ratko Mladic trial

Serb soldiers headed by Jadranko Palija took Muslims captured in the hamlets in the Sanski Most area to a bridge over the Sana river, where the detainees were first ordered to take their clothes off and were then 'beaten and abused', Begic recounted in his evidence today. A soldier asked the prisoners 'who can dive well'. Another soldier replied he had 'heard Cera could dive very nicely into the water'. The soldier meant Midhat Ceric. A soldier Begic identified as Nenad Kaurin ordered Ceric to dive into the river. When Ceric did so, four soldiers with automatic rifles waited for Ceric to surface downstream and then they opened fire. Ceric's lifeless body floated down the river. There was blood in the water, Begic said.

Midhat and Munir Begic were killed in the same way. Jadranko Palija killed the youngest among the prisoners, 16-year old Enes Dizdarevic: he shot the boy in the head at point blank range. Palija then kicked Dizdarevic's body, pushing it from the bridge into the river. The next in line was the witness: it was his turn to jump off the bridge, which was about six meters high. The witness dived in head first. He hurt himself as he hit a rock at the bottom of the river. He remained conscious, however, and managed to grab a tree stump under the bridge. He took off his shirt and let it float downstream. The witness then dived deeply to dodge the bullets fired by the same four soldiers from the bridge. Begic managed to surface unhurt underneath a bush growing on the river bank and watched the events on the bridge from this vantage point. Two or three prisoners were killed 'following the same script' and then there was a burst of machine gun fire from the direction of the bridge, followed by silence.

Begic remained hiding under the bush until dark and then he let the river carry him. A 'day or two later', he floated to the confluence of the Sanica and Sana rivers. Three days later, Begic sought help from his close friends, but soon had to leave because their Serb neighbors were concerned over his presence in the village. The witness was then moved to the village of Tomin where other refugees from the village of Begici were accommodated. The witness's mother and brother were there. From there, Rajif Begic was first transferred to the Krinks prisoner camp in Sanski Most and then to Manjaca, where he remained until 16 December 1992.

In the cross-examination Mladic's defense counsel Branko Lukic attempted to point that in May 1992 Bosnian Muslim forces were organized in Vrhpolje and Hrustovo forming check points and launching attacks on Serb villages and Serb part of Sanski Most. The witness couldn't tell anything about it. Begic confirmed that soldiers that killed prisoners on the Vrhpolje Bridge on 31 May 1992 didn't look as members of regular military formations. Some of them wore civilian clothes and others were in military and police uniforms. They wore different caps or helmets with or without 'Chetnik insignia'.

After Rajif Begic completed his evidence, the accused Mladic asked to be allowed to address to the Trial Chamber. The presiding judge advised Mladic to first consult with his defense counsel during the upcoming break. After the break, his defense counsel Branko Lukic told the Trial Chamber he had 'nothing to say'.

2012-09-04

THE HAGUE

SEFIK HURKO'S SECOND ENCOUNTER WITH RATKO MLADIC

Sefik Hurko, former detainee of the Rasadnik prison camp in Rogatica, described his first encounter with Ratko Mladic on the frontline near Gorazde. The general told the detained Muslims they had to 'be baptized if they wanted to remain in Republika Srpska'. The judges warned the accused to 'refrain from all gestures denoting disagreement or agreement with what the witnesses say' after Mladic 'wagged his finger' in court



◀ Sefik Hurko, witness at the Ratko Mladić trial

'Those who want to stay will have to be baptized; those that don't will be moved to Alija's state'. General Ratko Mladić said this to a group of detained Muslims from Rogatica in late April 1994. Serb soldiers used the detainees for forced labor on the frontlines.

On that day, Sefik Hurko was forced to cut down trees in the woods near Gorazde for the VRS; he was there with other prisoners from the Rasadnik prison facility. Today, he testified about his encounter with the accused general. When Mladić arrived, the soldiers approached him proudly and he congratulated them on their victory, the witness recounted. When he saw a group of civilians, Mladić asked Vinko Bojic, the commander of the Rasadnik

camp, who they were. Mladić was told they were 'loyal Muslims'. Mladić then addressed the detainees. Gesturing towards Gorazde, Mladić told them 'it will be in Serb hands in a day or two'.

The encounter with Mladić happened on one of the many days when prisoners were forced to bring food to Serb soldiers on the frontlines or to carry back the people who had been wounded or killed in the mine fields. The witness was detained in the Rasadnik prison camp from 14 August 1992 until late April 1994. The detainees slept together in one room on floorboards and had to urinate and defecate in tin buckets in a corner of the room. They were given a small bowl of food and a slice of bread a day. Prisoners were regularly beaten and killed. In the summary of the witness's statement that was admitted into evidence, the witness said that apart from being beaten, the detained women, men and the elderly were subject to all sorts of sexual abuse.

Today the witness described in detail one of the several beatings he and his father had been through: one night, they were beaten with thick bats in the prison warden's office. When the witness fainted, his tormentors poured water over him to revive him. The witness also described Becir Cutaj's murder. Cutaj's cries could be heard from the warden's office. Suljo Kustura, who was ordered to bury Cutaj's body, told the witness that Cutaj had been 'cut to pieces'.

Prisoners were forced to work every day, doing the 'worst jobs Serbs didn't want to do', such as clearing the town streets and the mosques in ruins. The detainees were forced to remove furniture, household appliances and even 'taps' from abandoned Muslim houses and to bring them to Serb houses, the witness recounted.

Before the break, prosecutor Groome told the judges that 'something happened in the final ten seconds of the hearing', advising them to watch the footage recorded by the camera trained only on the accused. After the judges returned to the courtroom, the presiding judge said they saw Mladić 'making inappropriate gestures and wagging his finger'. The judges concluded it wasn't necessary to take any measures and told Mladić to 'refrain from making any gestures to denote agreement or disagreement with what the witnesses say'. Mladić saluted the Trial Chamber, signifying his approval.

2012-09-05

THE HAGUE

DEFENSE: MLADIĆ WASN'T TOLD ABOUT TREATMENT OF PRISONERS

Ratko Mladić's defense contends that Mladić wasn't informed about the conditions in the Rasadnik prison camp and wasn't aware that detainees were physically and sexually abused. The defense asked why prisoners didn't tell Mladić how they were treated when they encountered him in late April 1994. The former detainee replied that they all 'shook like a leaf' and 'nobody dared say anything'



◀ Sefik Hurko, witness at the Ratko Mladić trial

Sefik Hurko, former detainee in the Rasadnik prison camp in Rogatica, completed his evidence at the trial of Ratko Mladić, war commander of the VRS Main Staff. Mladić is charged with double genocide and other crimes committed in the war in BH.

In the cross-examination, defense counsel Dragan Ivetic focused on trying to prove that Muslims were armed too and attacked Serb villages, killing Serb soldiers and civilians. Judge Orić at one point advised him to 'get to the point', recalling that the witness testified about the crimes in the prison camp, physical and sexual abuse he had suffered and how he had been forced to beat his father. If the defense did not address these issues, the

judge noted, the Trial Chamber might assume that it was not contesting that part of the evidence. Ivetić replied that such questions were necessary to establish the credibility of the witness. According to the defense, the witness 'cannot be relied on to provide the truth'.

The defense counsel referred to several statements the witness had given to the local authorities in BH and the non-governmental organization Women Victims of War, an organization, as the defense counsel noted, that pays people who give statement. Hurko confirmed that he received a monthly allowance of about 350 convertible marks, or about 170 euros. The money is not automatically paid to all those who have given statements, but only to those that were victims of sexual abuse during the war, Hurko explained.

The defense counsel then addressed the topic of Hurko's encounter with Ratko Mladić described by the witness in the examination-in chief. The defense counsel put it to the witness that the prison camp commander Vinko Bojić misinformed Mladić, telling him that the men were loyal Muslims, not prisoners captured in combat. Hurko described yesterday how he saw Mladić near Gorazde when he and a group of detainees were forced to work for the VRS on the frontline. The defense counsel asked if any of the detainees complained to Mladić about their treatment. They 'all shook as a leaf and nobody dared say anything', the witness replied.

As Hurko insisted, the most painful thing was when Mladić told them they would 'have to be baptized' if they wanted to stay. Those that don't will be moved to 'Alija's state, if he ends up having a state at all'. The witness understood it meant that everybody would be killed if they refused to turn into Serbs by joining the Serbian Orthodox Church. When the defense counsel asked Hurko if his personal feelings towards Mladić meant he would 'do everything to get Mladić convicted', he concurred, but he nevertheless firmly denied that it meant he was ready to lie.

The presiding judge warned the accused to lower his voice when consulting with his defense lawyers because others could hear what was said. The witness complained to the judges that Mladić 'made a gesture with a finger'. The judge then reminded the accused that he shouldn't express in any way his agreement or disagreement with the way in which the examination was conducted or what the witness said.

2012-09-05

THE HAGUE

PEOPLE DIED FOR NO REASON IN BRISEVO

Ivo Atlija, a Bosnian Croat from Prijedor, is testifying at the trial of Ratko Mladić on the attack of Serb forces on the village of Brisevo and neighboring villages. In the summer of 1992 about 200 persons were killed there. 'It's a shame so many people died for no reason', said the witness. Atlija's father was killed in Brisevo



◀ Ivo Atlija, witness at the Ratko Mladić trial

'It's a shame so many people died for no reason', Ivo Atlija said at the trial of the former VRS Main Staff commander Ratko Mladić. In the summer of 1992, Serb forces killed about 200 persons in Brisevo and neighboring villages, the witness claimed. Many men were taken to prison camps, while women and girls were raped.

On 25 May 1992, the residents of Brisevo surrendered all their weapons to the local Serb authorities, yet on 24 July, the village was shelled using heavy artillery. 'Regular troops and Chetniks' killed 68 persons in the attack. The witness later learned that soldiers of the 6th Krajina Brigade and 5th Kozara Brigade participated in the attack.

In the written statement Atlija gave to the OTP investigators in 2000, he recounted that women in the area had been raped, but didn't want to divulge their names. As the witness explained today, the victims have all been raised and live in a 'conservative Catholic environment'. The disclosure of their identities would additionally humiliate them and cause mental suffering. The witness's statement was admitted into evidence together with a video recording showing the remains of the village church. The church was one of many churches the Serb troops destroyed that summer in the area.

As the witness said, 'to date' nobody has been held responsible for the murder, rape and other crimes against the villagers of Brisevo and surrounding villages. Atlija said that he had discussed crimes several times with Vojo Kupresanin, who was a high-ranking official in the Serbian Democratic Party. Kupresanin made empty promises, saying he would intervene and speak with General Talić, the 1st Krajina Corps commander. Atlija also met with Milomir Stakić, who was the mayor of Prijedor, and other local officials, asking them to allow the remaining people to leave the area and thus prevent more deaths and suffering, but his efforts were in vain.

As the officials told Atlija, they were already facing accusations of ethnic cleansing: if they allowed those people to leave Prijedor, it would be another argument against the Serb side. 'I got the impression that they needed us as hostages as they haggled in the political negotiations that were going on at the time', the witness said. After the war

nobody returned to the village of Brisevo. Only three or four houses have been rebuilt so that those who come once a year to commemorate the suffering of their kin have a place to stay.

In the first part of the cross-examination, Mladic's defense counsel Branko Lukic focused on the witness's claim in his statement that the media called for the revenge against Croats and Muslims. Lukic asked the witness if the Serbs in Prijedor really believed that they were in danger from 'fundamentalists' and 'Ustasha'. The witness, as he said, still finds it 'the saddest thing, that they really did think so'.

Lukic will continue his cross-examination of Ivo Atlija tomorrow.

2012-09-06

THE HAGUE

PICKAXES, SHOVELS, BLOOD AND TEARS

In the final part of his evidence at the trial of Ratko Mladic, Ivo Atlija described the wounds he had seen on the bodies of victims killed in an attack of the Serb forces on the village of Brisevo and other hamlets in the Prijedor area. 'They looked like large cuts, from 10 to 30 cm long, with cracked tissue, as if someone had hit them with pickaxes and shovels', the witness said, unable to hold back tears



◀ Ivo Atlija, witness at the Ratko Mladic trial

Ratko Mladic's defense continued the cross-examination of Bosnian Croat Ivo Atlija today. Mladic's lawyer insisted that the witness actually saw just one murder during the attack of the Serb forces on the village of Brisevo on 24 July 1992. Also, the defense noted that the person had been killed by the 'Chetniks'; the soldiers the witness had seen there could have been paramilitaries who 'bought uniforms in the local market'.

The witness said in his statement that as he was burying the people killed in the hamlet of Mlinari he noticed that some dead bodies had irregular wounds. 'Such wounds couldn't have been caused by bullets', the witness said. The defense put it to the witness that he wasn't a ballistic

expert and didn't have any medical training. Upon Judge Orie's insistence, Atlija described in detail the wounds he had seen on the victims' bodies. They 'looked like large cuts, from 10 to 30 cm long, with cracked tissue as if someone had hit them with a blunt object', Atlija said.

As Atlija recounted, he saw shovels and pickaxes with traces of blood and human tissue next to the bodies. The head of Milan Buzuk, whose body was found in the hamlet of Mlinari, had been crushed. Next to Buzuk's crushed head, Atlija saw the brain tissue that had seeped out. Buzuk's eyes were black holes, Atlija said, unable to hold back tears.

The defense strove to prove that the attack on the village of Hambarine and other hamlets in the Prijedor area in the summer of 1992 was justified by military necessity. Defense counsel Branko Lukic insisted that the villagers of Hambarine were well-armed; several Serb soldiers were killed and wounded in an incident immediately before the attack.

Atlija heard about the incident from the villagers of Hambarine: he was told that there were casualties on both sides. He didn't know who opened fire first. In his statement to the OTP investigators, Atlija said that he watched the attack on Hambarine from a hill near Brisevo. In those days, the Prijedor radio repeatedly broadcast an ultimatum to the people in Hambarine to surrender Aziz Aliskovic and a group of other villagers or the village would be attacked and burned to the ground.

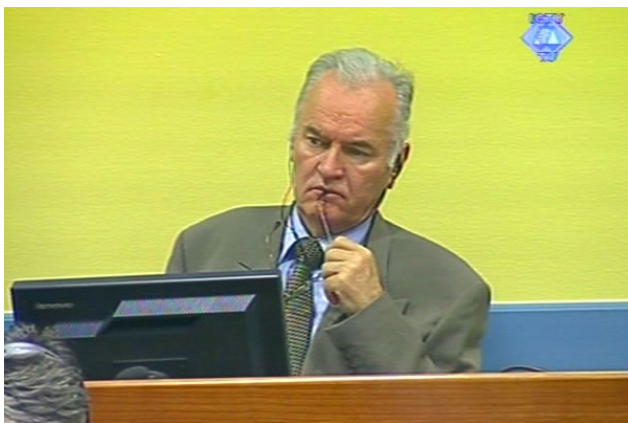
Mladic's defense counsel put it to the witness that Serbs had called the civilians from Hambarine to leave the village so they could arrest Aliskovic. Many of them did that and were later invited to come back, the defense counsel claimed. The witness confirmed the claim, saying he had learned from the villagers of Hambarine who had taken temporary shelter in Brisevo that Serbs had assured them nothing would happen to them if they returned. Later Atlija heard that most of those who actually did return were 'abused, killed or taken to prison camps'.

2012-09-06

THE HAGUE

WITNESS ACCUSES ARMY, DEFENSE BLAMES PARAMILITARIES

The last witness this week is testifying with protective measures at the trial of Ratko Mladic. She described how girls and women detained in the primary school in Kalinovik were taken away. The trial of the former VRS Main Staff commander will resume on 17 September 2012



◀ Ratko Mladić in the courtroom

Ivo Atlija, Croat from Prijedor, completed today his evidence at the trial of Ratko Mladić. The prosecution case continued with the evidence of a witness testifying under the pseudonym RM 032 and with voice and image distortion to protect her identity. The witness described what happened when she was detained in Kalinovik.

In the summary of the her statement that was admitted into evidence today the witness recounts how she was arrested with her three children on 4 July 1992 and was taken to the primary school in Kalinovik. A group of detainees was already there, mostly women and children. On 2 August 1992, Pero Elez arrived in the school and took out a girl. Then Dragoljub Kunarac,

called Zaga, came and took out several girls and women. The witness never saw any of those women again. During one of his visits, the witness asked Kunarac what had happened with those women and what would happen to other prisoners. Kunarac told her that 'the women will not come back, and everybody else will be killed', the witness claims.

In her statement to the OTP investigators, the witness said the abuse was a regular occurrence in the primary school. The witness recounted how she heard from other women that a prisoner whose last name was Hasanbegovic had been killed on the first floor. The prisoner's body was purportedly wrapped in a blanket, thrown into a car and taken away. Hasanbegovic was one of the few male detainees in the primary school. Just before the witness arrived in the primary school, a group of male prisoners were moved to a local gunpowder depot. Fejzija Hadzic, who was a director in the municipal service company in Kalinovik, has recently given evidence on what happened to them. Hadzic was the only survivor of the execution of 24 detainees on 5 August 1992. Pero Elez's group took them out of the gunpowder depot. The witness and her children were released from captivity on 1 September 1992, after Serb soldiers took them 'to be exchanged'.

Defense counsel Dragan Ivetic tried to absolve the Bosnian Serb army under the command of the accused Mladić of the responsibility for the crimes in Kalinovik. In the cross-examination, Ivetic blamed the police for the abuse of prisoners in the primary school. As for the incidents in which women were taken out, he blamed them on the Serb paramilitary formations.

The witness said that soldiers – not police officers – 'behaved aggressively' towards the detainees in the primary school. As he said, the men who took the girls and women out wore camouflage uniforms or ordinary olive drab military uniforms. The witness also remembered that Kunarac and his men were in camouflage uniforms, with white ribbons around heads and arms. The witness agreed when the defense counsel put it to her that during her stay in the primary school Ratko Mladić never visited the facility; indeed she hadn't seen him there. In the pre-trial brief, the prosecution alleges that Pero Elez was a VRS soldier. Dragoljub Kunarac was sentenced before the Tribunal to 28 years in prison for the rapes of Muslim girls and women in Foca. The judges in the Kunarac case found that he was the leader of a reconnaissance detachment in the VRS Foca Tactical Group.

The prosecution hasn't scheduled any more witnesses for this week. The trial resumes on Monday, 17 September 2012, after a one-week break.

2012-09-19

THE HAGUE

'KARADZIC'S GUESTS' IN OMARSKA AND TRNOPOLJE

'I don't want to be neutral facing a prison guard and a prisoner, a detained woman who has been raped seven times in one night and the beast that has raped her', Ed Vulliamy said at the trial of Ratko Mladić. In August 1992, Vulliamy, journalist writing for the London newspaper *Guardian*, was in the first group of foreign journalists that visited the Omarska and Trnopolje prison camps on Radovan Karadzic's invitation

Ed Vulliamy, journalist writing for the London newspaper *Guardian*, started his testimony at the trial of Ratko Mladić today. In early August 1992, Vulliamy was in a group of British journalist that visited the Omarska and Trnopolje prison camps in Prijedor area.

In the summer of 1992, the international media published first reports about the prison camps in the territory controlled by the Bosnian Serbs. This prompted Radovan Karadzic to invite British journalists to come and see for themselves that there were no 'concentration camps', no civilians in prison facilities and that the conditions were not as bad as alleged. Vulliamy and an *ITN* TV crew accepted Karadzic's challenge. Their TV reports and articles about the prison camps in Prijedor caused an avalanche of reactions all over the world, which eventually resulted in the establishment of the Tribunal in May 1993.

Vulliamy has already testified seven times before the Tribunal, five times in cases that dealt entirely or in part to the crimes committed in the Prijedor prison camps. Vulliamy has also testified twice about the HVO crimes during the

Croatian-Muslim conflict. Today, at the trial of Ratko Mladic, the transcript of the testimony Vulliamy gave in 2002 at the trial of Milomir Stakic was admitted into evidence. Stakic was the president of the Prijedor municipality and the Crisis Staff; the prison camps in Omarska, Keraterm and Trnopolje were under his control.

In the brief examination-in chief, prosecutor Camille Bibes stressed the role the army played in organizing and implementing the visit of 'Karadzic's party'. The British journalists were flown in to Pale from Belgrade in a helicopter. From there they were driven in military vehicles under military escort to Banja Luka, where VRS major Milutinovic took charge of them. The major accompanied them in a military convoy from Banja Luka to Prijedor. In Prijedor, the journalists were met by all members of the Crisis Staff, including Colonel Arsic. Major Milutinovic then took 'Karadzic's party' to Omarska. Their visit ended when the Prijedor police chief refused to allow the journalists to enter the hangar where the prisoners were held. Major Milutinovic then took the group to Trnopolje.

The prosecution showed several excerpts from the famous TV reports from Omarska and Trnopolje. The footage has been shown numerous times at all trials related to the Prijedor prison camps and the trials of Bosnian Serb political and police officials who were indicted for the persecution of non-Serbs in large areas of Bosnia and Herzegovina.

At the beginning of the cross-examination, Mladic's defense counsel Dragan Ivetic tried to contest Vulliamy's credibility. Ivetic put it to Vulliamy that he betrayed the first tenet of journalism by failing to report 'impartially' from Prijedor in August 1992. The British journalist dismissed the suggestion, saying that he was always 'impartial' when he reported facts, but that at times he was not 'neutral'. 'I don't want to be neutral facing a prison guard and a prisoner, a detained woman who has been raped seven times in one night and the beast that has raped her', Vulliamy reiterated his opinion on the issue. He had already explained his position in detail last year, when he testified at the trial of Radovan Karadzic.

Ivetic brought up Vulliamy's notes from a meeting with the members of the Prijedor Crisis Staff. At the meeting, Stakic assured the British reporters that there were no concentration camps in his municipality. There were only 'transit centers' where refugees were placed for their own 'protection', Stakic claimed. Vulliamy replied that Stakic said things he wanted the British journalist to believe. However, it was clear that Omarska and Trnopolje were not transit centers, Vulliamy said.

Vulliamy explained why in his article, *Shame of the Omarska prison camp*, published in August 1992, he had written that 'Trnopolje can't be called a concentration camp': he wanted to be 'rigorously fair' and make a distinction between the Bosnian Serb prison camps and the concentration camps of the World War II. Later, after Vulliamy spoke to the people who had been detained in Trnopolje, he changed his mind, because he realized they had been 'concentrated' in one place and that they were killed and abused, raped and forcibly deported.

Mladic's defense counsel will continue cross-examining Ed Vulliamy tomorrow.

2012-09-20

THE HAGUE

IMPRISONED BY HIS ERSTWHILE NEIGHBORS

Former detainee in the prison camps of Susica and Batkovic Ibro Osmanovic testified at the trial of Ratko Mladic today. Osmanovic described the abuse of Muslims and Croats in the prison camps under the control of their 'erstwhile neighbors'. The witness lost his younger sister, two brothers and more than 30 other relatives in the war



◀ Ibro Osmanovic, witness at the Ratko Mladic trial

'Nobody could figure out why it happened, why we had to suffer so much at the hands of our erstwhile neighbors', Ibro Osmanovic from Vlasenica said today at the trial of Ratko Mladic. Vlasenica is one of the municipalities in Bosnia and Herzegovina where the crimes against non-Serbs, as alleged in the indictment against the former commander of the VRS Main Staff, reached the scale of genocide.

Osmanovic is testifying before the Tribunal for the seventh time. His written statement from 1994 was admitted into evidence. In the statement, Osmanovic described how the JNA troops seized all key institutions in Vlasenica on 23 and 24 April and established a Serb

government in the municipality. Muslims could move about the town only with passes issued by the Crisis Staff.

Osmanovic was arrested on 22 May 1992 and was detained first in the police station in Vlasenica and then was transferred, first to the municipal prison and then to the Susica and Batkovic prison camps. In more than one year of detention, Osmanovic never learned why he was detained.

In June 1992, Osmanovic and a group of other prisoners were forced to bury 22 bodies in the Drum neighborhood.

As the witness recounted, the victims were civilians: Muslims aged from 20 to 60. All but one had gunshot wounds to the head.

In the Susica and Batkovic prison camps, prisoners were beaten and killed on a daily basis. Today, Osmanovic was shown a report from the Susica prison camp warden Veljko Basic about the deaths of two elderly prisoners, Azil Zildzic and Durmo Handzic. Basic claimed they died of heart attack on 22 June. 'They were beaten to death', the witness said, adding that Handzic had been beaten badly and died 'by my feet'. Osmanovic described some other beatings. Dragan Nikolic Jenki, the commander of the prison camp, kicked Rauf Rasidovic and hit him with a rifle, saying 'a bullet is too expensive for him because it costs three German marks'.

Osmanovic lost two brothers, a sister and 36 other relatives in the war. He found the remains of his younger brother in three different graves at the Kljestani site. The head was found 25 km from the body, Osmanovic recounted. In April 2012, Osmanovic buried the remains of his younger sister. She was only 16; of her body, only four charred bones were found. Osmanovic said he doubted he would ever recover the remains of his other brother. 'Losing your family is the hardest thing', Osmanovic said.

While the witness spoke about his family members who had gone missing, particularly about his younger sister, Ratko Mladic often held his head, sighed deeply and shook his head in resignation. Mladic didn't make comments and raise voice as is his wont, keeping quiet and listening for once.

2012-09-20

THE HAGUE

MLADIC'S DEFENSE: TRNOPOLJE WAS 'HUMANITARIAN CENTER'

In the cross-examination of Ed Vulliamy the defense tried to prove that the prison camp in Trnopolje was a 'humanitarian center'. As an 'expert and insider', the British journalist advised the OTP how to prosecute the accused Serbs. This made him an unreliable witness, the defense alleged



◀ Ed Vulliamy, witness at the Ratko Mladic trial

As Ratko Mladic's defense counsel continued cross-examining British journalist Ed Vulliamy, he strove to show that the prison camp in Trnopolje was a 'humanitarian center', used to accommodate the people in transit who had fled the war zone. The defense corroborated this claim by showing the footage made by the Serb TV station from Pale, whose team joined Vulliamy and other British journalists in their visit to Omarska and Trnopolje on 5 August 1992.

In the recording from Trnopolje showed by the defense, a man was seen talking to Dragan Bozanic, a journalist from the SRNA agency. The man told Bozanic he sought shelter there because his village had been shelled.

Another man explained that he had arrived there with his children directly from working their fields. Here, the man said, they could move around and nobody was abusing them. 'This is Trnopolje, there were no fences here and people could move about freely', defense counsel Dragan Ivetic put to the witness.

Vulliamy replied that Trnopolje was a 'confusing place': it consisted of a number of parts and the footage showed only the part where people could move freely and even leave the prison camp to forage for food. Answering the judges' questions, the witness said that he had the impression that they could not go where they wanted because they would be in 'deep trouble'.

The witness added that he saw another, enclosed part of the prison camp, housing the prisoners brought in from Keraterm and Omarska. They stood in front of a wall that was fenced on three sides. In August 1992, he didn't visit every part of the prison camp. He realized that later, when he learned from the detainees that in some places they were abused and beaten, while women and girls were raped, Vulliamy explained.

In the re-examination, Vulliamy said that Trnopolje was a key place where the Serb forces gathered a large number of people whom they later deported. Only when he arrived in Travnik in a refugee convoy did Vulliamy realize the 'scale and frequency' of the deportations of the Muslims and Croats from the Serb-controlled territories.

The defense argued that when Radovan Karadzic invited Vulliamy and his colleagues to visit Omarska and Trnopolje, he gave them a list of prison camps and prisons where Muslim and Croat forces kept captured Serbs. Dretelj, Tarcin, Konjic and some other places were on the list. The witness confirmed that he had followed the trail and actually visited Dretelj in the second half of 1992 and later in 1993. Vulliamy met Mate Boban in Grude, a town he described as a 'sinister place' where photos of Ante Pavelic were displayed in shop windows. Vulliamy confirmed the defense counsel's suggestion that one of the things Serbs feared was the 'return of the Ustasas'.

The defense tried to depict Vulliamy as an unreliable witness, insisting on his contacts with the OTP. Defense counsel Ivetic put it to the witness that, as an 'expert and insider', Vulliamy advised the OTP how to prosecute Serbs and

how to establish links between Radovan Karadzic, Nikola Koljevic, Momcilo Krajisnik and Biljana Plavsic with Major Milutinovic and Colonel Arsic, the military forces in Banja Luka and Prijedor, the Crisis Staff and police in Prijedor and the Omarska and Trnopolje prison camps.

Vulliamy confirmed that the OTP had contacted him several times about his possible testimony before the Tribunal, but that he was called to testify as an expert in the trials of Tadic and Blaskic, to testify about 'the systematic and widespread character' of crimes he had witnessed. Vulliamy was also called as a witness in the cases against Kovacevic, Sikirica, Stakic, Prlic and Karadzic. As Vulliamy explained, he had nothing to do with the trials of Momcilo Krajisnik and Biljana Plavsic.

The defense also tried to contest Vulliamy's evidence about the incident that occurred when fire was opened on the convoy in which the British journalists left Prijedor for Omarska on 5 August 1992. As Vulliamy recounted, at one point, there was gunfire but he got the impression that the incident was staged to frighten the journalists and make them abandon their plan to visit the prison camp. Vulliamy concluded this because all the bullets flew over their heads and their Serb military escorts were running around and didn't try to find cover.

In a bid to prove that the attack was real, the defense showed an excerpt from *Judgment*. The video contained a scene in which the convoy with the British journalists is stopped; Serb soldiers are running around while bursts from automatic guns and heavy explosions are heard in the background. In the re-examination, the prosecution proved that the footage had been edited: the prosecution played the original recording of the same incident with no sounds of gunfire and explosions. Only the sound of the engine of a stationary vehicle and people's voices could be heard. The prosecution specified that the recording was obtained from the 'Serbian TV Sarajevo network' and was made by a team of Serbian journalists accompanying their British colleagues.

2012-09-21

THE HAGUE

POLICE RAN PRISON CAMP, ARMY TOOK PEOPLE TO DO FORCED LABOR

Ratko Mladic's defense contests the allegation that the army participated in the abuse and murder of Muslims in Vlasenica and that it ran the Susica prison camp. Ibro Osmanovic, former prisoner of the Susica prison camp claimed today that anybody could walk into the camp 'as they pleased'. People in military uniforms took the detainees to the military barracks and into town where they had to do forced labor



◀ Ibro Osmanovic, witness at the Ratko Mladic trial

At the beginning of the cross-examination of Ibro Osmanovic, Ratko Mladic's defense counsel criticized the witness for referring to the entry of the JNA into Vlasenica in late April 1992 as 'the occupation'. Yesterday, Osmanovic testified about the abuse and murder of prisoners in the prison camps in Susica and Batkovic. Today the witness remained adamant that it was a 'classic occupation'. When the JNA entered the town, all vital functions were taken over and only one ethnic community received weapons, the witness argued. As he recounted, curfew was imposed, freedom of movement was restricted. 'A ghetto was created; unfortunately I remained in there with my family', Osmanovic said.

As has been the case with the previous witnesses who had been held in detention facilities, the defense tried to prove that the police – not the army – were responsible for the detention, abuse and murders of Croats and Muslims. The witness confirmed that he had been arrested by police officers and that he had been taken to the public security station in a police car. He also said that the municipal prison to which he was transferred soon afterwards was also guarded by the police. Defense counsel Miodrag Stojanovic put it to the witness that the Susica prison camp was controlled by the police. Prison camp warden Veljko Basic was a retired traffic policeman, and the prison camp commander Dragan Nikolic Jenki was a member of the special police unit, defense counsel Stojanovic noted. Osmanovic confirmed that the special police secured the prison camp, adding that anybody could walk into the prison camp 'as they pleased'. Each day, the people in military uniforms took about 40 prisoners to do forced labor in the military barracks. Other people, wearing camouflage gear, took groups of prisoners to do various jobs in the town, such as cleaning the streets.

Defense counsel Stojanovic tried to pinpoint the contradictions in the statements the witness had given to the Tribunal's investigators and the several statements he had previously given to the BH security agencies. The deaths of Galeb Smajlovic and Dzevad Saric were discussed in great detail for about half an hour; at the end of the debate, it was established that there were no inconsistencies in the witness's statements.

The defense counsel devoted most of the cross-examination to the historical background of the conflict and the outbreak of the hostilities in Vlasenica, as well as the details of the witness's military service in 1984. The judges

noted that this line of questioning was 'largely irrelevant'. The presiding judge suggested to the defense lawyers to leave the questions about the context for the end of the cross-examination and to focus first on the substance of the witness's evidence.

2012-09-24

THE HAGUE

TESTIMONY OF INSIDER FROM MANJACA

A former member of the VRS security service described the conditions in the Manjaca prison camp at the trial of Ratko Mladic. The witness said that it was the 'most regular' of all prison camps under the Bosnian Serb control. The camp employed a nutritionist. This is rather different from the witness's daily reports from 1992 in which he called Manjaca the 'house of terror'

The trial of Ratko Mladic continued today with the evidence of a protected witness, testifying under the pseudonym RM 051. He is a former member of the VRS Security Department who served in the Manjaca prison camp from June to December 1992. To protect the witness's identity, his position in the camp was not disclosed. He was not 'part of the management', as the witness put it. The witness testified with image distortion to further protect his identity.

At the beginning of the hearing, the part of transcript of the witness's evidence at the trial of former Bosnian Serb police officials Mico Stanisic and Stojan Zupljanin in January 2010 was admitted into evidence. The examination-in-chief today mostly proceeded in private session. Also, a number of daily reports from 1992 were also admitted into evidence. In the reports, the witness described the conditions in Manjaca. In one of the reports the witness demands that all detainees younger than 18 and older than 60 be released from the camp because they 'are not fit for military service' and had been brought in 'from their homes and fields'. They had never carried arms or taken part in combat, the witness said in the report. The witness also wanted the military police to be reminded that 'Manjaca is not a house of terror' but a POW camp; the POWs 'should be treated humanely'.

In response to Miodrag Stojanovic's questions, the witness tried to present Manjaca as a much more humane place than he had described in his reports. The witness said that prisoners were treated 'properly' and the position was that they 'should leave the prison alive and healthy under their own power'. The witness maintained that the detainees received the same food as the Bosnian Serb army and even had a nutritionist who was there each day 'from 9am to 5pm'. Sanitary conditions were modest because there wasn't enough money. Prisoners could bathe once every seven to 15 days. Medical care was provided by two detainees who were medical doctors. Manjaca was thus 'top of the list' among the prison camps. Compared to other prison facilities under the Bosnian Serb control, it was 'the most regular', the witness said.

In one of the reports from late July 1992, the witness wrote that the detainees Omer Filipovic and Esad Bender were killed in the prison camp, laying the blame for the crime on military police officers. Today, the witness said it was a case of 'utter lack of discipline that caught everyone by surprise'. Perpetrators were later identified and suspended. They were tried in Banja Luka, but 'with a great delay', the witness explained. The witness noted that it was the only incident in which someone was killed in Manjaca. In a report of 7 July 1992, the witness wrote that 24 detainees suffocated en route from Sanski Most to Manjaca. The witness claimed that police officers securing the convoy were responsible for that; it was up to the civilian judicial organs, not the military, to launch an investigation.

In the cross-examination, the witness said that the Manjaca camp was 'an organizational unit' of the 1st Krajina Corps; the VRS Main Staff, headed by Ratko Mladic, had jurisdiction over the camp through the chain of command. When the accused heard that, he shouted, 'Not true, not true!' and called his lawyer for consultations. In May 1992, the witness spent some time with Mladic in the Main Staff. He noticed that Mladic was 'overworked' and went to Pale every day to negotiate the pull-out of the troops from Sarajevo.

When the Manjaca prison camp was shut down in December 1992, the detainees 'voluntarily' signed statements asking to be transferred to 'third countries', the witness explained. The judges asked the witness if going back to their homes had been an option for the prisoners. They could do it but nevertheless almost '100 percent' of them decided to go to third countries, the witness replied. The witness admitted that some of them later did return to their homes and some even joined the BH Army.

Protected witness RM 051 will complete his evidence tomorrow morning.

2012-09-25

THE HAGUE

WHAT'S IN A ZERO?

Former JNA colonel Osman Selak has testified about General Talic's decision to reduce the number of victims in the attack on Kozarac in May 1992 from 800 to 80. Selak also described what he saw when he visited the Manjaca prison camp



◀ Osman Selak, witness at the Ratko Mladic trial

Retired colonel Osman Selak, former commander of the JNA logistics base in Banja Luka testified today at the trial of Ratko Mladic, former commander of the VRS Main Staff, about two meetings he attended in 1992.

At the first meeting on 27 May 1992, Colonel Marcetic informed the Krajina Corps commander Momir Talic that 800 persons had been killed that day in the attack on Kozarac; 1,200 were arrested. Selak contends that Talic looked at him at that moment, knowing that Selak was the only Bosniak there, and 'corrected' Marcetic saying, 'you mean to say that 80 persons were killed'. The number was then put in a report that was sent to the VRS Main Staff. Today the witness showed the court the

war-time notebook in which he had written the number Marcetic had mentioned, 800, rather than Talic's 'correction'. Selak also said that in the meantime as an associate of the Institute for War Crimes in Sarajevo, he had established that 2000 persons were killed in the wider region around Kozarac. 'Apart from the genocide in Srebrenica, I say genocide was committed in Kozarac too', Selak said.

The witness tried to get to the crime scene but his deputy stopped him; he was concerned that Selak would be liquidated once the truth about the events in Kozarac got out. Selak thinks that the death toll in the report sent to the Main Staff was reduced ten times because of the 'personal responsibility of the commander'. As Selak explained, Talic 'was not a bad man' but had to implement the order of the superior command. 'He was not pleased to do it', Selak noted. However, Talic 'didn't take any measures against 343rd Motorized Brigade' that was in Selak's opinion responsible for the crime in Kozarac.

At the second meeting, General Talic issued the order establishing the Manjaca prison camp for about 2,500 prisoners of war. The facilities in the former training ground could be used to house 80 persons at the most, or 200 if military bunk beds were put in, Selak said. Selak visited the prison camp once it was up and running. In the stables, he saw about a hundred detainees mucking out the area. Some of them 'had been beaten up, they had blood on their faces, Selak said. When Selak walked in, the prisoners were ordered to stand still and put their heads down. The scenes Selak saw 'were so horrible that even today I shiver when I remember them', Selak said.

In response to Mladic's defense counsel Branko Lukic, Selak said that apart from the death toll, the Krajina Corps report contained another inaccurate claim: that the victims from Kozarac 'died in combat'. According to Selak, those men were 'liquidated'.

Defense counsel Lukic asked the witness a series of questions about the ethnic composition of the VRS and the BH Army, the response to the call up, the constitutional provisions about the referendum, and the arming and establishment of the Patriotic League and the Green Berets. 'There was a lot of political issues at play but I didn't get involved in that', the witness said; as a consequence, he didn't think he had the accurate information. The witness also said that he asked to retire in mid-May 1992 because he 'knew what was coming'. Selak explained that he had received some threatening telephone calls and letters about the expulsion of Muslims and Croats from the army.

For the most part, Mladic followed Selak's evidence without reacting. He did raise his voice though, when the defense counsel examined the witness about some military issues. Mladic at first contradicted the witness, but finally gestured to indicate he agreed with him. Selak's cross-examination continues tomorrow or the day after tomorrow after the evidence of the witness who will testify via video link from Sarajevo. The witness will speak about the ethnic cleansing of the Novi Grad neighbourhood in Sarajevo and the massacre of 'at least 47 Bosniaks' in a bus en route from Rajlovac to Pale on 14 June 1992.

2012-09-25

THE HAGUE

MURDERS IN FRONT OF MANJACA PRISON CAMP COMMAND

As the prosecutor re-examined a Bosnian Serb army insider at the trial of Ratko Mladic, the witness described an incident in August 1992 when ten Muslim prisoners were killed in front of the Manjaca prison camp. The witness stressed that the prison camp command was not responsible for the fate of the victims as they hadn't gone through the intake procedure

Former VRS security officer who served in the Manjaca prison camp near Banja Luka completed his evidence as a prosecution witness today at the trial of former Bosnian Serb army commander Ratko Mladic. The witness testified with image distortion and under the pseudonym RM 051 to protect his identity. Yesterday, the witness spoke in detail about his security reports from 1992 in which he described the events and conditions in the Manjaca prison camp.

In a report, the witness recounts that prisoners Osman Filipovic and Esad Bender were killed in Manjaca in late August 1992. Yesterday in his evidence, the witness insisted this was the only murder in the prison camp. Today,

prosecutor Hochhauser reminded the witness of the daily report of 10 August 1992 in which the witness described an incident in which ten detainees were killed. Four of them were beaten to death.

As the witness explained, the incident happened in front of the prison camp, 'on the other side of the wire fence' before the formal intake of the prisoners in Manjaca. The prisoners therefore weren't under the jurisdiction of the prison camp command; the Serb police officers who had brought them in a truck from Omarska were in charge of them. The prisoners were not admitted to Manjaca immediately because they had arrived in the evening. As it was impossible to do the intake at night, the detainees slept outside of the prison camp. When it was discovered that the prisoners had been beaten up, the prison camp commander Bozidar Popovic reacted angrily. So did the witness, but a police officer from Prijedor told him 'if you kick up a fuss, you'll end up like these people on the floor'. 'Of course, I stood down and then informed the superiors about the incident', the witness said today.

In addition to the two incidents, the security reports from 1992 describe an incident in which 24 prisoners suffocated en route from Sanski Most to Manjaca. That report and a number of other reports were admitted into evidence today. At the time the reports were drafted, they were submitted to the superior command.

The trial of the former VRS commander continued with the evidence of Osman Selak, who commanded the JNA logistics base in Banja Luka. After the VRS was established, he served in it for a while, again in Banja Luka. Ratko Mladic is on trial for double genocide and four joint criminal enterprises which involved the gravest crimes against non-Serbs in BH.

2012-09-26

THE HAGUE

MLADIC REFUSES TO FOLLOW WITNESS TESTIMONY VIA VIDEO LINK

The accused refused to attend the examination of a protected witness who testified via video link from Sarajevo. Mladic contends that such evidence 'violates his right because he cannot participate directly in examining the witness'. After consulting with his lawyer, the accused indicated his position could be taken as 'a voluntarily waiver of his right to attend the trial' until the cross-examination of previous witness Osman Selak resumes



◀ Empty chair of Ratko Mladic

Ratko Mladic refused to enter the courtroom and attend the examination of a witness who was to testify via video link from Sarajevo. Mladic told the judges through his lawyer that his rights were violated because he 'cannot participate directly in examining the witness' and that he 'insists the witness be examined in his presence'.

As Judge Orić recalled, on 7 September 2012 the Trial Chamber granted the prosecution leave to examine the witness via video link because of his health problems. The defense didn't object to the request and didn't seek leave to appeal against the Trial Chamber's decision. The only thing that could be surmised was that 'Mladic voluntarily waived his right to attend this part of the trial', the judge concluded.

The Trial Chamber then withdrew to give defense counsel Miodrag Stojanovic an opportunity to tell Mladic he could 'enter the courtroom quietly, sit down and behave', if he wanted to attend the trial. If not, the trial would continue without Mladic.

When the defense counsel returned to the courtroom, he told the judges that Mladic 'remains adamant and refuses to come in' during the evidence of the witness who will testify under the pseudonym RM 145. However, Mladic indicated he would be back for the cross-examination of the witness who was examined in chief yesterday. Mladic said his position could be interpreted as 'a voluntary waiver of the right to attend' that segment of the trial.

2012-09-26

THE HAGUE

BUS MASSACRE DESCRIBED IN ABSENCE OF ACCUSED

At the trial of Ratko Mladic, a witness described the events of 14 June 1992, when he and about 50 men were put on a bus. In the village of Sokolina, the bus was stopped and fire was opened at it from various weapons: anti-tank missiles, machine guns, automatic rifles and hand grenades were used. The mutilated bodies of the victims were recovered from the bus the next day. The witness tried to identify the victims 'based on their clothes or shoes because few of them had not suffered any damage to their faces'

After Ratko Mladić refused this morning to enter the courtroom because video link testimony made it impossible for him to 'participate directly in examining the witness', the Chamber decided his refusal was tantamount to a voluntary waiver of his right to attend the trial and proceeded to hear protected witness RM 145 in the absence of the accused.

According to a summary of the witness statement read out by the prosecutor, in 1992 the witness lived in a village in Novi Grad, a municipality which was part of Sarajevo. After an attack on the village, about 30 people tried to flee but were ambushed and surrendered. The witness claims that Jovo Tintor, an SDS official and the war chief of the municipality of Vogosca, took them to a JNA barracks where they were 'beaten, mistreated and threatened with death'. They were then moved to a military depot in Rajlovac. The witness was detained in an empty fuel tank. As the indictment alleges, in the first half of June, a man nicknamed Zuti took two groups of men, 10 to 15 men each, from the tank. They were never seen again.

The witness was taken out from the tank in Rajlovac on 14 June and was put on a bus together with about 50 people. The bus was stopped in Sokolina; purportedly, some water had to be added to the cooling system. As soon as the driver and the escort got off, fire was opened on the bus 'from every weapon there is' as the witness said: machine guns, automatic rifles, anti-tank missiles. Hand grenades were lobbed at the bus. 'The shooting lasted for about 15 minutes,' the witness said. He was wounded in the left arm.

After the Serb forces left the scene of the massacre, the witness managed to flee into a village nearby, together with his surviving relative. The villagers and the local Territorial Defense went to the bus in the morning of 15 June to recover and bury the victims of the massacre. This event was recorded on video, which was shown today in court. During the burial, the witness was trying to identify the mutilated victims 'based on their clothes, shoes... because few of them had not suffered any damage to their faces'.

The defense counsel put it to the witness that the paramilitaries were responsible for the attack on Novi Grad and that the people in the witness's village were well armed; in fact, the defense counsel claimed, they managed to fight off an attack of the Serb forces for two days in late May 1992. As the witness explained, his village was first shelled by the JNA and then it was overrun by the paramilitaries, accompanied by tanks and armored vehicles. 'There was general chaos after that and people fled'. The defense lawyer then put it to the witness that the camp in Rajlovac was secured by people wearing blue uniforms, similar to those worn by the police. According to the witness, such uniforms were worn by the personnel of the Orao Air Force Installation; this means the guards were soldiers.

The witness confirmed that he couldn't see any of the perpetrators of the crime after the bus was fired on. He heard one of them say to another to get on the bus and check for survivors. 'Go in yourself if you're that curious', the other man said, and the witness heard them slam the car doors and leave.

After the protected witness completed his evidence, former JNA colonel Osman Selak returned to court to be cross-examined by the defense. Mladić's lawyer put it to him that in April 1992 the Democratic Action Party (SDA) was busy running a smear campaign against the JNA and that some Bosniak officers had gone over to the Territorial Defense. At that time, the JNA was already seen as a foreign occupying force in Bosnia and Herzegovina, Selak responded. When he was asked if he shared the view, being a JNA colonel, Selak said, 'I was and remained a patriot for all three ethnic communities, not just one'. His evidence will resume tomorrow.

2012-09-27

THE HAGUE

SELAK TAKES PRIDE IN ORDERS HE DIDN'T OBEY

Ratko Mladić waved prosecution witness Osman Selak goodbye and 'rewarded' the presiding judge Orić with applause after the judge showed his knowledge of military terminology. The cross-examination of the former JNA colonel about the casualties of the attack in Kozarac, the responsibility of the army for prison camps in the Prijedor area and the paramilitary units, 'the drunken revels' of the officers and politicians in Banja Luka and Colonel Selak's refusal to obey orders

As retired JNA colonel Osman Selak left the courtroom today, Judge Orić wished him all the best, a safe trip home and good health, as is his usual practice with all the witnesses. The judge was joined on this occasion by the accused Ratko Mladić, who waved to Selak from the dock and thanked him loudly for his answers.

The former commander of the Bosnian Serb Army tried to engage the witness in a dialogue from the beginning of the hearing this morning. The witness complained that the accused was 'taunting' him. Mladić made loud comments and either agreed with what the witness was saying or protested at some of the witness's replies. At one moment, Mladić applauded Judge Orić when he explained to the defense counsel the meaning of the term 'curvimeter' and its function. A curvimeter is an instrument used to measure the length of curved lines on military maps. Judge Orić warned Mladić several times to speak in a lower voice and warned him he would be 'removed from the courtroom' if he continued to behave like that.

The cross-examination of Colonel Selak covered a number of topics but only a few questions had to do with the events the witness had spoken about in his examination-in chief. Selak described how General Talić, commander of the 1st Krajina Corps, ordered his subordinates to reduce the number of casualties in a report about the attack on Kozarac from 800 to 80. The witness confirmed that he hadn't discussed the 'correction' with Colonel Marčetić, who had initially reported the death toll to General Talić.

The defense counsel put it to the witness that the fighting in Kozarac lasted from 20 to 27 May 1992. On 25 May 1992, a military column passed through Kozarac. The column stopped when the driver of the first truck was killed. The witness said that it had all been 'staged'. The 'political factions were trying to explain why more than 1,200 persons were killed in Kozarac', the witness said. The defense counsel asked the witness if the wounded received medical treatment in prison camps and if there was any kind of paper trail about it. Selak said that there 'are no documents, in order to cover up the responsibility of the perpetrators'. The witness claimed that the 343rd Motorized Brigade of the 1st Krajina Corps, stationed in Prijedor, was responsible for the 'genocide in Kozarac'.

Since Selak claimed that the Krajina Corps was in charge of establishing the Keraterm prison and providing security there, Mladic's defense counsel argued there should be a 'paper trail' to prove it. The reports, such as for instance the report about the number of casualties in the Kozarac attack were routinely 'fabricated with a view to avoid legal repercussions'.

Selak confirmed the defense counsel's suggestion that paramilitary units were not under the military control. Selak nevertheless insisted that the army provided them with arms and allowed them to use the training area in Manjaca.

Defense counsel Lukic finally put it to the witness that the VRS officers and SDS political structures trusted Selak and even invited him to 'their parties and dinners'. The witness said he had gone to only one such event, but soon realized he 'didn't like political topics and liquor that was served'. When the defense counsel put it to Selak he had refused to fulfill his superiors' orders several times, the witness said he was 'proud' he refused to lay mines in the Karlovac military depot as he had been ordered to and that he prevented the booby-trapping of the military hospital in Zagreb.

The trial of General Mladic on charges of double genocide and other crimes in Bosnia and Herzegovina continues with the evidence of Sulejman Crncalo, who will speak about the persecution of Muslims in Pale in 1992.

2012-09-28

THE HAGUE

NEW RULES FOR MLADIC

Ratko Mladic has refused to heed previous warnings of the Trial Chamber to behave properly and has abused his right to consult with his defense in court. The Trial Chamber therefore ordered Mladic to communicate with his defense only in writing and 'quietly'. If he fails to obey yet again, the Trial Chamber will remove him from court.

Thanks to his previous 'mischief', Ratko Mladic will now have to stick to new rules of conduct in court. The Trial Chamber decided to introduce measures to protect the witnesses during their examination and guarantee order, with the accused in the courtroom or without him.

Explaining the decision this morning, presiding judge Orić said that five witnesses have recently complained to the Trial Chamber that Mladic commented loudly on their evidence 'verbally or in other ways'. Yesterday, during the evidence of Osman Selak, at one point Mladic shouted loudly that the witness was 'lying'. In court, Mladic makes comments about the witnesses' testimonies, pretending he is actually calling his defense counsels for consultation. Apart from making a lot of noise in court, Mladic is trying to send a message to the witnesses and exert pressure on them.

In a bid to stop this habit, the Trial Chamber ordered a new regime in the courtroom. Mladic may not say anything while the court is in session and may not consult his defense. He will be allowed to consult orally with his defense only during the breaks. During the hearings Mladic will only be allowed to communicate in writing by 'passing little notes quietly to his defense counsel'. Any breaches of the order will result 'in the removal of the accused from court'. The decision was made because the accused speaks 'loud enough for everybody to hear him'. The judges cannot understand what he is saying. Thus Mladic showed that he 'interferes with the evidence of the witnesses constantly and repeatedly in an unacceptable way'.

Defense counsel Branko Lukic argued that Mladic could only write 'very slowly' and his written notes would reach the defense team too late. 'Too bad we have come to this pass' the presiding judge said, adding that the Trial Chamber had not reached the decision 'lightly' but maintained that 'there was no other way' to protect the witnesses and impose order in the courtroom.

The trial of Ratko Mladic for double genocide and involvement in four joint enterprises in BH continued with the testimony of Sulejman Crncalo.

2012-09-28

THE HAGUE

'VOLUNTARY' EXPULSION FROM PALE

In his evidence at the trial of Ratko Mladic, witness Sulejman Crncalo described the persecution of Muslims in Pale in late June and early July 1992 when they were told they could no longer live there. The defense claimed that Crncalo and his family left Pale of their own free will and allowed Serb refugees to use their property



◀ Sulejman Crncalo, witness at the Ratko Mladic trial

The trial of Ratko Mladic continued with the evidence of Sulejman Crncalo who spoke about the persecution of Muslims in Pale in late June and early July 1992. The witness's written statement from November 2009 was admitted into evidence. In the statement, the witness described how Muslims were fired, arrested and pressured psychologically by the Serb authorities that wanted to make Muslims leave Pale and abandon their homes.

As a member of the Muslim delegation from Pale, Crncalo met Nikola Koljevic in the spring of 1992. Koljevic told the delegation 'on behalf of the Serb authorities' that they were not wanted in Pale because 'Serbs no longer want

to live with Muslims'. In June 1992, Radovan Karadzic addressed a rally in Pale. Karadzic told the Serbs that 'every Muslim house should be attacked wherever it may be because that is the way to defend your homes'.

In early July 1992, the witness and his family joined the last of the three convoys in which the Muslims from Pale were expelled to Sarajevo under the police escort. Tragedy struck while they were in Sarajevo: Crncalo lost his wife in the Markale market incident on 28 August 1995. The witness will never forget the images of the blood stained town market with the clothes, shoes and body parts strewn around.

In the cross-examination, Mladic's defense counsel Dragan Ivetic tried to contest the witness's evidence about the Muslims' fear of 'a resurrection of the Chetnik movement'; this fear spread among them after a rally in front of a place called Novakova Pecina on Mount Romanija. On 6 May 1991, Vojislav Seselj and Radovan Karadzic spoke about the newly forged 'Serb concord and unity' and plans for the activation of Chetnik units.

Ivetic said that it was the 'usual, traditional' celebration of the feast of St. George. The witness dismissed the claim, prompting the judges to ask for the transcript of the video footage recorded at the Romanija rally. The prosecution played the recording at Karadzic's trial during the evidence of witness Radomir Kezunovic, in May 2011.

In a bid to prove that Muslims in Pale had nothing to fear, Ivetic claimed that until Crncalo left Pale in July 1992, he saw only two Chetniks, who were in uniform but were unarmed. Ivetic also said that 'shooting in the air' was what Serbs traditionally did when they celebrated something.

Finally, Ivetic put it to the witness that he had abandoned Pale of his own free will, and that he left his house, all the furnishings and his car to the Serb refugees voluntarily 'for their temporary use' until he could return. Crncalo did get his house back after the war, the defense counsel argued. Crncalo explained that he and his brother agreed to leave the house to a Serb family for their use a couple of hours before they left. 'I didn't want to, but I had to', Crncalo said, dismissing the defense's suggestion that he had done it voluntarily.

Today, Mladic complied with the 'new regime' the Trial Chamber imposed this morning because of the inappropriate comments he had made to some previous witnesses. Mladic may not say anything while the court is in session; he may not even consult with his defense. If he disobeys, he will be thrown out of court. At one point, Mladic got a bit carried away and tried to call one of his defense lawyers. Judge Orić intervened and told Mladic in no uncertain terms it was his 'last warning'.

2012-10-01

THE HAGUE

PRISON CAMP FOR ETHNIC CLEANSING

Describing the conditions in the Trnopolje prison camp, Idriz Merdzanic, a medical doctor from Prijedor, said that most of the prisoners were women, children and elderly. After a brief detention, they were moved out of the Serb territory in 'cattle wagons and buses'. The witness explained why there were detainees on both sides of the barbed wire fence in the prison camp when the foreign journalists visited Trnopolje



◀ Idriz Merdzanic, witness at the Ratko Mladic trial

In his evidence at the trial of Ratko Mladic, Dr Idriz Merdzanic from Prijedor said that the purpose of the Trnopolje prison camp was to achieve 'ethnic cleansing'. Civilians – mostly women, children and elderly – were brought there after they had been expelled from their houses. Then, they were evacuated by rail, in cattle wagons, and in trucks from Prijedor municipality, which the Serbs claimed as their territory, Merdzanic recounted.

Dr. Merdzanic was one of the few men of military age detained in Trnopolje. During his stay there, he worked in the prison infirmary, caring for the Muslim and Croat civilians, beaten and exhausted. Merdzanic arrived in the

prison camp in May 1992 after the Serb forces entered Kozarac where he had been working in the local health clinic. Kozarac was first heavily shelled. On 26 May 1992, the inhabitants were arrested and taken to the Prijedor prison camps. Women and children were mostly taken to Trnopolje while men of military age were taken to Omarska and Keraterm. Their houses were looted and burned down, as were the mosques and Catholic churches. The objective was to prevent the villagers from returning, because they would 'not have anything to return to', Merdzanic explained. Other villages in the Prijedor area suffered a similar fate. As time went by, the number of detainees in the three prison camps increased.

The statement the witness gave to OTP in August 2000 was admitted into evidence today. In the statement, the witness said that conditions in Trnopolje were 'inhumane' and that detainees were beaten, raped and killed. According to the witness, the prison camp commander, Major Slobodan Kuruzovic, and his assistant Slavko Puhalic knew about the violence against prisoners. Merdzanic recalled that both Kuruzovic and Puhalic wore camouflage uniforms while prison guards had regular olive drab military uniforms.

The number of men in Trnopolje increased suddenly just before 4 August 1992, when a group of foreign journalists visited the prison camps in the Prijedor area on Radovan Karadzic's approval. Merdzanic explained that some of the prisoners had been transferred from Omarska to Manjaca and some had been moved to Trnopolje. Beds and food were issued to the prisoners to make the conditions appear better than they actually were during the journalists' visit. At the same time, the Keraterm prison camp was almost completely evacuated. Some of the prisoners were sent to Trnopolje. There, they were separated from the other detainees by a barbed wire fence. The cameras of the British TV crew led by Penny Marshall captured those prisoners, the witness explained, and that was why the footage shows the detainees on both sides of the wire fence.

Mladic's defense counsel wondered why a wire fence would be put up inside the prison camp before the journalists visited and removed after they left. The witness explained that a visit to Trnopolje had not been planned, but the journalists demanded to go there on their way back from Omarska. After the world public saw the broadcasts of Penny Marshall's footage and the photos of badly beaten prisoners, given to her clandestinely by the witness, the wire was removed and the newcomers from Keraterm were able to mix with the other detainees. As Merdzanic said, they told him that about 200 men had been killed in a hangar in Keraterm before their transfer to Trnopolje. The people from Omarska spoke about torture and murder in the building called 'the white house'.

The defense counsel tried to challenge the existence of a link between the prison camp management and guards on the one hand and the army headed by the accused Mladic. The witness repeated that the prison camp commanders and guards wore military uniforms, but could not elaborate. Asked if any of the guards tried to help the prisoners, the witness replied he 'never claimed that all Serbs were bad'. Some of the guards did indeed help him and the prisoners, as did Serb civilians.

Doctor Merdzanic was released from the prison camp on 30 September 2012. Now he recalls the war events only when he comes to The Hague to give evidence. Once home, 'I close that book and don't think about it anymore', the witness said.

2012-10-02

THE HAGUE

RATKO MLADIC'S FIRST VICTIMS IN SARAJEVO

Only two witnesses of the 30 witnesses heard so far at the trial of Ratko Mladic testify for the first time before the Tribunal. Both witnesses were wounded in the night of 28 May 1992. The indictment alleges that this is when the first 'heavy shelling of Sarajevo that killed and injured many civilians' happened



◀ Fadila Tarcin, witness at the Ratko Mladic trial

For as long as she lives, Fadila Tarcin will suffer the consequences of a shell that exploded and hit three houses in the Sarajevo neighborhood of Sirokaca on 28 May 1992. The witness, who was 16 at the time, was wounded in both legs. Her toe joint was shattered and she has trouble walking. The incident is listed in the indictment against Ratko Mladic as the first incident of 'heavy shelling of Sarajevo that killed and wounded many civilians'. Mladic was the commander of the VRS Main Staff at the time.

According to the summary of the statement, a few days after she was wounded the witness heard on the radio a recording of a conversation intercepted on 28 May 1992.

In the recording, Mladic orders his troops to shell Velesici and Pofalici neighborhoods in Sarajevo, Dobrovoljacka, Humska and Djure Djakovica streets and to fire a salvo on the Presidency building. The audio recording in which Mladic is heard ordering his troops to 'roll out the minds' of the people in Sarajevo was played and admitted into evidence in late August 2012 in the evidence of yet another victim of the shelling in Sarajevo on 28 May 1992.

In the cross-examination, the witness confirmed that Sirokaca was not among the locations Mladic ordered to be shelled in the intercepted conversation. The defense counsel read out the transcript of a conversation intercepted a day later, on 29 May 1992. In the conversation, Mladic explains to the other man that the Bosnian side had hired 'imitators and mime performers' who are 'able to mimic' anyone's voice, including Mladic's. The witness said she didn't know anything about it.

At the beginning of the cross-examination, the defense counsel asked a number of questions he called 'contextual'. In her responses, Fadila Tarcin said there were unarmed guards in various neighborhoods in Sirokaca in May 1992. She didn't know where the front lines had been; she saw a few reserve police officers on a couple of occasions, but never any large armed formations. The witness also said she didn't see any BH Army troops passing through Sirokaca.

Since the witness said the only military facility near her house was a barracks of the former JNA, the defense counsel put it to her that BH Army troops were billeted in the local school. He read out a statement by a member of the Green Berets who said that the Sirokaca area was 'controlled' by about 200 people who set up check points. The witness claimed she never saw any check point and didn't hear people talk about them.

In a bid to prove that there were legitimate military targets in Sirokaca, the defense counsel used an intercepted conversation between Radovan Karadzic with a man by the name of Momo and a report of the VRS Sarajevo-Romanija Corps. According to these two exhibits, in April and June 1992 artillery fire was opened from Sirokaca on Serb-held positions. The witness replied 'I don't have any knowledge of that'.

2012-10-02

THE HAGUE

ETHNIC CLEANSING WAS BASED ON THE 'PROPERTY MAP' OF PRIJEDOR

Mevludin Sejmenovic began his evidence at the trial of Ratko Mladic about the ethnic cleansing in Prijedor in 1992 and about the Trnopolje and Omarska prison camps. Sejmenovic also explained in his testimony why Vojo Kupresanin saved him from the prison camp and gave him clothes and food on Radovan Karadzic's orders



◀ Mevludin Sejmenovic, witness at the Ratko Mladic trial

Mevludin Sejmenovic, former SDA official from Prijedor, said in his evidence at the trial of Ratko Mladic that in 1992 the Serbian Democratic Party wanted to have 70 percent of the territory in Prijedor municipality under Serb control. According to the 'property map' of Prijedor, published in the *Kozarski Vjesnik* newspaper on the eve of the conflict, Serbs contended that they were entitled to all state-owned property: public companies, national parks, forests etc in Prijedor municipality.

According to the 1991 census, there were 49,000 Muslims, 47,000 Serbs and 6,000 Croats living in Prijedor before the war. As the witness explained, Muslims and Croats were 'shocked' when they learned of the Serb

territorial aspirations, but didn't have 'the power or any other means' to contest them. After the SDS took power in the town, it decided that only Serbs could take key management posts and other prominent positions. Muslims and Croats lost their jobs.

In a bid to find the 'last ray of hope for salvation', the witness and some other SDA officials accepted the invitation to meet the Serb civilian and military authorities. As the witness recounted, Colonel Arsic and Major Zeljaja took over the meeting. They demanded that Muslims surrender 7,000 guns; 'if not, they would raze Kozarac to the ground'. When Zeljaja was told that Muslims couldn't meet the request because they didn't have so many weapons, he said, 'Gentlemen, that's your problem'.

Radmilo Zeljaja fulfilled his promise. Kozarac was renamed Radmilovo, after Zeljaja. About 800 persons were killed in the attack, the indictment alleges. The 'cleansing' of Kozarac followed the same pattern as in other villages in the Prijedor area. The Serb forces first surrounded Kozarac, and then opened fire on it. The survivors were rounded up and taken to Trnopolje and Omarska.

Sejmenovic was detained in both prison camps. In Trnopolje, Sejmenovic saw men 'walking slowly, with vacant eyes, exhausted' by fear, hunger and beatings they sustained. In Omarska, Sejmenovic was himself tortured in the place called the 'white house'. The house 'was all covered in blood'. There were 'people lying all around, moaning'. After he was beaten up, a civilian inspector interrogated Sejmenovic. The inspector told him military inspectors would take over his case and a military court would decide what would happen to him.

Quite accidentally, Sejmenovic ended up in Vojo Kupresanin's office; he was the president of the Autonomous Region of Krajina at the time. 'You find yourself in a kettle, with death all around you, death and only death, and then a high-ranking person arrives and wants to discuss high politics with you', Sejmenovic said. He heard Karadzic order Kupresanin in a telephone conversation to 'find some clothes' for Sejmenovic, to 'feed him and let him have some rest'. Their intention was to 'use me to fake a multi-ethnic government' in Republika Srpska and to 'wash away the blame for the many crimes that they had committed until then,' Sejmenovic explained.

After Sejmenovic's examination-in chief ended, Mladic's defense counsel Branko Lukic began the cross-examination. The trial continues tomorrow morning.

2012-10-03

THE HAGUE

MLADIC'S DEFENSE SAYS ARMY HAD NOTHING TO DO WITH CRIMES IN OMARSKA

In the final part of their cross-examination of Mevludin Sejmenovic, Ratko Mladic's defense tried to prove that the army in Prijedor obeyed the orders of the Crisis Staff, that Omarska was under the police's jurisdiction and that Trnopolje was a transit center in which people didn't starve



◀ Mevludin Sejmenovic, witness at the Ratko Mladic trial

In the cross-examination of former SDA official Mevludin Sejmenovic, the defense of Ratko Mladic claimed that in 1992 in Prijedor the army merely implemented the policies conceived by the Crisis Staff. Milomir Stakic, former president of the municipality and the Crisis Staff in Prijedor is currently serving a 40-year sentence in a prison in France. The Tribunal found Stakic guilty of persecution, extermination, murder and deportation, committed from April to September 1992.

Mladic's defense tried to prove that army personnel did not sit on the Crisis Staff, at least not after the SDS seized power in Prijedor. Defense counsel Branko Lukic confronted the witness with a report of the Public

Security Station in Prijedor, which states that the Crisis Staff decided to launch an attack on the village of Hambarine in May 1992 in order to disarm and arrest those who had killed some soldiers. The report also states that the army intervened and put the village under control. Sejmenovic dismissed the defense counsel's suggestion that the Crisis Staff issued orders to the army. As he said, the Serb army in Prijedor received orders from the Banja Luka Corps. The Banja Luka Corps in turn got its orders from 'a higher level', Sejmenovic explained.

Through the report of the Prijedor Public Security Station, Mladic's defense is trying to prove that Omarska was controlled by the police. A number of judgments in other cases dealing with Prijedor before the Tribunal and the BH State Court confirmed that, the defense maintained. On the other hand, only Bosnian Serb politicians and police officials have been tried so far: Mladic is the first soldier in court for these crimes.

According to Sejmenovic, apart from the police there were also soldiers in Omarska. They moved around the prison camp going to and out of the hangar. One soldier even beat him up in the 'white house' and told him 'now you will see how the soldiers hit', Sejmenovic recounted. In the examination-in chief, Sejmenovic claimed that his fate was handed over to the military investigators in Omarska. Today Sejmenovic added that soldiers secured the prison camp in machine gun nests set up in front of the entrance.

The defense also tried to prove that Trnopolje was a transit center, not a prison camp, and that people in it weren't starved. In the examination-in chief, the prosecution showed a photo of an exhausted and starved detainee of Trnopolje. Today the defense showed another photo from the same prison camp showing a 'chubby man', as the defense counsel called him. The physical condition of prisoners in Trnopolje varied from man to man; it depended on how long detainees stayed in the prison camp. Presiding judge Orić advised the parties to refrain from bringing up various 'thin and well-fed persons' because the Trial Chamber knows what malnourished men look like'.

Before he left the courtroom, Sejmenovic thanked the Trial Chamber for the 'hard work you do on behalf of justice and millions of people awaiting it'.

2012-10-04

THE HAGUE

MLADIC'S RESPONSIBILITY FOR TERROR IN SARAJEVO

Former commander of the UNPROFOR Sarajevo Sector, General Abdel-Razek contends the commander of the Sarajevo-Romanija Corps Stanislav Galic was a professional who obeyed the orders of his superiors. Ratko Mladic, Galic's superior, was described by General Abdel-Razek as a 'strong personality and a charismatic leader' who controlled his troops and the situation in the field



◀ Hussein Ali Abdel-Razek, witness at the Ratko Mladic trial

Egyptian general Hussein Ali Abdel-Razek was appointed commander of the UNPROFOR Sarajevo Sector on 21 August 1992 in the midst of the artillery and sniper campaign by the Bosnian Serb army on the city. General Abdel-Razek held the post until 20 February 1993. He already testified at the trial of former commander of the VRS Sarajevo-Romanija Corps Stanislav Galic and of former Republika Srpska president Radovan Karadzic. Now the prosecution called Abdel-Razek to testify against General Ratko Mladic.

In his evidence, the witness said that on his arrival in Sarajevo he regularly received reports about the civilian victims of shelling and sniper attacks in the city. The

witness met repeatedly with the Republika Srpska civilian and military authorities to discuss the incidents. Radovan Karadzic and Ratko Mladic were usually present at the meetings. There, they would promise in a 'positive and encouraging atmosphere' that the situation would improve, that attacks on the city would stop and that the heavy artillery would be placed under the control of UNPROFOR, Abdel-Razek recounted. In practice however nothing changed. In a bid to justify the continuous artillery and sniper attacks, the Bosnian Serb leaders said they had to 'return fire' or shifted the blame on the Muslim forces who purportedly 'shell their own people in order to provoke an international response against Serbs'.

The witness said that the troops of the Sarajevo-Romanija Corps held positions around the city. The commander of the Sarajevo-Romanija Corps, Stanislav Galic, was a real professional who 'obviously acted on the orders of his superiors': Ratko Mladic. General Galic was convicted and sentenced to life before the Tribunal for the artillery and sniper campaign against civilians. Today the witness depicted the accused Mladic as a 'strong personality and a charismatic leader' who controlled his subordinate units. Soldiers always spoke about Mladic with respect, Abdel-Razek added.

The statement the witness gave to the OTP investigators in 2002 was admitted into evidence. In the statement, General Abdel-Razek said that Bosnian Serb representatives spoke openly about the need to ethnically cleanse parts of BH they claimed as theirs. Thus on one occasion Biljana Plavsic asked Abdel-Razek why UNPROFOR didn't evacuate the people from Sarajevo. After the London conference, Radovan Karadzic told the witness that 'Muslims should be transferred from Serb territories and Serbs removed from Muslim territories'. Karadzic later repeated the view to the witness, saying that 'Muslims should be evacuated from Serb territories because we cannot live together anymore and there won't be another chance as good as this one'. The witness thinks that Mladic, who was also present at the meeting, agreed with Karadzic; at that time, the Bosnian Serb political and military leaderships 'worked in harmony'.

In Galic's judgment, the judges said they had 'no doubt that [General] Abdel-Razek is credible and his evidence reliable'. Abdel-Razek's evidence led the Trial Chamber to conclude that 'widespread and notorious attacks' on civilians in Sarajevo 'could not have occurred without it being the will of the commanders of the Bosnian Serb army'.

As the hearing drew to a close, Mladic's defense counsel Nenad Petrusic began cross-examining the witness.

2012-10-05

THE HAGUE

DEADLINE TO CLEANSE ROGATICA

Protected witness RM 81 has testified at the trial of Ratko Mladić about the campaign of arrests, beatings, murder and rape in Rogatica; most of these incidents occurred in the Veljko Vlahović school after the fall of Rogatica in May 1992. The witness contends that Rajko Kusić was in charge of the prison facility. Kusić was angry because the Muslims 'refuse to cooperate', making it impossible for him to meet his 'deadline to cleanse Rogatica'; he was to report to Pale about the progress

The trial of Ratko Mladić continued today with the evidence of a protected witness testifying under the pseudonym RM 81. The witness described how the Serb forces shelled and captured Rogatica in May 1992. He also talked about the campaign of arrests, beatings, murder and rape in the following months. The witness already testified about it at the trials of Momčilo Krajišnik and Radovan Karadžić. The written statement the witness gave to the OTP investigators in September 2011 was admitted into evidence at Mladić's trial.

Prosecutor Silvia D'Ascoli read out a brief summary of the statement in court. According to it, after shelling Rogatica for some days, the Serb forces entered the town on 21 and 22 May 1992. Muslims were ordered to surrender and were then detained in the Veljko Vlahović secondary school. There were about 1,100 civilians in the school, mostly women, children, elderly and sick. During the three and a half months of detention, many of them were beaten, raped and/or killed.

In the examination-in-chief, the prosecutor brought up a regular daily report sent by the VRS Rogatica Brigade on 11 June 1992. The Rogatica Brigade was under the command of Rajko Kusić. The report stated that there 'are no major enemy activities', that a large number of Muslim civilians 'are arriving' in the town every day, that they 'are billeted' in the school and at other locations. The witness agreed that the people of Rogatica hadn't offered any resistance to the Serb forces. He insisted, though, that the civilians were not 'arriving' in the school because they wanted to: they were taken away from their homes and detained there.

The witness was shown a payroll of the Rogatica active police force from May 1992. On the list, the witness identified three men who had been seen taking women away to be raped. The witness also identified the person who interrogated detainees. On the list of the Bosnian Commission for Missing Persons, the witness identified the men who had been arrested and executed by Serb soldiers during the capture of Rogatica. The witness learned from a survivor that Serb soldiers had taken them to Rasadnik. The Serb guards in the school told the witness that the men had been killed under a bridge en route to the Partisan cemetery.

The witness contends that the prison camp in the Veljko Vlahović school was under the command of Rajko Kusić. When he visited the school in late June or early July 1992, Kusić complained that people 'refuse to cooperate' and that it 'is causing him problems', because he had been given 'a deadline for the cleansing of Rogatica' and that he 'must report to Pale'.

As the prosecutor noted, the Serb forces destroyed two mosques in Rogatica, Carsijska mosque and Arnaudija mosque, after they took over the town. The witness said that a Serb soldier named Danko Nerić took part in the destruction of the Arnaudija Mosque. Nerić wore an olive drab military uniform of the former JNA with red and white ribbons on the epaulettes.

As the hearing drew to a close, Mladić's defense began cross-examining the witness. The cross-examination will resume on Monday, 8 October 2012.

2012-10-05

THE HAGUE

COMMANDER AND SUPREME COMMANDER

In a bid to shift at least a part of the blame for artillery and sniper terror campaign in Sarajevo from Ratko Mladić to Radovan Karadžić, the defense insisted that the RS president had been the supreme commander of the army. The witness agreed, but repeated that Mladić was the immediate superior officer of the corps that held the city under fire



◀ Hussein Ali Abdel-Razek, witness at the Ratko Mladić trial

In the cross-examination of Egyptian general Hussein Abdel-Razek, Ratko Mladić's defense counsel tried to justify the shelling of Sarajevo, insisting there were legitimate military targets in the city. The defense counsel recalled the witness's statement to the OTP investigators that the BH Army troops would attack Serb positions on the hills around the city from various locations in the city using mortars mounted on military vehicles.

General Abdel-Razek, who commanded the UNPROFOR Sarajevo Sector from August 1992 to February 1993, added that this vehicle would open fire from spots close to civilian facilities such as hospitals, the post office and even the UN mission headquarters. He and his colleagues went to Ejup Ganic to protest against this practice and make him put a stop to it. When he was asked if the Bosnian Serb army had the right to respond to provocations, the witness confirmed it, but insisted that the Bosnian Serb troops nevertheless had to bear in mind that there were numerous civilian buildings and UNPROFOR positions in the city.

Mladić's defense counsel Petrusic insisted there was written evidence of Mladić's efforts to stop the artillery and sniper attacks on the city. He showed the witness several documents in which Mladić ordered the Sarajevo-Romanija Corps command to stop targeting the city with artillery and snipers. The witness didn't deny that such orders were issued, but said that in practice, there was little change. The ceasefires never lasted long, unlike the shelling and sniper attacks that 'went on for long time'.

The defense counsel tried to disprove that the VRS Main Staff commander Ratko Mladić had sole responsibility for the war situation in Sarajevo. Petrusic told the witness that president Radovan Karadzic was in fact the supreme commander of the Bosnian Serb forces, reminding him that it was Karadzic who 'rejected out of hand' the conclusions of the London Conference at a meeting where Mladić was not present at all. The London Conference conclusions demanded that the heavy artillery around the city be placed under UNPROFOR supervision. The witness agreed with the claim, but stressed that the president had to make decisions 'in cooperation with military advisors'. The witness was adamant that Ratko Mladić exercised control over the VRS and that he was the superior officer of the VRS Sarajevo-Romanija Corps commander Stanislav Galic, who was tried by the Tribunal and sentenced to life for crimes against the people of Sarajevo.

In the cross-examination, the defense counsel put it to the witness that the ethnic Serbs living in Sarajevo were in danger and wanted to leave the city. The witness responded that most of them in fact wanted the conflict to end as soon as possible and to 'continue living together'.

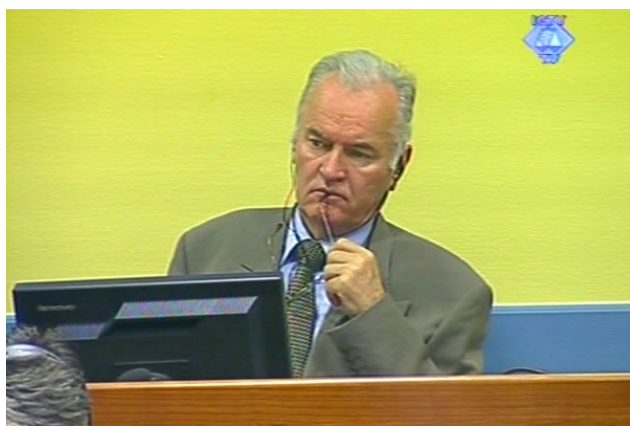
After Abdel-Razek completed his evidence, the trial continued with the testimony of a protected witness who testified about the crimes in the Rogatica region.

2012-10-08

THE HAGUE

MLADIĆ THREATENS TO GO ON HUNGER STRIKE

During the cross-examination of a protected prosecution witness, Ratko Mladić made gestures and comments and laughed out loud. This prompted the judges to have Mladić removed from court. Through his lawyers Mladić asked the judges for their understanding, explaining that he 'is not able to control his emotions'. Mladić announced that if the Trial Chamber tried to impose other defense lawyers to him he 'will go on hunger strike and stop taking his medication'



◀ Ratko Mladić in the courtroom

Ratko Mladić behaved inappropriately and was removed from court today during the testimony of a protected witness, testifying under the pseudonym RM 081. The witness was telling the court about crimes against Muslims in Rogatica.

Although Mladić's defense lawyers cross-examined the witness in private session, the few visitors in the public gallery could see what was going on in the courtroom through the glass, but it was like watching a silent movie, as no sound is transmitted out of the courtroom. The audience could see Mladić laughing out loud, shaking his head, spreading out his hands and grabbing his head, expressing his disbelief at what the witness was saying.

Mladić also threw paper notes to his defense counsels.

After about half an hour, the hearing was interrupted and the judges left the courtroom. The curtains were pulled down and the audience could no longer see or hear anything, apart from Mladić shouting in the corridor through which he was taken out of the courtroom to the room for the accused. Soon afterwards, the curtains were pulled up and the judges and other participants returned to their places. The dock remained empty.

After the court returned to open session, the presiding judge explained that Mladić had been removed from court for inappropriate behavior. The Trial Chamber allowed one of the defense counsels to withdraw and speak to the accused, and ordered the cross-examination to continue until the break. After the break, the judge announced that the order to keep Mladić away from the courtroom 'remains in effect until Witness RM 081 completes his evidence'. Defense counsel Miodrag Stojanovic relayed to the judges that the accused had said he 'cannot control his emotions, laughter or tears'. Mladić asked the judges to understand his situation and allow him to return to the courtroom.

If not, Mladic would withdraw his defense team from the courtroom. If the judges didn't accept that and tried to impose new defense lawyers to Mladic, he would 'go on hunger strike and stop taking his medication', Stojanovic said. Since the judges decided not to allow Mladic to return to the courtroom until the end of the cross-examination of Witness RM 081, the defense counsels refrained from further questions.

The accused didn't return to court when the next witness, British colonel Pyers Tucker began his evidence. The defense lawyers stated that Mladic wasn't feeling well and had had to lie down in an adjacent room waiting to have his blood pressure taken. When the medical staff confirmed that Mladic was able to follow the trial, he returned to the courtroom at the beginning of the third session.

2012-10-08

THE HAGUE

SARAJEVO WAS PUNISHED AND TERRORIZED

Former aide de camp of the UNPROFOR commander in BH Pyers Tucker contends that the purpose of artillery and sniper attacks on Sarajevo was to 'instill fear into the people and encourage them to leave the areas' under attack. In Eastern Bosnia and other parts of BH, a pattern of ethnic cleansing of non-Serbs could be observed, Tucker said



◀ Pyers Tucker, witness at the Ratko Mladic trial

After a protected prosecution witness testifying under the pseudonym RM 081 completed his evidence at the trial of Ratko Mladic, the trial continued with the testimony of British colonel Pyers Tucker. From October 1992 to March 1993, Tucker served as aide de camp to Philippe Morillon, former UNPROFOR commander in BH. Tucker has already testified at four trials in The Hague. Today Tucker's statement to the OTP investigators from May 2010 was admitted into evidence.

Prosecutor Kweku Vanderpuye read out a brief summary of the statement today in court. In the statement, Tucker says that his evidence will deal with the siege of Sarajevo and the 'ethnic cleansing' in Eastern Bosnia implemented

by the Bosnian Serb army. The witness described in his statement the artillery and sniper attacks on Sarajevo as 'acts of punishment and terrorism'.

Asked to clarify this claim, the witness said that the 'punishment shelling' involved attacks on the parts of the city from which fire had been opened on the Bosnian Serb positions. It was retaliation without any military purpose, Tucker said, because when such areas were shelled there were no military targets there. On the other hand, 'terrorist attacks' on Sarajevo were individual, random artillery attacks whose objective was to harm civilians. Colonel Tucker contends that the purpose of artillery and sniping attacks was to 'instill fear into the people and to encourage them to leave the area' under attack. Also, the Bosnian Serb civilian and military leadership controlled the water, electricity and gas supply and the shipments of other goods to the city. Most of the time, 'the tap was closed', the witness recalled.

Visiting different parts of BH, such as the Banja Luka region, Mrkonjic Grad and Eastern Bosnia, Tucker saw that everywhere, the houses of the people who had fled were torched. This 'created a consistent picture of ethnic cleansing', Tucker noted. In March 1993 Tucker accompanied General Morillon on a trip to Cerska, Konjevic Polje and Srebrenica, the enclaves in Eastern Podrinje areas. Based on his own experience from that trip and numerous reports from the UN observers, Tucker concluded that the attacks of the Bosnian Serb military forces followed an established pattern. First, the Bosnian Serb army would shell a village for several days. The village was then overrun by the ground forces. Muslim civilians knew that when the first shells fell they should flee the area. Later, as he prepared for the testimony he saw numerous VRS documents showing that the attacks on the enclaves in Eastern Bosnia had been planned by the Bosnian Serb military leadership, Tucker said.

Mladic's defense counsel Dragan Ivetic frequently interrupted the examination-in chief of the witness by objecting to the use of documents that had not been disclosed to the defence. Ivetic also objected because the prosecution asked the witness questions that only military experts could answer, as the defense contended. As the hearing drew to a close, Ivetic began cross-examining the witness.

2012-10-09

THE HAGUE

SIMILARITIES AND DIFFERENCES BETWEEN US ARMY AND MLADIC'S ARMY

Ratko Mladic's defense counsel contends that the Bosnian Serb army attacked Sarajevo following the US military doctrine called 'shock and awe'. The doctrine calls for the army with a superior artillery element to demonstrate force as soon as possible to discourage and defeat the enemy. Prosecution witness Pyers Tucker replied that the key of the doctrine was to 'limit civilian casualties as much as possible, and that was not the case in the VRS attacks on Sarajevo'

In the cross-examination of British colonel Pyers Tucker, Ratko Mladic's defense counsel strove to justify the actions of the Bosnian Serb army during the siege of Sarajevo. The defense counsel contested the witness's claims that the artillery and sniper attacks on the city 'were acts of terrorism and punishment'. As aide de camp to UNPROFOR commander in BH Philippe Morillon the witness was in Sarajevo from October 1992 to March 1993.

Describing the 'punishment attacks' of the VRS artillery yesterday, the witness said that the civilian parts of Sarajevo from which the BH Army had previously opened fire on Serb positions were shelled in retaliation. Defense counsel Dragan Ivetic reminded the witness that in his evidence at the trial of Stanislav Galic, former commander of the Sarajevo-Romanija Corps, he said that he had once received a report stating that artillery fire had been opened from the Kosevo Hospital on the VRS positions. The defense counsel put it to the witness that it was legitimate to return fire in that case. The witness replied that if you want to 'retaliate' you must be very careful about what you fire on. 'If you see a hospital, you should think twice before returning fire', the witness said, adding that in such cases the British Army troops must not respond. Other hospitals in Sarajevo, not only the Kosevo Hospital, were shelled too, the witness added, and there were no reports that fire had been opened from those hospitals on Bosnian Serb positions.

Contesting the witness's claim that the artillery and sniper attacks were 'terrorist', the defense counsel argued that the VRS used the same doctrine that is implemented by NATO and US Army. The doctrine is called 'shock and awe' and it calls for the armed forces with a superior artillery element to demonstrate force as soon as possible to discourage and defeat the enemy avoiding further casualties. The witness was aware of the doctrine. Its key is to 'limit civilian casualties as much as possible, but that was not the case in the VRS attacks on Sarajevo'.

The defense counsel recalled parts of the witness's statement where he said that UNPROFOR staff established that a shell that hit Morillon's headquarters had been fired from the BH Army positions. Today the witness confirmed that. The witness didn't recant on his testimony at Radovan Karadzic's trial that after he continued his service in Germany he heard from a former UNPROFOR member that the shell that hit the town market in the Markale 1 incident had been fired from the Muslim positions. Asked about the name of the person, the witness couldn't remember.

The witness agreed that the Muslim side sometimes exaggerated the suffering of its people in order to push for an international intervention. Also, the witness didn't deny that the Muslim side sometimes obstructed the repairs of the water and electricity supply system for Sarajevo and that in some cases weapons were smuggled in on humanitarian aid convoys. However, the witness emphasized that keeping the supply lines open for the people in Sarajevo depended exclusively on the good will of Serb military and political leadership. 'They used every excuse to turn off the tap if necessary or to open it just a little bit', Pyers Tucker concluded. Former head of UN observers in Sarajevo John Wilson is scheduled to start his evidence tomorrow.

2012-10-10

THE HAGUE

MLADIC HAD 'MORE CANNONS THAN SOLDIERS'

Australian general John Wilson testified about the superiority of the Bosnian Serb forces over the defense of Sarajevo in the spring of 1992. Wilson said that in 34 years of his military career he had never seen military force used as 'excessively, disproportionately and indiscriminately' as it was in Sarajevo, although he had served in Vietnam and Lebanon



◀ John Wilson, witness at the Ratko Mladic trial

The trial of the former commander of the Bosnian Serb army Ratko Mladic continued today with the evidence of Australian general John Wilson. The witness spoke about his experience during his brief but eventful stay in Sarajevo from mid-May to late June 1992. At the time, Wilson was the head of the UN military observers in the former Yugoslavia. Before his arrival in BH, Wilson did a tour of duty in Croatia.

In his statement to the OTP investigators the witness said that in the spring of 1992 other military observers

sent reports to him about the ethnic cleansing of Bijeljina, Zvornik and Podrinje and about the unlawful detention of civilians. Wilson's evidence focused on his stay in Sarajevo. While he was there, Sarajevo was under 'constant, heavy and widespread' shelling and sniping from the VRS positions day in day out, the witness contends.

In 34 years of his military career, the Australian general went through the war in Vietnam, Lebanon and Croatia. The witness claims that until he came to Sarajevo he had 'never seen fire at such a scale, especially on civilian targets'. Thousands of shells fell on the city every day and civilians were exposed to constant sniper attacks, the witness said. When General Wilson complained about it to General Mladic, Mladic didn't deny responsibility. Mladic tried to justify the attacks saying this was done to 'defend the Serbs or respond to attack'.

The witness said that he received reports about the occasional provocations of the BH Army artillery; they'd fire a few shells from the front line or opened fire from mortars mounted on a truck. The Serb forces responded 'excessively, disproportionately and indiscriminately', Wilson insisted. The response to the two or three shells fired on Serb positions would be hundreds of shells per square kilometer of the city residential areas.

General Wilson met Mladic several times. As he said, Mladic had complete control over the Bosnian Serb army that kept Sarajevo under siege. Wilson came to this conclusion based on the fact that fire was suspended on the order of the accused when the soldiers were evacuated from three JNA military barracks in Sarajevo in May 1992. Also, Wilson was present when Mladic threatened twice he would retaliate against Sarajevo. The first time Mladic said that he would 'raze half of the city to the ground' if JNA soldiers weren't evacuated. Mladic threatened again he would 'raze all of Sarajevo to the ground' if the international community intervened militarily. Asked if he had taken Mladic seriously, the witness replied, 'Of course, he fully intended to implement everything he said, both the good and the bad'. When Mladic heard Wilson's words he reacted by nodding in agreement.

Prosecutor Bolton tendered into evidence two intercepted conversations which show that Mladic had the power to control the situation in Sarajevo. In the first conversation of 21 May 1992, Mladic tells a JNA officer stationed in one of the barracks in the city: 'Tell them they can't do anything, they can't breathe because Sarajevo is under siege'. Three days later, talking to the defense minister in the BH government Jerko Doko Mladic said: 'You should know that Sarajevo is within range of my artillery. It is your head under my feet, not the other way around'. In yet another conversation, Mladic bragged he had 'more artillery pieces than troops'. The witness said that UN observers who visited the VRS positions confirmed that boast. In their reports, UN observers said there were 'more cannons than soldiers'.

General Wilson's examination continues tomorrow.

2012-10-11

THE HAGUE

GENERAL MLADIC 'OUT OF CONTROL'

Former head of military observers in Sarajevo John Wilson said that after the heavy shelling of Sarajevo on 28 May 1992 he listened to an intercepted conversation in which General Ratko Mladic ordered his troops to attack. The JNA officers inside the city distanced themselves from the attack, claiming that Mladic was 'out of control'. The accused again could not restrain himself and was once again removed from court for obstructing the trial

The examination-in chief of Australian general John Wilson, former head of the UN military observers in BH, continued today at the trial of Ratko Mladic. Wilson described 'one of the two hardest nights' he experienced during his stay in Sarajevo, from mid-May to late June 1992. The shelling began on 28 May 1992 at 5pm and lasted until the early morning on the next day. According to the witness, between 5,000 and 10,000 shells were fired on the city; most of them landed on downtown Sarajevo.

The day after the attack, General Wilson was invited to a meeting with the representatives of the BH authorities and JNA officers; the latter were waiting for an agreement to evacuate their units from the city. Minister Jerko Doko played to the people at the meeting a recording of a radio message intercepted on 28 May 1992. In the intercept, Ratko Mladic ordered his troops to attack Pofalici and Velesici because 'there is not much Serb population there', the Dobrovoljacka, Humska and Djure Djakovic Street and the BH Presidency building. 'But use artillery reconnaissance so that they can't sleep, we'll roll out their minds', Mladic ordered his subordinate officer.

Asked how the attendees reacted after the intercept was played, General Wilson said that they were 'confused, astounded and surprised'. Even the JNA representatives wanted to distance themselves from the attack. General Boskovic and Colonel Cado apologized, saying Mladic was 'out of control' and that he ignored the JNA orders to stop the shelling.

A day after the order was broadcast on Radio Sarajevo, Mladic denied in an intercepted conversation that it was his voice. Talking to a man called Popara, Mladic said, 'they make a mockery and fool their people' by hiring 'pantomime actors or good imitators who can imitate voices successfully, mine, yours, everybody's'. Asked if anyone at the meeting of 29 May 1992 thought it was not Mladic's voice in the recording, General Wilson replied that six JNA officers and several BH Presidency officials present at the meeting 'didn't have the slightest doubt that it was General Mladic's voice'.

In a bid to prove that the accused had absolute control over the VRS forces holding Sarajevo under siege, the prosecutor showed a conversation intercepted on 25 May 1992 in which Mladic announces there would be 'retaliation and shock' if the JNA barracks are not evacuated on time. 'I have blocked Sarajevo from all four sides. There is no way out. It's caught in a mousetrap', Mladic added. The witness said that those words reflected what in fact had been 'the reality in the field' at the time.

In the second part of the hearing, Mladic's counsel Nenad Petrusic started cross-examining the witness. Just before the end of the last session, the accused was removed from the courtroom. The Trial Chamber decided to throw him out after Mladic was repeatedly warned not to speak loudly to his defense counsels and to comply with the Trial Chamber's decision compelling him to communicate with his lawyers 'silently', using written notes. The decision was made because Mladic would use his verbal communication with the defense to influence the witnesses. Mladic will be allowed to return to the courtroom after John Wilson completes his testimony.

2012-10-12

THE HAGUE

MLADIC COULD ORDER A CEASE FIRE IF HE WANTED

The transcript of an intercepted conversation from May 1992 in which Ratko Mladic orders his subordinates not to open fire on Sarajevo during the evacuation of the JNA troops was presented to John Wilson today. The former head of UN observers in BH said that it meant Mladic could impose a ceasefire 'if he wanted'. The prosecution will continue its case on 29 October 2012



◀ John Wilson, witness at the Ratko Mladic trial

It is the defense's case that when Ratko Mladic threatened he would 'raze Sarajevo to the ground' before the international officials, he was in fact acting out of concern for the safety of the JNA troops. At that time, the JNA forces had not yet been evacuated from Sarajevo. In the cross-examination of Australian general John Wilson, defense counsel Nenad Petrusic recalled that in the first half of March 1992, JNA columns pulling out of BH had been attacked, first in Dobrovoljacka Street in Sarajevo, and later in Tuzla. Dozens of soldiers and officers were killed in the attacks. The witness didn't deny that the accused had reasons for concern. Nevertheless, Mladic shouldn't have acted on his concern by retaliating against the citizens of Sarajevo, the witness insisted throughout his evidence.

In a bid to show Mladic's purported commitment to finding a peaceful solution for the problem, the defense showed the transcript of a conversation intercepted on 24 May 1992. In the conversation, Mladic orders one of his subordinate officers, 'Tell those guys up there to keep it quiet, don't let this shooting happen, you are ruining everything else for me'. This was a reference to the evacuation of the remaining JNA troops from the city. The witness confirmed it, adding that this showed General Mladic could 'impose a ceasefire if he wanted'.

Some time before the intercepted conversation, the Viktor Bubanj barracks were evacuated; the Jusuf Djonlic barracks were evacuated a few days later. Only the soldiers in the Marsal Tito barracks had to be evacuated, after an agreement was reached about the weapons they could take with them. At a meeting with General Wilson on 25 May 1992, Mladic threatened he would 'raze half of the city to the ground' if the evacuation of the JNA troops was not completed in three days. One of the two heaviest artillery attacks on the civilian areas the witness could recall followed. The Marsal Tito barracks were evacuated soon afterwards. General Wilson was in Sarajevo from mid-May to the end of June 1992 as the head of the UN military observers.

Today, presiding judge Orić asked the defense to explain its position on the intercepted conversations involving Mladic. As Judge Orić noted, the defense on the one hand challenge the authenticity of the intercepts, but on the other, the defense has used them in a bid to prove the innocence of the accused. Defense counsel Petrusic stated that the defense considered the intercepts were not authentic, but wanted to examine the witnesses about them in case the Trial Chamber decided to admit them into evidence.

Yesterday, Mladic was removed from court because he failed to comply with the judges' order to communicate with his defense only in writing. After Wilson completed his evidence today Ratko Mladic returned to the dock for a brief administrative hearing. The trial will be adjourned for two weeks; the prosecution case will continue on Monday, 29 October 2012.

2012-10-29

THE HAGUE

TOO YOUNG TO SERVE IN THE ARMY, OLD ENOUGH TO KILL

The trial of Ratko Mladic continued with the evidence of Grgo Stojic, one of six Bosnian Croats the Serb forces took away from the village of Skrljevita near Sanski Most to be executed on 2 November 1992. The defense contends that the perpetrators of the crime belonged to the 'irregulars' and at least two of them were 'legal minors'. The witness replied that the two of them were too young to serve in the army 'but old enough to kill'. Mladic missed the first part of the hearing because he wanted to 'finish his breakfast'



◀ Grgo Stojic, witness at the Ratko Mladic trial

Grgo Stojic started his testimony at the trial of Ratko Mladic. On 2 November 1992, Serb forces took six Bosnian Croats to be executed in the village of Skrljevita near Sanski Most. Stojic is the sole survivor. The witness later learned that several other people had been killed in the village that day. Sanski Most is one of the six municipalities in Bosnia and Herzegovina where, as alleged in the indictment against Mladic, the crimes of the Serb forces against Croats and Muslims reached the scale of genocide.

Stojic has testified about the persecution of Croats at the trials of Radoslav Brdjanin and Radovan Karadzic. The prosecutor read out the summary of Stojic's statement.

Stojic and five other Croat civilians were arrested, robbed and finally brought to the foothills of the Glamocnica Forest, where an execution was staged. Only the witness survived; he was wounded in the stomach, hand and hip. He was first taken to Sanski Most and then to a hospital in Banja Luka. He was detained in a room he described as a 'cell' in the urology ward.

Soldiers kept guard in front of the 'cell' day and night. They removed the door handle and kept it with them. With the soldiers' permission, other soldiers and civilians came to the room and beat prisoners with boots, rifle butts and whatever they could lay their hands on. Stojic was beaten twice. On 11 December 1992, Stojic was 'released' from the hospital. He went to Croatia and then to America, where he had hand surgery and medical treatment.

In the cross-examination, Mladic's defense counsel Dragan Ivetic argued that the Serb authorities in Sanski Most launched an investigation as soon as they learned from witnesses about the crime in the village of Skrljevita. The authorities established the identities of four perpetrators. Two of them - Todor Vokic and Goran Vukojevic - were minors and couldn't have been part of the 'regular' Serb forces. The other two, Danilusko Kajtez and Milos Maksimovic, were tried in 2007 at the District Court in Banja Luka. Kajtez and Maksimovic were both acquitted and in 2008 the Supreme Court of Republika Srpska confirmed the judgment.

The witness said that 15-year old Vokic and 17-year old Vukojevic would have been 'too young' to do their military service in peacetime, but were 'old enough to kill', the witness added. Stojic agreed that the four executioners couldn't be considered as 'regular' soldiers and described them as 'criminals carrying arms'.

As Ivetic had put it to the witness that Kajtez was a 'common criminal doing things for financial gain', in the re-examination the prosecutor noted there were documents from the Banja Luka military court stating that Maksimovic and Kajtez were members of the VRS 6th Krajina Brigade.

Ratko Mladic missed the first part of Stojic's evidence this morning. He was not in court on time for the beginning of the trial. According to a report from the Detention Unit, Mladic wanted to 'finish his breakfast' and that apparently took a while. In the judges' view, his expressed preference for breakfast rather than a timely arrival in court meant that Mladic waived his right to attend the trial. The accused arrived in the Tribunal some 15 minutes after the beginning of the hearing but was not allowed to enter the courtroom until after the first break.

2012-10-31

THE HAGUE

CHILDREN MASSACRED WHILE PLAYING IN THE SNOW

Muhamed Kapetanovic was nine years old when he was seriously wounded in the shelling of Alipasino Polje. Kapetanovic said that children had been playing in the snow because it had been a quiet day. A BH Army unit had its HQ in a nearby building, but no fire was opened from it that day, the witness claimed



◀ Muhamed Kapetanovic, witness at the Ratko Mladic trial

Muhamed Kapetanovic was nine years old when he was wounded on 22 January 1994 in a shell explosion in the Sarajevo neighborhood of Alipasino Polje. The statement that the witness gave to the Tribunal's investigators in 2000 was admitted into evidence today at the trial of former commander of the VRS Main Staff Ratko Mladic.

The indictment alleges that on 22 January 1994, three shells were fired from the territory under the VRS control, hitting Alipasino Polje. The first shell hit the park behind residential buildings in the streets that were called Cetinjska and Klare Cetkin at the time. They have been renamed Geteova and Bosanska Streets. Two shells fell in front of the buildings where the children were sledding. Six children were killed and five were injured.

When the first shell hit, the boys ran towards the buildings, Kapetanovic recounted, but then another shell fell behind them. Kapetanovic was hit in the left leg and arm and the left side of the face; he fell on the sidewalk. Kapetanovic saw 11-year old Daniel Juranic, who was 'decapitated' by a shell fragment. He also saw Elvir and Admir Ahmethodzic who were wounded. The witness tried to stand up but couldn't. Kapetanovic's father drove him to the hospital in Dobrinja; he was then transferred to the Kosevo Hospital. A month later Kapetanovic was evacuated to Italy. In the course of the next two years, the witness underwent surgery seven times. Admir Ahmethodzic had his left leg amputated.

The reports on the sledding massacre were shown in court. In one of the reports broadcast by the Sarajevo TV later that night, Muhamed Kapetanovic is seen after he received first aid. Lying in a hospital bed with his face bandaged up because of the jaw injury, Kapetanovic spoke about the moment in which a shell fell between him and Daniel Juranic, injuring him and killing Daniel. The footage also showed the bodies of dead children and the witness's father speaking about the moment when he saw the wounded and dead children from a window on his building.

In a brief cross-examination, Mladic's defense counsel Miodrag Stojanovic expressed his sympathy for the witness's ordeal. He tried to establish if at the time the witness had known what kind of shell had been fired and the origin of fire. Kapetanovic knew nothing. On a map, Kapetanovic marked where he was when he heard the first shell and when he was hit. Kapetanovic also marked on the map the building near the scene, which, as he had 'heard', was used by the Kulin ban unit. In the re-examination, the witness confirmed to the prosecutor that on that day he didn't hear any infantry or artillery fire coming from that building. The children were out sledding because it was a quiet day, the witness explained. According to the adjudicated facts that the Trial Chamber has taken formal notice of, there were no military activities and the BH Army soldiers weren't seen in the neighborhood; there were only children playing in the snow. It was established that the building of the Kulin Ban unit command was not the target of the attack.

Before Kapetanovic's testimony, prosecution expert Dorothea Hanson completed her evidence. Today, she spoke about the role and function of the crisis staffs and their relationship with the army. Former UN military observer in Sarajevo Richard Mole began his testimony at the end of the hearing today.

2012-11-01

THE HAGUE

BLOCKING SARAJEVO TO ACHIEVE OBJECTIVES IN OTHER BATTLEFIELDS

Former senior UN military observer Richard Mole notes that Bosnian Serbs' 'strategy was to block Sarajevo' and put pressure on the city in order to achieve their objectives in other battlefields. General Ratko Mladic has agreed that the trial proceed in his absence while he undergoes medical examinations



◀ Richard Mol, witness at the Ratko Mladic trial

British lieutenant colonel Richard Mole started his testimony at the trial of the former VRS Main Staff commander Ratko Mladic today. Mole testifies about the three months he spent in Sarajevo as a senior UN military observer, from 16 September to 26 December 1992.

According to the summary of his evidence at the trials of Stanislav Galic and Radovan Karadzic, Mole was in charge of about 60 military observers deployed on both sides of the confrontation line. The mandate of the observers was to monitor the situation in Sarajevo and report on the use of heavy artillery. Mole confirmed

that the Sarajevo-Romanija Corps shelled Sarajevo 'intensively, indiscriminately and randomly' and thus put 'heavy psychological pressure' on its citizens. Galic in turn threatened he would shell Sarajevo if the developments on other frontlines were to go against the Bosnian Serbs.

After three months in Sarajevo, Mole concluded that the Bosnian Serbs' 'strategy was to close off the city and use force not justified by military necessity' in order to 'accomplish their objectives in other battlefields'. The prosecutor corroborated this with Radovan Karadzic's statement that "because of the operations in Sarajevo, there was no fighting in Krajina, Semberija, along the Drina River, in all areas where there might be conflicts with Muslims". Mole said the statement was a 'revelation' to him because it corresponded with his assessment that the events in other places affected the situation in Sarajevo.

In the cross-examination, defense counsel Dragan Ivetic put it to the witness that the military observers were not there to count the shells, which is what they did in their reports. Mole confirmed it, insisting that the military observers made every effort to remain 'neutral, to interpret events and determine the truth about what happened'. The witness also confirmed that the SRK took over the Territorial Defense units and that it was very difficult to establish a joint chain of command in the local units. In Mole's view, that was 'a major difficulty' for both warring factions: it resulted in the local commanders 'going rogue'.

The defense counsel quoted Mole's evidence from Karadzic's trial, where he said that Western media were biased, 'anti-Serb' and didn't always accurately report the intentions of the warring sides. This made it more difficult to pursue negotiations with the two sides because they would assume a 'tougher stance' and were less ready to compromise, Mole claimed. He gave an example of a journalist from the BBC who, Mole contended, published an 'invented story' from Sarajevo. Mole shared the journalist's name in closed session.

The defense counsel put it to the witness that the BH Army had heavy artillery deployed on positions on Mount Igman and could target any part of the city they chose. Mole confirmed that Serbs 'constantly complained that the Presidency troops would open fire from Mount Igman on civilian areas under Serb control'. This led to Galic's threats that he would open fire on Sarajevo if this practice continued, Mole said.

The cross-examination of Richard Mole will resume tomorrow in Mladić's absence. The accused has agreed that the trial continue in his absence. When the presiding judge allowed Mladić to leave the courtroom this morning, Mladić first saluted and then waved to the Trial Chamber, the witness and the audience in the public gallery.

2012-11-02

THE HAGUE

LEGITIMATE MILITARY TARGETS IN SARAJEVO

British lieutenant colonel Richard Mole was cross-examined by Mladić's defense. He confirmed that the mobile mortars and tanks in Sarajevo were legitimate targets. He did add a caveat: only immediate response to their fire could be 'effective'. Whatever the side under attack did in such a 'frustrating situation', it was bound to be wrong



◀ Richard Mol, witness at the Ratko Mladić trial

In the cross-examination of British lieutenant colonel Richard Mole, Ratko Mladić's defense counsel tried to justify the shelling of Sarajevo by the VRS in late 1992, when Mole served as senior UN military observer in Sarajevo.

Defense counsel Ivetic referred back to the witness's statement from 1997 to argue that the BH Army in Sarajevo targeted Bosnian Serb positions using mobile mortars. This, the defense argued, rendered the positions from which fire was opened legitimate military targets and the Sarajevo-Romanija Corps could respond and neutralize the source of fire. Mole agreed with the defense, but with a caveat that only immediate response

to fire could be 'effective'. Mobile mortars would be moved away from the position where they had been fired and fire could not be returned immediately because this was not 'a game of table tennis'.

In his reply to a hypothetical question asked by the presiding judge, Mole said that 'movement' of mortars could result in the rounds falling short of the target, hitting the BH Army-controlled territory instead of the enemy positions.

The defense counsel brought up the witness's statement that the Bosnian Serbs put the pressure on Sarajevo and that the 'Presidency forces' used the situation in the city to 'reinforce the image of the victim even when they were responsible for the attacks'. Mole confirmed that the BH Army deployed artillery near the Kosevo Hospital and other civilian facilities. According to the witness, this 'was a direct provocation' to the Serbs to attack. These weapons were a legitimate military target even if they weren't used, Mole said.

Mole also confirmed that the BH Army 1st Corps had about 70,000 soldiers, half of whom were deployed in Sarajevo.

Soldiers were often stationed in schools and other civilian buildings; this rendered such buildings legitimate military targets, in Mole's opinion.

At the end of the cross-examination the defense counsel showed the witness a series of reports of the Sarajevo-Romanija Corps about their response to the BH Army attacks from Mount Igman. The response was 'militarily legitimate and justified', the witness confirmed.

In the re-examination, Mole noted that targeting mobile mortars with artillery 'is not the best response' because the mortars 'were probably moved elsewhere' and the artillery rounds could cause civilian casualties. When the presiding judge suggested that in such situations the response of the side under attack was 'always wrong' the witness smiled and said that it was an extremely frustrating situation. 'It is like trying to crack hazelnuts with a hammer'.

2012-11-02

THE HAGUE

VENTING ANGER ON PRISONERS

The trial of Ratko Mladic continued in his absence because he was undergoing medical examinations. In 1992 and 1993, witness Elvir Pasic, former police officer from Rogatica, was detained in the Veljko Vlahovic School in Rogatica and in the prison camps in Susica and Batkovic



◀ Elvir Pasic, witness at the Ratko Mladic trial

In 1992 and 1993, Elvir Pasic from Rogatica was detained in the Veljko Vlahovic school and the prison camps in Susica and Batkovic. In his evidence at the trials of Dusko Tadic and Dragan Nikolic, Pasic spoke about his detention, the beating and killing of prisoners in Serb prisons and camps. In the case against Mladic, the witness's statement to the OTP investigators from October 2004 was admitted into evidence.

Before the war Pasic worked as a police officer in Rogatica. After the police was divided based on ethnicity in late March 1992, Pasic resigned because he 'didn't want to get involved in any conflict'. Two months later, on 25 May 1992, Serb forces launched a surprise artillery

attack on Rogatica and then entered the town. The Serb troops embarked on a campaign of cleansing the town of 'Muslim extremists' and 'Green Berets'; there were purportedly 4,000 of them. According to the witness, they were local civilians.

Pasic hid in a basement until 7 June 1992 when he was arrested and taken to the Veljko Vlahovic school. The witness was detained there together with about 300 inhabitants of Rogatica. After about 20 days, the witness was first transferred to a farm near Rogatica where the Serb forces' command was located. Pasic was then taken to the Susica prison camp and finally ended in the Batkovic prison camp. The witness remained there until July 1993 when he was exchanged and released.

In the examination-in chief, Pasic said that Serb soldiers who arrested him on 7 June 1992 wore camouflage JNA uniforms. Some of them had grey and blue uniforms and all but two of them wore black masks. Soldiers separated the captured men from the women and children, tied their hands with wire and then forced them to lie face down on the ground. Pasic was taken to the Veljko Vlahovic school with the women and children. Enes Korjenic was the only survivor from the group of men arrested that day. Korjenic was set free after Rajko Kusic intervened on his behalf.

In the cross-examination, Mladic's defense counsel Miodrag Stojanovic put it to the witness that in his written statement he gave his assumptions, not facts. The defense counsel gave an example: the witness said in his statement that in 'mid-August' a 35-year-old man from Bijeljina, nicknamed Professor, was taken out of the hangar in the Batkovic prison camp and killed. The defense counsel then showed the indictment against the prison camp warden, his deputy and two other persons in charge in the Batkovic prison camp. The indictment alleges that Ferid Zecevic a/k/a Professor from Bijeljina was killed on 28 July 1992. Pasic agreed today that because of the ordeal he had been through he might have been mistaken about the date, but he still believed that Zecevic was killed in mid-August 1992.

In his response to the defense lawyer, the witness stuck to his claim that he saw two prisoners beaten to death in the Batkovic prison camp. Serb soldiers often came to the prison camp from the frontlines to 'vent their anger on prisoners', the witness explained. Some detainees didn't survive the beatings.

The trial of Ratko Mladic - who was absent from the courtroom because of some medical examinations - will continue on Monday, 5 November 2012.

2012-11-05

THE HAGUE

ISMET SVRAKA TESTIFIES FOR THE SECOND TIME AT THE TRIBUNAL

Ismet Svraka from Sarajevo testified at the trial of Ratko Mladic today. The explosion of a shell at the Markale market on 28 August 1995 left Svraka permanently disabled. Svraka's left leg was amputated above the knee, he lost two toes on his right foot and he sustained a serious abdominal injury. The consequences of his injuries are obvious, Svraka said, but 'still, you have to go on living'



◀ Ismet Svraka, witness at the Ratko Mladic trial

Ismet Svraka from Sarajevo got his wish from December 2010 after he had completed his evidence at the trial of Radovan Karadzic: to be called once again to The Hague to testify about the Markale massacre 'when Mladic is here'.

Svraka arrived in court on crutches because his left leg had been amputated above the knee after he had been wounded in the explosion of a mortar shell at the Markale market. As alleged in the indictment, the shell was fired from the positions held by the Bosnian Serb army. Svraka also lost two toes on his right foot and he sustained a serious abdominal injury. Svraka said that the consequences of his injuries were obvious and

permanent because, as he put it, the amputated leg will not grow again. 'Still, you have to go on living,' he said.

The witness recalled that the shell exploded as he was standing in front of the market entrance talking to his two friends, Ramo Hercegljija and Ibrahim Hajvaz. Hercegljija and Hajvaz were killed on the spot. The witness heard the explosion but didn't remember falling down on the ground. When he realized he was breathing, Svraka opened his eyes but didn't see anything until the moment he was put in a car. Svraka remembered the driver who told him 'don't be afraid, grandpa' and some of the drive to the Kosevo Hospital, where he received medical treatment.

As he watched in court the horrible scenes of the aftermath of the explosion at the Markale market, Svraka was able to recognize himself. He was sitting on the sidewalk in front of the market entrance with his back to the camera, propping himself on his hands against the ground among a pile of dead and wounded people.

Mladic's defense counsel Miodrag Stojanovic insisted in the cross-examination that the witness didn't hear the 'whiz' of a shell flying in. The defense counsel put it to the witness that the explosion may have been caused by a land mine. Svraka confirmed that he had heard only the detonation but added that in the war in Sarajevo he had learned that the whizzing sound could be heard only when a shell flew over, not when it impacted in close proximity. In Svraka's opinion, a mortar shell hit the Markale market, as evidenced by the marks in the asphalt. 'They are called the Sarajevo roses, the places where the shells killed people', the witness explained.

The defense counsel asked the witness to tell him from which direction the shell had arrived. Svraka assumed that the shell might have come from the direction parallel to the street but finally concluded that he didn't know where it had come from. 'I didn't fire it', the witness said.

Before Ismet Svraka's testimony, the prosecution called a witness who testified with protective measures, under the pseudonym RM 082. His evidence proceeded for the most part in closed session. The witness's written statement was admitted into evidence. The witness described the training of the SDS members by the JNA, the elimination of non-Serbs from the VRS ranks, the failure to punish the perpetrators of crimes, the implementation of the strategic goals, the relationship between the VRS and the paramilitaries and various military operations by the Serb army. The defense will cross-examine the witness as the trial of Ratko Mladic continues tomorrow.

2012-11-06

THE HAGUE

VRS INSIDER GIVES EVIDENCE

Former commander of one of the brigades in the VRS 1st Krajina Corps is testifying at the trial of Ratko Mladic. The protected witness contends that the Bosnian army and police should have taken harsher measures against the persons responsible for the crimes at the very beginning of the war. In parts of the evidence in open session, the witness spoke about the massacre of 150 Muslims in the school in the village of Grabovica near Kotor Varos in November 1992

Former commander of one of the brigades in the VRS 1st Krajina Corps testifies at the trial of Ratko Mladic under the pseudonym RM 802. The witness contends that the Bosnian Serb police and army, at all levels in the chain of

command, from companies to battalions, brigades, corps and the Main Staff, should have taken harsher measures against the persons who were guilty of crimes. 'That should have been nipped in the bud', the witness said. The witness holds himself and his former commander responsible for the failure to do that.

'I remember that I was powerless to take such measures', the witness said. The witness also recalled how he was present when a soldier stood up and said, 'Now I am going to burn down some Muslim houses'; he claimed he had nothing better to do. The witness claims that at first he was able to stop the soldier but a few hours later the soldier disappeared, off to torch the houses. 'I was not able to punish him at all', the witness said.

The witness's written statement was admitted into evidence after the examination-in chief. In the statement, the witness spoke about the massacre in the school in the village of Grabovica near Kotor Varos, in which 150 Muslims who were trying to break through to Travnik were captured and killed in early November 1992. The prosecution alleges that the murder of the Muslims in Grabovica was an integral part of the pattern of ethnic cleansing implemented by the troops under the command of the accused in 1992 in about 20 BH municipalities. The ethnic cleansing in Kotor Varos and some other regions reached the scale of genocide. The defense blamed the incident on 'local [Serb] civilians'.

Defense counsel Miodrag Stojanovic showed the witness two reports drafted by the 1st Krajina Corps command and sent to the VRS Main Staff. The report of 4 November 1992 states that there was a clash when 'the negotiations about the evacuation from the Vecici area were turned down'. Forty members of the Green Berets were killed and 200 arrested in the clash. The report notes that 'the massacre began' when a Serb soldier was killed and four were wounded. The report sent next day, on 5 November 1992, states that 'more than 150 extremists were killed in combat'.

The witness confirmed the information was not correct. Asked how it was possible to 'misinform' the Main Staff, the witness replied this was due to the lack of 'a regular system of responsibility from the bottom to the top' of the chain of command. As far as the witness knew, the crime in Grabovica was never investigated. The witness was told 'to mind his own business' and that the incident would be investigated: it didn't happen. Also, the witness said that he didn't mention the incident before Ratko Mladic when Mladic visited the unit under the witness's command in the spring of 1994. 'The soldiers loved it when he visited', the witness said, probably wanting to say that he didn't want to bother the Main Staff commander with the story about the massacre of 150 Muslims.

2012-11-07

THE HAGUE

STRICT LINE OF COMMAND WITH MLADIC ON TOP

According to the prosecution military expert Richard Philipps, the Sarajevo-Romanija Corps was a well-organized formation. Philipps suggested that it would not have been possible to attack the citizens of Sarajevo with shells and snipers without the knowledge of the corps command and its superior command, the VRS Main Staff, headed by Ratko Mladic. The accused was cautioned and told he would be removed from court if he didn't change his behavior



← Richard Philipps, witness at the Ratko Mladic trial

British military intelligence officer and former OTP analyst, Lieutenant Colonel Richard Philipps appeared today in court as a military expert for the third time before the Tribunal. After testifying in the cases against Stanislav Galic, former commander of the Sarajevo-Romanija Corps and former Republika Srpska president Radovan Karadzic, Philipps was again called by the prosecution at the trial of the former Bosnian Serb army commander Ratko Mladic.

For General Galic's trial, the witness produced a diagram with the structure of the VRS Sarajevo-Romanija Corps from 1992 to 1994. In the meantime, Philipps did a schematic of the corps for the period from 1994 to 1995, for the tenure of Galic's successor Dragomir Milosevic. The Tribunal sentenced Galic to life and Milosevic to 29 years in prison for the campaign of artillery and sniper terror against the citizens of Sarajevo. Ratko Mladic is charged with the crimes committed during the terms of office of both SRK commanders, who were his subordinates. This is just one of four joint criminal enterprises Mladic is accused of.

Based on a number combat reports he had at his disposal the witness concluded that the Sarajevo-Romanija Corps was a well-organized military formation with a professional and well-trained officer corps able to issue and relay orders to the units at the bottom of the chain of command. The reporting system in place functioned well: from the smallest units to the battalion and brigade commands and on to the very top of the corps. Richard Philipps's praise for the corps and the entire VRS supports the prosecution's case: the shelling and sniping targeting the citizens of Sarajevo couldn't have gone on without the knowledge and orders of the Bosnian Serb army leadership.

As regards the links between the Corps command and the accused Mladic, the witness highlighted a document showing that Stanislav Galic issued orders to his subordinate officers based on an order from the VRS Main Staff. Also, in a document of 16 June 1994, Mladic granted Dragomir Milosevic' request for air bombs for the Corps. Mladic ordered the Corps personnel to comply with specific rules regarding the storage of the air bombs. These were 250 kg bombs, and, as the witness explained, normally such bombs were dropped from aircraft but the Sarajevo-Romanija Corps modified them and fired them from launchers mounted on vehicles. This novel approach resulted in highly inaccurate targeting and civilian casualties in Sarajevo neighborhoods, the prosecution alleges.

In the second part of the hearing, Mladic's defense counsel Branko Lukic began cross-examining the witness. The accused tried several times to speak to his defense counsels, in a loud voice. In a previous decision, the Trial Chamber prohibited Mladic from talking to his defense, because he abused the privilege to address the witnesses. When Judge Orié gave him the last warning, telling him he would be removed from court, General Mladic settled down.

2012-11-08

THE HAGUE

ARMY AND PRISONS CAMPS IN PRIJEDOR

Journalist Nusret Sivac began his evidence at the trial of General Ratko Mladic; he spoke about the 'brutal and inhumane conditions', beatings, torture, killing and 'cruel abuse' of prisoners in the Prijedor prison camps of Keraterm, Omarska and Trnopolje. Sivac contends that the VRS, active police and drafted villagers provided security in prison camps



◀ Nusret Sivac, witness at the Ratko Mladic trial

The trial of Ratko Mladic, former commander of the VRS Main Staff, continued with the evidence of Nusret Sivac, a journalist and writer, who spent a part of the summer of 1992 in the Prijedor prison camps as a detainee. Sivac's consolidated statement based on his evidence at the trial of Milomir Stakic was admitted into evidence. Stakic, former president of the Prijedor municipality, was sentenced to 40 years for the crimes in the prison camps of Omarska, Keraterm and Trnopolje. Sivac also testified at the trials of Miroslav Kvočka and others, Radoslav Brdjanin, Mico Stanisic and Stojan Zupljanin as well as against Radovan Karadzic.

Prosecutor Milbert Shin read out a brief summary of the statement. Until the end of 1989, Sivac worked in the Security Service in Prijedor and in 1992 he worked for the Sarajevo TV. Sivac described the takeover of power in Prijedor in April 1992, the ethnic cleansing and persecution of non-Serbs and the destruction of religious buildings and property.

Sivac was first arrested on 10 June 1992 and was taken to Keraterm and then Omarska, only to be released the same day. Ten days later, Sivac was rearrested and held in Omarska. In his statement to the OTP Sivac described the 'brutal and inhumane conditions' in which prisoners were held, how they were beaten, tortured, killed. He also described the 'cruel abuse' of the female detainees. On 7 August 1992, the witness was transferred to Trnopolje and remained there until the end of the month.

In July 1992 a delegation arrived in Omarska, Sivac said. Among others, it included Stakic, who was the president of the Prijedor municipality and the municipal SDS, Brdjanin, who was the president of the Autonomous Region of Krajina, Major Zeljaja and three top officials from Banja Luka: Vukic, Radic and Zupljanin.

According to Sivac, the interior security in the Omarska prison camp was provided by the active and reserve police and soldiers who had been called up. Villagers who had been drafted provided the security of the outside perimeter: they formed two concentric circles around the prison camp separated by a mine field. Sivac also said that RS soldiers and two former police officers were securing the Trnopolje prison camp. Slobodan Kuruzovic was the Trnopolje prison camp commander, the witness said, and the Balaban brothers, who were in the military police, assisted Kuruzovic. Sivac identified as guards Boro Grubic, a former journalist, and Zoran Kneginjac, an acquaintance. Members of the VRS town battalion Aco Ostojic and his sons Roman and Igor guarded the prison camp perimeter. Nusret Sivac will continue the evidence tomorrow.

2012-11-08

THE HAGUE

WHO CONTROLLED ARTILLERY AROUND SARAJEVO: MLADIC OR SDS?

In the cross-examination of the prosecution military expert Richard Phillips, Mladic's defense tried to shift the blame for the shelling of Sarajevo on the Bosnian Serb politicians. The prosecution brought up to a document showing that the Main Staff controlled the Sarajevo-Romanija Corps and could even directly decide about the deployment of the artillery around the city



◀ Richard Phillips, witness at the Ratko Mladic trial

Ratko Mladic's defense counsel began cross-examining British lieutenant colonel Richard Phillips today. In a bid to contest the witness's expert findings that the VRS Sarajevo-Romanija Corps was a professional and well-organized formation, Mladic's defense counsel tried to prove that the political authorities in Republika Srpska were responsible for the attacks on Sarajevo. According to previous Tribunal's judgments, the Sarajevo-Romanija Corps was responsible for the shelling and sniper attacks on Sarajevo civilians. In the VRS chain of command, this unit was subordinated to the accused General Mladic.

Defense counsel Branko Lukic showed an official record of 4 August 1995, in which a security officer in the Sarajevo-Romanija Corps criticizes the corps commander for making personnel changes 'based on the wishes of the Serbian Democratic Party and not according to the officers' military skills'. The military expert warned it would be a 'dangerous step' to conclude that such things actually happened based on a single document. Also, the military expert noted it was 'unusual, even shocking' for a lower-ranking officer to criticize his superior in an official record. The witness did agree it would indeed be bad to appoint officers based on political decisions, if that indeed happened. The record also says that the 'Sarajevo-Romanija Corps artillery is under immediate control of the party'. The witness replied that it was the only document making such an allegation.

The defense counsel then showed the witness the minutes from a meeting of the Sarajevo-Romanija Corps command and its subordinate units on 4 January 1995. At the meeting, the brigade commanders spoke about the problems they were encountering: soldiers who were not 'properly trained', lack of officer cadre leading to only 30 percent of command posts being filled in some units and the average age of soldiers in some cases being over 50. The witness agreed that soldiers were 'relatively poorly trained'; this was a problem. However, the units underwent constant training to improve the situation. The witness also said that the officer staffing levels were at about 50 percent of the establishment levels. As regards the soldiers' age the witness contends that every option has its advantages and drawbacks: older soldiers were 'wiser' while younger were physically fitter.

In this report, an officer complained about the 'irregular reporting' from the field. Phillips said that as he examined a large number of reports, he noted that their quality varied. However, any officer could confirm their authenticity by comparing the data he received with the situation in the field, Phillips argued.

In the re-examination, prosecutor Grace Harbour showed the witness an excerpt from these minutes in which the corps commander Dragomir Milosevic issues an oral directive to 'improve the training and morale of soldiers, to increase combat readiness of units and to take measures to ensure the reporting proceeds according to proper procedure'. As the witness said, it was a good example of a commander doing something to improve the situation in the corps.

The prosecution contested the defense's claim that the political structures controlled the artillery around Sarajevo. The prosecutor showed a document indicating that the VRS Main Staff ordered the transfer of artillery pieces from one unit to another within the Sarajevo-Romanija Corps. This order was issued by the chief of the Main Staff who followed Mladic's instructions, the witness explained.

Richard Phillips completed his evidence today. The trial continued with the evidence of former prisoner in the Prijedor prison camps Nusret Sivac.

2012-11-09

THE HAGUE

'BLOODY ADMISSION SYSTEM' IN OMARSKA

On their arrival in the Omarska prison camp, prisoners had to go through a 'bloody admission system': beatings that many of them didn't survive, former prisoner Nusret Sivac said. The defense wants to prove that the SDS Crisis Staff was responsible for the crimes in Omarska, Keraterm and Trnopolje. A former member of the Sarajevo security service began his evidence later today



◀ Nusret Sivac, witness at the Ratko Mladic trial

The examination-in-chief of Nusret Sivac, a journalist from Prijedor, began on Thursday. At the end of the examination-in-chief, Sivac explained why a wall in the Omarska prison camp was called the 'weeping and wailing wall'. In June 1992, Sivac was held detained in Omarska. In August 1992, he was transferred to Trnopolje, where he remained for about 20 days.

In late July 1992 in Omarska Sivac heard the sound of an engine and the guards shouting, the witness said. Twelve buses had brought in the villagers from the Brdo region who had been rounded up in an 'ethnic cleansing action' in several Muslim villages. The guards took them out of the buses. The people were lined up outside, along the

wall of the 'Burko's and Mujo's room', where prominent people from Prijedor were detained. After that, the prisoners heard 'the guards shouting, the strikes against the wall, cries, screams, wailing and moaning'. 'We realized that the prisoners had to go through a bloody admission system', Sivac said, adding that some of the detainees died of the injuries they had sustained at the 'wailing wall'. In the cross-examination, the defense counsel put it to the witness that he 'didn't see' the people being killed; he just 'heard' that they had been killed. Sivac replied that 'executioners didn't allow anyone watch them execute people'.

Referring to Sivac's evidence at the trial of Milomir Stakic, former president of the Prijedor municipality, the defense claimed that the civilian authorities founded the Omarska, Keraterm and Trnopolje prison camps. The defense counsel quoted Sivac as saying that 'there were no soldiers in Omarska and Keraterm and the army didn't have jurisdiction over the prison camps that were run by the civilian authorities'.

Sivac confirmed that the prison camps were established by the municipal Crisis Staff, but he corrected his previous evidence, saying that the army was in charge of the security in the prison camps. In the re-examination, the prosecutor reminded Sivac of his testimony that in Omarska he saw a Serb soldier who was shouting and brandishing a weapon with a chambered round. Other soldiers stood behind him. The prosecutor also noted that Major Radmilo Zeljaja was in the delegation that came to visit Omarska in July 1992. Zeljaja was the commander of the VRS 43rd Motorized Brigade. On Thursday Sivac said that the internal security was provided by the active and reserve police and soldiers that were called up. Villagers drafted in the VRS provided security to the outside perimeter.

After Sivac completed his evidence, a former member of the Sarajevo security service began his evidence. He is a protected witness testifying with image distortion and under the pseudonym RM 110. He spoke about the investigations of several artillery and sniper incidents in Sarajevo. The witness was involved in the investigation of three incidents listed in the annex to the indictment against Ratko Mladic: the sniper attack on a tram on 8 October 1994, the explosion of a modified air-bomb on 24 May 1995 and the shelling of the Markale market on 28 August 1995.

In the statement to the prosecution, the witness said that all investigations established that the fire originated on the side controlled by the Bosnian Serbs. The defense will cross-examine the witness on Monday.

Mladic was warned today he would be removed from court because he insisted on communicating verbally with his lawyers during Sivac's testimony. The Trial Chamber has prohibited this practice. Presiding judge Orić proceeded to inform the public that the third session was nine minutes late because the accused had gone to the toilet for the second time immediately before the session was due to start. 'The Trial Chamber will not be prepared to wait next time', Judge Orić told Mladic, adding that next time the accused is late it will be interpreted as a waiver of his right to attend the trial.

2012-11-12

THE HAGUE

DEFENSE: TRAM HIT BY STRAY BULLET

General Ratko Mladic's defense counsel suggests that 'a stray bullet' may have hit a tram on 8 October 1994. According to Mladic's defense, the witness, who took part in the investigation, was not able to establish the origin of fire and relied on the driver's statement

At the end of the examination-in-chief of protected witness testifying under the pseudonym RM 110, the prosecution played a video made after the shelling of Markale, the Sarajevo town market, on 28 August 1995. According to the indictment against the former commander of the VRS Main Staff Ratko Mladic, 43 persons were killed and more than 75 were wounded in the shelling.

A seven-minute video recording shows citizens frenziedly removing the dead and evacuating the injured from the street strewn with bodies and blood. The UNPROFOR staff are seen performing a forensic analysis of the site of explosion. In 1994 and 1995, the witness worked in the Sarajevo security service and participated in the investigations

of a number of artillery and sniper incidents listed in the annex to the indictment against Mladić. As the witness said in his statement, the investigation concluded that the shell that caused the second Markale massacre had been fired from positions under the Bosnian Serb control.

Apparently, the investigation of the Markale incident was discussed in the part of the cross-examination that went on in closed session. In the part of examination open to public, Mladić's defense counsel tried to prove that the witness wasn't able to establish the origin of fire in the attack on a tram on 8 October 1994. A woman was injured in the incident. The witness confirmed that he 'was not trained' for such tasks. The witness also noted that the official record about the incident contains the driver's statement that a burst of gunfire was opened on the tram from the Metalka building in Grbavica under the control of the Serb forces.

The defense counsel put it to the witness that the tram may have been hit by a 'stray bullet'. According to the defense, an UNPROFOR patrol near the spot where the tram was hit may have been targeted from the Metalka building. The witness replied that 'UNPROFOR couldn't have been exposed to direct fire because there was no line of sight to them when they stood, only when they moved'. The witness also said that at that time, UNPROFOR 'didn't return fire; they didn't do anything at all'.

The defense counsel asked a number of questions about the explosion of a modified air-bomb and several shells in May 1995 in Svrakino Selo, an estate in Sarajevo. The explosion destroyed several buildings and seriously wounded two persons. Fifteen people sustained minor injuries. As the witness said, the shells were fired from the south-west. Hrasnica and Mt. Igman are located towards that direction. The witness didn't know who held those positions. Asked if the police and RTV buildings nearby were legitimate military targets, the witness replied he was 'not a military expert'. The witness said he didn't know anything about that. The defense counsel also noted that the official record of the investigation states that the shells that hit Svrakino Selo had been 'manufactured in Nazi Germany'. The witness responded he didn't know if the JNA or the VRS had such shells.

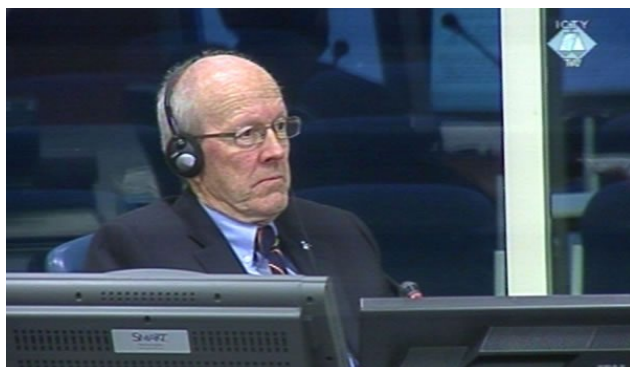
General Mladić's trial continues tomorrow with the evidence of a protected witness who will testify under the pseudonym RM 511, probably in closed session.

2012-11-15

THE HAGUE

MLADIĆ 'DOMINANT PERSONALITY' IN THE VRS

Former head of military observers in Sarajevo Francis Roy Thomas said that the goal of the Bosnian Serb army was not to capture territory. They wanted to terrorize the civilian population with artillery and sniper attacks, Thomas insisted. According to him, the accused Ratko Mladić was the 'dominant personality' in the VRS



◀ Francis Roy Thomas, witness at the Ratko Mladić trial

After testifying against former commanders of the Sarajevo-Romanija Corps Stanislav Galic and Dragomir Milosevic and former RS president Radovan Karadzic, the head of the UN military observers in Sarajevo Francis Roy Thomas appeared before the Tribunal for the fourth time. Thomas explained to the judges why he believed the Bosnian Serbs' goal was to 'terrorize the civilian population in the city' with artillery and sniper attacks. At the trial of Ratko Mladić, Thomas described the events from October 1993 to July 1994 when he was in the BH capital.

The witness said that on his arrival in Sarajevo he didn't notice that the Bosnian Serb army conducted 'tactical attacks', aimed at capturing an area. The Bosnian Serb army launched heavy artillery attacks on BH Army positions and civilian areas, Thomas said. When the Bosnian Serb army responded to provocations, it did so in a disproportionate manner, responding to each shell fired by the BH Army with ten shells. At Karadzic's trial, the witness said that in a single week in December 1993, 5,565 shells were fired from Serb positions; 709 shells were fired from the city in the same week. According to a report by the UN military observers shown in court, of the shells the VRS fired on 7 and 8 January 1994, 50 percent were fired on BH Army positions and 50 percent on the city.

The witness claimed that the citizens of Sarajevo were exposed to frequent sniper attacks. In one of Sarajevo's main streets, known as the Sniper Alley, steel containers were set up as cover. As those areas were no longer targeted by snipers, the Bosnian Serb army shelled them. As the witness said at Galic's trial, 'this was an indicator that civilians were the target'. During Thomas' stay in Sarajevo, the Markale market was shelled the first time on 5 February 1994. Thomas contends that two weeks before the incident the Bosnian Serb army soldiers denied his observers access to some artillery positions.

According to the witness, the Sarajevo-Romanija Corps had a well-organized chain of command. At a meeting with Mladić in April 1994, Thomas got the impression that Mladić was the 'dominant personality' in the Bosnian Serb army and that he 'spoke on behalf of all' the officers by his side.

In the cross-examination, defense counsel Dragan Ivetić put it to the witness there were legitimate military targets in Sarajevo, such as the weapons factories and depots hidden in residential buildings. The witness said he had limited knowledge of such things. The witness and the defense counsel agreed that some soldiers wore civilian clothes while women and children sometimes wore items of military clothing. The witness however dismissed the suggestion that it might have 'confused' Serb snipers. In his previous statements the witness insisted on the complexities of the war in BH, saying that sometimes Croats from Kiseljak shelled their compatriots in Sarajevo. Today he explained there was only one such incident during his tour of duty. Asked if he heard about BH Army soldiers firing on their compatriots in the city, the Canadian officer said it was 'just one of many rumors we were weren't able to confirm'.

2012-11-16

THE HAGUE

WITNESS OF MADNESS IN BILJANI

As the prosecution continues its case at the trial of Ratko Mladić, former Danish interior minister Bertie Weiss started her evidence. In 1996, Weiss was present at an exhumation of Muslims killed in the village of Biljani near Ključ in July 1992



◀ Bertie Weiss, witness at the Ratko Mladić trial

Former Danish interior minister Bertie Weiss gave evidence at the trial of Ratko Mladić. In 1996, Weiss attended an exhumation and identification of Muslims executed on 10 July 1992 in the village of Biljani near Ključ. The indictment alleges that 144 Muslim men were killed that day.

On 8 November 1996, Bertie attended 'as an impartial witness' an exhumation of the men who had been executed and whose bodies were found in a mass grave Bezdana at Laniste. She was also present when the victims were identified in the school gym in Biljani. Both events were videotaped and the prosecution showed the footage in court today. The footage was admitted into evidence in the case against Mladić.

'It was clear that it was massacre; in the aftermath, the men were simply thrown into a pit which was about 20 meters deep', the witness said watching the video of the exhumation. The event moved the witness to examine the incident in Biljani more closely and to explore why villagers of Ključ and other places in Bosanska Krajina were forced to leave their homes. After three years of research, the witness published her findings in a 1999 book entitled *Witness of Madness*.

Following up on the information and documents she got in the police station in Ključ, the witness found and interviewed Marko Samardžija, a local teacher, an ethnic Serb. In the interview, shown in court today, Samardžija told the witness that the plan had been to send the most extreme Muslim detainees to Manjaca. There were 14 such prisoners, Samardžija said while others, in his view, should have been left alone. According to Samardžija, the extremists were 'the people who represented danger to the Serb population': young men whose families 'sullied their hands' in 1991.

Samardžija told the witness that he 'learned about all those terrible things later'. In his conversation with the witness, Samardžija confirmed that he had spoken about the crime with several persons who were in command in Biljani.

In the cross-examination, Mladić's defense counsel Branko Lukić tried to prove that the crime in the village of Biljani was an act of revenge. According to Lukić, the police, not the army, secured the prisoners. In the interview with Samardžija, the witness got the impression that he was vengeful and that it might have been what motivated the others. Asked if 'only the police' guarded the prisoners in Biljani, the witness said she couldn't answer.

The prosecution will resume its case at the trial of Ratko Mladić on Monday, 19 November 2012.

2012-11-20

THE HAGUE

FORMER PRISONER IN KPD FOCA GIVES EVIDENCE

At Ratko Mladić's trial, a protected witness testifying under the pseudonym RM 63 spoke about the six months of detention in the Penitentiary and Correctional Facility (KPD) in Foca. The defense put it to the witness that the civilian authorities were in charge of the KPD, specifically the Justice Ministry headed by Momčilo Mandić

Ratko Mladić's trial continued with the evidence of protected witness RM 63. In 1992, the witness was detained in the Penitentiary and Correctional Facility (KPD) in Foca. The witness's written statement was admitted into evidence and in parts of the hearing open to the public the witness recounted some details about his ordeal and the suffering of other prisoners. Many of them didn't survive their detention.

When the Serb forces captured Foca in early April 1992, the witness and a large group of civilians sought shelter in the military depot in Pilipovici. At the time the depot was still under the control of the JNA. On 26 April 1992, armed Serb soldiers seized the depot and separated men from women and children. Most of the men were executed while others were first transferred to the women's prison in Velecevo and then to the Foca KPD.

The detainees in the KPD were beaten and tortured; many were taken out of their cells and killed. The witness lost 46 kilos in a few months because of the starvation rations. Together with about 30 other prisoners, the witness was selected for an exchange and was taken to the police station in Kalinovik on 31 October 1992. There he was first beaten and then put into solitary confinement. He was finally exchanged after some ten days.

As the witness said, there wasn't a single reason for his detention except for the fact that he was Muslim. The witness wasn't a member of any party and didn't carry arms; he was an ordinary worker and until the war he socialized with his fellow citizens of Serb ethnicity and lived together with them in harmony. The witness didn't find it easy to listen to the details of his detention in the summary read out in court by the prosecutor. 'It all goes round and round my head', the witness said at one point and asked for a brief break to pull himself together.

In the cross-examination, Mladić's defense counsel Branko Lukic noted that the depot in Pilipovici had been taken over by irregular units. According to the witness's statement, the members of those units had 'beards and long hair' and wore 'cockades'. The defense counsel put it to the witness that vengeful Serbs from Foca beat up prisoners to settle the score with their Muslim neighbors for various pre-war quarrels.

Lukic also put it to the witness that the KPD in Foca was under the jurisdiction of the civilian authorities - the RS Justice Ministry headed by Momcilo Mandic. According to Lukic, the Crisis Staff of the so-called Serb Municipality of Foca decided who would be released and who would remain in prison.

Ratko Mladić's trial continues on Wednesday, 21 November 2012, with the testimony of John Hamill, former UN military observer in Sarajevo.

2012-11-21

THE HAGUE

THE DAY FIRE RAINED ON SARAJEVO: 3,777 SHELLS IN 12 HOURS

Former UN military observer and member of the UNPROFOR team investigating the first Markale market massacre started his testimony today at the trial of Ratko Mladić. As the witness recounted, there was a day during his stay in Sarajevo when the Bosnian Serb army fired almost 4,000 shells on the city in 12 hours



◀ John Hamill, witness at the Ratko Mladić trial

The trial of Ratko Mladić continued with the evidence of John Hamill, Irish colonel and former UN military observer in Sarajevo. Hamill was a member of the UNPROFOR team that investigated the massacre in the Markale market on 5 February 1994. The witness's evidence at the trial of General Stanislav Galic was admitted into evidence together with the report on the massacre which killed 66 persons.

Hamill was in Sarajevo as a UN military observer from May to August 1993, and was back in February 1994 as a technical advisor to the team investigating the Markale massacre. During the investigation, the witness talked to VRS colonel Radoslav Cvetkovic, who confirmed that

'30,000 to 40,000 shells' had been fired on the city the previous year and wondered why so much fuss was made about a single shell that fell on the Markale market.

Describing the situation in Sarajevo while he was there, Hamill said that in late July 1993 3,777 shells were fired on the city in just 12 hours. In that period, there were parts of the city that the UN observers couldn't enter, Hamill said, because 'armed gang leaders' didn't allow them to. In that context, Hamill mentioned the Chetnik *vojvoda*, war leader, Vasilije Vidovic; Hamill personally ran afoul of Vidovic. Hamill was told that Vidovic was under the command of the VRS general Josipovic, who was in charge of the best part of the sector to the north of Sarajevo.

Just as he did at Galic's trial, Hamill today confirmed that the investigation he was part of concluded that the 120 mm mortar shell that hit the market had been fired from the northeast. It was however not possible to determine the specific position. Two positions of the BH Army and four of the Bosnian Serb army were identified as possible origins of fire.

Defense counsel Dragan Ivetić tried to establish that the BH Army used a 'fire and run' tactic: they opened fire from portable mortars and moved them around the city. The witness allowed the 'possibility' that the shell that hit the Markale may have been fired from a portable mortar. In the re-examination, when the prosecutor asked him if he had found any evidence that the shell had been fired from a mortar on the BH Army side, the witness replied that there was no such evidence. The witness also agreed with the defense counsel that there was a 'police building or some sort of a HQ' 300 meters from the town market.

In 2001 the witness was asked by the prosecution to examine two craters in Dobrinja linked to the incident of 1 June 1993 when shells exploded amid the people who had been watching a football game. The indictment alleges that more than ten persons were killed in the explosion and about 100 were wounded. In his statement on the Dobrinja crater analysis, the witness said it was impossible to establish specifically whether the round had been fired from a cannon or a mortar. The witness agreed with the defense counsel's suggestion that a portable mortar fired from the Muslim side may have caused the craters. In the re-examination, the witness explained to the prosecution that when portable mortars were used, the military unit responding to the fire shouldn't target the location from which the fire had been opened but the actual portable mortar in its new position.

During the break after the first session, Mladić complained of vertigo and high blood pressure. Half an hour later, Mladić was back in court after the doctor confirmed he was capable of following the trial.

2012-11-22

THE HAGUE

'ADJUSTING' MORTAR FIRE

Nedzib Džozo, a police officer from Sarajevo, said at the trial of Ratko Mladić that the VRS 'deliberately' targeted places where a large number of civilians gathered to cause as many casualties as possible: bread and water queues, children sledding, markets... Before the Markale 2 massacre, the Serb forces took a while to 'adjust' mortar fire targeting that part of the city until they finally hit the market



◀ Nedzib Džozo, witness at the Ratko Mladić trial

Nedzib Džozo, a police officer from Sarajevo, gave evidence at the trial of Ratko Mladić. During the war, Džozo was involved in the investigations of sniper and artillery incidents in Stari Grad municipality. Džozo has already testified at the trials of Dragomir Milošević and Momčilo Perišić and in the case against former Republika Srpska president Radovan Karadžić.

The witness's written statement prepared for Karadžić's trial was admitted into evidence together with a war log of the Stari Grad public security station. Locations targeted from VRS sniper and artillery positions around the city, dates and times of the incidents and the number of casualties were noted in the log.

As Džozo said, during the war 'thousands upon thousands of shells' hit Sarajevo. In addition to mortars and snipers, civilians were often targeted by long-range machine guns called 'the death sowers'. The witness claimed that the Serb forces 'deliberately' opened fire at the places where a large number of civilians would gather to cause as many casualties as possible: bread and water queues, children sledding, markets.

According to the witness, the Markale 2 incident is a prime example of deliberate shelling. On 28 August 1995, 43 persons were killed and more than 75 were wounded in the explosion of a mortar shell. In the two months preceding the incident, the VRS 'adjusted' fire targeting that part of the city 'until it was finally able to hit the overcrowded Markale town market and cause many casualties', the witness said. The witness came to that conclusion on the basis of the impacts of three shells in Dženetina Cikma Street near the Markale market and the artillery incidents in Hamdije Kresevljakovića Street, Branilaca Sarajeva Street, Ferhadija Street and Mula Mustafe Baseskije Street.

Mladić's defense counsel Branko Lukić argued in the cross-examination that the Serb army fired on legitimate targets. Lukić put it to the witness that the reserve police units, the quartermaster service of the BH Army 1st Corps, the Territorial Defense staff and the Stari Grad police station were located close to the Markale market. Lukić also noted that the BH Army forces were also stationed in the building of the Faculty of Political Sciences, near the site of a mortar incident in Hamdije Kresevljakovića Street. One student was injured in the incident.

Lukić asked the witness if he had checked the claims that 'a shell was thrown by hand from a window of a building next to the Markale market'. The witness replied that he hadn't because it was known to have been a 120 mm shell. The witness added that he 'can't understand how someone could throw a 120 mm shell from a window'.

Ratko Mladić's trial continues after a one-week break on Monday, 3 December 2012.

2012-12-03

THE HAGUE

SNIPER AND ARTILLERY TERROR IN DOBRINJA

In his evidence, Refik Sokolar, a police inspector from Novi Grad municipality in Sarajevo, said there were one or two sniper and artillery incidents every day in Dobrinja, a part of Sarajevo. The witness himself was wounded in an incident listed in the indictment against Ratko Mladic



◀ Refik Sokolar, witness at the Ratko Mladic trial

Refik Sokolar, police inspector in Novi Grad municipality in Sarajevo, testified at the trial of the former VRS Main Staff commander Ratko Mladic. During the war, Sokolar participated in about 200 investigations of artillery and sniper incidents in Dobrinja, a neighborhood in Sarajevo. According to the witness, throughout the war there were on average one to two incidents a day in Dobrinja.

According to the summary of the statement Sokolar gave to the OTP investigators in 1995 and 2000, most of the shells that hit Dobrinja were fired from the direction of Nedzarici, the JNA military barracks in Lukavica and the Aerodromsko Naselje; all these sites were under the control of the Serb forces. Snipers operated from the

School of Theology in Nedzarici, the Ikica Kuce housing estate and the Orthodox Church in Veljine.

The witness confirmed in the examination-in chief that at the beginning of the war, when Dobrinja was completely cut off from the city, victims were buried in a make-shift graveyard next to parking lots, in parks and other locations in the area. A photo taken during the war showing a row of graves next to a local parking lot was admitted into evidence.

The witness was wounded in an incident listed in the indictment against Mladic. On 4 February 1994, a salvo of three mortar shells was fired on Dobrinja. The first shell hit Oslobodilaca Sarajeva Street amid the people queuing for humanitarian aid and children who were attending religious classes nearby. The second and third shell fell on an open-air market behind the apartment buildings in Mihajla Pupina Street and Oslobodilaca Sarajevo Street. Eight persons were killed and at least 18 were wounded.

Mladic's defense counsel Branko Lukic argued in the first part of the cross-examination that all men of military age in Dobrinja were involved in the defense, that some army and police personnel wore civilian clothes at the beginning of the war and that as the war continued the military and police wore similar uniforms.

After the first break, Mladic didn't return to the courtroom. As his defense counsel Stojanovic explained, Mladic's 'blood pressure was extremely high'. At first, Mladic refused to be examined by the Tribunal's duty medical staff and wanted to see his doctor from the Detention Unit or to have his blood pressure taken in public, in the courtroom. After a while, Mladic agreed to be examined, provided his doctor in the Detention Unit could be consulted over the phone. When the doctor ascertained Mladic's condition was satisfactory, Mladic returned to the courtroom.

2012-12-05

THE HAGUE

VRS 'DELIBERATELY TARGETED' CIVILIANS

In his fourth testimony before the Tribunal, Canadian general David Fraser argued that the VRS 'deliberately chose civilians as targets', that Sarajevo was put under 'disproportionate and random fire' and that there 'is no military justification' for the use of modified air bombs. According to the witness, Ratko Mladic was on the 'top of the chain of command in the VRS'



◀ David Fraser, witness at the Ratko Mladic trial

The witness testifying under the pseudonym RM 019 completed his evidence at the trial of Ratko Mladic; his entire testimony was heard in closed session. The prosecution called Canadian general David Fraser as its next witness. From April 1994 to the end of May 1995, Fraser served as the assistant to the UNPROFOR commander in Sarajevo Sector.

Fraser's statement based on his testimonies at the trials of former commanders of the Sarajevo-Romanija Corps

Stanislav Galic and Dragomir Milosevic and of Radovan Karadzic was admitted into evidence. Fraser saw first-hand the heavy artillery and sniper fire that the VRS 'deliberately' directed at civilians. Fraser said that the VRS shelled Sarajevo in response to the BH Army's provocations, but insisted that the response was 'disproportionate' and the shelling 'random'. For each shell fired by the BH Army, the Bosnian Serbs fired ten rounds, the witness said.

As an example of 'indiscriminate and disproportionate' shelling of Sarajevo, Fraser mentioned the VRS response to the BH Army's shelling of the military barracks in Lukavica. The witness said that 'innumerable shells fell on the entire city, not only on the headquarters of the Muslim forces'.

Fraser met General Mladic several times and had contacts with generals Galic and Milosevic. Fraser concluded that there was an 'effective system of command and control' in the VRS and that Mladic was on the 'top of the chain of command'. The witness explained that the SRK commanders told him that the decisions to launch sniper or artillery attacks and to violate ceasefire were 'beyond their control'. They received orders from 'Mladic and the command', Fraser said.

Although he never personally saw or heard attacks with modified air bombs, Fraser confirmed that he received reports of their use. In a densely populated city like Sarajevo it was not possible to 'control either the firing or the point of impact' of modified air bombs, Fraser explained. In Fraser's view, there was 'no sense [...] and no military justification' in the use of modified air bombs.

Fraser also insisted that freedom of movement of UNPROFOR members was 'under threat' in the whole territory under Bosnian Serb control. According to the witness, 'Mladic's staff' was responsible for that. The claim was corroborated by a cable sent in April 1994 in which Mladic ordered that all convoys and UNPROFOR staff be 'blocked'.

As the hearing today drew to a close, the cross-examination of the Canadian general began, to be continued tomorrow.

2012-12-06

THE HAGUE

WHY NATO AIRCRAFT DIDN'T BOMB BOTH SIDES?

Recalling that in September 1994 NATO aircraft bombed Bosnian Serb positions around Sarajevo, Ratko Mladic's defense counsel asked the former deputy commander of UNPROFOR in BH if he and other high-ranking UN officials had ever called in NATO strikes against the BH Army. The defense argues that the BH Army was also responsible for some of the incidents. As the witness explained, no air strikes were called in because the actions of the government troops 'never escalated to a level that would warrant a military intervention'



◀ David Fraser, witness at the Ratko Mladic trial

Defense counsel Ivetic tried to exonerate the VRS and its commander, the accused Ratko Mladic, from responsibility for the crimes in Sarajevo by shifting the blame on the BH Army for ceasefire violations, attacks on UN vehicles and artillery and sniper attacks on the city. In the cross-examination of Canadian general David Fraser, the defense counsel put it to the witness that UNPROFOR was biased because it didn't respond in the same way to the incidents caused by the BH Army and the Bosnian Serb army. From April 1994 to late May 1995, the witness served as the assistant to the UNPROFOR commander in Sarajevo.

Today, the defense counsel referred to an interview between British general Michael Rose, former UNPROFOR commander in Sarajevo, and the OTP investigators in The Hague. In the interview, Rose said that Ejup Ganic had recruited the secret police to open sniper fire on trams under an angle which would make it possible to blame the Serbs for the incidents. Canadian general Fraser replied he had no knowledge of that. The defense counsel put it to the witness that civilian casualties in trams could have been caused by stray bullets during firefights. The witness said that he couldn't rule out the possibility. Fraser also agreed that the BH Army had snipers on the UNIS building and the Executive Council building. UNPROFOR sent letters of protest to the Sarajevo authorities when fire was opened from those locations on Serb civilians, Fraser insisted.

In his evidence at the trial of the former commander of the Sarajevo-Romanija Corps Dragomir Milosevic, Fraser said that UNPROFOR had on one occasion reported that two shells had been fired on a Sarajevo residential zone; one shell had been fired from Serb positions and the other from the Muslim side. Today Fraser confirmed that both shells caused civilian casualties.

The defense counsel also noted that UNPROFOR suspected that in April 1994 VRS soldiers had killed a French soldier in the so-called Sniper Alley, but also that the BH Army was responsible for the death of another Frenchman at the Sarajevo airport and that Muslim soldiers had fired several rounds that hit the vehicle in which UNPROFOR

commander was travelling in November 1994. Luckily, there were no casualties in the second incident. The witness agreed with the allegations, but insisted they were duly reported by UNPROFOR.

At UNPROFOR's request, NATO aircraft bombed Serb positions around Sarajevo on 22 September 1994. This prompted the defense counsel to ask the witness if he and his superior commander in UNPROFOR had ever called in air strikes against BH Army positions. General Fraser replied they didn't. The incidents caused by the government forces operating from the city never 'escalated' to the level that would warrant a military intervention, the witness said. The defense counsel then asked the witness if they even threatened the BH Army with air strikes to reduce the number of incidents. The witness said it was difficult to define military targets in the city and UNPROFOR never made 'false threats'.

The Canadian general will complete his evidence tomorrow. After that the prosecution will call a new witness.

2012-12-10

THE HAGUE

CHALLENGING ORIGIN OF FIRE IN SARAJEVO

Ratko Mladic's defense challenged the findings of Sarajevo investigators: according to the defense, the investigators were wrong when they determined that the civilians in Livanjska Street and the passengers in trams in Sarajevo in 1994 and 1995 were killed and injured by the Bosnian Serb army artillery and snipers. Mladic's defense put it to the witness that the fire had in fact been opened from the BH Army positions. There followed a debate about witness Dragan Miokovic's ethnic origin: is he an ethnic Serbin, a Bosniak, a Yugoslav... or a little bit of everything?

At the beginning of the cross-examination of Sarajevo police officer Dragan Miokovic, Ratko Mladic's defense counsel tried to establish the witness's ethnic background. In the examination-in chief, Miokovic said he was an ethnic Serb from Sarajevo. Defense counsel Miodrag Stojanovic brought up the 'discrepancy' between that statement and what the witness had said to the investigators in 1995. Miokovic had told them he was a Bosniak. The witness replied he was born 'of a Serb father and a Serb mother'. Until the war, the witness said, he declared himself a Yugoslav and then as a Bosniak. But as Miokovic contended, this does not in any way 'degrade my Serb origin'.

The cross-examination then moved on to more relevant topics, as the defense counsel tried to prove that the three shells fired on Livanjska Street in Sarajevo on 8 November 1994 were fired from the BH Army positions. A girl and a woman were killed on the spot and another child later succumbed to injuries. The defense based its claim on the fact that the day after the incident, UNPROFOR representatives said they suspected the shell had been fired from the Bosnian army positions. At a press conference, UNPROFOR representatives stated they had been prevented from investigating the incident.

As Miokovic explained, UNPROFOR staff would arrive at the artillery incident sites before the Sarajevo police and would proceed to 'tamper with them'. A soldier from Africa was thus seen moving the stabilizer of the first shell fired on Livanjska Street. According to the witness, he told the soldier to leave the scene. The French Battalion soldiers arrived soon afterwards, and said that their investigation team would be there shortly. As it turned out, nobody arrived and the Sarajevo investigation team left the crime scene. Not long afterwards, two more shells hit the same location.

Two teams carried out crime scene investigations the next day, and each team remained adamant it was right: UNPROFOR claimed the shells had been fired from the BH Army positions and the investigators from Sarajevo claimed that the shells had come from the territory under the VRS control. Miokovic said that the 'dilemma was eliminated' when it was established that UNPROFOR used the incorrect 'Finnish firing tables', useless in Sarajevo.

The defense went on to contest the findings of the witness's investigation team that VRS was responsible for sniper attacks on the trams in Zmaja od Bosne Street in Sarajevo on 23 November 1994 and 3 May 1995. One person was killed and several persons were injured in the attacks. The defense counsel put it to Miokovic that he was not a ballistic expert; Miokovic readily confirmed that, but noted there were ballistics experts in his team.

The defense counsel showed the witness a police report in which eyewitnesses claim that the first incident didn't take place at the site identified in Miokovic's report and that there was no line of site from the 'new' site to the Serb snipers' position in the Metalka building. Miokovic claims that snipers fired from that building. The defense counsel also put it to the witness that BH Army snipers were stationed in the buildings around Zmaja od Bosne Street, such as the Federal Executive Council building, the Assembly building and the Unis building. The witness couldn't confirm the allegation. As far as the second incident was concerned, the defense brought up a statement made by a witness of the second attack, who said that gunfire bursts could be heard during the attack. As Miokovic explained, his department did not take those statements; other police services did.

2012-12-11

THE HAGUE

UNPROFOR OFFICER: MLADIC HAD FULL CONTROL OF VRS

In his evidence at the trial of Ratko Mladic, former UNPROFOR member spoke about the sniper and artillery terror campaign waged by the VRS against the Sarajevo civilians. During the two years of his service in the city, the witness got the impression that Ratko Mladic had full control over the VRS. According to the witness, the VRS had very little leeway to operate outside of Mladic's supervision

A former UNPROFOR member testified at the trial of Ratko Mladic, former commander of the VRS Main Staff, who is charged with genocide and other crimes in Bosnia and Herzegovina. The witness testified under the pseudonym RM 163 and was granted additional protective measures: image and voice distortion. It seems that the witness is a French member of the UN peace keeping mission. As a rule, all French UNPROFOR members testify before the Tribunal in The Hague with strict measures of protection.

According to the summary of the statement read out by the prosecutor in court, the witness was stationed in Sarajevo in 1993 and 1994. During that period, he noticed that the Sarajevo-Romanija Corps (SRK) conducted a sniper and artillery terror campaign against civilians in Sarajevo. In his contacts with the Serb army personnel, the witness saw that the VRS had a clear chain of command and strict discipline. The witness had the impression that Ratko Mladic controlled the army fully; it had very little leeway to operate outside of Mladic's supervision. Sitting in the dock, Mladic confirmed the observations of the UNPROFOR officer by nodding his head.

In the two years of his service in BH, the witness concluded that the siege of Sarajevo was important for Bosnian Serbs because it was a lever they used to put the pressure on the Bosnian government. The witness also noticed that the Serb side often shelled Sarajevo in retaliation for their losses on other front lines. After the first Markale incident on 5 February 1994, the witness took part in the negotiations on the ceasefire, the establishment of heavy weapons collection points and the total exclusion zone of 20 km from the center of Sarajevo.

After the prosecutor finished reading the summary, the hearing continued in closed session. The court went back to open session briefly at the beginning of the cross-examination. Mladic's defense counsel Dragan Ivetic wanted to hear if UNPROFOR was aware of the locations of BH Army depots or their weapons factories. The witness replied that UNPROFOR knew where those facilities were and the court went back into closed session until the end of the hearing.

2012-12-13

THE HAGUE

1,200 SHELLS A DAY HIT SARAJEVO 'ON AVERAGE'

Another member of the UNPROFOR French contingent began his evidence at the trial of Ratko Mladic. In his written statement to the OTP investigators, the witness said that in the first three months of his service in 1993, an average of 1,200 shells fell on Sarajevo every day. The last day of March 1993, 2,400 projectiles were fired on the city from Serb positions

Another member of the UNPROFOR French contingent began his testimony at the trial of Ratko Mladic, former commander of the Republika Srpska Army (VRS) Main Staff. As was the case with his predecessor, he testified under a pseudonym, RM 176, and his evidence was heard for the most part in closed sessions.

According to the summary of his statement, the witness joined the UN peace-keeping troops in Sarajevo in early 1993. In the first three months of his stay there, an average of 1,200 shells fell on the city every day. One of most harrowing days was 31 March 1993 when about 2,400 shells were fired on Sarajevo from the VRS positions, including 400 rounds that hit the old part of the city.

In his statement the witness said that the VRS shelled Sarajevo randomly and without any military purpose. The witness got the impression that Sarajevo was often shelled in retaliation for BH Army's attacks on VRS positions outside of the city. The witness described the shelling incident at a football match in Dobrinja on 1 June 1993. As alleged in the indictment, more than ten persons were killed and about 100 were wounded. The investigation established that the shells had been fired from Serb positions in Lukavica.

The witness also noted that the civilians were often targeted by snipers operating from Serb positions. Fabric curtains and other make-shift shelters were placed on cross-roads to protect the people from sniper fire. The casualties were nevertheless high even when there was a ceasefire in effect on the front, i.e., when there was no shooting. The witness estimates that one third of the victims were the elderly, women and children.

In his statement the witness said that General Stanislav Galic had effective command and control over the Sarajevo-Romanija Corps, and the VRS had a proper chain of command in place.

After the summary of the witness's statement was read out, prosecutor Lorna Bolton asked him a few questions about the sniper terror campaign in Sarajevo. The hearing then continued in closed session. The trial will resume tomorrow morning.

2012-12-14

THE HAGUE

MLADIC REMOVED AGAIN FROM COURTROOM

As the cross-examination of the former member of the UNPROFOR French contingent continued, Ratko Mladic was removed from the courtroom for inappropriate interference with the examination of the witness. The trial continues after the Tribunal's winter recess on 10 January 2013

The cross-examination of a former member of the UNPROFOR French contingent was completed at Ratko Mladic's trial. The witness testified with protective measures: image and voice distortion and under the pseudonym RM 176. Before the end of the witness's evidence, the accused Mladic was removed from court because at one point he interfered inappropriately with the examination of the witness.

Presiding judge Orić shed some more light on the incident that happened while the court was in closed session. When defense counsel Branko Lukic asked the witness 'did UNPROFOR help dig the tunnel underneath the Sarajevo airport with its machinery', Mladic said 'yes' loudly before the witness had the time to reply. The judges saw this as an attempt on Mladic's part to interfere with the examination of the witness and he was removed from court.

In the cross-examination of the French officer, Mladic's defense tried to justify the fact that civilians who tried to leave the besieged city across the airport runway were shot at. The defense insisted that these incidents happened at night, that there were soldiers among the civilians and that it was difficult to distinguish them. The witness dismissed Lukic's suggestion that UNPROFOR helped or tacitly allowed the nightly crossings of the runway. According to the witness, the peace-keepers would turn the people back and took those who were wounded to hospital.

Mladic's defense counsel tried to contest the conclusion of the UNPROFOR investigation team that the Serb side was to blame for the shelling incident at a football match in Dobrinja on 1 June 1993. As the defense counsel noted, it was not possible to determine the angle and caliber of the shell. The witness said that it was more important to establish the incoming direction of the shell and the investigation did exactly that, establishing that the shells were fired from the direction of Lukavica. The fact that the caliber of the shell was not determined couldn't significantly affect the findings of the investigation, in light of the height of the buildings surrounding the incident site and other findings the investigation teams established at the crime scene.

When the witness completed his evidence, presiding judge Orić wished everyone in the courtroom happy holidays, announcing that the trial would resume on 10 January 2013, after the Tribunal's winter recess.

2013-01-10

THE HAGUE

EXPERT ON SNIPER TERROR IN SARAJEVO

In a report drafted for the prosecution, sniper expert Patrick Van Der Weijden established possible origin of sniper fire in incidents targeting citizens of Sarajevo. Complaining of health problems, Ratko Mladic at first refused to listen to the evidence he called 'stupid NATO propaganda' but then changed his mind



◀ Patrick Van Der Weijden, witness at the Ratko Mladic trial

As his trial resumed in 2013, Ratko Mladic complained about his health, saying, 'I feel bad, my appetite is poor, I have lost weight in the last 10 days and I need to be treated in hospital'. Mladic asked to be returned to the detention unit because, as he put it, he preferred to 'lie down in bed and die' than to 'listen to stupid NATO propaganda'.

Mladic's reaction occurred in the middle of the examination-in-chief of the prosecution's sniper expert, Dutch captain Patrick Van Der Weijden. The prosecution had asked Van Der Weijden to draft a report on sniper incidents in Sarajevo from 1992 to 1995.

Presiding judge Orić then invited Mladic to confirm that he agreed for the trial to proceed without him, but Mladic changed his mind. 'I will not waive my right to defend myself against NATO lies to the last breath,' Mladic said, telling the judges, 'You are not the court'. Judge Orić removed Mladic from courtroom several times for incidents that were far less serious than this one. This time, Judge Orić merely stated that the accused would 'prefer to remain in the courtroom'.

In the first part of the examination-in-chief, the witness explained the methodology and terminology he used in his expert report. As he said, the prosecution gave him a list of incidents with the map grid references, dates and

summaries of statements made by both victims and witnesses. Van Der Weijden was asked to visit the sites and establish possible origin of fire. Van Der Weijden eliminated the sites from which it was technically impossible or 'tactically unreasonable' to fire a bullet. The witness tried to identify the weapon and determine the range and whether the snipers could see if the victims were civilians or fighters.

The prosecutor then showed the results of a number of investigations of incidents listed in the indictment that the witness made. In the investigation of the incident of 8 October 1994, Van der Weijden amended the report produced by the UNPROFOR French Battalion. According to the French Battalion, the tram with the passengers was hit east of the Holiday Inn Hotel. Witnesses claimed that the sniper hit the tram right in front of the hotel, in Zmaja od Bosne Street. Based on those statements, Van Der Weijden concluded that the fatal bullet that hit Alma Cutuna had not been fired from the direction of the Jewish Cemetery where the demarcation line was. According to the witnesses, the shot came from the Metalka Building. The prosecution alleges that the Bosnian Serbs held the position.

In his report, Van Der Weijden also spoke about target identification. If a sniper is not sure whether a potential target is a soldier or civilian, the rules tell him 'not to open fire', Van Der Weijden said.

Defense counsel Dragan Ivetic began cross-examining the witness by contesting the methodology and expertise of the Dutch officer. Defense counsel Ivetic will complete his cross-examination tomorrow.

2013-01-11

THE HAGUE

VICTIMS OF DELIBERATE FIRE OR STRAY BULLET?

General Mladić's defense counsel put it to the witness that some sniper victims listed in the indictment were killed by stray bullets intended for the BH Army troops. Prosecution expert Patrick Van Der Weijden dismissed the claim as 'technically impossible and tactically unreasonable'



◀ Patrick Van Der Weijden, witness at the Ratko Mladić trial

After complaining yesterday of 'not feeling well', Mladić's mood improved. The former commander of the VRS Main Staff laughed, exchanged notes with his defense and waved to the public gallery. In fact, Mladić seemed not to be paying much attention to the evidence of Patrick Van Der Weijden, who was asked by the prosecution to write an expert report on the sniper incidents in Sarajevo from 1992 to 1995.

The prosecution expert was asked to visit the locations of sniper incidents listed in the indictment and to determine the origin of fire. In most cases, the witness's findings coincide with the prosecution's allegations that snipers fired from the territory under the Bosnian Serb

control. The defense objected to the admission of the report as, in its view, the witness lacks expertise. The defense contends that the witness's report doesn't list sources he used as a basis for his claims and conclusions. This has rendered them unverifiable, the defense contends.

Van Der Weijden discussed the wounding of three-year old Anisa Pita on 13 December 1992. As he tried to establish the origin of fire, Van Der Weijden eliminated all locations that could not have been used for technical or tactical reasons. In the end, he concluded that the bullet had come from the position of Baba Stijena. The defense counsel then put it to him that the BH Army troops could have been the target of the attack and that the wounded girl could have been hit by a stray bullet. The witness replied that he 'assumed that the shooter targeted the victim'.

The defense counsel put it to the witness that Munira Zametica was also hit by a stray bullet on 11 July 1993; the actual target was the BH Army position at a nearby bridge. Munira Zametica was hit when she was trying to get some water from the Dobrinja river. According to Van Der Weijden, the BH Army soldiers would not have exposed themselves to danger; standing there, they would have been easy targets for the Serb forces stationed in a nearby church.

The defense counsel used General Michael Rose's evidence to argue that the BH Army soldiers sometimes opened fire on trams from the same direction from which Serb snipers would fire. As the defense counsel claimed, fire could in fact have originated from positions closer to the tram lines in Zmaja od Bosne Street, rather than from the Metalka building. The prosecution alleges that the snipers targeted trams from the Metalka building. The witness replied that it would be 'dangerous and unreasonable'. It would require the soldiers to lean out of the windows to shoot at a tram at the cross-roads in front of the Holiday Inn hotel, the witness explained.

After Van Der Weijden completed his evidence, the prosecution called Milan Mandilovic, who worked as a surgeon in the State Hospital in Sarajevo from 1992 to 1995. Mandilovic performed surgeries on many of the victims of the incidents listed in the indictment against General Mladić. Mandilovic will continue his evidence on Monday.

2013-01-14

THE HAGUE

HOSPITAL IN THE LINE OF FIRE

In the cross-examination of Dr Milan Mandilovic, Ratko Mladic's defense put it to him that the VRS didn't intentionally attack the State Hospital in Sarajevo. Because the southern side of the building was hit so many times during the war, the hospital was nicknamed 'Swiss cheese'. The defense contends that the hospital had unfortunately found itself in 'the line of fire': the Serb troops were in fact targeting the nearby BH Army positions and the police station. Both the BH Army and the police were legitimate targets, the defense argued



◀ Milan Mandilovic, witness at the Ratko Mladic trial

At the trial of former commander of the VRS Main Staff Ratko Mladic for genocide and other crimes in Bosnia and Herzegovina, Dr Milan Mandilovic continued his testimony. As a surgeon in the State Hospital in Sarajevo, Dr Mandilovic performed on a daily basis surgeries on the victims of sniper and artillery attacks listed in the indictment against Mladic. In Mandilovic's words, during the 44 months of the siege about 9,000 surgeries were performed in the State Hospital.

According to the summary of the witness's written statement, 80 per cent of patients in the State Hospital were civilians. Of their number, 80 per cent were wounded in artillery incidents; the remaining 20 per cent

were hit by infantry weapons. Mandilovic confirmed the authenticity of the medical files from the State Hospital, the Sarajevo University Clinical Center, the Institute of Forensic Medicine and the Dobrinja General Hospital that were admitted into evidence.

Mladic's defense insisted that the southern side of the hospital, which was targeted most often, faced the front line. Miodrag Stojanovic put it to Dr Mandilovic that the VRS opened fire on the BH Army positions and the State Hospital was in the line of fire. The witness replied that the VRS troops were stationed on higher ground. If they wanted to fire on the BH defense line, they would have had to fire 'downwards', not horizontally towards the hospital, which was located about 400 meters from the front line, the witness explained.

Dr Mandilovic said there was a huge Red Cross flag on the hospital building. After some months, the flag was destroyed by shells, bullets and bad weather. The witness claimed categorically that there were no soldiers and weapons in the hospital and that fire was not opened on the Serb positions from the hospital compound. The infirmary of the Medical Battalion was stationed in the hospital compound but it was staffed by medics who were there to take care of the patients. The witness explained that the police station near the hospital was just an ordinary administrative facility and couldn't be considered a military target.



◀ Munira Selmanovic, witness at the Ratko Mladic trial

After Dr Mandilovic completed his evidence, the prosecution called Munira Selmanovic from Novoseoce in Sokolac municipality. According to the summary of her written statement, admitted into evidence today, on 22 September 1992 the Serb forces ordered the villagers of Novoseoce to assemble in the Metaljka field. The witness and other women, children and the elderly, were taken to Sarajevo on buses. Before she left, the witness saw her husband and son alive for the last time; they were with about 40 other men from Novoseoce. Their remains were recovered from mass graves after the war. So was the body of a woman, Devla Karic, who had also been murdered.

Munira Selmanovic will continue her evidence after the court hears the testimony of a protected witness tomorrow morning. Witness RM 333 will testify via video link.

2013-01-16

THE HAGUE

GENERAL ROSE: MLADIC HAD 'COMPLETE CONTROL'

Following the evidence of Munira Selmanovic from the village of Novoseoce near Sokolac, British general Michael Rose began his testimony at the trial of Ratko Mladic. Rose described the accused as a man who, together with Radovan Karadzic, was at the top of the chain of command in Republika Srpska. Mladic was the 'key person' when combat operations were planned; as a commander, he enjoyed the respect of his subordinates



◀ Michael Rose, witness at the Ratko Mladic trial

At the trial of Ratko Mladic, Munira Selmanovic from the village of Novoseoce near Sokolac completed her evidence. On 22 September 1992, she was expelled to Sarajevo with the other women, children and the elderly. The witness's son and husband, and about 40 other men from Novoseoce were detained. The explanation given was that they 'are going to work'. Their bodies were found after the war in mass graves in Ivan Polje, about one kilometer from the Metaljka field where they were last seen alive.

In the cross-examination, Mladic's defense noted that the witness didn't see who killed her family members and other men and when. The defense counsel quoted

from a report of the 2nd Romanija Brigade of 28 July 1992, which states that there was a 'certain number of extremists [in Novoseoce], who are quiet and are not causing problems to the Serb population for the time being, but we keep them under control'. The witness replied that the villagers had handed over all the weapons they had. The Serb authorities from Sokolac told the villagers that they 'can continue living and working' in their homes, the witness insisted.

After Munira Selmanovic left the courtroom visibly shaken, the prosecution called British general Michael Rose. In 1994, General Rose served as the commander of the UN troops in BH. Rose described Mladic as a man who, together with Radovan Karadzic, was at the top of the chain of command in Republika Srpska. In Rose's words, Mladic was the 'key person' when combat operations were planned. As a commander, he enjoyed the respect of his subordinates. Prosecutor Camille Bibles asked the witness if he had ever heard about anyone in the Bosnian Serb army doing anything that was contrary to Mladic's wishes. 'Never', Rose responded categorically.

In Rose's opinion, the Bosnian Serb army usually justified the shelling saying that they were responding to 'Muslim attacks'. However, the 'disproportionate' nature of the Serb response cast doubt on such claims. Rose used the example of Dobrinja where the people had to live in basements. 'If a cat crossed the street, it would provoke an artillery response of the Serb side', Rose explained.

The witness's written statement was admitted into evidence during his examination-in chief. The statement describes in detail the meetings with Karadzic and Mladic at which they discussed the demilitarization of Sarajevo, humanitarian aid deliveries, the operation of public utilities and finally, how to achieve peace. General Rose will continue his evidence tomorrow.

2013-01-17

THE HAGUE

'DRASTIC DIFFERENCE'

In the cross-examination of General Michael Rose Ratko Mladic's defense pointed to the 'drastic difference' in the way the UN and NATO treated the warring sides in BH. The defense contends that the Western forces attacked the BH Army with 'strong words' and Serbs with 'strong bombs'



◀ Michael Rose, witness at the Ratko Mladic trial

The defense of the former commander of the VRS Main Staff, Ratko Mladic, argued in the cross-examination of British general Michael Rose that the UN troops in BH were not unbiased. Together with the NATO air force, the UN sided with the Bosnian Muslims, the defense claimed. The Bosnian Serbs 'had the right' to respond to force with force.

As Mladic's defense counsel said, the difference in the way the warring sides were treated was 'drastic'. The

Western countries attacked the BH Army with 'strong words' and used 'strong bombs' to attack the Serbs, Lukic quoted Radovan Karadzic as saying. The defense counsel put it to the British general that it never occurred to the UN to bomb the BH Army positions as Rose was 'told that NATO wouldn't act against Muslims'.

General Rose said that a military intervention was sought only when a side in the conflict violated a NATO ultimatum. The witness recalled a situation in which the BH Army violated the ultimatum about the total exclusion zone at Mt. Igman but a decision was eventually made not to intervene. In all other cases the Serb side violated the ultimatums, General Rose noted.

As defense counsel Lukic said, General Rose called for NATO strikes on the Serb positions around Gorazde in April 1994. He also asked the general if the Serbs in that situation had the right not to be merely 'sitting ducks' and respond to fire. General Rose replied that in the first place the Serbs 'didn't have the right to find themselves in that situation'. Furthermore, the Serbs had an alternative: they could have stopped firing on Gorazde but didn't do that, General Rose remarked.

Rose dismissed the defense's suggestion that Serbs in Gorazde weren't given an opportunity to stop the attack on the town and thus prevent the NATO air strikes on their positions around it. On the contrary, as the British general explained, the airplanes would first fly over the target several times and then would drop warning sound missiles. The Serb side ignored these warning, the witness explained.

General Rose agreed with the defense's claim that UNPROFOR tolerated the BH Army armed units in the so-called UN safe havens – Srebrenica, Zepa, Gorazde, Sarajevo, Tuzla and Bihac. However, the witness insisted that the UN troops in BH didn't have the mandate to disarm any of the warring sides.

General Rose's evidence will continue tomorrow morning.

2013-01-18

THE HAGUE

MLADIC ABSENT DURING PART OF TRIAL

Ratko Mladic missed the final part of the evidence of British general Michael Rose because he was due to meet the Serbian justice minister in the Detention Unit. Later in the day, the accused returned to the dock and followed the testimony of protected witness RM 46, who had been detained in the Foca Correctional and Penal Facility



◀ Michael Rose, witness at the Ratko Mladic trial

Ratko Mladic missed the first part of the hearing because he was due to meet the Serbian justice minister Nikola Selakovic in the UN Detention Unit in Scheveningen. Mladic's request for the postponement of the hearing to accommodate the meeting was denied yesterday. Friday morning, Mladic's lawyers submitted his written waiver of the right to attend the trial to the Trial Chamber.

After the cross-examination of British general Michael Rose, Mladic's defense counsel Branko Lukic said he was satisfied with Rose's testimony. This may be because General Rose said that the USA and NATO 'decided to breach their own resolutions and arm and train' the BH Army in late 1994. The British general also said that the

UNPROFOR soldiers under his command directed NATO pilots during the air strikes against Serb positions around Gorazde in April 1994.

Defense counsel Lukic tried to prove that the entire international community was against the Serbs, putting it to the witness that in the peace negotiations Serbs were always offered less territory. Bosniaks were offered more territory than they had under their control, Lukic argued. Rose replied that Serbs were 'probably' offered less territory. The British general didn't want to debate in detail about the actual size of the territory the warring sides were offered, but at one point he said that in 1994 Serbs held under their control about 70 per cent of the BH territory.

After General Rose completed his evidence, Mladic returned to the courtroom to attend the testimony of another witness. The witness, a medical doctor from Foca, testified under the pseudonym RM 46 and with image and voice distortion as protective measures. After his arrest on 11 April 1992, the witness was first detained in the military hangar in Livade. Some days later, the witness was transferred to the Foca Correctional and Penal Facility and in July 1993 ended up in the Kula prison. After a year, the witness was released and exchanged.

The witness's written statement was admitted into evidence. According to the summary of the statement, detainees in the Foca Correctional and Penal Facility (KP Dom) were mostly civilians. Many of them were elderly and physically and mentally ill. Prisoners were subjected to physical abuse and many of them were taken out of their cells never to be seen alive again. The witness said that the Serb forces took out detainees to retaliate for the losses they suffered in the battlefield.

In the examination-in-chief, the witness said that 45 detainees in the Foca KP Dom were taken out on 17 September 1992 and killed. Mladić's defense counsel Miodrag Stojanovic asked the witness in the cross-examination why he believed those persons had been killed. The bodies of all those men were found in mass graves after the war, the witness replied. Stojanovic tried to prove that the VRS, which was under Mladić's command, had nothing to do with the prison facility. However, according to the witness, soldiers often came to the Foca KP Dom, especially at the beginning. Soldiers entered the cells and took prisoners to a room called 'the torture chamber.'

Former warden of the KP Dom Milorad Krnojelac was sentenced in The Hague to 15 years in prison for crimes against humanity and violations of laws and customs of war. After serving more than a half of the Tribunal's sentence in a prison in Italy, Krnojelac was released because his health deteriorated.

2013-01-21

THE HAGUE

'RANDOM BUT RATIONAL' FIRE ON CIVILIANS

A French officer, who served in UNPROFOR in 1995, testifies at the trial of Ratko Mladić about the sniper and artillery terror campaign against Sarajevo's civilian population. The Serb side 'didn't have any ethical scruples', the witness said, and considered it was 'rational' to randomly fire on civilians to accomplish its goals



◀ Photography of the massacre at Markale market on 28th of August 1995

The trial of the former commander of the VRS Main Staff Ratko Mladić continued with the evidence of a French officer, testifying under the pseudonym RM 55 and with protective measures of image and voice distortion. According to the summary of the written statement based on the witness's evidence in the cases against Dragomir Milosevic, Momcilo Perisic and Radovan Karadzic, the witness served in UNPROFOR in Sarajevo in 1995. The witness was able to observe that the Sarajevo-Romanija Corps continuously shelled the city and used sniper fire to target the civilian population.

According to the witness, sniper fire was an integral part of the functioning of the Sarajevo-Romanija Corps. The witness explained that it was perfectly 'rational' in light of the goal of the Serb forces, which was to establish 'an

impenetrable circle' around the city where the enemy troops were concentrated, to 'destroy the morale' of the citizens and defenders of the city and to maintain 'an advantage in morale' over the enemy and the UN forces. The witness said that the Serb side 'did not have any ethical scruples' and obviously considered it was 'rational' to randomly fire on the population in Sarajevo.

The French officer witnessed the shelling of the Markale market on 28 August 1995. At the moment of the explosion, the witness was in front of the French embassy in Sarajevo and it took him less than 10 minutes to get to the crime scene. The prosecution played a video excerpt showing Markale immediately after the incident. The witness said that he had heard the explosion perfectly clear and that without any doubt it was caused by a mortar shell.

The witness also noticed that in 1995 the Serb troops used makeshift rockets. An officer in one of the Sarajevo-Romanija Corps brigades told the witness they were called 'sows'. In the morning of 28 June 1995, the witness was standing in front of the UN HQ in the PTT building and saw a 'sow' hit the Sarajevo TV building. As the witness recounted, the bomb made a sound 'like a locomotive'. Its trajectory was unstable, the witness said, adding that it flew so slowly that it could be seen with a naked eye.

At the beginning of the cross-examination, Mladić's defense counsel Branko Lukic tried to contest the witness's claim that the Sarajevo-Romanija Corps command controlled snipers. The defense counsel put it to the French officer that he didn't have the opportunity to visit sniper positions and talk to snipers. Also, the defense counsel suggested that the UN didn't have precise information on the ways in which orders were passed on and on the reporting system inside the corps.

The cross-examination of Witness RM 55 continues on Tuesday.

2013-01-22

THE HAGUE

CONTESTING MARKALE 2 MASSACRE

In the cross-examination of a French officer who testified at the trial today, Ratko Mladić's defense contested the accusations related to the massacre at the Markale market on 28 August 1995. The defense put it to the witness that the Bosnian side had brought in the bodies of persons who had been killed elsewhere to increase the number of casualties and that the UN command tampered with the results of the investigation, opting for the theory that would justify NATO strikes



◀ Photo of the body of Vehid Komar in Sarajevo morgue

Ratko Mladić's defense continued with the cross-examination of a French officer testifying under the pseudonym RM 55. The defense tried to contest the witness's claims about the massacre at the Markale market on 28 August 1995. As alleged in the indictment, 43 Sarajevo citizens were killed and 75 wounded in the explosion of a mortar shell fired from the VRS positions.

Mladić's defense counsel Branko Lukic showed the witness a photo of a victim's body, lying over a metal fence near the market building. The defense counsel found it suspicious that there was not a lot of blood on the asphalt beneath the victim; furthermore, the person was not on the list of victims of the Markale incident. The

witness agreed that there was not much blood under the body, adding that he had no information as to whether the name of that person was on the victim list.

The defense counsel showed the witness a photo of another victim, taken in the Sarajevo morgue. The victim was Vehid Komar and his name, lawyer Lukic suggested, was on the victim list although wounds on his body didn't appear to have been inflicted by mortar shell shrapnel. The witness said that in that case, the wounds were caused by bullets. Shell fragments 'tear tissue and rip it apart' but the photo didn't show signs of that, the witness explained.

In his answers to the defense counsel's questions, the witness said that he heard several detonations at the time when the Markale incident occurred. When he arrived at the site of the explosion, the witness saw that the shells had also impacted in a side street, about 200 meters from the market. The witness noted that he didn't pay much attention to that site and other impact sites. At the time, the witness thought the most important thing was to inspect the place where so many people had been killed.

The defense counsel contested the findings of the Markale incident investigation conducted by the UNPROFOR staff. Finally, the defense counsel put it to the witness that he and General Rupert Smith decided to 'go with the theory' that blamed the Serb side in order to justify NATO strikes. 'Sir, it is your interpretation and I cannot agree with it', the witness replied. The witness added that he and General Smith were very much aware of the possible 'grave consequences' of the findings of the investigation. This is why they considered carefully the conclusions of the French engineering unit. They drafted and signed the report after careful deliberation, the witness explained.

In 1995, General Rupert Smith was the commander of UNPROFOR in BH. According to the prosecution witness list, General Smith will be the next witness at the trial of the former VRS commander VRS Mladić, after the defense completes the cross-examination of the French officer.

2013-01-23

THE HAGUE

CONTROVERSIAL PROTOCOL

In the final part of the cross-examination of the French officer testifying under the pseudonym RM 55, Ratko Mladić's defense tried to prove that the VRS 'had the right' to reclaim the heavy artillery under UNPROFOR's control to defend itself against the Muslim attacks. That right was purportedly granted in a protocol signed in 1994 by Radovan Karadzic and Yasushi Akashi

In the cross-examination of the French officer testifying under the pseudonym RM 55, the defense of the former VRS commander Ratko Mladić tried to prove that the Bosnian Serb forces 'had the right' to reclaim the heavy artillery placed under UNPROFOR's supervision in February 1994.

The defense invoked a protocol that had purportedly been signed in 1994 by Radovan Karadzic and the UN special envoy Yasushi Akashi. According to defense counsel Branko Lukic, the protocol 'allowed the Serbs to reclaim the weapons if the Muslim forces attacked them, and if UNPROFOR couldn't prevent these attacks'.

The French officer claimed that the United Nations never approved such a protocol. Furthermore, as the French officer noted, Muslim attacks could never be construed as justification for the Serbs to reclaim their heavy artillery, in light of the intensity of the attacks and the fact that the Serb army had enough artillery to respond to them adequately.

Lukic put it to the witness that the protocol prohibited 'any military activity', including the fortification of trenches and any advances by the two sides. Asked if the UN notified either of the warring sides that it had not accepted the protocol, the witness couldn't give an answer; as he explained, he only knew the text of the official agreement.

In the cross-examination, the defense relied on three documents: the official agreement to place the heavy artillery under UNPROFOR control from February 1994, the protocol signed by Karadzic and Akashi the same month, and Akashi's cable to Kofi Anan on 16 August 1994. The text of the protocol invoked by Mladić's defense was attached to the cable. The prosecution insisted that the text was 'not signed and not valid'.

The judges noticed that the defense used different terminology than the controversial protocol. Presiding judge Orić recalled that in the cross-examination it was put to the witness that under the protocol, the Serbs 'have the right' to reclaim the heavy artillery if they were attacked by the Muslim forces. However, the protocol specifically referred to two scenarios, Judge Orić noted.

In the first case, if for any reason UNPROFOR were to withdraw from the heavy weapon collection points or from the positions between the warring sides, the Serb side 'reserves the right to redeploy' the heavy artillery. The second scenario envisaged that if the opposing side attacked the Serbs, they 'reserve the right to take adequate measures' to defend themselves.

Ratko Mladić's trial will continue tomorrow with the evidence of the former commander of UNPROFOR in Sarajevo Rupert Smith.

2013-01-24

THE HAGUE

MLADIĆ'S 'TIRADE OF THREATS'

British general Rupert Smith confirmed at the trial of Ratko Mladić that the commander of the VRS Main Staff had authority over his troops and made all the important decisions. At the same time, Mladić ignored Smith's warnings about breaches of the Geneva conventions. Instead, Mladić issued threats and realized them, refusing to realize that 'the Serbs' actions created such a terrible public impression that the international negotiators rejected their proposals out of hand'



← Rupert Smith, witness at the Ratko Mladić trial

British general Rupert Smith testified at the trial of Ratko Mladić about his contacts with the Bosnian Serb political and military leadership in 1995. At the time, Smith was the commander of the UN peace-keeping forces in BH. In the examination-in-chief, the witness confirmed that General Mladić had unquestionable authority in the VRS. Mladić made all the important decisions and his orders were obeyed, Smith explained.

As he answered prosecutor Dermot Groome's questions, General Smith said that his contacts with Mladić led him to conclude that Mladić knew about the VRS snipers firing on civilians in Sarajevo. Smith also found that Mladić ordered his troops to reclaim the heavy artillery

placed under the UN control, that he ordered and controlled the operation to take UN members hostage in May 1995, ignored warnings that it was a breach of the Geneva conventions, controlled access to UN protected zones, the movements of humanitarian convoys and finally exercised command in the operation to ethnically cleanse Srebrenica.

Apart from a number of documents used by the prosecution to illustrate those and other claims made by the witness, audio recordings and transcripts of Smith's telephone conversations with Mladić after the Markale incident on 28 August 1995 were also admitted into evidence. Mladić personally taped the conversations and they were found and seized in Mladić's wife's apartment in Belgrade. Mladić didn't object to their admission into evidence provided they were admitted in their entirety. The prosecution agreed wholeheartedly.

At a meeting in Vlasenica in March 1995, Mladić launched a 'tirade of threats' against Smith and the British contingent in UNPROFOR. Mladić said, 'I will take your Englishmen from Gorazde and cut their heads off in front of cameras, one for each threat, and I will then broadcast it to the public on CNN'. Mladić did realize some of his threats in May 1995, when the VRS captured UN staff on Mladić's orders, and used them as human shields against NATO air strikes. In several telephone conversations, General Smith warned Mladić that such actions were a violation of the Geneva conventions. General Smith got the impression that it 'didn't matter at all' to Mladić.

General Smith described a meeting with Mladic in Belgrade on 15 July 1995, in the immediate aftermath of the fall of Srebrenica. They discussed the refugee issue and the rescue operation for the UN Dutch Battalion soldiers. According to the British general, the UN had received the reports about crimes from the Bosnian authorities, but such reports were taken with 'a grain of salt' and the UN always demanded proof. 'We knew Srebrenica was being ethnically cleansed, we knew that men were separated from the women and children and that there were killings... this was sad, but I was not surprised. However, I had no idea of the scale of the events unfolding at the time'.

When he met with Mladic on 22 August 1995, General Smith was already aware of the carnage in the Srebrenica area. In vain Smith tried to 'make Mladic understand that the Serbs' actions created such a terrible public impression that the international negotiators rejected their proposals out of hand'.

General Smith's testimony continues tomorrow; he will be cross-examined by Ratko Mladic's defense counsel.

2013-01-25

THE HAGUE

MLADIC: GENERAL SMITH IS 'BRITISH HAWK'

Ratko Mladic couldn't restrain himself and had to voice his opinion of British general Rupert Smith in court. 'He is not a peace keeper but a British hawk', Mladic shouted at the end of the hearing. UNPROFOR in BH was not a 'peace-keeping force' for a simple reason that there was no peace in BH to keep, Smith said in the cross-examination

'He is not a peace keeper, but a British hawk', Ratko Mladic shouted from the dock at one point, after the judges had left the court. The 'British hawk' is a prosecution witness General Rupert Smith, UNPROFOR's last commander in Bosnia and Herzegovina.

In the cross-examination, Mladic's defense tried to paint General Smith as a 'hawk' who sided with the Bosnian Serbs' enemies in 1995. The defense criticized Smith for using his position as the commander of the UN peace-keeping force in BH to threaten only Serbs with NATO air strikes and leave the other warring sides – the BH Army, the Croatian Defense Council and the Croatian Army – alone. Defense counsel Dragan Ivtic insisted that in his previous evidence before the Tribunal the witness himself denied that UNPROFOR was 'a peace-keeping force'.

In his reply to Ivtic's suggestion, General Smith said that the main reason for his position was that 'there was no peace in BH to keep'. The witness stressed that after the fall of Srebrenica in July 1995 it was decided at the London Conference to respond with force to any further attacks on the safe havens. This was the basis for the air strikes launched by NATO and the Rapid Reaction Force against Serb positions, General Smith added.

Then defense tried to contest UNPROFOR's final report on the Markale incident of 28 August 1995, by putting it to the witness there was no evidence to conclude that the shell which killed 43 and wounded 75 Sarajevo citizens was fired from the VRS positions. Defense counsel Ivtic brought up the transcript of a conversation between Mladic and Smith immediately after the Markale incident. Mladic claimed that the Muslim side was responsible for the incident and that the intention was to discredit the Bosnian Serb army.

As General Smith remarked, this is not the first time he hears such accusations. Yet, he has never been shown any evidence to corroborate them. The witness fully trusted the UNPROFOR members who investigated the scene of the incident. Based on their findings, Smith formed his opinion on who was responsible for the incident: this was his job. The witness dismissed the defense's suggestion that he made the decision to launch air strikes. 'It was up to me to call in air strikes and eventually I did it', General Smith explained.

General Rupert Smith's cross-examination will continue on Monday, 28 January 2013.

2013-01-28

THE HAGUE

GENERAL SMITH: NOTHING PERSONAL IN STRIKES AGAINST MLADIC

In the cross-examination, Ratko Mladic's defense counsel attempted to portray British general Rupert Smith as a person who had come to BH with the intent to 'fight against Serbs'. According to the defense, the air strikes against the VRS positions were 'personal, a showdown' between Smith and Mladic. The witness responded that there was nothing personal there. The only goal was to force Mladic to stop the attacks on Sarajevo and other safe havens



◀ Rupert Smith, witness at the Ratko Mladic trial

In the cross-examination of British general Rupert Smith, Ratko Mladic's defense suggested that Smith, who was the UNPROFOR commander in BH at the time, was 'under pressure' when he decided to call in air strikes on Serb positions in late August and early September 1995, immediately after the second Markale incident.

General Smith replied that in a telephone conversation with Mladic immediately after the incident he did say he was 'under pressure', in an effort to show Mladic that the situation was serious, since at the time, Smith had been contacted by various people from the UN and NATO HQ and the representatives of the Bosnian authorities. They all wanted to find out what he intended to do.

Mladic's defense counsel Dragan Ivetic put it to General Smith that he had come to BH to 'fight against Serbs'. The air strikes on the Serb positions were 'personal, a showdown' between Smith and Mladic, the defense counsel implied. The witness dismissed the allegation. 'It was personal only insofar as I tried to force Mladic to change his attitude', General Smith said.

The witness confirmed that another goal of the strikes was to weaken 'Mladic's position as a commander'. Military targets in the village where Mladic's parents were buried were attacked to 'humiliate' Mladic and show him he was unable to defend 'the remains of his predecessors'. 'So what if he was humiliated, all he had to do was stop the attacks on the safe havens', Smith insisted.

Defense counsel Ivetic then brought up a letter General Mladic sent to General Bernard Janvier on 4 September 1995, protesting against the strikes on Serb positions, complaining that Smith rejected his proposal to establish a joint commission to investigate the Markale incident and that Smith prevented the disclosure of the details of UNPROFOR's final report.

Smith was then asked if it was true that he banned the publication of the report because he didn't want his decision on air strikes to be reviewed. 'No. I was convinced that my decision was right and I still believe that it was right'.

At the end of the witness's evidence, presiding judge Orić noted that General Rupert Smith could possibly be recalled to The Hague to provide some more answers. The trial continues tomorrow with the evidence of a new prosecution witness.

2013-01-29

THE HAGUE

WITNESS: MLADIC CONCEIVED VRS STRATEGY IN SARAJEVO

According to a former high-ranking UNPROFOR officer testifying under the pseudonym RM 120, Ratko Mladic 'conceived the VRS strategy in Sarajevo'. The witness said that Milenko Indjic, VRS liaison officer with UNPROFOR, was there to put the pressure on the Sarajevo-Romanija Corps commander Dragomir Milosevic on behalf of Mladic to 'make sure that Mladic's vision was implemented'

Witness RM 120 testified at the trial of the former commander of the VRS Main Staff Ratko Mladic. From 1994 to 1995, the witness was a high-ranking French officer in the UNPROFOR command in Sarajevo. The witness's name, image and voice are protected. The witness's written statement based in part on his previous evidence was admitted into evidence 'under seal'.

During his service in Sarajevo, the witness observed that the Serb side tried to make life in the city impossible by restricting the passage of humanitarian convoys and by constant sniper and artillery fire. As the UN soldiers investigated sniper incidents with civilian casualties, they established that the VRS was responsible for most of the attacks. This is why UNPROFOR implemented anti-sniping measures on the Serb side and addressed most of its protests to them. Dragomir Milosevic, the Sarajevo-Romanija Corps commander, either claimed that the Muslims had fired first or didn't even bother respond to the protests.

Based on his personal observations and the information he had at his disposal, the witness got the impression that Ratko Mladic 'completely controlled the VRS strategy in Sarajevo while General Dragomir Milosevic was in charge of carrying it out'. Lieutenant colonel Milenko Indjic, VRS liaison officer with UNPROFOR, put pressure on Milosevic on Mladic's behalf to 'make sure that Mladic's vision was implemented'.

In the examination-in-chief, the witness said there had been many sniping incidents. In about 70 cases, UNPROFOR was able to establish the origin of fire: in 66 cases it was determined that the fire was opened from the territory under the Bosnian Serb control, while in six cases the BH Army was responsible. According to the witness, for every casualty in the area under the VRS control, there were ten in the BH Army controlled areas.

As the witness said, during the preparatory interview he saw for the first time the protocol in which, according to the defense, the Serb side reserved the right to reclaim the heavy artillery if it came under attack. In 1994, the Serb side placed the heavy artillery under UNPROFOR's control. The witness knew only about the agreement from February 1994 which prohibited both sides from reclaiming the heavy artillery which was kept in depots. Unfortunately, the Serb forces frequently pulled out the artillery pieces to fire on Sarajevo, the witness claimed.

Because of the protective measures, most of the witness's evidence proceeded in closed session. The cross-examination by Mladic's defense counsel Branko Lukic also began while the hearing was in closed session. The cross-examination continues tomorrow morning.

2013-01-30

THE HAGUE

MLADIC REMOVED FROM COURT AGAIN

During the cross-examination of a French UNPROFOR officer testifying under the pseudonym RM-120, Ratko Mladic had to be removed from court yet again, because he was showing some photographs from a book he had brought with him in the dock

The cross-examination of a French UNPROFOR officer, testifying under the pseudonym RM-120, continued for the most part in closed session. At one point, again in closed session, the accused Ratko Mladic had to be removed from court. When the court went back in open session, presiding judge Orije stated that the measure would remain in force until the trial resumed tomorrow, adding that Mladic may show to the witness any books or photographs he considers relevant through his defense counsel, instead of waving them about in court.

The defense tried to challenge the witness's statement that the Bosnian Serb authorities deliberately terrorized the civilians in Sarajevo. Mladic's defense counsel Branko Lukic noted that UNPROFOR was unaware of the strength, structure, disposition and exact locations of the BH Army units in the city. The witness confirmed that UNPROFOR 'considered any occasion when a shell impacted inside the city as firing on civilians'. When the judges asked a follow-up question, the French officer explained he could not claim that the civilians were targeted by the shells each and every time, but in his view, generally speaking, 'the objective was to terrorize the population'.

The defense also tried to challenge the witness's claim that 'the primary role of Lieutenant Colonel Milenko Indjic was to control Dragomir Milosevic, commander of the Sarajevo-Romanija Corps, and the secondary task was to report to Mladic everything that occurred at the meetings with UNPROFOR'. 'Do you wish to say that a soldier of a lower rank could exert control over an officer of a higher rank in the VRS, that the VRS was not established along the same lines as the other armies in the world and that anarchy reigned there,' Lukic asked the witness. According to the French officer, UNPROFOR staff didn't consider that anarchy reigned in the VRS, 'but Sarajevo was so important from the media and strategic point of view that no mistakes were allowed in the implementation of the overall strategy'. In other words, as he explained, 'all measures were taken to implement the overall strategy'.

The cross-examination of Witness RM-120 will be completed tomorrow.

2013-01-31

THE HAGUE

PALE'S OBSESSION WITH MAPS

BBC's war correspondent Martin Bell confirmed in his evidence at Ratko Mladic's trial that Serbs had been attacking Sarajevo in order to take it and that they 'tightened the noose' around the city to gain the upper hand at the peace talks. He was able to see that when he met with the Bosnian Serb leaders who, as he noted, were obsessed by maps



◀ Martin Bell, witness at the Ratko Mladic trial

After the French officer from the UNPROFOR command in BH completed his evidence, Ratko Mladic was allowed back in court to follow the testimony of BBC's war correspondent Martin Bell. The accused was removed from court because he kept waving a book and photographs at the French witness, who testified under the pseudonym RM-120.

Martin Bell reported on the events in the former Yugoslavia from 1991, when the conflict broke out in Croatia until the end of the war in BH in 1995. He spent most of the time in Sarajevo, and produced a number of reports on the shelling and sniping against the civilian population.

Of all the conflicts he covered in the 35 years of his journalistic career, Sarajevo was the place where the attackers distinguished between civilians and military targets the least. In August 1992, he was wounded by shell shrapnel as he was reporting from the field. He then decided to forego risky crossings from one side of the front to the other.

As Bell said in his examination-in-chief, his approach to covering the war in BH was to be 'fair, precise and accurate in my reporting'. He considered it of paramount importance to talk to the Bosnian Serb leadership, and was able to do so until August 1994 when all contacts with the Serb side were severed, 'to my great regret', as he said.

The prosecution showed in court a recording of Karadzic's visit to the front lines at Mount Trebevic. Karadzic was accompanied by a BBC crew and other journalists during the visit that took place on 25 April 1992. Contrary to Karadzic's claims that he had no wish to take the city but merely to defend the Serb settlements, the Bosnian Serb army attacked Sarajevo.

As the witness noted, the Serbs 'tightened the noose' around the city in order to gain the upper hand in the peace talks. He saw that when he met with Radovan Karadzic, Momcilo Krajisnik and Jovan Zametica, and UNPROFOR representatives. The Serb politicians were 'obsessed by maps' and carted them around wherever they went.

Martin Bell's testimony will continue on Friday.

2013-02-01

THE HAGUE

MLADIC TO PAY PART OF COST OF HIS DEFENSE

Following an investigation into the financial status of the former commander of the Bosnian Serb army, the Tribunal's Registry established that the accused has enough money to contribute a little less than 61,000 euro toward the cost of his defense. This is less than 146,500 euro to be paid by Radovan Karadzic or the staggering 3.3 million that Slobodan Praljak will have to pay

After a recent thorough investigation into Ratko Mladic's financial status, the Tribunal's Registry has determined that Ratko Mladic is able to pay exactly 60,992 euro to his defense. At the same time, the Registry appointed Branko Lukic and Miodrag Stojanovic, who had until now been Mladic's current temporary counsels, as his 'permanent' defense team members, because the issue of their fees has been resolved.

The exact amount Mladic has to pay to his defense team was established after an investigation that ascertained the accused's income and property and assessed the living expenses of the accused and his family. It was determined that the accused and his wife received regular monthly pensions. The value of the family home in excess of the reasonable needs of the household members was taken into account, as was the money in the accused's bank account at the UN Detention Unit in Scheveningen. Reasonable living expenses of Mladic and his wife were subtracted from the sum, leaving the amount of 60,992 euro. The Tribunal will cover other defense costs: that amount will far exceed the part to be paid by Mladic.

General Mladic is the third accused in The Hague in the past six months to be told he has enough funds to at least partly cover the costs of his defense before the Tribunal. Former Republika Srpska president Radovan Karadzic has already been ordered to participate to the tune of 146,501 euro. The absolute record in terms of the amount owed to the Tribunal's Registry is held by Slobodan Praljak. After an investigation of how much he owned, Praljak was ordered to pay back 3,3 million euro to the Registry: this is the amount paid in the eight years from the Tribunal's legal aid fund to Praljak's defense counsels. Both Praljak and Karadzic appealed against the Registry's decision.

Praljak and five other Herceg Bosna leaders are currently awaiting judgment for crimes against Bosnian Muslims. The trials of Karadzic and Mladic continue on Monday. Karadzic and Mladic were charged with identical crimes which were allegedly part of four joint criminal enterprises in Bosnia and Herzegovina.

2013-02-01

THE HAGUE

MEDIA WERE 'UNCONSCIOUSLY' BIASED

British correspondent Martin Bell testified at the trial of Ratko Mladic about the artillery and sniper terror campaign in Sarajevo. In the cross-examination, Bell confirmed his statements in his book *In Harm's Way*: he said that a number of journalists took the Muslims' side during the war. Later in his evidence, Bell corrected his statement, saying that their bias was not 'conscious': they did it because they never left the city and couldn't see the war from any other perspective



◀ Martin Bell, witness at the Ratko Mladić trial

The prosecution continued with the examination-in-chief of the British correspondent Martin Bell, focusing on the artillery and sniper activities of the Bosnian Serb army that targeted the population in Sarajevo. The prosecution played several of Bell's war reports. According to one of them, the Serb artillery around the city held such good positions that the Serb forces could fire on 'whatever they wanted to'.

Commenting on his war reports, the witness said that civilians in Sarajevo were targeted by deliberate fire. They went around looking for water and food in an effort to survive as best as they could. Many of them were killed or wounded. In the shelling of a water queue near

the Sarajevo Brewery in January 1993, eight persons were killed and 18 were wounded. The victims included three members of a single family – father, mother and daughter, the witness recalled.

In the examination-in-chief, Bell said that on 28 August 1995 he arrived in the Markale market immediately after the explosion of the shell that killed 43 and wounded over 75 persons. Bell also visited the location hit by a modified air bomb in Hrasnica in April 1995. The so-called 'sow' razed five houses to the ground, the witness recounted, adding that he had never seen a weapon of such destructive power before.

In the cross-examination, Mladić's defense dwelled on the context of the conflict in the former Yugoslavia, highlighting the crimes perpetrated in the past against Serbs and their fear of the restoration of the Ustasha movement and the Muslim Handzar Division. Bell dismissed the suggestion that the Mujahideen fought in BH from the beginning of the war under the BH Army command. According to Bell, the foreign soldiers fought together but not under the command of the BH Army and they were not active at the beginning of the war. However, Bell added, when the images of demolished mosques and thousands of Muslims fleeing for their lives were broadcast, it caused shockwaves in the Islamic world.

Mladić's defense counsel Dragan Ivetić quoted from Bell's book *In Harm's Way*, where Bell wrote that a 'number of journalists took the Muslims' side'. Asked about the percentage of biased journalists reporting from Sarajevo, Bell replied, 'It's not that they consciously took sides but they didn't go anywhere outside the territory under the control of the government in Sarajevo and they couldn't see the war from any other perspective'.

Defense counsel Dragan Ivetić put it to the witness that the British and American politicians looked at the media as the main source of information and made decisions based on their reports. Bell begged to differ, saying that the British and American government had their own military and other sources and didn't let journalists such as himself influence the decision making. On the contrary, Bell noted, he was considered a 'nuisance'. The politicians called him the founder of the 'let's do something' club.

2013-02-05

THE HAGUE

WITNESS SPEAKS ABOUT MARKALE ON THE ANNIVERSARY OF MASSACRE

Mirza Sabljica, former ballistics expert of the Sarajevo Security Services Center, began his evidence at the trial of Ratko Mladić. During the war Sabljica took part in the investigation of numerous sniper and artillery incidents. One of the incidents is the Markale massacre which happened exactly 19 years ago, on 5 February 1994



◀ Photo of the Markale 1 massacre on 5th February 1994

Former ballistics expert of the Sarajevo Security Services Center Mirza Sabljica started his evidence at the trial of Ratko Mladić. He is testifying under his own name but with image distortion as protective measure. During the war, Sabljica took part in the investigation of about 60 sniper and almost 100 artillery incidents. One of them happened on this very day 19 years ago, on 5 February 1994: the first Markale market massacre. The massacre was caused by a 120-mm mortar shell that was fired, according to the prosecution's evidence, from the north-northeast, where the Sarajevo-Romanija Corps had its positions. Sabljica confirmed this.

Sabljica had already testified in detail about the methodology used in the investigation of this and other incidents at the trials of Stanislav Galić, Dragomir Milošević, Momčilo Perišić and Radovan Karadžić. In the examination-in-chief at Mladić's trial, Sabljica provided some additional

clarifications about the analysis of the mortar explosion traces, and other evidence found at the crime scenes. The typical prints left by the mortar shells at the point of impact on the asphalt were called 'Sarajevo roses'.

Apart from the Markale massacre, Sabljica testified about three other incidents: the shelling at a football match in Dobrinja on 1 June 1993, the attack on Alipasino polje on 21 January 1994 in which children were killed and wounded and the shelling of the humanitarian aid queue in Dobrinja on 4 February 1994. Sabljica also described the visit to the skyscraper in Lenjinova Street in Grbavica in 1996, when the Security Services Centre investigators discovered 'sniper nests' in the building. The civilians in Sarajevo were targeted from those sniper nests.

In the first part of the cross-examination, Mladić's defense counsel Branko Lukic contested the findings of the investigations conducted by Sarajevo investigators. He noted that the investigation of the shelling at a football match in Dobrinja was carried out in November 1995, two and a half years after the incident. Also, the defense counsel noted that Sarajevo investigators were able to establish the direction, but not the site from which mortar shells were fired. Lukic implied that those shells may have been fired not only by the VRS, but by somebody else, and that would be the BH Army.

Ratko Mladić's trial continues tomorrow.

2013-02-06

THE HAGUE

CONTESTING SARAJEVO INVESTIGATIONS

In the cross-examination of Mirza Sabljica, Ratko Mladić's defense contested the claim that the Serb forces were responsible for the artillery incidents listed in the indictment. The defense suggested that the shells could have been fired from BH Army positions, and highlighted the differences in the reports produced by various local investigation teams and the fact they did not tally with the findings of UNPROFOR's investigations



◀ Photo of the place where the children play on 22nd of January 1994

Ratko Mladić's defense continued the cross-examination of Mirza Sabljica, former ballistics expert of the Sarajevo Security Services Center. The defense contested the claim that the Serb forces were responsible for the artillery incidents listed in the indictment, suggesting that the shells could have been fired from BH Army positions.

The defense contested the findings of the Sarajevo ballistics experts that the shells that fell among the children playing in the snow on 22 February 1994 were fired from the direction of the Institute for the Blind in Nedzarici, under the VRS control. Defense counsel Lukic brought up an UNPROFOR report stating that the shells

were fired from the direction of Butmir, under the control of the BH Army. The witness replied that he firmly stood behind the conclusions of his team.

Turning to the Markale incident of 5 February 1994, the defense noted that two investigations were conducted. The first to investigate the crime scene was a team of the Sarajevo Security Services Center. The witness was part of that investigation. The next day, the scene was visited by another team, led by Professor Berko Zecevic to do a new investigation. The defense found it suspicious that the results of those investigations weren't identical. The witness said there was nothing strange in that. There could be small differences in the measurements used to establish the origin of fire, but they couldn't influence the final conclusions, the witness explained.

As regards Markale, the defense claimed that technical equipment used in the investigation was not in good working order. The defense counsel put it to the witness that the 'measuring tape', which has two sets of black and white 1 centimeter blocks and was used to measure the remains of the shell wasn't good. According to the defense counsel, the black and white blocks shown in one of the photos weren't of the same length. This, the defense counsel implied, indicated that there was an attempt to 'cover up some evidence'. The witness said that the visual difference in the length of the blocks could be a result of the angle at which the photo was taken. The witness told the defense counsel he would have to discuss all the other issues relating to the photo with its author.

Speaking about the shelling of the humanitarian aid queue in Dobrinja 4 February 1994, the defense counsel noted there was a police station in the immediate vicinity of the site. The defense counsel also noted that three shells exploded that day in Dobrinja but only two impact sites were investigated. Sabljica confirmed that the police station was indeed located somewhere in the area but couldn't be specific. Sabljica also confirmed that the site of the third explosion wasn't investigated because the shell hit a nearby religious building, causing no casualties.

Lukic showed the witness a photo with an arrow, which, as he said, marks the origin of fire and points to the west. In his report, the witness claimed the arrow pointed east, towards Lukavica, which was under VRS control. The witness dismissed the claim, and explained that the arrow in fact marked the direction of flight of the shell, which flew in

from the east to the west, from the place where it was fired to the site of impact in Dobrinja. It was put to the witness that the metal remains of the shell could interfere with the compass. Sabljica agreed it was possible. However, the witness added that it wouldn't have significantly affected the findings of the investigations. The reports always noted that a standard deviation of +/- 5 per cent was possible, Sabljica explained.

2013-02-07

THE HAGUE

RATKO MLADIC – CHARMER AND BULLY

Remembering the behavior of the accused general during the war in BH, high-ranking UN official Anthony Banbury said that Mladic was an 'intelligent, strategic thinker', who used a combination of 'charm and bullying' in the negotiations and used his 'undisputed' influence on the army to create an atmosphere in which civilians in Sarajevo were killed 'routinely'



◀ Anthony Banbury, witness at the Ratko Mladic trial

During the last two years of the war in BH, Anthony Banbury was a high-ranking UN official there. In this capacity, he attended a number of meetings with the representatives of the Bosnian Serb political and military leadership, including president Radovan Karadzic and military commander Ratko Mladic. Banbury testified at Karadzic's trial as a prosecution witness in September 2012. Today Banbury returned to The Hague to give evidence against Mladic. Banbury's statement to the OTP investigators was admitted into evidence together with a series of reports, cables and letters. Banbury drafted the documents from April 1994 to May 1995 as a political advisor on behalf of the UN civil affairs chief Viktor Andreev. Later, until the end of the war, Banbury worked

for the special envoy of the UN Secretary General, Yasushi Akashi.

Prosecutor Bibles read out the summary of the witness's statement. The witness said that the Bosnian Serb army could 'change conditions of life in Sarajevo' by controlling the gas, electricity, water and humanitarian supplies but also by changing the intensity of the artillery and sniper fire against civilians. As the witness said, General Ratko Mladic was the 'undisputed leader of the army and important decision with military ramifications could only be made with his consent'.

Banbury, who currently holds high office in the UN headquarters in New York, recalled his wartime contacts with Mladic. Banbury described Mladic as a 'skilled negotiator' and 'an intelligent strategic thinker' who used a combination of 'charm and bullying' in his contacts with international representatives. 'If you fell for his charm, the experience would be pleasant, but if you tried to resist him, then it was not very pleasant', the witness described.

Mladic obviously liked Banbury's description because he smiled with pleasure in the dock. The judge warned Mladic to refrain from responding to the witness's testimony.

Banbury was asked to assess the degree to which Mladic's activities influenced the war in BH. Based on the 15 months Banbury spent in Sarajevo, he realized that the Bosnian Serb army created a situation in Sarajevo in which the civilians in the city were 'killed routinely'. Banbury said that people died in random artillery attacks and were killed by snipers which directly targeted civilians. Apart from the physical losses, these activities had a 'devastating psychological' effect on the citizens, regardless of their ethnic background. 'Whoever ventured out into the street was a target, people didn't know if their children would come back home after they went out the door', Banbury recounted.

According to the witness, Mladic's army did not terrorize only the citizens of Sarajevo: the enclaves of Srebrenica, Zepa, Gorazde and other parts of BH were subjected to physical and mental terror. Civilians were killed and expelled, families torn apart and heinous crimes against women were perpetrated, the witness said.

When Judge Flugge asked if the witness warned Mladic at the meetings that such things were happening, Banbury said that he personally didn't, but his superiors did. In his reports, Banbury recorded the answers he got from Karadzic, Mladic and other representatives of the authorities. Their replies were a combination of 'attempts to justify their actions, denial and promises' that the incidents would be investigated, that were never kept.

The cross-examination of the witness began in the second session of the hearing.

2013-02-08

THE HAGUE

'HONEST MAN' WHO DIDN'T SPEAK THE TRUTH

The defense counsel showed the minutes from a meeting where Slobodan Milosevic called Ratko Mladic an 'honest man'. The defense counsel asked the high-ranking UN official Anthony Banbury if he heard other people describe Mladic in similar terms. 'No, but I heard people say he very often misrepresented the truth', the witness replied



◀ Anthony Banbury, witness at the Ratko Mladic trial

In the cross-examination of former UN official who served in the former Yugoslavia, Anthony Banbury, Ratko Mladic's defense counsel contested the witness's claims that the Bosnian Serb army was responsible for 'routine' killings of civilians in Sarajevo and crimes in other parts of BH. The defense tried to shift the blame on the other side, accusing the BH authorities that they urged the Muslims to leave the territory under the Serb control. According to the defense, the Muslims caused incidents only to blame the Serbs for them.

Defense counsel Miodrag Stojanovic denied that Ratko Mladic and the army under his command were responsible for the ethnic cleansing of large parts of BH.

The defense counsel put it to the witness that the 'process of the migration of the people' followed a pattern in which civilians would go to the territory under the control of their ethnic army. The witness got the impression that the BH authorities wanted to 'maintain the multinational character' of the territory under their control. It was the witness's impression that the Serb leadership wanted to have a 'monoethnic' entity governed by the principle 'wherever the Serbs boots leave their prints, this is Serb land'.

The defense counsel showed a document from January 1993 in which Hasan Cengic, secretary of the Party of Democratic Action (SDA), demands that all the Muslims from Trebinje – 'especially the eminent and wealthy members of the community' – be urged to leave the town, which was under the Serb control and to move to Montenegro. Banbury said this approach was 'surely worthy of criticism'. He got the impression that in some situations the SDA 'wanted to manipulate things', but the UN didn't work with the party but with the BH authorities, Banbury insisted.

In a bid to blame the sniper incidents in Sarajevo on 'the other side', the defense counsel brought up a letter from the BH president Alija Izetbegovic to his military commander Rasim Delic from April 1995. In the letter, Izetbegovic relays to Delic the fact that the French ambassador was unhappy about the allegations that more than half of the 24 UN staff killed in Sarajevo had been the victims of the BH army snipers. The witness replied that he didn't have specific information but knew that 'some attacks' on the UNPROFOR members were indeed carried out by the Bosnian side.

From April 1994 to the spring of 1995, Banbury served as political advisor to Viktor Andreev, UN civil affairs chief, and then to the UN Secretary General's special envoy to the former Yugoslavia, Yasushi Akashi. In May 1995, Akashi and Banbury met the Serbian president Slobodan Milosevic in Belgrade. In the report from that meeting, Banbury wrote down that Milosevic said Mladic was an 'honest man who has problems with the Republika Srpska political leadership'. When Banbury was asked if he knew that the phrase 'a good man' was often used to describe Mladic and if he heard others say that about Mladic, the witness said he didn't. The only thing he heard from UNPROFOR officers who had contacts with Mladic was that he was a man who 'very often misrepresented the truth to them', Banbury said.

Prosecutor Bibles was obviously all too happy with the outcome of the two days of Banbury's cross-examination and had no additional questions for him. Banbury thus completed his second testimony before the Tribunal. The trial of Ratko Mladic continues on Monday.

2013-02-11

THE HAGUE

'ROSES' AND 'PAWS' ON ASPHALT IN SARAJEVO

Former member of the Anti-Sabotage Protection Department in the BH MUP in Sarajevo started his evidence at the trial of Ratko Mladic. During the war, the witness took part in more than 50 investigations of the shelling incidents that involved civilian victims. In his evidence, the witness gave some additional explanations concerning the marks left by the lethal shells on the streets of Sarajevo



◀ Ekrem Suljevic, witness at the Ratko Mladic trial

Former member of the Anti-Sabotage Protection Department in the BH MUP in Sarajevo Ekrem Suljevic began his evidence at the trial of Ratko Mladic, former commander of the VRS Main Staff. From 1993 to the end of the war Suljevic took part in over 50 investigations of the shelling incidents that involved civilian casualties. Among them was the Markale incident on 5 February 1994.

Suljevic's written statement based on his previous evidence at the trials of Dragomir Milosevic, Momcilo Perisic and Radovan Karadzic was admitted into evidence together with a large set of documents. The documents pertain to the investigations of incidents listed in the

indictment against Mladic, the procurement of ammunition and the manufacture and use of modified air bombs, known as 'sows', by the VRS Sarajevo-Romanija Corps.

In his statement, Suljevic explained in detail the methodology used in establishing the origin of fire. In the courtroom, he used drawings to provide additional explanations on the prints left by the shells at the point of impact. In their jargon, the investigators called those prints 'roses' or 'paws'. According to the witness, the markings found on the fragments of some shells indicated they had been manufactured in the Krusik arms factory in Valjevo, Serbia. The analysis of the fragments of the shell that had hit Asikovac on 22 May 1995 showed that the explosive charge had been produced that very year.

In the examination-in-chief, the witness was shown photos taken by the Sarajevo police in the *Zeljezara* in Ilijas in 1996, after the reintegration of the parts of Sarajevo that had been under the VRS control during the war. The photos show 200-liter barrels. According to the witness, during the war the barrels were filled with explosives and then used as 'mobile bombs': truck wheels were fitted on them and they were rolled away. In the cross-examination, Mladic's defense counsel put it to the witness that the barrels were actually filled with concrete and then used to clear paths through mine fields.

The defense used the incident in Vrbovska Street on 2 July 1995 to prove that the Serb artillery fired on military, not civilian, targets. The defense noted that the headquarters of a BH Army unit was located nearby, as was the Viktor Bubanj military barracks. Defense counsel Lukic put it to the witness that artillery fire had been opened from the location close to Sarajevo TV building on the Serb positions. The witness replied that he personally had never seen it.

Ekrem Suljevic will continue his testimony tomorrow morning.

2013-02-12

THE HAGUE

POLICE 'PLANTED' EVIDENCE

Ratko Mladic's defense continued the cross-examination of Ekrem Suljevic. The defense contends that the Sarajevo police 'planted' evidence to blame the Serb side for the shelling incidents that caused civilian casualties



◀ Ekrem Suljevic, witness at the Ratko Mladic trial

The cross-examination of Ekrem Suljevic, former member of the Anti-Sabotage Protection Department in the BH MUP in Sarajevo, continued on Tuesday. The defense of the former commander of the VRS Main Staff Ratko Mladic claimed that the Sarajevo police 'planted' evidence to blame the Serb side for the shelling incidents where there were civilian casualties.

Mladic's defense counsel Branko Lukic claimed that the incident in which the Sarajevo TV building was hit by a modified air bomb on 28 June 1995 was a 'planted explosion'. According to Lukic, in his expert analysis of the incident, Dr Berko Zecevic presented 'an impossible trajectory' of the projectile. Lukic claimed that the

modified air bomb weighed about 300 kg, flew at the speed of about 540 km/h and 'ricocheted' before it exploded.

Suljevic dismissed the suggestion that the explosion was planted. Commenting on the sketch of the air bomb's trajectory presented in Dr Zecevic's report the witness said he could only assume that the sketch showed the approximate trajectory of the missile. The investigation didn't determine – because it is impossible to do it – whether the shell had a contact fuse or time-delay fuse.

The defense tried to illustrate its 'planted' explosions theory with the incident in Safeta Hadzic Street. On 26 May 1995, first an air bomb fell there, followed by several mortar shells. According to the findings of the Sarajevo police, the projectiles were fired from the VRS position in the west-southwest. Lukic put it to the witness that a dud shell recovered at the site was in fact taken out of a basement and 'planted' there to 'blame the Serb forces' for the shelling. The witness dismissed the suggestion.

Evidence was also purportedly planted in the incident in Mis Irbina Street, the defense claimed. On 27 June 1995, a child was killed and several children were wounded in the shelling. As the defense noted, the police report states that only one shrapnel hole was found in the door of the doorway where the children were at the time. The defense found it very suspicious. Suljevic didn't think it was strange at all, saying that the door could have been open at the moment of the explosion.

For each incident, the defense insisted there were legitimate military targets in close proximity to the impact sites. The Energoinvest building was located near the TV building. A police station was located near Safeta Hadzica Street. The headquarters of the Sarajevo Security Services Centre was close to Mis Irbina Street. Ekrem Suljevic's cross-examination will continue tomorrow.

2013-02-13

THE HAGUE

'STRATEGIC' SHELLING OF HOSPITAL

Quoting the statement of the health minister in the wartime Bosnian Serb cabinet, Dr Bakir Nakas claims that the VRS intended to destroy the hospitals Sarajevo because they wanted 'to strip the enemy of the possibility of medical treatment'



◀ Bakir Nakas, witness at the Ratko Mladic trial

After the re-examination of Ekrem Suljevic, former member of the Anti-Sabotage Department in the MUP, the prosecution called Bakir Nakas, head of the Sarajevo State Hospital, to give evidence at the trial of Ratko Mladic. The former commander of the Bosnian Serb army is charged with crimes committed in Sarajevo from 1992 to the end of the war in Bosnia and Herzegovina.

The prosecution tendered into evidence the witness's statement based on his previous evidence at the trials of Dragomir Milosevic, Momcilo Perisic and Radovan Karadzic together with the hospital files from the war period. The files document the injuries of the victims of shelling and sniper attacks in Sarajevo. Among them are

three-year old Anisa Pita, the victims of sniper attacks on trams, Azem Agovic, Alen Gicevic, Afeza Karacic and Sabina Sabanic, victims of the shelling at a football match and of residential buildings in Alipasino Polje, Dobrinja, Hrasnica and Safeta Hadzica Street. Dr Nakas confirmed the authenticity of the medical files on the two shelling incidents at the Markale market, in February 1994 and August 1995.

Prosecutor D'Ascoli read out the summary of the statement, in which Dr Nakas described how the shelling and sniper attacks affected the operation of the hospital and the lives of the civilian population. As he said, the fire came from the areas under the Bosnian Serb control. This, the witness contends, he could see from his office.

According to Dr Nakas, the Serb forces intended to 'destroy the hospital as such'. Hadzimusic, an architect, confirmed this, the witness recounted, when he estimated the damage. Hadzimusic said that the 8th floor was the 'heart of the building's stability' and that the hospital would 'collapse' if the shelling of that floor continued.

Nakas noted that his former colleague and health minister Dragan Kalinic confirmed the intent to destroy the hospital. At a Bosnian Serb Assembly session in May 1992, Kalinic said that the Kosevo Hospital had fallen into the enemy hands. If the same thing happened to the military hospital, the Kosevo Hospital should be 'destroyed to strip the enemy of the possibility of medical treatment', Kalinic stated.

At the end of the hearing, the prosecutor showed a report produced by the Sarajevo Security Services Center on the incident in which Dzenana Sokolovic was wounded and her son killed. The prosecutor noted the differences in the description of the bullet's path through the body in the police and hospital reports. Nakas explained that 'the elements may have been incorrectly recorded at that time'. Nakas said that to this day, in countries with the state-of-the-art medicine, such as the USA or Sweden, patients can have a healthy kidney removed instead of the diseased kidney.

The witness's examination-in-chief continues tomorrow. Dr Nakas will then be cross-examined by General Mladic's defense counsel.

2013-02-14

THE HAGUE

WHICH HALF OF THE HOSPITAL WAS SHELLED MORE?

In the cross-examination of Dr Bakir Nakas, Ratko Mladić's defense counsel suggested that the Sarajevo Military Hospital had already been shelled while the JNA had still occupied it. According to the defense, the damage to the right-hand half of the southern façade could have been caused by the shells fired from the BH Army positions at Debelo Brdo

Most of the cross-examination of Dr Bakir Nakas, director of the Sarajevo State Hospital, which has been renamed Dr Abdulah Nakas Hospital, focused on the effort to establish which half of the southern façade of the building was shelled more. Dr Nakas said that the former military hospital in Sarajevo had been constantly targeted by the Sarajevo-Romanija Corps artillery, firing from the direction of Mount Trebevic, Vrace and Grbavica.

Using a map and a photo, the defense counsel put it to the witness that Debelo Brdo was on the same line as Mount Trebevic. 'During the entire war Debelo Brdo was under the control of the BH Army', the defense counsel insisted, and 'the southern wing of the hospital was clearly visible' from that elevation. Dr Nakas confirmed that there was no 'physical barrier' between the hospital and Debelo Brdo.

The witness's 'rough assessment' was that the southern façade of the hospital was targeted by heavier artillery – mortars and tanks. Dr Nakas added that the artillery fired mostly on areas where patients were, mostly on the 5th, 7th and 8th floors. According to Dr Nakas, the central and the right-hand side of the southern façade were most often shelled.

The defense counsel put it to the witness that until 10 May 1992, when the JNA withdrew, the Military Hospital 'was threatened by the Muslim armed forces; they also fired on it from snipers'. Quoting the then director of the Military Hospital, Dr Tausan, the defense counsel claimed there had been media reports that the JNA was using the hospital to 'snipe at passers-by'. On the other hand, Dr Nakas confirmed that there 'were comments' to the effect that the Territorial Defense soldiers who had 'taken up arms to defend BH' fired on the Military Hospital from snipers. However, Dr Nakas insisted he 'never saw that'. Dr Nakas also confirmed that after the Military Hospital was taken over from the JNA and renamed the State Hospital, damage that had probably been caused by a mortar shell was observed on the southern façade between the 7th and 8th floors. There were also holes, most likely caused by bullets fired at point-blank range, the witness noted.

As the defense counsel claimed, Dr Tausan said that the fiercest attack on the hospital occurred in late April, and that the fire came from the direction of the Magribija Mosque, where the Muslim forces purportedly had their weapons depot. The witness repeated that he was away in that period. Dr Tausan couldn't see the mosque from the hospital and he couldn't leave the hospital perimeter because a special unit detachment controlled the movements of the staff. Dr Nakas said that in his view there was no reason for the presence of the detachment in the hospital. The only reason why the detachment was deployed there was to split the city in two parts. Finally, the defense counsel put it to the witness that there was a HOS unit in the close proximity of the hospital and that the 'HVO and the BH Territorial Defense clashed' near the hospital in December 1992.

After Dr Nakas completed his evidence, the prosecution called Edin Suljic. He used to work for the Sarajevo Security Services Center and took part in the on-site investigation at the Markale town market on 5 February 1994. A mortar shell killed 67 and wounded 142 people there. The names of the victims are attached to the criminal report Suljic wrote after the incident. Edin Suljic will continue his testimony tomorrow.

2013-02-15

THE HAGUE

COUNTING BODIES AT MARKALE

Based on the hospital records, Ratko Mladić's defense counsel established that 39 persons were killed at the Markale market in February 1994, not 67, as was established by Edin Suljic, an inspector in the Sarajevo Security Services Center. The defense contends that the BH authorities 'exerted a lot of pressure' on the Security Services Center staff working on the investigation, in order to 'massage the figures for the casualties': 'to increase the number and use it in propaganda against Serbs'



◀ Edin Suljic, witness at the Ratko Mladic trial

Edin Suljic testified at the trial of the former commander of the VRS Main Staff Ratko Mladic. From September 1993 to May 1995, Suljic worked in the Sarajevo Security Services Center as an inspector in the War Crimes and Genocide Department. Suljic participated in the investigations of the shelling of the Markale market on 5 February 1994 and the sniping attacks on two trams in Marindvor on 8 October 1994. The transcript of Suljic's evidence at the trial of Stanislav Galic in 2002 was admitted into evidence.

When the incident at the Markale market happened, Suljic first went to the scene and then to the Kosevo Hospital to try to identify the dead and injured. During

the investigation, based on the information from the Kosevo Hospital and the State Hospital, as well as the UN infirmary, Suljic was able to establish that 67 persons were killed and 142 wounded in Markale. According to the findings of the Sarajevo Security Services Center team, the shell was fired from the direction of the VRS positions on Mrkovici.

In the cross-examination, Mladic's defense counsel Dragan Ivetic presented his 'calculation' of the number of victims of the Markale incident. By looking into the hospital records, the defense counsel established that 'no more than' 39 people had been killed and 120 persons wounded. The defense counsel also referred to the Security Services Center report which had an attachment with the photos of 39 victims. Asked where the photos of the other victims were, the witness replied that other members of the investigation team were in charge of that task. However, he could say 'with certainty' that he had counted around 60 dead bodies in the morgue. According to the witness, 'the family members most probably took the bodies of their relatives from the morgue and the photographer didn't have time to photograph them'.

Confronted with several documents in which the figures for the casualties at Markale differed, Suljic explained that the data kept coming in until the end of the investigation, and the figures changed as new findings came in. The number of victims of the Markale incident rose 'by the hour' as some victims passed away en route to hospital or after they were admitted, Suljic noted.

Judge Orić advised the defense counsel Ivetic to clearly put the defense argument to the witness. The defense counsel did so, saying that the BH authorities exerted 'a lot of pressure' on the Security Services Center staff who worked on the Markale incident investigation. According to the defense, their 'intent was to massage the figures for the victims', or to 'increase the number and use it as propaganda against Serbs'. Suljic dismissed the suggestion, saying that the only pressure his team was under was to collect as many facts and evidence as possible as soon as possible. 'Any other kind of pressure was ruled out', the witness stated.

Suljic also dismissed the defense argument that the trams in Marindvor were hit as the two warring factions exchanged fire, given that they were close to the demarcation line. Suljic noted that as a rule trams operated during cease-fires. As he explained, the investigation revealed that the fire had been opened from a skyscraper in Grbavica which was under the VRS control; the weapon was a machine gun nicknamed 'the death sower'.

2013-02-19

THE HAGUE

MURDERS IN KPD FOCA

A protected witness at the trial of General Ratko Mladic testifies about the murders in the Foca Correctional and Penal Facility (KP Dom). The witness was detained there for more than two and a half years. The defense 'objected' to the witness's claims that some detainees were killed and contested that the witness had 'any knowledge of it'

According to the indictment against Ratko Mladic for genocide and other crimes in Bosnia and Herzegovina, more than 200 persons were killed in the Foca Correctional and Penal Facility (KP Dom) from June to late December 1992. The witness who began his testimony under the pseudonym RM 013 and with voice and image distortion as protective measures, spent more than two and a half years there. Previously, the witness gave evidence about his ordeal at the trials of the Foca KP Dom warden Milorad Krnojelac and former RS president Radovan Karadzic.

The witness was detained in the KP Dom after the Serb forces captured Foca in April 1992. The conditions were 'harsh', the witness said. The elderly and the ill were abused and many of the detainees who had been beaten succumbed to their injuries. The witness was beaten on several occasions and was held in isolation. He was never told why he was detained.

In a brief examination-in chief the witness said that the Foca KP Dom was under the military command. According to the witness, deputy military police commander Gojko Jankovic confirmed it when he told the detainees that 'nothing can happen to you without a military order'. As the witness explained, some detainees in the KP Dom were

purportedly taken away to be exchanged only to disappear without a trace. The Red Cross representatives visited the KP Dom several times but they were not allowed to speak to the detainees, the witness noted.

In the cross-examination, Mladić's defense counsel highlighted the differences between the witness's statement to the OTP investigators in 1995 and what he said at the trials of Krnojelac and Karadzic. Thus, for example, the witness said at different times that he had been beaten up 'two, three or four times'. Also, as time went by, the witness added new names to the list of people killed in the KP Dom. At Krnojelac's trial, the witness spoke about the detainees who were taken out four times from the room where he was held. The witness said, 'I saw it with my own eyes'. According to the witness, the detainees were brought into a room one by one, where they were beaten. Pistol shots were heard after the beatings. The defense counsel asked the witness if he had put together all the lists with names of detainees that were taken out. The witness replied that in 99 per cent of the cases the lists were based on what he knew; other people helped him to put the detainees in the groups. In response to the presiding judge the defense counsel explained, 'I object to the allegation that those men were killed and that the witness has any knowledge about it'.

The defense counsel also put it to the witness that Serbs and Croats, not only Muslims, left Foca and that 'the extremists attacked the Serb youth'. The witness said he didn't know anything about that.

The protected witness RM 013 will complete his testimony tomorrow.

2013-02-20

THE HAGUE

MLADIC'S DEFENSE CONTENDS 'SOWS' WERE ACCURATE WEAPONS

Ratko Mladić's defense denies that the VRS used modified air bombs. However, in the cross-examination of a former UN observer, Per Brennskag, Mladić's defense claimed that modified air bombs nicknamed 'sows' because of their destructive power and inaccuracy ...in fact were an 'accurate' weapon



◀ Per Brennskag, witness at the Ratko Mladić trial

Retired lieutenant colonel in the Norwegian army Per Brennskag testified at the trial of the former commander of the VRS Main Staff Ratko Mladić. In 1995, Brennskag was a UN military observer in Sarajevo. The witness's written statement based on his previous testimony in the cases against Dragomir Milosevic, Momcilo Perisic and Radovan Karadzic was admitted into evidence.

From 22 March to 24 May 1995, Brennskag monitored the heavy weapon collection points at Pale. In early June, he was assigned to an UNMO team that monitored the artillery fire from an observation post in Pofalici. He saw that most of the shells were fired from the VRS positions. The shelling intensified in June 1995, when his team

counted 150 shells that hit the town in a 24-hour period.

During his mission in Sarajevo, the witness saw four to six modified air bombs being launched from the VRS positions in Ilidza; one of them hit the Bosnian TV on 28 June 1995. On that day, the witness was at his observation post and could see the launch of a modified air bomb from the Ilidza position, the trail of smoke and finally the bomb hitting the TV building. The event was registered in the UNMO report of that day; the report was shown in court.

In the cross-examination, the defense put it to the witness that modified air bombs were not 'inaccurate', contradicting the witness's statement. Mladić's defense counsel Miodrag Stojanovic insisted that modified air bombs met all the technical and tactical requirements. According to Stojanovic, modified air bombs were 'tested' and 'accurate'.

At the request of Judge Moloto, defense counsel Stojanovic explained that it 'absolutely doesn't mean' that the VRS had modified air bombs in its arsenal. 'For the defense it remains controversial who launched them and with what degree of accuracy', Stojanovic said. In his next question, the defense counsel put it to the witness that the BH Army in fact used modified air bombs. The Norwegian officer replied that he had 'no knowledge of that'.

Per Brennskag's cross-examination will continue tomorrow morning.

2013-02-21

THE HAGUE

WAITING TO DIE

Nermin Karagic testified today at the trial of Ratko Mladic. In late May 1992, he managed to avoid death by sheer luck. He was already lined up by the wall of the football stadium in Ljubija, waiting for his turn to be killed. Ratko Mladic's defense counsel tried to prove that the reserve police, not the army, were responsible for the Ljubija massacre



◀ Nermin Karagic, witness at the Ratko Mladic trial

Nermin Karagic from the village of Rizvanovic near Prijedor gave evidence at the trial of Ratko Mladic. The transcript of Karagic's previous testimony at the trial of Milomir Stakic was admitted into evidence. Stakic was convicted of persecution, extermination and deportation of non-Serbs in Prijedor in 1992 and is serving a 40-year prison sentence. In the briefest summary so far, the prosecutor only mentioned at the beginning of the examination that 'Karagic survived the massacre at the Ljubija Football Stadium in July 1992'.

In late July 1992, Karagic, who was 17, was captured as he was trying to flee together with his father and a large group of men before the Serb forces that were 'cleansing'

the Muslim villages in the Brda area near Prijedor. Some of them were killed immediately after the arrest, while others were transferred to the Culture Center in the village of Miska Glava. 'There was a good old man there, he gave us water. When dawn broke, the old man was gone. The suffering began. We had to sing to get water', the witness recounted at Mladic's trial.

While they were still in Miska Glava, the detainees guessed what awaited them, the witness said. They heard the guards standing in front of the room where the prisoners were kept that they would 'gouge their eyes out because that's what these guys did to our people'. From the village of Miska Glava the detainees were taken to the football stadium in Ljubija. The Serb soldiers ordered them to stand in two lines by the wall and then started beating and killing them. The soldiers beat up the detainee standing next to Karagic to death with rifle butts. Karagic was in the last group; when his turn came, an army major asked the soldiers if they intended to carry the bodies away themselves. 'They stopped killing us and made us carry the bodies into the bus', Karagic explained.

The smaller group of detainees which included the witness was left alive but only for a while. The Serb soldiers continued killing the detainees near the Ljubija mine as the bodies were unloaded. Karagic made a desperate bid to save his life and fled from the bus. By sheer luck, he was able to save his life. At one point, Ivo Atlija, who had also fled after the attack on the Croat village of Brisevo, helped Karagic in his flight. Atlija and Karagic met once again a decade later in The Hague in 2002 when they both appeared as witnesses at the Stakic trial.

Mladic's defense counsel Branko Lukic represented Milomir Stakic at his trial. Stakic had instructed him not to cross-examine Karagic because of, as he put it, the witness's 'mental condition and the suffering he went through'. This time Lukic didn't spare the witness in a bid to prove that the reserve police, not the army, were guarding the culture center in the village of Miska Glava. At one point, Judge Orić warned the defense counsel to ask specific questions in order not to confuse the witness.

As he answered Lukic's questions, the witness said he saw only the guards wearing the JNA standard issue 'olive drab' uniforms around the Culture Center. The witness also saw members of some 'delegation'; they wore light brown uniforms. In the examination-in-chief, the witness said that he heard the guards in Miska Glava threaten the detainees with the impending arrival of the 6th Krajina Brigade. The witness also said that he was so afraid at the time he didn't pay attention to the clothes worn by the soldiers in the football stadium. However, the witness did clearly remember that a VRS major was in charge.

2013-02-26

THE HAGUE

'APPROPRATE RESPONSE' TO NON-EXISTENT FIRE

According to a VRS Main Staff document, on 7 April 1995 the VRS 'responded appropriately' to 'very intense fire' opened by the BH Army on the Famos factory in Ilidza. The VRS fired a 250-kg modified air bomb on the center of Hrasnica. Norwegian major Thorbjorn Overgard said in his evidence at the trial of Ratko Mladic that on that day there was no fire on Ilidza from Hrasnica. On the contrary, it was 'a normal and quiet morning', Overgard said



◀ Thorbjorn Overgard, witness at the Ratko Mladic trial

The indictment against Ratko Mladic alleges that on 7 April 1995, the VRS fired a modified air bomb on the Sarajevo settlement of Hrasnica, killing one person and wounding three. Norwegian major Thorbjorn Overgard took part in the investigation as a UN military observer; the investigators concluded that the projectile that hit Hrasnica had been launched from the direction of the Serb positions in Ilidza.

At the time when the incident occurred, Overgard was in a house where the military observers were billeted. 'It sounded as if a large plane was arriving', the witness described the sound he heard immediately before the explosion. The house that was about 200 meters from

the UN observation point was razed to the ground. A joint investigation with the local authorities concluded that the projectile had been fired from the Famos Factory perimeter in Ilidza, where the VRS had its positions.

A report from the VRS Main Staff of 7 April 1995 signed by General Manojlo Milovanovic stated that the BH Army opened 'very intense fire' that morning on the Famos Factory and the nearby settlements. The 'VRS responded appropriately by launching a 250-kg air bomb on the center of Hrasnica', the report stated. It was 'a normal and quiet morning', the witness explained, adding that fire had not been opened from Hrasnica on the Serb positions as the VRS report claimed.

In the cross-examination, Mladic's defense noted a school building was located 'near the explosion site' in the center of Hrasnica: the BH Army 4th Motorized Brigade HQ was located in the school. Defense counsel Miodrag Stojanovic quoted from the 1996 witness's statement to show that the commander of the 4th Motorized Brigade, Fikret Prevljak, ordered the military observers to withdraw from the scene of the incident after they saw 'two legs in uniform with military boots' sticking out of the rubble.

The defense tried to contest the claim that the projectile was fired from Ilidza, putting it to the witness that it could have been launched from the BH Army artillery positions in the Kovaca area in Hrasnica. As the defense contended, it was difficult to establish its bearing because the round exploded in the air and didn't leave clear traces on the ground. The witness agreed that in such cases it was 'more difficult but not impossible' to determine the bearing. The witness noted that the windows on the houses in the street that extended from the site of the incident towards Ilidza were all broken. According to the witness, this implied that the projectile had come in from that direction at a rather low altitude.

Mladic waived his right to attend the last part of the hearing because Oliver Antic, President Tomislav Nikolic's legal adviser came to visit the Serb nationals in the UN Detention Unit in Scheveningen.

2013-04-08

THE HAGUE

NEW BREAK AT MLADIC'S TRIAL

Ratko Mladic didn't appear in the courtroom citing health reasons. The Trial Chamber ordered a medical examination of the accused and adjourned the trial until Tuesday 9 April



◀ Alphons Orie, sudija Tribunala

After a five-week break, the trial of Ratko Mladic continued in the absence of the accused. Presiding judge Orie announced that the Trial Chamber had been informed the 'accused didn't feel well enough to attend the trial'. Judge Orie asked Mladic's defense to provide additional information.

Defense counsel Branko Lukic was unable to offer more details about the reasons for his client's absence. Lukic said that he too had merely been told that Mladic 'wasn't feeling well'. The Trial Chamber consequently ordered that the accused be examined by the medical personnel in the Detention Unit, and their report to be submitted to the judges immediately.

Although Mladic didn't waive his right to attend the trial, the defense agreed that the trial could continue with a discussion of administrative issues. The presiding judge didn't rule out the possibility that the trial might continue in Mladic's absence if the medical report should indicate there were no legitimate medical reasons for his absence from the courtroom.

The initial information about the health of the accused reached the Trial Chamber after a short while, indicating that early in the morning Mladic had gone to a hospital for a scheduled examination. In the course of the exam, Mladic underwent a 'minor invasive intervention'. The specialist doctor that attended to the patient proposed a 'day of rest' for the patient, Judge Orić indicated. The judges have nevertheless concluded they needed to see a report from Dr Falke from the Detention Unit, and decided to postpone the trial until Tuesday 9 April.

Jean-Rene Ruez was scheduled to start his evidence at the trial of the former VRS Main Staff commander who faces charges of genocide and other crimes in BH from 1992 to 1995. Ruez headed the OTP Srebrenica Investigation from 1995 to 2001. With Ruez's testimony, the prosecution opens the final part of its case which will focus on the genocide in Srebrenica. In this part of its case the prosecution will try to prove that Mladic was responsible for the expulsion of about 25,000 women and children and the execution of more than 7,000 men captured after the fall of the enclave in July 1995.

Several members of the Mothers of Srebrenica Association appeared in the public gallery: they wanted to use the start of the Srebrenica stage in the prosecution's case to remind the accused, the Tribunal and the public once again of the victims of the crimes in the summer of 1995.

2013-04-09

THE HAGUE

MLADIC TRIAL ADJOURNED

The trial of Ratko Mladic was adjourned because of the health of the accused, but will proceed on Wednesday with the evidence of protected witness RM 346. The trial may continue in Mladic's presence, if he is able to attend, or the judges may decide to invoke the Tribunal's rules and proceed in his absence by deposing the witness



◀ Empty chair of Ratko Mladic

Ratko Mladic didn't appear in court on Tuesday. The Trial Chamber was informed that the accused was not able to attend the trial for health reasons.

In his report, Dr Falke from the UN Detention Unit stated that the accused had 'visible symptoms that indicate he is too unwell to attend the trial'. Mladic's defense counsel Branko Lukic disclosed the details of Mladic's health to the Trial Chamber in closed session. As the accused has not waived his right to attend the trial, the judges adjourned the hearing.

The parties will be back in court on Wednesday with or without the accused to hear the evidence of protected witness RM 346. The witness survived the mass execution

at the Branjevo military farm near Zvornik on 16 July 1995. Prosecutor Dermot Groom asked that the witness be allowed to testify tomorrow, because he is traumatized by the testimony and travel to The Hague, regardless of whether the accused is able to attend the hearing or not.

The prosecutor invoked Rule 71 of the Rules of Procedure and Evidence, which stipulates that 'in the interest of justice [the witness's] deposition can be taken for use at trial'. The deposition, including the cross-examination the defense is entitled to, thus remains on the record and is available to the accused. The defense may recall the witness, if necessary, for the re-examination in the presence of the accused.

Depending on Mladic's ability to attend the trial on Wednesday or to follow it from the Detention Unit via video link with a telephone line with the defense, Witness RM 346 will testify either in a regular hearing or will give a 'deposition for use at trial' to be continued when the accused gets better.

2013-04-10

THE HAGUE

MLADIC REMOVED FROM COURT

Mladic's loud claims that the witness was 'making things up' and 'lying' resulted in the judges ordering the accused to be removed from the courtroom. The protected witness, who is a survivor of the execution of the Muslim detainees on the Branjevo Farm on 16 July 1995, continued and ended his evidence without the accused

Ratko Mladic missed two days of his trial for health reasons. Today, he was back in court but not for long. Less than half an hour into the evidence of the protected witness RM 346, the Trial Chamber ordered Mladic to be removed from the courtroom in punishment for unacceptable comments about the witness's testimony.

The witness first confirmed the evidence he had given previously at the trials of Radoslav Krstic and Radovan Karadzic. After the fall of Srebrenica on 11 July 1995, he tried to break through to Tuzla in a column of soldiers and civilians. The witness was captured and detained at several locations. Finally, on 16 July 1995 the witness was taken to be executed: he miraculously survived. After 25 minutes of the trial, Mladic was allowed by the Trial Chamber to leave the courtroom briefly. When he returned, Mladic made loud comments about the witness's testimony saying that he was 'making things up' and 'lying'. This prompted the presiding judge to order that the accused be removed from court. Irritated by the order, Mladic made vulgar and offensive comments about the witness and the presiding judge. RM 346 then continued his evidence in the absence of the accused.

After he was held captive at the football stadium and the primary school in Nova Kasaba the witness was taken to Bratunac and the primary school in Pilica near Zvornik. From there the witness was taken to the Branjevo military farm, where, as the indictment alleges, more than 1,000 Muslims captured after the fall of Srebrenica were executed on 16 July 1995. The witness was wounded but managed to flee from the execution site the next day, only to be recaptured and taken to the Batkovic prison camp. The witness was released on 26 December 1995.

In the cross-examination, Mladic's defense counsel Miodrag Stojanovic focused mostly on the witness's claim that Mladic was at the football stadium in Nova Kasaba when a detainee was brutally beaten up and killed. In a bid to challenge his evidence, the defense counsel brought up the witness's statements to the BH authorities in 1996. The defense counsel put it to the witness that the timeline for Mladic's purported presence at the football stadium in these statements didn't correspond to the witness's description of events in his testimony in court. The witness nevertheless remained adamant that the prisoner was killed while Mladic was there.

At the end of the witness's testimony, the Trial Chamber didn't allow him to comment on the incident with the accused. The hearing continued with the testimony of the former head of the OTP's Srebrenica investigation team, Jean Rene Ruez. He will continue testifying tomorrow.

2013-04-11

THE HAGUE

FIVE STAGES OF SREBRENICA INVESTIGATION

In his sixth and probably last testimony at the Tribunal, the former head of the Srebrenica investigation team once again set the stage for the prosecution's evidence about the crimes committed after the fall of Srebrenica in July 1995. Ratko Mladic was the commander of the VRS Main Staff at the time: now he is on trial for those crimes



◀ Jean-Rene Ruez, witness at the Ratko Mladic trial

From July 1995 to July 2001, French police inspector Jean-Rene Ruez headed the OTP's Srebrenica investigation team. On 20 July 1995, Ruez was already in Tuzla. Since January 1996, when the international forces were deployed in the area, Ruez has searched the Srebrenica killing fields countless times. As he did at all previous Srebrenica trials, in his evidence at Ratko Mladic's trial, Ruez once again described how the investigation to determine the fate of about 8,000 Bosniak men was conducted. The Bosniak men went missing after the VRS overran the Srebrenica enclave on 11 July 1995.

The purpose of Ruez's testimony at the beginning of the Srebrenica stage of the prosecution's case is to help the

judges and the public following the trial to find their bearing in an area of about 2,800 square kilometers: the scene of what might very well be the largest-scale crime investigation of the 20th century.

The Srebrenica investigation began on 20 July 1995 when statements were taken from the refugees who had been transferred from Potocari to Tuzla, and from the people who had been in the column of soldiers and civilians and who managed to break through to the territory under the BH Army control. In early 1996, after the Dayton agreement and the deployment of IFOR, the OTP investigators launched their first field missions to the Srebrenica territory. On the trail of the witness statements, the investigators tried to find the locations where the events unfolded. In the third stage, they looked for the primary and secondary mass graves and the exhumations began. The next stage was the identification of units and individuals involved in the Srebrenica crimes. The headquarters of the Drina Corps, and the Zvornik and Bratunac Brigade were searched. Numerous military documents were seized. Transcripts and recordings of intercepted conversation between the VRS personnel involved in the Srebrenica operation were analyzed. Finally, before the indictments were issued, the suspects from the Bosnian Serb army and police were interviewed.

For Ratko Mladic's trial, the prosecution put together a folder containing about 250 maps, photos and aerial pictures of the wider Srebrenica area where the crimes the former VRS Main Staff commander is charged with were committed. All the key locations for the reconstruction of the Srebrenica events are marked on the maps. They include the

direction in which the people of Srebrenica moved after Mladić's forces overran the enclave on 11 July 1995, the locations where Bosniak men surrendered or were captured and the places - schools, hangars and cultural centers - where they were provisionally detained. The maps also show the execution sites where Bosniaks were summarily executed. The locations are illustrated with a series of aerial photos taken in July 1995. Some of them were handed over to the Tribunal by the US government and others were taken by the OTP investigators from helicopters or on the ground. According to Ruez, the video recordings of Belgrade 'journalist-cum-propaganda man' Zoran Petrovic Pirocanac were of particular importance. Pirocanac recorded the footage in the area on 13 and 14 July 1995.

The testimony of the former leader of the Tribunal's Srebrenica investigation team will continue tomorrow.

2013-04-12

THE HAGUE

SREBRENICA INVESTIGATION, MADLEINE ALBRIGHT AND MLADIĆ'S DIARIES

Former head of the OTP Srebrenica investigation team Jean Rene Ruez continued his evidence at Ratko Mladić's trial. Ruez described how his investigation team identified the locations where Bosniaks were captured, detained, executed and buried after the fall of Srebrenica. The bodies were later transferred to new mass graves to cover up the crime



◀ Jean-Rene Ruez, witness at the Ratko Mladić trial

The locations investigated in the Srebrenica area were shown on photos, maps and aerial shots from the collection Jean Rene Ruez put together for the trial of the former VRS Main Staff commander; Mladić is charged with the Srebrenica crimes. Ruez, a French police inspector, used to work for the OTP as an investigator. Continuing his evidence, Ruez described how the investigation identified the schools in the villages of Orahovac, Petkovci, Pilica and Rocevic near Zvornik where the Bosniaks captured after Mladić's troops overran Srebrenica were detained.

Following the trail set by the witness' statements, the investigators found the evidence that helped them link

the locations where Muslims were detained with the sites where they were executed – the field near Orahovac, the dam in Petkovci, Kozluk near Rocevic, the Branjevo military farm and the cultural center in Pilica.

Speaking about the findings at Branjevo, Ruez explained that he used the opportunity to visit the farm in March 1996 when the US State Secretary Madeleine Albright went there. When the presiding judge remarked that the visit of a US stateswoman was not relevant for the judges, prosecutor McCloskey explained that the visit was linked to an entry in Mladić's diary for 22 March 1996. Mladić wrote that 'President Karadzic' told him that a 'major show was put up for Albright' the day before. Albright expected to 'find about 1,200 Muslim bodies in Pilica and they saw only about five', Mladić noted.

Ruez explained that the investigators didn't find any bodies: all they found were some 'body parts'. According to Ruez, the figure Mladić mentions in his diary, 1,200 bodies, probably came from Drazen Erdemovic. Erdemovic confessed to taking part in the executions at Branjevo. He said that about 1,200 prisoners were killed there. Mladić's entry about a man called Fica who told Karadzic that 'those two guys would sell the story about Srebrenica to The Hague...' is probably also a reference to Erdemovic and another member of the 10th Sabotage Detachment.

The final set of the prosecutor's questions for Ruez dealt with the mass graves in Glogova, Lazete, Cancari. Ruez explained to the Trial Chamber that the investigators identified the sites where execution victims were buried. Ruez also described how they identified the places where the victims' remains were moved to cover up the crime.

Mladić's defense counsel Branko Lukic began cross-examining Jean Rene Ruez today and will continue at a later stage.

2013-04-17

THE HAGUE

DEFENSE OBJECTS TO 'SREBRENICA MAP COLLECTION'

Ratko Mladić's defense objected to the admission of the prosecution's collection of maps that present the events in the Srebrenica area after the Serb forces overran the UN protected enclave. Yesterday, in closed session, Mladić was once again removed from court after he made loud comments about the witness's testimony. At the end of the hearing, Mladić asked to address the Trial Chamber about a 'personal issue', but was not allowed to speak to the judges

A protected prosecution witness testifying under the pseudonym RM 294 completed his evidence in closed session today. As the hearing drew to a close, the accused Mladić was brought back into the courtroom. Yesterday, Mladić was removed when he made loud comments about the witness's evidence. In the presence of the accused, his defense counsel continued the cross-examination of OTP investigator Erin Gallagher. Her examination-in-chief was completed on 1 March 2013.

Through Gallagher's testimony, the prosecution tendered into evidence a collection of maps that should help the Trial Chamber to find its bearings in an area of about 2,800 square kilometers in which the investigation into the crimes after the fall of Srebrenica in July 1995 unfolded.

In the examination-in-chief, the defense objected to the admission of those maps, primarily because of the marks that designate the locations of mass executions and the route of the column of soldiers and civilians as it moved through the woods towards the BH Army-controlled territory after Srebrenica fell. After the cross-examination of the OTP investigator, the defense still objected. The judges will now have to rule on the admissibility of the Srebrenica map collection.

In the very end of the hearing, Mladić's defense counsel Branko Lukic said that the accused wanted to address the Trial Chamber about 'personal issues'. The accused already raised them in a letter to the UN Detention Unit. The presiding judge asked the defense lawyer to be more specific as to the topic the accused wanted to address. As the defense counsel didn't know, the judges ordered him to read Mladić's letter to the Detention Unit administration and see what 'personal issues' Mladić was talking about. If necessary, the defense could then address the Trial Chamber, the judges decided.

Ratko Mladić's trial for genocide and other crimes in BH continues tomorrow with the evidence of Dutch soldiers who served in UNPROFOR in Srebrenica in 1995.

2013-04-18

THE HAGUE

MLADIĆ'S 'THREATENING' RHETORIC

Dutch lieutenant colonel Pieter Boering testified for the sixth time at the Tribunal. He described the three meetings in the Fontana Hotel in Bratunac in July 1995. Ratko Mladić used 'threatening' rhetoric both to the Dutch officers and the representatives of the civilian population



◀ Pieter Boering, witness at the Ratko Mladić trial

The trial of the former VRS Main Staff commander continued with the evidence of Lieutenant Colonel Pieter Boering. From January to July 1995 Boering served as the liaison officer in the UN Dutch Battalion. He liaised with the VRS, the BH Army and the civilian authorities in the enclave. Boering was also in charge of monitoring the humanitarian situation.

Boering for the most part testified about the three meetings between Ton Karremans, the Dutch Battalion commander, and Ratko Mladić in the Fontana Hotel in Bratunac on 11 and 12 July 1995. Boering described Mladić's rhetoric as 'threatening'. In Boering's words, Mladić issued a 'clear threat' to the Dutch saying that

they 'have only one life' and that 'he doesn't believe they want to lose it in Srebrenica'. Mladić told the Dutch that they 'can all stay, leave or die...' and that he 'doesn't want them to die'.

After the third meeting in Bratunac, Boering noticed in Potocari that some men had been separated and detained in the 'white house'; the women and children were put on the buses and taken to the territory under the control of the BH Army. Boering and another Dutch officer escorted the first convoy. When the convoy stopped near Vlasenica, several men and boys were taken off of the bus and taken to a nearby wood. Boering doesn't know what happened to them.

Mladić's defense counsel Miodrag Stojanovic put it to the witness at the beginning of the cross-examination that the Dutch Battalion soldiers didn't fulfill their mandate. The agreement called for the demilitarization of the enclave but 'some of the inhabitants in Srebrenica carried automatic weapons'. The defense counsel claimed that a group of Muslim fighters led by Zulfo Tursunovic disarmed the 'blue helmets' in February 1995 in an area known as the 'Bandera Triangle'. The Muslim group took the blue helmets hostage. Boering confirmed it, adding that in early July 1995 there were 'many men carrying arms'; this had been 'a rare sight' before that time. The witness also confirmed that the arms were 'smuggled' between Zepa and Srebrenica but denied the defense's claims about a corridor that was 'in operation throughout the period in contravention of the demilitarization agreement'.

The defense used the footage from the Fontana Hotel in a bid to prove that the VRS treated the Dutch hostages

properly. 'Nobody was tied up, they all sat down at the table free', the defense counsel said. He asked the witness to look at the footage showing Colonel Karremans 'thanking the Serb authorities for treating his soldiers well'.

In the same recording, Karremans asks Mladic for permission to evacuate the civilians to Tuzla, as he thinks they would have 'better living conditions' there. The defense alleges that at the time of the meeting the men from the enclave had already decided to break through towards Tuzla.

Lieutenant Colonel Boering will continue his testimony tomorrow morning.

2013-04-19

THE HAGUE

SHIFTING THE RESPONSIBILITY ON THE DUTCH

Ratko Mladic's defense tried to shift the responsibility for the evacuation of civilians from Potocari in July 1995 on the Dutch 'blue helmets'. The defense counsel invoked the statement made by Lieutenant Colonel Pieter Boering in 1995 in which he said that 'the Dutch Battalion soldiers helped divide up the people and sent men to the white house'

In the cross-examination of Lieutenant Colonel Pieter Boering, Ratko Mladic's defense counsel suggested that the Dutch Battalion soldiers had actively participated in putting the civilians onto buses in Potocari. Boering was the liaison officer in the Dutch Battalion and he attended the meetings between his commander Karremans and Mladic in the Fontana Hotel in Bratunac on 11 and 12 July 1995.

Invoking the witness's statement to the Dutch authorities given on his return from Srebrenica, the defense counsel put it to Boering that he had 'deployed military observers' in Potocari, that 'people with straps let the people through', and that the 'blue helmets' helped 'divide up the people, sending men to the white house'. Lieutenant Colonel Boering said that the UN military observers were stationed near a building in order to be able to see where the men who had been removed from the rest of the refugees were taken. Boering said that he ordered the observers to 'monitor' how many Bosnian Muslims were taken away. The witness confirmed that he saw 'a strap' but didn't remember who 'tried' to control the people, whether those were the military observers or the Dutch soldiers. The witness also claimed he 'didn't see' UNPROFOR soldiers send men to the 'white house'.

Mladic's defense counsel put it to the witness that the military rules allow the triage of prisoners of war to establish if there are any war crime suspects among them. Boering confirmed that there was nothing 'contentious there from a military point of view'. He did add that the people in the white house weren't prisoners of war but refugees. The defense counsel argued that soldiers could have 'thrown away their weapons' and joined the civilians in order to be able to leave the war zone. In Boering's view, this was 'possible' but 'it didn't seem like that' to him.

2013-04-19

THE HAGUE

'WOLVES' AND 'SCORPIONS' AT RATKO MLADIC'S TRIAL

Parts of a video compilation, Srebrenica – court video were played at the trial of Ratko Mladic during the examination-in-chief of the OTP investigator Erin Gallagher. The clips showed Mladic's triumphant arrival in Srebrenica, as well as his statement about the 'revenge on Turks'. There was also a clip showing the 'Drina Wolves' unit howling as they attacked, and the video of the Scorpions unit executing six Srebrenica youths and boys



◀ Erin Gallagher, witness at the Ratko Mladic trial

After Pieter Boering completed his evidence, OTP investigator Erin Gallagher returned to the witness stand. A video compilation, *Srebrenica – court video*, was admitted into evidence through her testimony. The prosecutor also tendered into evidence an album with screen shots from the video recordings made from 10 to 21 July 1995.

Gallagher had already testified about the collection of maps the prosecution had prepared for the Srebrenica stage of its case at the trial of Ratko Mladic. Mladic is charged with the genocide in Srebrenica in the summer of 1995. In the video clips played in court today, Gallagher identified the source and the date of the recordings; she also identified the locations, persons and items.

In the clip showing the Serb forces advancing on Srebrenica on 11 July 1995 the witness was able to identify the commander of the Zvornik Brigade, Vinko Pandurevic, and the commander of the 'Drina Wolves', Milan Jolovic Legenda. At one point, Jolovic ordered his soldiers over the radio, 'hit them hard, I want to hear wolves howl'. The soldiers yelling as they attacked are heard in the video.

Some other excerpts from the Srebrenica video collection were also shown, including the footage of the departure of Muslim civilians from Srebrenica, the rounding up of the men in Susnjari on 11 July 1995, and Mladic's arrival in the town in the company of Milenko Zivanovic and Radislav Krstic. In the statement he gave that day in the empty town Mladic said, 'I give this town to the Serb nation as a gift' adding that 'the time has finally come for us to take revenge on the Turks in this area'.

The recording of Milenko Zivanovic's speech on 12 July 1995 was also played in court. Zivanovic spoke at the feast of Vlasenica's patron saint. The Orthodox bishop Vasilije Kacavenda also attended the feast. Zivanovic said that the preparations for the capture of Srebrenica had been in full swing in early June 1995 and that the enclave fell with minimal losses on the Serb side. Three soldiers were killed, but only one of them in action, Zivanovic said.

At the end the prosecutor played the video showing the execution of six captured Muslims in Trnovo by the Scorpions unit. Erin Gallagher identified the victims as Safet Fejzic, Sidik Salkic, Azmir Alispahic, Smail Ibrahimovic, Dino Salihovic and Juso Delic. Their names were on the list of persons from Srebrenica who went missing in July 1995.

The trial continues on Tuesday, 23 April 2013 when Mladic's defense counsel Dragan Ivetic will cross-examine the witness.

2013-04-23

THE HAGUE

DID THE DUTCH 'DECLARE WAR' ON MLADIC'S TROOPS?

Ratko Mladic's defense counsel put it to the witness that the UN Dutch Battalion changed the mandate in July 1995 and started a war against the VRS. Witness Evert Rave replied that the blue helmets had been 'attacked as if they were at war' and tried to defend themselves and the civilian population in the enclave as best they could



◀ Evert Albert Rave, witness at the Ratko Mladic trial

Dutch officer Evert Albert Rave testified at the trial of Ratko Mladic today. From January to July 1995, Rave served in the UN peace-keeping force in the Srebrenica enclave. As a field security advisor in the UN Dutch Battalion command, Rave attended the meetings with Mladic in the Fontana Hotel in Bratunac in the evening of 11 July 1995.

Rave's testimony dovetails with Colonel Pieter Boering's evidence last week. Boering also spoke about Mladic's threatening attitude in the Fontana Hotel. Mladic warned that he would shell the Dutch base and 'kill Dutch hostages' if air strikes on Serb positions continued. In his statement to the prosecution, Rave said that he thought

they would be 'taken out and executed'. After the initial tension, Rave realized that Mladic's troops' real target were the Muslims, not the 'blue helmets'.

On 12 July 1995, Rave saw men being separated from women and children in Potocari. He heard the shots that followed after the triage. He also confirmed that Mladic was in Potocari and that the refugees were given some food, but only while the cameras rolled.

In the cross-examination, lawyer Branko Lukic noted that the BH Army and UNPROFOR started 'negotiating' how to fight together against the VRS on the last day of May 1995. That day, Naser Oric ordered the chief of staff of the 28th Division Ramiz Becirevic to test the Dutch to see 'if they have really decided to shoot at Chetniks'. The witness said that the 'game' had in fact started in January 1995. The BH Army tried to figure out how UNPROFOR would react if the Bosnian Serbs attacked.

The defense counsel also put it to the witness that the so-called 'green order' issued by Robert Franken, who was the deputy commander of the UN Dutch Battalion, changed the 'blue helmets' mandate. Quoting from Franken's testimony at the trial of Zdravko Tolimir, the defense counsel implied that by issuing that order UNPROFOR in effect came to be at 'war against the VRS'. The witness replied that the order was issued to protect both the Dutch Battalion and the civilians from the enclave. 'The blue helmets were under attack, it was as if they were at war and they tried to defend themselves by any means available to them, and there wasn't much. The state of war was not declared, we just found ourselves in this situation', the witness said. Rave's cross-examination continues tomorrow.

2013-04-24

THE HAGUE

UNPROFOR WAS DECEIVED

During the cross-examination of Dutch officer Evert Albert Rave, Mladić's defense counsel put it to him that UNPROFOR failed to demilitarize the Srebrenica enclave and disarm the BH Army's 28th Division. The BH Army troops were able to 'deceive' UNPROFOR: they would hide the weapons whenever the 'blue helmets' appeared



◀ Ratko Mladić in the courtroom

For a while now, General Ratko Mladić complied with the Trial Chamber's order to refrain from reacting as the witnesses testified. Today, he often stood up and spoke loudly to his defense counsels. Witness Evert Albert Rave, former security officer in the UN Dutch Battalion, complained during one of the breaks to the witness unit that Mladić made gestures at him. The Trial Chamber will now watch the video recording of the hearing to verify the complaint and decide what measures to take.

As the cross-examination continued, Mladić's defense counsel put it to the witness that the Muslims in the Srebrenica enclave retained their weapons despite the UN forces' mandate to demilitarize the area. 'Civilians on

both sides carried arms', Rave replied. The 'blue helmets' did their best to demilitarize the enclave but they weren't able to disarm completely either the people or the 28th Division, Rave explained.



◀ Evert Albert Rave, witness at the Ratko Mladić trial

The defense counsel showed the witness an interview from August 1995, under the headline 'Faulty Weapons Were Handed In'. In the interview the 28th Division commander Naser Oric claimed that they had surrendered 'useless weapons and heavy artillery that was impossible to conceal'; the BH Army retained 4,000 rifles and at least 20 cannons. The witness replied he didn't know how many weapons the BH Army had in the enclave; UNPROFOR confiscated the weapons when they saw them. Oric also claimed that his troops hid the weapons from UNPROFOR; the defense counsel concluded that the 'blue helmets' were 'deceived'. The witness agreed that it was not difficult to hide weapons in such a large zone.

According to a 28th Division document showed by the defense, in late June 1995 several commando actions were launched from the Srebrenica area; about 60 VRS soldiers were killed in those attacks. The witness replied that he didn't have access to the information that went through the BH Army chain of command. However, the witness noted that they heard the rumors about those actions. They couldn't verify them because they couldn't get out of the enclave and didn't have the necessary equipment, Rave said.

After Rave completed the evidence, the prosecution called Leendert van Duijn. He is a police commissioner in the Dutch national police, and in 1995, he was a lieutenant in the UN Dutch Battalion deployed in Srebrenica.

2013-04-25

THE HAGUE

MLADIĆ DEFENDS HOLLAND

A former soldier who served in the UN Dutch Battalion in Srebrenica described how General Mladić told him in Potocari on 12 July 1995 that in 10 years' time, the Army of Republika Srpska will have to defend Holland against Muslim



◀ Leendert van Duijn, witness at the Ratko Mladić trial

At Ratko Mladić's trial, the judges admitted into evidence parts of the evidence Leendert van Duijn gave at the trial of the seven VRS officers charged with the Srebrenica genocide. Van Duijn, now a police commissioner in the Dutch national police, served in UNPROFOR's Dutch Battalion in the summer of 1995, when the Battalion was stationed in Srebrenica. At that time, Mladić's troops overran the enclave under UN protection.

When the prosecutor read out the summary of his statement, Van Duijn confirmed that on 12 and 13 July 1995 he and other soldiers from his unit tried to help the refugees from Srebrenica in Potocari. The refugees had sought shelter near the Dutch Battalion compound

there. Van Duijn confirmed that he saw men being separated from the rest of the population and detained in the white house. Also, the witness described the meetings with Mladić. In Van Duijn's words, Mladić told him it was not safe to have people of other races and religions in his unit. Mladić said that '10 years from now he will come to Holland with his army to protect other races against Muslims', the witness recounted.

On 13 July 1995, Van Duijn went to the 'white house' where the men were detained. On the lawn in front of the house he saw a pile of personal belongings: clothes, bags, documents and passports. A man from the VRS special police called Mane explained to Van Duijn that the men would be held there for a time in order to be checked against the lists of war crime suspect. Van Duijn asked Mane how their identity could be established without documents. Mane told him, 'they will not need their passports any more'. After that 'ominous' statement, Van Duijn realized that the fate of detained Muslims was 'darker than I thought'.

In the cross-examination Mladić's defense counsel Dragan Ivetic tried to get Van Duijn to help him find alternative explanations for Mane's answer. The defense counsel put it to the witness that those passports were old and void SFRY travel documents. That was why they were thrown away like that and why they 'will not need them anymore', the defense counsel argued.

Van Duijn agreed that the enclave under UN protection hadn't been entirely demilitarized. There weren't enough 'blue helmets' in the enclave and they were ill-equipped, he explained. Partly this was the consequence of the Bosnian Serbs not allowing the convoys with equipment and staff to pass through to Srebrenica.

Presiding judge Orić asked the witness to be more specific as to what the 'blue helmets' were supposed to do about demilitarization. UNPROFOR's mandate wasn't to demilitarize the enclave, Van Duijn said: the Dutch Battalion soldiers had to 'disarm every person carrying arms they encountered'. Van Duijn admitted that he personally didn't do it when he encountered Naser Sabanović. As he explained, Sabanović was one of the 'local commanders' in the BH Army. This prompted the judge to intervene and note that the demilitarization implied not only disarming but also 'the prohibition of the existence of any military formations in the enclave'. Van Duijn said that it was 'very difficult to distinguish between civilians and fighters' in Srebrenica. Van Duijn continues his testimony tomorrow.

2013-04-26

THE HAGUE

ONLY EXECUTION VICTIMS WERE BURIED IN SREBRENICA GRAVES

As the former head of the Srebrenica investigation team Jean-Rene Ruez remarked in his cross-examination, he was all too aware of the fact that Ratko Mladić's defense's 'last resort was to claim that the victims buried in the Srebrenica mass graves were actually soldiers'. He dismissed the claim, urging the defense and the judges to look at the findings of his investigators. They concluded that in July 1995 the captured men and youths were temporarily detained on several locations and were then taken to the execution sites

In the cross-examination of the French inspector Jean-Rene Ruez, Ratko Mladić's defense counsel tried to show that all or at least some of the men exhumed from the mass graves were BH Army soldiers who were killed in combat. The defense counsel corroborated his allegation with the details pertaining to isolated evidence. The witness, who headed the OTP Srebrenica investigation team from 1995 to 2001, time and again insisted on the chronology of the events established by his investigators.

Defense counsel Lukic confronted Ruez with the claim that in July 1995, as the BH Army soldiers from the 28th Division tried to break through from Srebrenica towards Tuzla, many of them were killed as they fought with the Bosnian Serb forces and each other. The witness replied he knew about it. However, his team did not investigate the soldiers killed in action, Ruez explained. The investigation focused on what happened to the 8,000 persons who went missing after the fall of Srebrenica. Lukic put it to the witness that the soldiers who died fighting were buried in mass graves discovered by Ruez's team. The witness said that the fighters' bodies remained in the forest and they were not put on the list of victims of mass executions. Ruez added that he found it 'hard to imagine' that someone would die in combat 'blindfolded, with his hands tied up with wire'.

'I know that claiming that soldiers were buried in the mass graves is your last resort, but that is just not correct', Ruez said. The witness insisted that the timeline established by his team was very clear: the Muslim men and boys were first captured or they surrendered to the Bosnian Serb army and the police. They were then detained at several locations in Eastern Bosnia. There they were killed or, more often, they were taken from those detention facilities to mass executions sites. The victims were then buried at the execution sites. Later, the bodies were dug up and moved to hidden secondary graves, in order to cover up the crimes.

The defense counsel asked how it was possible to claim with any certainty that the bodies of soldiers killed in combat were not also buried in the secondary graves. Ruez replied there was clear forensic evidence that showed the link between the bodies in primary and secondary graves. Bullet casings recovered together with the bodies of the victims also showed there was a link.

The defense counsel asked if the investigation established how many people were 'executed for sure'. As the witness said, more than 6,000 bodies have been identified so far: it has been possible to establish the connection between their deaths and the execution sites. He recalled that the exhumations were still ongoing and the number of victims was not final.

Ratko Mladic behaved well for the most part today. He was cautioned a few times for attempting to communicate loudly with his defense counsels. At times he nodded his head in approval when Ruez said that during the investigation he tried to gather information 'that could either charge someone or prove them innocent'. In other words, the goal of the investigation was to determine what really happened.

The French inspector's evidence was interrupted today; he will resume his testimony after the former soldiers from UNPROFOR's Dutch Battalion complete their evidence.

2013-05-01

THE HAGUE

DID THE WITNESS SEE THE KILLING IN POTOCARI?

Former soldier in the Dutch Battalion confirmed at the trial of Ratko Mladic that on 13 July 1995 he saw the killing of a Bosniak man from Srebrenica in Potocari. The defense contends that the Dutch soldier didn't witness the murder because his evidence today diverged from his previous statements



◀ Paul Groenewegen, witness at the Ratko Mladic trial

In July 1995, when the Bosnian Serb troops headed by General Ratko Mladic entered the enclave, and thousands of refugees sought shelter near the UN Dutch Battalion compound in Potocari, Paul Groenewegen was a soldier in the UN Dutch Battalion stationed in Srebrenica.

Groenewegen has already testified five times about his experience, primarily about the events on 12 and 13 July 1995. At the trial of Ratko Mladic, prosecutor Abeer Hasan read out the summary of the witness's statement based on his previous five testimonies.

In the enclave, the witness saw Bosniaks with infantry arms. According to him, they were not soldiers but civilians defending their territory. After Mladic's troops

overran the enclave, a number of refugees were allowed to enter the Dutch Battalion compound, the witness confirmed. Nevertheless, most of them remained outside the compound.

On 12 July 1995, when the Bosnian Serb forces reached Potocari, the Dutch 'blue helmets' set up a corridor between the refugees and the VRS soldiers. That day the witness saw men being separated from women and children and refugees boarding buses to leave Potocari. The witness estimated that about 400 men were detained in 'a half-built house'. As he said, the refugees didn't leave Srebrenica voluntarily. Most of them were then forced to leave Potocari too.

On 12 July 1995, Groenewegen witnessed the murder of a Bosniak: the man was surrounded by three uniformed Bosnian Serb soldiers, and was shot in the head by one of them. According to the witness, General Mladic was in Potocari on both 12 and 13 July 1995.

In the cross-examination, Mladic's defense counsel Branko Lukic tried to get the witness to corroborate the defense case that the refugees from Srebrenica had left voluntarily. The defense counsel also wanted to confirm that the Dutch Battalion soldiers actually helped to evacuate the refugees and prevented the 'stampede' as the refugees got on the buses. The witness remained adamant that only 'one group of refugees' left Potocari willingly on the first day. Everybody else was forced to do so, the witness maintained.

Finally, general Mladic's defense counsel told the witness that he actually 'didn't see' the murder he described in his evidence. In his previous testimony, the witness spoke of four Bosnian Serb soldiers who all wore different uniforms,

only one of whom was armed. Allowing the possibility that his memory may have faded a bit, Groenewegen at first remained adamant that there had been three soldiers, but later he admitted he couldn't say 'either how many of them there were or if all of them were armed'. The witness was sure that he saw the killing of the Bosniak.

Groenewegen continues his evidence tomorrow.

2013-05-02

THE HAGUE

UNPROFOR'S MISJUDGMENT AND FEARS

In his evidence at Ratko Mladić's trial, Dutch general Cornelis Nicolai said that he and other UNPROFOR commanders wrongly concluded in July 1995 that the VRS attack on Srebrenica would stop after they took the southern part of the enclave. The UNPROFOR commanders were reluctant to call in close air support because they feared how the Serb side would react



◀ Cornelis Nicolai, witness at the Ratko Mladić trial

Dutch general Cornelis Nicolai, former UNPROFOR chief of the staff in BH, gave evidence at the trial of Ratko Mladić today. Nicolai admitted that he and other UNPROFOR commanders spent several days in early July 1995 trying to figure out the objective of the Serb attack on Srebrenica.

At the time, various UNPROFOR commanders, including the Dutch Battalion commander Thom Karremans, estimated that the VRS's objective might be to occupy the southern part of the enclave in order to disrupt the supply lines, or to take over the entire enclave in order to be able to redeploy its troops from the enclave to the other front lines.

'For a long time we thought that the VRS would stop after taking the southern part of the enclave. However, when I look back at what happened I know that we were wrong', Nicolai said. Nicolai noted that on 9 July 1995, the UNPROFOR command still refrained from calling in close air support as it feared the Serb forces' response.

Nicolai explained that the VRS reacted violently when close air support was called in earlier, on 24 and 25 May 1995. The VRS heavily shelled all the enclaves. In one of the artillery attacks on Tuzla on 25 May 1995, about 80 civilians were killed and around 200 were wounded.

'Colonel Karremans was worried that the air strikes might cause a similar reaction of the VRS. The VRS would use all its available assets to attack the enclave, with terrible repercussions for the civilians, and possibly even for the military forces in the enclave', Nicolai explained.

From 8 to 12 July 1995, Nicolai talked several times to generals Gvero and Tolimir from the VRS Main Staff. While Nicolai insisted that the Serb army should stop the attacks, Gvero and Tolimir 'constantly and erroneously' denied that the VRS was involved in an offensive. When the air strikes were finally launched against the VRS positions around Srebrenica, General Gvero threatened Nicolai, saying that Nicolai would 'personally be responsible for the fate of everyone in Srebrenica', 'if he doesn't order the planes back to their bases'.

As the hearing today drew to a close, Mladić's defense began cross-examining the Dutch general. The trial continues tomorrow morning.

2013-05-03

THE HAGUE

DEFENSE: UNPROFOR WAS A SIDE IN CONFLICT

In the cross-examination of the former UNPROFOR chief of staff Cornelis Nicolai, Ratko Mladić's defense tried to prove that in the summer of 1995 UNPROFOR was not neutral. UNPROFOR 'sided with' the BH Army. Both UN and NATO thus became a 'warring side' in Bosnia and Herzegovina



◀ Cornelis Nicolai, witness at the Ratko Mladic trial

In the cross-examination of Dutch general Cornelis Nicolai, Ratko Mladic's defense tried to prove that in the summer of 1995, UNPROFOR was not neutral. UNPROFOR 'sided with' the BH Army and thus, both UN and NATO, became a 'warring side' in Bosnia and Herzegovina.

Mladic's defense counsel Dragan Ivetic first showed an order issued to the Dutch Battalion in July 1995 instructing the Dutch soldiers to take up 'blocking positions' in the southern part of the Srebrenica enclave and to counter any attempts by the Serb forces to break through the line. According to the defense counsel, the conflict with the Serb troops was to provide a 'pretext' for UNPROFOR for calling in close air support from NATO.

Nicolai said it was a case of 'drawing a line' up to which the Serb forces could go. By deploying its troops in the south of the enclave UNPROFOR wanted to let the Serb forces know that if they crossed the line, there would be air strikes.

Ivetic suggested that UNPROFOR 'sided with' the BH Army when it allowed the BH Army to deploy its troops next to the Dutch Battalion positions so they could fight 'shoulder to shoulder' against the VRS. Nicolai denied the allegation but allowed that it could have led the Serb side to conclude that UNPROFOR had sided with the Serbs' enemy.

According to Ivetic, the fact that in Srebrenica on 10 July 1995, the BH Army was allowed to use heavy weaponry from the collection points indicated that UNPROFOR was biased. The witness explained that in his view at that moment nothing could have been more reasonable: the VRS had been attacking the enclave for days, throwing everything it had at it, including heavy artillery.

Ivetic put it to the witness that the UNPROFOR command decided to call in the air strikes against Serbs in May 1995 although both sides had violated the UN Security Council's resolutions. In that particular case, the VRS removed the heavy weaponry from weapons collection points, Nicolai retorted. The air strikes followed only when the Serb side refused to comply with the demands to return the seized artillery, Nicolai noted.

Ivetic also noted that General Rupert Smith thought the air strikes in May 1995 failed to achieve the goal, and that UNPROFOR 'was very close' to becoming an ally of the Bosnian government and 'virtually ceased to be unbiased'. General Smith, the witness explained, warned that the use of force meant that a 'border was crossed' and that it could be interpreted as the UNPROFOR siding with the BH Government.

Finally, the defense played a video recording of Colonel Andrei Demurenko explaining why in his view the shell that caused the Markale massacre on 28 August 1995 had not been fired from the Serb positions. Nicolai didn't want to comment on the technical details of Demurenko's investigation, but he did note that The Russian colonel visited just a few of the locations long the shell's trajectory. This automatically led Nicolai to doubt the results of Demurenko's investigation.

Ratko Mladic's trial continues on Tuesday, 7 May 2013.

2013-05-07

THE HAGUE

DID SREBRENICA POPULATION HAVE A CHOICE?

According to the former deputy commander of the Dutch Battalion Robert Franken, Mladic's defense case that the civilian population in Srebrenica could have remained in the enclave in July 1995 if they had wanted to was 'pure nonsense'. The choice to stay was theoretical; in practice the things looked quite different, Franken explained



◀ Robert Franken, witness at the Ratko Mladic trial

The trial of Ratko Mladic, former commander of the VRS Main Staff, continued with the evidence of Lieutenant Colonel Robert Franken. In the summer of 1995, Franken served as the deputy commander of the UN Dutch Battalion in Srebrenica. Franken has testified at all the Srebrenica trials at the Tribunal. At Mladic's trial, Franken's written statement based on his previous evidence in the Popovic, Tolimir and Karadzic cases was admitted into evidence.

In his previous testimony, Franken termed the claim that the civilians could have stayed in Srebrenica in July 1995

if they had wanted to 'pure nonsense'. At Mladić's trial, Franken explained that the choice was there only theoretically. In practice, things were rather different: it was very hot, the sanitary conditions were bad, and the population had no food or medical aid. They had nothing. 'If you call that a choice, then they had it', the witness said.

The prosecutor corroborated Franken's opinion that the Srebrenica population had no real possibility to remain in the enclave with a VRS document from July 1995. The document quoted Mladić as saying they would evacuate all 'those who want to and those who don't want to' be evacuated.

Franken explained why he signed a document stating that the evacuation of the population from Srebrenica had been carried out in line with international law on 17 July 1995. Colonel Jankovic made it clear to Franken that his signature would 'have a positive impact' on the evacuation of 59 wounded men from Srebrenica. In order to counter the contents of the document, Franken wrote by hand that the evacuation had been done properly 'in those cases when the UN forces were able to escort the convoys'. The only convoy the UN troops were allowed to escort was the first one to leave Srebrenica.

Franken made a list of 250 men that had been separated from the women and children in Potocari by the Serb forces. Franken told Colonel Jankovic about the development and warned him that the wounded were being mistreated. Colonel Jankovic didn't respond. In the afternoon of 13 July 1995, Jankovic told Franken that the BH Army 'had broken out' of the encirclement and that the VRS had about 6,000 captives. Franken's soldiers told him that they saw a large number of captured Muslims en route from Bratunac to Potocari. They were seen kneeling with their hands on the back of their heads in a football stadium.

Yet again, as with previous UN witnesses, Mladić's defense argued that Srebrenica had not been completely demilitarized. Defense counsel Miodrag Stojanovic put it to the witness that the UN had sided with the enemy and had thus become a warring faction. According to the defense, this was based on the 'green order' the Dutch Battalion received instructing it to defend the enclave with all available assets. Franken agreed that the UN failed to complete the task and did not demilitarize Srebrenica completely. However, Franken denied that the UN had sided with the BH Army. The defense will complete the cross-examination of Robert Franken tomorrow morning.

2013-05-08

THE HAGUE

MLADIĆ'S THREATS TO 'BLUE HELMETS'

Ratko Mladić's defense continued the cross-examination of Robert Franken with the claim that the former VRS Main Staff commander didn't threaten the Dutch Battalion soldiers and the civilians of Srebrenica. Franken answered that at a meeting in Bratunac Mladić told the Dutch officers: 'From here you can leave, all of you, or stay, all of you, or die, all of you'



◀ Robert Franken, witness at the Ratko Mladić trial

In the cross-examination of the former deputy commander of the Dutch Battalion Robert Franken Ratko Mladić's defense claimed that the former VRS Main Staff commander didn't make any threats to the Dutch Battalion soldiers and the civilians of Srebrenica in July 1995. The defense contends that the UN made the decision to evacuate the Srebrenica population, not the VRS.

Mladić's defense counsel Miodrag Stojanovic brought up a letter sent by the Dutch Battalion commander Karremans in which he described the meetings with Mladić on 11 and 12 July 1995. The letter notes that Mladić demanded that the Dutch call off the air strikes. If

not, Mladić threatened, the VRS would shell the base in Potocari and the area around it. The UN soldiers and about 2,500 refugees were in the compound, and there were about 20,000 refugees from Srebrenica in the area around it.

Commenting on the letter, Franken said that he had no personal knowledge about Mladić's threat. He did remember that Karremans mentioned that Mladić had threatened to shell Potocari. After that Stojanovic played parts of the recording of Mladić's first meeting with the UN soldiers in the Fontana Hotel in Bratunac. The defense counsel put it to the witness that in the footage, Mladić never threatened the UN soldiers and civilians.

Unlike the defense counsel, Franken heard at least one threat made by Mladić when the recording was played in court. Franken noted that at that meeting Mladić told the Dutch, 'from here, you can leave, all of you, or stay, all of you, or die, all of you'. As the witness said, Mladić meant the members of the Dutch Battalion and the civilian population gathered in the UN compound in Potocari.

Stojanovic also tried to prove that the UN decided to evacuate the civilians from Srebrenica, not the VRS. As he said, the VRS implemented the decision because the Dutch Battalion in Srebrenica didn't have the resources to do it on

their own. 'I don't know if UNPROFOR had decided to do it, or if it may have been the only possible decision, given the situation', Franken replied.

After Robert Franken completed his evidence, Ratko Mladić's trial continued with the testimony of witness RM 314. The witness is the only survivor of a group of 16 Muslims from Srebrenica who were executed by the Serb troops at the Jadar River bank.

2013-05-09

THE HAGUE

SURVIVOR FROM RIVER JADAR BANK

The only Bosniak who survived the execution on the Jadar river bank on 13 July 1995 testified today. The 16 Bosniaks were captured and brought before the firing squad two days after Mladić's forces overran Srebrenica. The witness, testifying for the fourth time before the Tribunal with image protection and under the pseudonym RM 314, described at the trial of Ratko Mladić what he had gone through that day



◀ Location at river Jadar where Bosnian Serbs killed 16 Bosniaks on the 13th of July 1995

According to the indictment against Ratko Mladić, the Bosnian Serb troops brought 16 Bosniaks to the Jadar river bank on 13 July 1995 to execute them. The Bosniaks were captured after the fall of Srebrenica. The only survivor testified for the prosecution today at the trial of the former VRS Main Staff commander to describe for the fourth time at the Tribunal what he had gone through two days after Mladić's forces overran the enclave.

The witness testified with image protection and under the pseudonym RM 314. He confirmed that the summary of his previous testimonies, read out in court by the prosecutor, was true. On 11 July 1995, the witness joined

a column of soldiers and civilians that was trying to reach the territory under the BH Army control through the woods. Two days later, the Bosnian Serb police officers captured the witness near Konjevic Polje. He was detained and moved from one building to another several times. In the last building which he described as a warehouse, the VRS soldiers in camouflage uniforms beat him. The soldiers then put the witness and 15 other prisoners onto a bus and drove them to the Jadar river. The soldiers lined the prisoners up on the river bank and fired at them. The witness was hit in the hip; he jumped into the river. The water took him downstream to a place where he was able to get out of the river and reach the territory controlled by the BH Army. The witness still feels the consequences of the 'entry-and-exit wound in the loin area'.

In the cross-examination, Mladić's defense counsel Dragan Ivetić brought up the medical documentation from the garrison infirmary in Tuzla. The witness was admitted there in July 1995. The admission and discharge papers state that the wound was caused by a shell explosion, not by a bullet as the witness claimed. Since the documents were written in Latin the presiding judge asked the witness if anyone explained the diagnosis to him. The witness said that nobody did, confirming that the wound he had sustained was definitely a gunshot wound.

As the defense noted, the witness testified that when he gave a statement to the 'BH Army security officers' in Tuzla on 31 July 1995, he was 'under duress'. The witness confirmed that a man by the name of Smajo Elezović wanted him to state that he 'had been taken out to be executed in Karakaj'. The witness quarreled with Elezović about it, but was nevertheless forced to put it in his statement. The witness also said he was among the first of the survivors of the massacre in Srebrenica to arrive in the BH Army-controlled territory. Everyone wanted him to give them a statement. Not all of them conveyed his tale correctly, the witness noted.

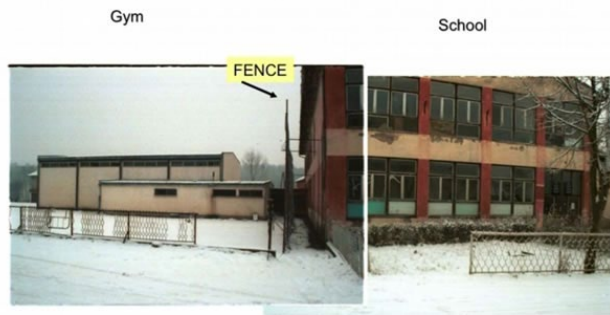
The trial continued with the evidence of a protected witness who testifies under the pseudonym RM 297. The witness is one of the three survivors of the execution in Orahovac near Zvornik. The prosecution alleges that around 1,000 Bosniaks captured after the fall of Srebrenica were executed there on 14 July 1995.

2013-05-09

THE HAGUE

ORAHOVAC KILLING FIELDS

The trial of Ratko Mladić continued with the evidence of a protected witness, who survived a mass-execution of the people from Srebrenica in July 1995 in Orahovac. As he lay underneath the dead bodies in the 'killing field' in Orahovac, the witness heard a gravely wounded man ask the soldiers to finish him off. 'Take it easy', said one of the killers



◀ School in Orahovac

When Mladić's forces overran Srebrenica on 11 July 1995, the protected witness RM 297 and his brother joined the column of men heading out from Susnjari in a bid to break through to Tuzla. Today, at the trial of Ratko Mladić, the witness explained that they decided to do that because they 'knew what would happen to Srebrenica'.

When the prosecutor asked the witness 'what is it that you knew', the witness said, 'Srebrenica was not the only place like that'. The same fate had befallen the inhabitants in other municipalities – Zvornik, Bijeljina, Vlasenica, Bratunac, Foca, Visegrad, Prijedor, Sanski

Most and Ključ. The only difference was that the 'genocide like the one in Srebrenica' didn't happen there, the witness said. The genocide the witness referred to was the killing of 7,000 to 8,000 men in a matter of days.

The witness, his brother and a large group of men from the column surrendered to the Serb forces near Konjevic Polje on 13 July 1995. They were taken to Sandici, where they were visited by Ratko Mladić. The 'governments are negotiating and tomorrow you will all be exchanged', Mladić told them, adding that everyone 'will go to the hangars, you won't have supper but you will get water'. 'We said to him, thank you, commander, and there was a round of applause', the witness said.

However, instead of being exchanged, the witness and other detainees from Sandici were first taken to Bratunac and then to a school in Orahovac. 'We were guarded by Karadžić's young Chetniks; they were cursing us, calling us Turks and balijas', the witness said. The detainees who dared to speak were taken out and killed immediately. The rest of them, about 1,000, were given a glass of water each and then were taken in groups to a nearby field. There, the detainees were executed.

As he lay underneath the dead bodies, the witness heard a gravely injured man beg the soldiers to finish him off. 'Take it easy', said one of the killers. As soon as the soldiers' attention wandered, the witness fled. As he ran, the witness looked back and saw the 'killing field' in Orahovac, as he termed it, strewn with the bodies of the people from Srebrenica.

In the examination-in-chief the witness confirmed that in June 1999 he returned to Orahovac together with the head of the Srebrenica investigation team, Jean-Rene Ruez. The witness identified the school gym where they had been detained and the field where the executions had been carried out. The prosecution corroborated the claims with the photographs of the school and the 'killing field' in Orahovac.

Mladić's defense counsel Branko Lukic noted at the beginning of his cross-examination that when the witness testified in the Popovic case he said he had been unable to identify the execution site during his visit to the crime scene with Ruez. The witness confirmed that at first he wasn't able to recognize the execution site: this was because they were blindfolded when they were brought to the site and it was dark when the executions were carried out. 'If I took you there blindfolded on a truck, you wouldn't be able to tell for sure', the witness told Mladić's lawyer. The witness added that it was only when he fled the execution site that he was able to see where exactly he had been. The cross-examination continues tomorrow.

2013-05-10

THE HAGUE

HOW TO 'SECURE' DETAINEES

On 12 and 13 July 1995 in Potocari, the RS special police separated men from their families and detained them. The military police only secured the prisoners, claimed a former member of the VRS Bratunac Brigade military police in his evidence at the trial of Ratko Mladić



◀ Mile Janjic, witness at the Ratko Mladić trial

Former member of the VRS Bratunac Brigade military police Mile Janjic has already testified three times before the Tribunal about the events in the Srebrenica area after 11 July 1995. Parts of Janjic's testimony, the first Janjic gave as a defense witness of his former commander Vidoje Blagojevic in 2004 and the other two at the trials of the Srebrenica Seven in 2007 and Zdravko Tolimir in 2010, were admitted into evidence at the trial of Ratko Mladić.

On the orders of the Bratunac Brigade security chief Momir Nikolic, on 12 and 13 July 1995 Janjic and a group of military police were sent to Potocari to assist Colonel

Radoslav Jankovic, an intelligence officer in the VRS Main Staff. Janjic's task was to count the refugees who were removed on trucks and buses from Potocari to the territory under the BH Army control.

Janjic described the course of the evacuation: the RS special police stood along the path as the refugees walked towards buses. The special police separated the able bodied men from the rest and took them to the yard of a nearby white house. Women and children were allowed to go to the buses. On the second day, the process went on faster, as the refugees were put on trucks and buses. In Potocari, Janjic saw General Mladic and Drina Corps commander Radislav Krstic. As Janjic noted, he didn't notice any abuse of the refugees. Water and food brought to Potocari on Mladic's explicit orders were distributed only among the refugees, Janjic claimed. Although he and his colleagues were hungry and thirsty, they didn't get anything.

The next day, Janjic was sent to Rocevic. In front of a local school Janjic saw a group of 10 or 15 soldiers from Bratunac. The soldiers told Janjic that the Muslim prisoners were held there and should be 'moved towards Teocak'. Janjic claimed that he didn't see the detainees. Janjic was convinced that those detainees were going to be exchanged, just as the other men who had been separated from the rest of the people in Potocari. Only when he was confronted with the evidence of the executions did he realize what actually happened to them, the witness claimed.

According to the prosecution's evidence, about 500 Muslims detained in the school in Rocevic were taken to the Drina river bank and executed. The men who had been separated from the rest of the population in Potocari were first taken to Bratunac. There they spent the night in the buses in front of the Vuk Karadzic school or in the school. Janjic was tasked with 'securing' those prisoners, together with other Bratunac Brigade military police officers. As the witness noted, he didn't see any abuse. However, the witness did say that he heard people shout a number of times, 'hey, men from Glogovac, where are you, they will kill us all...'. The shouts were followed by gunfire and then everything was quiet, the witness recounted.

Presiding judge Orié asked the witness to clarify what 'securing' prisoners entailed and how it was implemented. Orié wanted to know if the detainees needed protection to remain safe or if the guards were there to ensure that the detainees couldn't go anywhere. In contradiction to the tale about the incident in the school he had recounted earlier, the witness replied that securing the prisoners meant 'protecting them from harm, keeping them safe from anyone who might be a threat to them'.

2013-05-14

THE HAGUE

WITNESS: THERE WAS HATE, BUT NO DESIRE FOR REVENGE

Former member of the Bratunac Brigade confirmed at the trial of the VRS Main Staff commander that thousands of Muslims captured after the fall of Srebrenica were detained in Bratunac in the night of 13 July 1995. In his replies to Mladic's defense, the witness confirmed that there 'was hate among the people', but no 'desire for revenge'. It is the defense case that the Srebrenica crimes were the consequence of the locals' desire for revenge



◀ Zlatan Celanovic, witness at the Ratko Mladic trial

In July 1995, Zlatan Celanovic was a desk officer for morale, religious and personal affairs in the VRS Bratunac Brigade. At three previous Srebrenica trials before the Tribunal, Celanovic described what happened in Bratunac in the night of 13 July 1995. The Muslims captured after the fall of Srebrenica were brought on buses and trucks to Bratunac. In his evidence at the trial of Ratko Mladic, the witness confirmed the authenticity of his testimony at the Srebrenica Seven trial in 2007. The relevant parts of the transcript from that trial were admitted into evidence.

Celanovic was shown an aerial photo of Bratunac and was able to mark the street that was, according to his

account, full of buses with prisoners on 13 July 1995. Some of the Muslim detainees were put in the Vuk Karadzic school. On that day, the special police brought a group of detainees to the military police headquarters. Ljubisa Beara, who was the security chief in the Main Staff, ordered Celanovic to interrogate them and establish if some of them had committed crimes against Serbs. Celanovic was to use the data in the book *The Chronicle of our Graves* by Milivoj Ivanisevic as a reference.

Celanovic's friend Resid Sinanovic was among the detainees. Celanovic didn't believe Sinanovic was involved in any crimes at all. Sinanovic was later taken to the Vuk Karadzic school by some police officers. He disappeared without a trace two days later, on 15 July 1995, after he was admitted for treatment in Banja Koviljaca.

In the evening of 13 July 1995, Celanovic walked by the Vuk Karadzic school together with Ljubisa Beara when they heard the detainees screaming and crying. They shouted 'when will you let us go', Celanovic said. According to Celanovic, nobody answered them and there was nobody else there but the guards. Celanovic would later learn that

the prisoners were not taken to Kladanj, but to the execution sites in the Zvornik area on 14 July 1995.

As he answered questions put to him by Mladić's defense, Celanovic described the attacks of the Muslim forces on the Serb villages in the Srebrenica and Bratunac area. 'Killings, looting and arson' continued throughout the entire war, Celanovic said. During and after the war, the witness was in charge of documenting the attacks on the Serb villages and the treatment of Serb prisoners. Celanovic confirmed that only two villages in that area hadn't been attacked during the war. Also, Celanovic noted that the attacks didn't stop after Srebrenica was proclaimed a protected and demilitarized zone in March 1993.

'There was hate among the people', Celanovic said as he described the consequences of the attacks. When Mladić's defense counsel asked if it also generated the 'desire for revenge', Celanovic said he didn't notice it. 'I only saw that people wanted to stop the war', Celanovic said.

The trial of the former VRS Main Staff commander for genocide and other crimes in the war in BH continued with the testimony of a protected prosecution witness. The witness testifies via video link in closed session.

2013-05-16

THE HAGUE

MOTHERS FROM SREBRENICA TELL THEIR STORY

Saliha Osmanovic and Mirsada Malagic described how they lost their closest family after Srebrenica fell. They both saw the accused Ratko Mladić in Srebrenica. Osmanovic and Malagic were deported from the Serb territory together with thousands of other women and children



◀ Saliha Osmanovic, witness at the Ratko Mladić trial

The prosecution's case at the trial of General Ratko Mladić continued with the evidence of two women from Srebrenica. In July 1995, the two witnesses suffered the same fate: they left their homes before the Serb troops arrived in the enclave, sought shelter in Potocari, and were deported from the territory under the Serb control. They both lost their closest family in the genocide. Both witnesses contend that they saw Ratko Mladić on 12 July 1995 when he spoke to the refugees gathered in Potocari.

Saliha Osmanovic spent the war in Srebrenica with her husband and two sons. Osmanovic's youngest son was 17 years old when he was killed on 6 July 1995 in an

artillery attack on the town. As Mladić's troops got closer to Srebrenica the exodus from the town began. The women, children and elderly sought shelter in the UN compound in Potocari. Men of military age took to the woods hoping to reach the liberated territory. On 11 July 1995, the witness went to Potocari with her father-in-law. The witness's elder son, 18-year old Nermin, and her husband Ramo headed out through the woods towards Tuzla. Nermin and Ramo were captured by the Serbs en route and executed. Their remains were identified in 2009. In the footage taken on 13 July 1995, Ramo Osmanovic is seen calling his son Nermin and other Bosniaks to surrender; he had been ordered to do that by the Serb soldiers.



◀ Mirsada Malagic, witness at the Ratko Mladić trial

Mirsada Malagic also lost her husband and two sons in the Srebrenica genocide. She was deported from Srebrenica with her youngest son. Malagic said that they 'didn't even say goodbye properly' when they parted. Two days later Malagic arrived in Zivinice. There she waited for days hoping to see her family again. Malagic's two brothers managed to get through to the liberated territory. Malagic's sons and husband didn't. In her testimony at the trial of the former Drina Corps commander Radislav Krstić in 2000 she described how she felt as she waited in vain, Malagic compared herself with the sculpture with a 'lost look in her eyes' on the beach in Scheveningen. The sculpture symbolizes the women who waited for their families who went out to see to fish. Today Malagic said

she felt the same way when she looked at the 'empty woods' and waited for her husband and sons to come. The hope finally died when their remains were discovered, identified and buried a few years ago, the witness recounted.

Both witness said that they saw Ratko Mladić in Potocari on two different occasions as he addressed the refugees. Saliha Osmanovic claimed that Mladić told them to 'throw away everything you have because the Serb army will

come now'. Mirsada Malagic recalled Mladić's attempt to calm down the crowd and convince them that nothing bad would happen to them. After that men were separated from women and children, Malagic recounted. Among them was Malagic's 70-year old father-in-law who was later killed.

In the cross-examination, Mladić's defense focused on the military status of the members of the Osmanovic and Malagic family who were killed. Both witnesses replied that their husbands served in the BH Army in Srebrenica from time to time. However, none of their sons had anything to do with the army, both women said.

Ratko Mladić's trial continues on Tuesday. The prosecution alleges he is one of the masterminds in the four joint criminal enterprises in BH, including the genocide in Srebrenica.

2013-05-21

THE HAGUE

WHO PLANNED AND CARRIED OUT SREBRENICA OPERATION?

As the former commander of the VRS 2nd Romanija Brigade said today, Operation Krivaja 95 in Srebrenica was 'planned and carried out by the VRS Drina Corps'. Its commander was found guilty of the crimes in Srebrenica and sentenced to 35 years in prison. Initially, there was no plan to take the enclaves, Mirko Trivic claimed at the trial of Ratko Mladić



◀ Mirko Trivic, witness at the Ratko Mladić trial

In the summer of 1995, Colonel Mirko Trivic commanded the 2nd Romanija Brigade in the VRS; one of his units participated in Operation Krivaja 95 under his direct command. He had already testified at three other trials for Srebrenica crimes; yet again, he testified about the events he took part in in June and July 1995 in Srebrenica and Zepa, this time at the trial of the former VRS Main Staff commander, Ratko Mladić.

The brief summary of Trivic's evidence at the Srebrenica Seven trial in 2007 states that Trivic took part in combat and entered Srebrenica on 11 July 1995, at the same time as General Mladić, who is on trial for the crimes in Srebrenica. In the evening of 12 July, at a meeting of the

officers commanding the units that participated in the operation, he was ordered by Mladić to accomplish a new task: to continue fighting in the Zepa area. Trivic was wounded in the fighting and left the combat zone.

In a few additional questions, prosecutor Peter McCloskey tried to prove the allegations in the indictment that the Srebrenica crimes were planned. The decision to capture Srebrenica followed after the initial task of the operation was achieved: to cut the Srebrenica enclave off from Zepa, the witness said. The enemy forces did not offer resistance and the commander-in-chief of the VRS, Radovan Karadzic, gave his approval to the troops to enter the enclave.

The prosecutor showed the witness the preliminary order issued by the Drina Corps command on the eve of the attack on Srebrenica. The troops are ordered to 'improve the tactical position of the VRS forces, divide and reduce in size the enclaves so that they covered just the two town centers, and create conditions for their elimination'. When the prosecutor put it to him that this order proves the capture of the two enclaves had been part of the plan, Trivic denied it. According to his interpretation of the document, 'strive to create conditions for the elimination' is not tantamount to the actual elimination of the enclaves.

As he was cross-examined by Mladić's defense counsel Branko Lukic, Trivic confirmed that between 9 and 13 July 1995 he 'did not see any officers from the VRS Main Staff' at the command posts in the Srebrenica and Bratunac areas, apart from Mladić. He also confirmed that Operation Krivaja 95 was run by the VRS Drina Corps; the Corps 'planned and carried out' the operation. The then Drina Corps commander Radislav Krstic was found guilty of the Srebrenica crimes by the Tribunal and is currently serving his 35-year sentence.

Trivic's interpretation of the documents shown to him while he was examined by the prosecution and the defense appeared to have irked the judges. The presiding judge Orić was not the only one to ask for additional clarifications; judges Moloto and Flüggé intervened several times. The exchanges between the judges and the witness grew quite heated at times; Judge Flüggé remarked at one point, 'I see that you cannot answer my question', and Judge Orić warned the witness that the Chamber did not want his 'interpretation of documents and orders but facts you can give us to support it'. Mirko Trivic's evidence will continue tomorrow.

2013-05-22

THE HAGUE

KARADZIC'S DIRECTIVE WAS USED AS SANCTION DESIGNED TO ACHIEVE 'CHANGE OF REGIME'

In his Directive 7, the VRS supreme commander ordered his troops to create 'the situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica and Zepa'. According to prosecution witness Mirko Trivic, Directive 7 was supposed to be a 'a sort of a sanction' that would cause the Muslim population in the enclave to rebel and overthrow the regime that held them 'hostage'



◀ Mirko Trivic, witness at the Ratko Mladic trial

In March 1995, Radovan Karadzic, as the commander-in-chief of the Republika Srpska armed force, signed Directive 7, ordering his troops to create 'the situation of total insecurity with no hope of further survival and life for the inhabitants of Srebrenica and Zepa by 'planned and well-thought combat operations'. The document, which was the focus of debate at all the Srebrenica trials, was today given an unusual interpretation at the trial of Ratko Mladic.

According to the prosecution witness Mirko Trivic, former commander of the VRS 2nd Romanija Brigade, Directive 7 was in fact a 'sanction of a sort' against the Muslim population in the enclaves. The Directive's goal

was to help the Muslims realize that 'their own leadership held them hostage' and to 'urge them to call for their dismissal'. In July 1995, Trivic commanded one of the units involved in the operation to take Srebrenica and Zepa. As the prosecution alleges, the operations ended with the execution of more than 7,000 and the expulsion of about 25,000 inhabitants from both enclaves.

After Judge Orije joined in the questioning, Trivic interpreted the Directive as a 'sanction' whose aim was to 'change the regime'. Judge Orije followed up on Trivic's reply that the Drina Corps had decided independently how to implement the guidelines from Karadzic's Directive. The judge asked what leeway the Drina Corps had in deciding how to implement the guideline to 'create unbearable conditions for the life of the population in the enclaves by planned and well-thought combat operations'.

According to Trivic, the Corps command obviously thought that separating Srebrenica from Zepa and reducing the enclaves' size would put the population under pressure. It should 'make them aware' that they were hostages of their own leadership and that they should rebel and demand changes, the witness explained. This was similar to the terminology used by the states that want to change the regimes in other parts of the globe, which impose sanctions in order to achieve this end, Trivic continued. 'These are sanctions, but phrased differently', Trivic concluded. The presiding judge decided not to ask any further questions, but noted that it was difficult to see how the meaning the witness attributed to the document could be derived from its contents.

Ratko Mladic's trial continued with the evidence of a protected witness testifying under the pseudonym RM 306. As he was cautioned that he had the right not to answer any potentially incriminating questions, the witness is probably one of the insiders from the RS military or civilian authorities.

2013-05-23

THE HAGUE

DIGGING MASS GRAVES

An insider from Bratunac, who saw the murders in front of the warehouse in Kravica on 13 July 1995, testified at the trial of Ratko Mladic with protective measures about the operation to bury the bodies of hundreds of Muslims killed after the fall of Srebrenica

The witness testifying under the pseudonym RM 306 saw the execution of five men in front of the farm in Kravica on 13 July 1995. The witness then saw hundreds of Muslim victims being buried in the mass graves in Glogova.

Testifying with image and voice distortion to protect his identity, witness explained at the trial of the VRS Main Staff commander Ratko Mladic that he saw soldiers in camouflage uniforms execute five men in front of the warehouse in Kravica. There was a pile of about 50 bodies nearby. The indictment alleges that the Serb forces executed about 1,000 detainees in the warehouse in Kravica on 13 July 1995. The next day the Serb troops buried their bodies in mass graves in the villages of Glogova and Ravnice.

According to the witness, four mass graves were dug in Glogova. The bodies from Kravica, the victims brought on trucks from Konjevic Polje, from the road to Bratunac and from the Vuk Karadzic school in Bratunac were buried there. The witness marked four graves on the photo the prosecutor showed him. According to the witness, 400 to 500 bodies were buried in the mass grave in Glogova while he was there. However, the witness was sure the final tally was higher because the operation continued after he left.

In the cross-examination which proceeded for the most part in closed session, just like the examination-in chief, Mladić's defense counsel Dragan Ivetic argued that in war, it was 'normal for the civilian services and the military to work in tandem in clean-up activities'. The defense counsel asked the witness if the mass graves in Glogova were dug in line with the civilian defense regulations about the burial of victims of war. The witness replied that the graves were 'nothing but holes' of various sizes.

The witness also confirmed that after his conversation with the OTP investigators in Banja Luka in 2000 he visited the mass graves sites in Glogova with the head of the Srebrenica investigation team, Jean Rene Ruez. As the witness claimed, he heard from Ruez that the graves had been dug up later under the command of Momir Nikolic, who was the chief of security in the Bratunac Brigade at the time. The bodies were then reburied at different locations. When the defense counsel asked him, the witness confirmed that the bodies of about 150 Muslims killed in Bratunac in 1992 were among them.

2013-05-24

THE HAGUE

SERBIAN JOURNALIST CONTRIBUTED TO SREBRENICA INVESTIGATION

Tomasz Blaszczyk, a police officer from Poland, described at the trial of Ratko Mladić how videos made by Belgrade journalist Zoran Petrovic Pirocanac helped him and other OTP investigators to reconstruct the crimes in Srebrenica. Pirocanac recorded the footage in the field on 13 and 14 July 1995



◀ Tomasz Blaszczyk, witness at the Ratko Mladić trial

OTP investigator Tomasz Blaszczyk described at the trial of Ratko Mladić his role in the reconstruction of the events in Srebrenica in July 1995. In 2006 and 2007, Blaszczyk and Zoran Lesic, a photo and video technician working for the OTP, identified the places, people and events recorded in the video tape made by Belgrade journalist Zoran Petrovic Pirocanac. The prosecution put together a photo album and has been using it to prove the Srebrenica genocide.

The videos taken on 13 and 14 July 1995 were admitted into evidence at all previous Srebrenica trials as prosecution exhibits. Pirocanac did a favor to the prosecution, and landed in trouble the Bosnian Serb

military and police officers whose participation in the operation he had wanted to record for posterity. Pirocanac did delete some incriminating parts from the raw footage he delivered to the OTP in 2006. The deleted footage showed prisoners in the so-called White House in Potocari and a pile of bodies in front of the farm warehouse in Kravica. Because some of the missing footage was broadcast by the Belgrade TV network Studio B on 17 July 1995, Blaszczyk was able to 'fill in the blanks' and complete Pirocanac's material.

Following the trail of the footage, the testimony of those involved in the events and various military documents, the prosecution was able to identify the military and police units that had participated in the capture of the Muslim men and boys who were killed at that time. The key element was the reconstruction of the movements of the man who commanded all the police units in the Srebrenica operation, Ljubomir Borovcanin. Borovcanin was Pirocanac's guide. Many other Serb officers and soldiers were also identified as they were video taped en route between Konjevic Polje, Srebrenica, Potocari, Bratunac and Kravica.

The footage shows the able-bodied men being separated from other civilians and the capture of the men who were trying to flee through the woods. Some of the sites where Muslims were detained – such as the White House and the field in Sandici – are also seen. Muslim were later taken away from those locations to Bratunac and then to the execution sites where they were killed.

The video taken in the afternoon of 13 July 1995 shows a member of the Jahorina police unit on the road near Sandici calling out to the Muslim fugitives to surrender. When Pirocanac asked him how many had already surrendered, the man said, 'three to four thousand'. This, according to Blaszczyk, corresponds to the prosecution's estimate of the number of persons captured until that moment.

Tomasz Blaszczyk will continue his testimony on 14 June 2013 because of the prosecution's busy schedule at Ratko Mladić's trial. The accused was on his best behavior for the most part of the hearing today, but toward the end, the public in the gallery could hear Mladić complain about the restrictions ordered by the Trial Chamber after he had

behaved inappropriately during witness testimony. Mladic apparently said he didn't like the fact that he was 'not allowed to speak, shake my head and wink'. Mladic also complimented one of the ladies present in court. He also told prosecutor McCloskey 'not to make a fool of himself' and to 'withdraw the indictment against me as soon as possible'.

2013-06-03

THE HAGUE

PREPARING AND CONCEALING CRIMES

Through the evidence of yet another VRS insider, former Bratunac Brigade security chief Momir Nikolic, the prosecution tried to prove that the crimes in Srebrenica had been planned in advance. The prosecution also wants to prove that those who ordered and participated in the crimes shared the intent to cover up and conceal the crimes



◀ Momir Nikolic, witness at the Ratko Mladic trial

'By obeying orders, I took part in a crime', former security chief in the Bratunac Brigade Momir Nikolic said today at the trial of Ratko Mladic. In 2003, Nikolic pleaded guilty to the crime of persecution in Srebrenica. Nikolic is currently serving his 30-year sentence in a prison in Finland. Today, Nikolic said that he 'felt terrible' because of the 'heinous crime' and once again apologized to 'all the victims and their families'.

As Nikolic explained, after he spoke to the security officers from other VRS units he came to realize that the crimes would be perpetrated. After Vujadin Popovic, the security chief in the Drina Corps, told him on 12 July 1995 in Bratunac that 'all *Balijas* should be killed', Nikolic

received further confirmation of this on 13 July 1995 when he provided security for General Mladic as he travelled through Konjevic Polje. Mladic addressed a group of detainees and told them 'you shouldn't worry, you will be transferred wherever you want to go'. As the witness recounted today, when he asked 'what will really happen to those people', Mladic 'smiled and made a gesture, drawing his hand from left to right across the chest'. Nikolic understood that the gesture meant that the prisoners would be killed.

That same evening on 13 July 1995, Ljubisa Beara, the security chief in the Main Staff, ordered Nikolic to inform Drago Nikolic, the Zvornik brigade security chief, that the detainees from Bratunac would be transferred to the area of responsibility of the Zvornik Brigade. The prisoners would be 'temporarily detained and then executed'. After completing his task, Nikolic witnessed a quarrel between Beara and Miroslav Deronjic, the president of the Bratunac SDS, later that night. The two fought over where the detained Muslims would be executed. Deronjic wanted the detainees to be transported to the area of responsibility of the Zvornik Brigade. Beara – for reasons unclear to Nikolic – wanted them to remain in Bratunac despite the fact that only a couple of hours earlier he had asked Nikolic to inform the Zvornik brigade security chief about the transfer of prisoners. Both invoked the purported orders from their bosses: Deronjic said he had received his from Karadzic and Beara said his orders had come from Mladic, as they quarreled where – but not if – the captured Muslims would be executed, Nikolic said.

Finally, Momir Nikolic testified that the operation to dig up the original mass graves and transfer the bodies to other locations was thought up by the civilian authorities. The order to use elements of the VRS units in the operation came from the Main Staff. Elements of the Drina Corps, the Zvornik and Bratunac brigades, civilian and military police, the municipal executive bodies and local companies that provided construction machinery and trucks all took part in the operation. The operation was labeled as 'a hygiene and sanitation' effort but its goal was, Nikolic claimed, to conceal the evidence of the Srebrenica crimes. The indictment alleges that more than 7,000 men were executed in the area.

Mladic's defense lawyer Nenad Petrusic cross-examined Nikolic. Petrusic tried to challenge parts of Nikolic's evidence that supported the prosecution's case that the VRS wanted to make life in the enclave 'unbearable' and thus force the people to leave it by blocking humanitarian convoys and exerting pressure in other ways. Momir Nikolic's cross-examination continues tomorrow.

2013-06-04

THE HAGUE

FALSE PREMISES, UNRELIABLE SOURCES AND INACCURATE FINDINGS

The prosecution wants to prove that the findings produced by Karadzic's ballistic expert Mile Poparic were based on false premises, that he used non-transparent sources and neglected to include relevant information. As a result, he failed to refute the claim that the Bosnian Serb army was responsible for the sniper attacks on civilians in Sarajevo



◀ Mile Poparic, defence witness of Radovan Karadzic

Karadzic's ballistic expert Mile Poparic said in his report and in his answers to Radovan Karadzic that the responsibility of the Bosnian Serb army was not established beyond reasonable doubt for any of the 17 sniper incidents in which Sarajevo civilians were targeted. Some of the victims were hit by the BH Army, Poparic claimed explicitly. The prosecutor put it to Poparic that his analysis was based on inaccurate information, that his sources were not transparent and that he didn't disclose in the report all the relevant information he had obtained. As a result, his conclusions were 'misleading'. The witness retorted that it 'absolutely isn't true'. The prosecutor then cross-examined him on the details of his expert analysis.

Prosecutor Edgerton first noted some cases when Poparic misinterpreted witness testimony. Poparic claimed that a witness had stated a BH Army tank was positioned in the area where she was hit. But, as the prosecutor explained, Poparic neglected to mention that the tank was stationed there only seven days, long after the period when the witness was hit by a bullet fired from the Bosnian Serb territory. The expert replied this fact was not relevant at all for his key conclusions. This prompted Judge Kwon to ask the witness a rhetorical question: why mention it at all if it wasn't relevant? Poparic said that he only wanted to show that the BH Army had positions in the area and that other evidence indicated the VRS troops were not responsible.

In the examination-in-chief, the witness claimed that he had visited all the sites where the victims were at the time when they were wounded or killed. Also, Poparic noted that he visited all the positions from which sniper fire was allegedly opened. He concluded that there was no line of sight from some of the positions to the incident sites. As the prosecutor said today, the witness didn't visit all the places from which fire had been opened. In fact, he didn't even visit the key locations, such as the notorious Metalka building and the white skyscrapers in Grbavica. Poparic explained that he had stood 'next to' the buildings but didn't go in for two reasons. First, after so many years there was no evidence of sniper positions, and second, based on other evidence he established that fire had not been opened from those sites.

In the examination-in-chief Poparic used photographs he has taken since 2010 in a bid to prove that there was no line of vision to the incident sites from Serb positions. The prosecutor showed Poparic several photos taken in 1996, which clearly show that visibility was much better immediately after the war. Vegetation was scarce and there were fewer new buildings. In some cases, Poparic insisted that visibility wasn't perfect and at times he expressed doubts that the photos were taken from the positions from which fire was opened according to the prosecution.

Finally, the prosecutor contested the defense expert's conclusion that in November 1994, seven-year old Nermin Divovic was killed and his mother Dzenana Sokolovic wounded 'in an exchange of fire', not by a sniper. Poparic reached his conclusion on the basis of what he was told by the wounded woman: that she heard bursts of gunfire during the incident. The prosecutor showed an UNPROFOR document reporting that the French battalion soldiers fired on the Serb snipers in response. The witness could have heard that, the prosecutor put it to Poparic. Karadzic's ballistic expert will complete his evidence tomorrow.

2013-06-04

THE HAGUE

THE HAGUE INSTEAD OF 'HAPPY HUNTING GROUNDS'

At a hearing about Ratko Mladic's health that was scheduled after his defense asked for the working week to be shortened, Mladic paid tribute to all those who have 'saved his life' after his arrival in The Hague and 'pulled me out of a grave'. As he said, he already had 'both feet in the grave'



◀ Paulus Falke, doctor in UN detention unit

'If I hadn't come here, I would have long gone to the happy hunting grounds', said Ratko Mladic at the end of the hearing on his health. The hearing followed a motion filed by the defense to shorten the working week at Mladic's trial from five to four days. 'While I don't want to praise the Tribunal, I want to express my admiration, gratitude and respect to all the staff in the Bronovo hospital, 'from the cleaning lady to the owner' for 'saving my life'. Thanks to their care, medication and God's will, he is not yet 'at Saint Peter's gate', Mladic explained.

The defense quoted medical reasons in support of the motion to cut the working week short. If the trial didn't slow down, the health of the accused, already fragile, could deteriorate further, the defense claimed. To establish if there are medical grounds for this claim the judges called Dr. Paulus Falke, medical officer in the UN Detention Unit and spent two and a half hours questioning him about the possible risks for Mladic's health if the five-day working week remained in place.

After he saw the results of Mladic's detailed medical examinations, Dr. Falke also recommended a shortening of the working week. In light of the age of the accused and the fact that he has survived two strokes, the consequences of which are still present, the Dutch doctor found that a four-day working week would be more appropriate. Asked to specify 'the serious consequences' that might occur if the trial continued at the current pace, Dr. Falke said that the accused could suffer from 'extreme fatigue and a decrease in concentration, emotional control and self-care'; this could ultimately lead to a 'total breakdown'. The judges will decide on the duration of the working week later. Mladic, former VRS Main Staff commander, is on trial for genocide and other crimes during the war in BH.

After the medical hearing, Mladic's defense counsel Nenad Petrusic continued his cross-examination of Momir Nikolic, former security chief in the VRS Bratunac Brigade, who pleaded guilty to the crimes in Srebrenica. He is currently serving his 20-year prison sentence. The defense counsel put it to him that the police committed the crimes after the fall of Srebrenica, not the RS military forces under the command of his client.

Nikolic didn't deny that the police committed crimes such as the execution of detainees in the warehouse of the Kravica farm on 13 July 1995. However, as he described the role of the army and police in Operation Krivaja '95, Nikolic said that they were 'different structures engaged in the same operation with the same goals'. According to Nikolic, the police units were 'under the command of their seniors' who coordinated actions with the command that was in charge of the entire operation. The technical term for it was 'coordinated action', he said. Momir Nikolic continues his evidence tomorrow.

2013-06-05

THE HAGUE

DEFENSE CONTESTS INSIDER'S EVIDENCE ON MLADIC'S GESTURE

In the final part of the cross-examination of Momir Nikolic, the defense focused on the hand gesture Ratko Mladic made on 13 July 1995 in Konjevic Polje. The gesture indicated, as Nikolic testified, that the Muslims captured after the fall of Srebrenica would be 'mowed down', or executed



◀ Momir Nikolic, witness at the Ratko Mladic trial

In his evidence at the trial of Ratko Mladic, Momir Nikolic, former chief of security in the VRS Bratunac Brigade, described how on 13 July 1995 Ratko Mladic made a hand gesture indicating, as the witness understood it, that a group of Muslims detained in Konjevic Polje would be executed. In the final part of the witness's cross-examination, Mladic's defense counsel Nenad Petrusic tried to contest not only the claim that Mladic had made such a gesture but also that he had met with Nikolic on 13 July 1995 in Konjevic Polje.

After pleading guilty to the crimes in Srebrenica, Momir Nikolic was sentenced to 20 years. Nikolic confirmed that in his plea agreement with the prosecution in May 2003

he didn't mention Mladic's hand gesture. The defense counsel then brought up Nikolic's interviews with the OTP on 28, 29 and 30 May and 12 July 2003, in which he never mentioned that Mladic had moved his hand from left to right across his chest, miming mowing. Nikolic confirmed that he had spoken to the OTP 'several times' but didn't remember if in those interviews he had ever described Mladic's gesture. Also, Nikolic couldn't remember when he mentioned the gesture for the first time or why he didn't do it earlier, primarily in his plea agreement. In Nikolic's opinion, the agreement was 'drafted badly' and the hand gesture was not the only mistake he had to correct later.

In the re-examination, prosecutor Julian Nichols showed the witness a report written by the investigator Bruce Bursik on his interviews with Nikolic on 28, 29 and 30 May 2003. The report states that Nikolic described how Mladic moved his hand from left to right across the chest in response to Nikolic's question what would happen with the Muslim detainees. When Nikolic's memory was refreshed, he confirmed that he did demonstrate the gesture Mladic had made in Konjevic Polje to the investigator.

After Nikolic completed his evidence and left the courtroom, presiding judge Orié reprimanded the defense counsel for 'badgering' the witness about why he had never mentioned Mladic's gesture before. As Orié said, the defense counsel was well aware that in fact the description of Mladic's gesture was mentioned in a report by the OTP investigator who had interviewed Nikolic. Petrusic explained that it was a chain reaction started by his initial mistake when he misstated the date of Nikolic's interviews with the OTP. The defense counsel stressed that he didn't intend

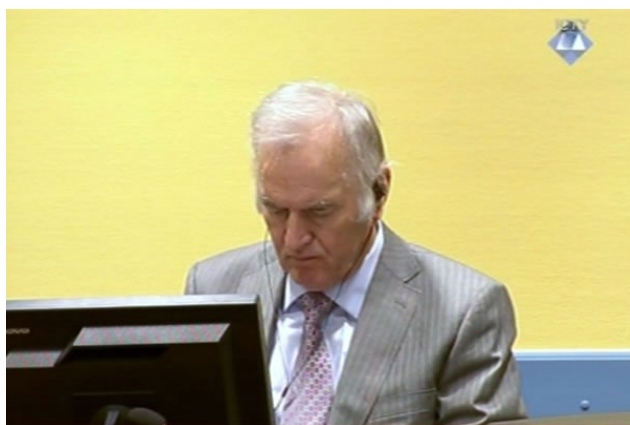
to mislead either the witness or the judges. The presiding judge concluded that the Trial Chamber would take into account his statement in the course of their consideration of the matter.

2013-06-06

THE HAGUE

BOY FROM EXECUTION SITE IN ORAHOVAC

A young man who was seven years old when he survived an execution in a field in Orahovac near Zvornik on 14 July 1995 gave evidence at the trial of Ratko Mladić. The witness testified with image and voice distortion and under the pseudonym RM 313 to protect his identity



◀ Ratko Mladić in the courtroom

A dramatic story of a boy who was taken from his house together with his father by the Bosnian Serb soldiers three days after the fall of Srebrenica was recounted for the third time before the Tribunal. The boy was blindfolded and taken to an execution site. The Bosnian Serb soldiers fired on the group of prisoners including the boy. He miraculously survived and was taken to the Zvornik hospital where he was treated for gunshot wounds in his arm and leg. Today, the boy testified under the pseudonym RM 313 with image and voice distortion to protect his identity.

Prosecutor Abeer Hasan read out the summary of the witness's evidence at the trials of the Srebrenica Seven in 2007 and Zdravko Tolimir in 2010. After that, the prosecutor asked the witness a couple of questions about where he was taken to after his stay in the Zvornik hospital and about the impact of these events on his life today.

RM 313 now lives with his uncle's family who had taken him out of the Zvornik hospital. 'They asked who would take me. I had nobody else left except my aunt and uncle. They took me in and now I live with them', the witness explained. 'A difficult question. I don't have an answer', the witness said when he was asked about how his ordeal had affected his life.

The prosecutor told the Trial Chamber that the evidence of this witness was linked with the testimony of witness RM 247, whose statement was admitted into evidence as a deposition. RM 247 drove the van that took the wounded boy from the execution site in Orahovac and to the Zvornik hospital. RM 247 testified at the previous trials for the Srebrenica crimes. As he recounted, the boy 'emerged from the dead bodies at the execution site'. The witness was barely able to calm down the boy who was 'all covered in blood and distraught' and then drove him to the hospital.

As alleged in the indictment against Ratko Mladić, about 1,000 Muslims captured after the fall of Srebrenica and detained in a local school were executed in Orahovac. Mladić is on trial for genocide and other crimes committed during the war in BH.

After witness RM 313 completed his evidence, the OTP investigator Tomasz Blaszczyk returned to the witness stand to continue his evidence. Blaszczyk testified about the video recordings made by Belgrade journalist Zoran Petrovic Pirocanac on 13 and 14 July in the Srebrenica area. The footage was very useful to the OTP in the effort to reconstruct the events in the enclave. Today Blaszczyk spoke about the segment of the video recorded on 13 July 1995 on the road from Konjevic Polje to Bratunac near the village of Sandici. The footage shows the RS police officers calling Bosniaks to surrender. When they did, the police arrested them. After the fall of Srebrenica. The Bosniaks had been trying to reach the territory under the BH Army control through the woods.

Tomasz Blaszczyk continues his evidence tomorrow.

2013-06-07

THE HAGUE

VICTIMS OF FIGHTING AND REVENGE

In the cross-examination of the OTP investigator, Ratko Mladić's defense counsel tried to get the witness to confirm the defense case that the former commander of the VRS Main Staff wasn't responsible for the genocide in Srebrenica. The Srebrenica genocide is one of the gravest crimes during the war in BH; Mladić has been charged with it



◀ Tomasz Blaszczyk, witness at the Ratko Mladic trial

Mladic's defense counsel Dragan Ivetic put to OTP investigator Tomasz Blaszczyk that the videos made by Belgrade journalist Zoran Petrovic Pirocanac on 13 and 14 July 1995 contain exculpatory evidence, not just the information about crime scenes and the participants in the events after the fall of Srebrenica. It is the defense case that most of the victims were in fact killed in the 'heavy fighting' after the Republika Srpska army entered Srebrenica, and not, as the prosecution alleges, in the executions that followed.

The defense counsel showed a part of Petrovic's video taken en route from Bratunac to Konjevic Polje. The footage shows the surrender of the Bosniaks in the

column that was moving towards Tuzla through the woods; 'gunfire and explosions' could be heard from the direction they were coming from. Bursts of gunfire and detonations clearly indicate there was fighting going on at the time in the woods, the defense counsel argued. To corroborate his claim, the defense counsel showed the transcript of the conversations heard in Zoran Petrovic Pirocanac's video footage. A soldier from the Bratunac Brigade describes how during his two-week shift manning a position on the front he was involved in 'heavy fighting' with the Muslim forces and that a large number of BH Army soldiers were killed in the clashes.

The OTP investigator agreed that there had been fighting, but he dismissed the defense's suggestion that thousands of Bosniaks pushing towards Tuzla in a column could have died in combat. The investigation showed that the bodies found in the woods belonged to the people from the column who had probably been killed in combat, but there were just a few hundred of them.

Mladic's defense put it to Blaszczyk that local Serbs from the Srebrenica area participated in the revenge killings. From the beginning of the conflict in 1992, there were Serb victims, the defense counsel noted. Blaszczyk agreed that the 'crimes were committed on both sides' and that there were certainly cases of revenge. Nevertheless, Blaszczyk stressed that the Bosniaks were detained by the Bosnian Serb army and police and not by individuals bent on revenge.

Finally, the defense brought up the investigator's evidence that only police forces, not the RS army, were deployed on 13 July 1995 in Kravica, when about 1,000 prisoners were killed in the farm warehouse. The defense counsel put it to the witness that the police in fact committed the crimes Mladic is charged with in his capacity as the supreme military commander. Blaszczyk agreed that the police units were deployed in Kravica. But those units participated in Operation Krivajva 95 under the military command on the orders of the interior minister Tomislav Kovac, Blaszczyk recalled.

2013-06-10

THE HAGUE

EAR-WITNESS OF THE EXECUTION IN KRAVICA

Milenko Pepic testified at Ratko Mladic's trial. When prisoners were executed in Kravica, Pepic was manning a check point at the Zuti Most bridge nearby. Pepic heard 'intense gunfire' from the direction of Kravica. That night, his commander told him that what had happened in Kravica 'isn't a good thing' and that 'sooner or later someone will be held responsible for what was done'



◀ Milenko Pepic, witness at the Ratko Mladic trial

Milenko Pepic, former member of the 2nd Sekovici Detachment of the Special Police Brigade, gave evidence at the trial of Ratko Mladic. Pepic was accompanied by his lawyer Vladimir Petrovic in court. The Trial Chamber rejected Petrovic's request for the deletion of 'incriminating parts' from the statement Pepic gave the BH authorities in 2005 and from the transcript of his evidence before the Tribunal in 2007

On 13 July 1995, Pepic was manning his position on the road from Bratunac to Konjevic Polje. He saw the captured Muslims in a meadow near the village of Sandici. His detachment commander, Rade Cuturic a.k.a. Oficir, told Pepic 'with a smile on his face' that an order

had come to transfer the detainees to Kravica. Cuturic ordered the witness to stop the buses carrying women and children from Potocari at the Zuti Most bridge. The witness complied.

A bit later, the witness heard 'intense gunfire' coming from the direction of Kravica. It lasted for about an hour and 'it sounded as if only one side was firing'. At the same time Pepic heard the detonations: he assumed those were hand grenades. When the shooting stopped, commander Cuturic appeared at the bridge. He told Pepic that there had been an 'incident' in Kravica in which a detachment member was killed. All the detainees were executed.

That same evening, as he drove from Bratunac to Konjevic Polje the witness saw a pile of hay in front of the Kravica farm. The witness assumed that the hay had been thrown over the corpses, so that the bodies couldn't be seen from the buses passing by. Commander Cuturic told Pepic that evening that what happened in Kravica 'isn't a good thing'. 'Sooner or later someone will be held responsible for what was done', Cuturic said.

As he was questioned by prosecutor Milbert Shin, the witness said that he never learned who had fired at the detainees in Kravica. The witness nevertheless admitted that he had testified before a BH court at the trials of persons responsible for the Kravica massacre, which included people from Pepic's detachment. The written statement he gave in 2005 to the State Investigation and Protection Agency was admitted into evidence at Mladić's trial.

Mladić's defense counsel Miodrag Stojanovic claimed in the cross-examination that on 13 July 1995 the VRS troops were re-grouping in the Srebrenica area to go to the Zepa area. The defense counsel played an excerpt from a video compilation entitled Srebrenica – Court Video. In the excerpt, Ljubomir Borovcanin, speaking under his codename Bor ordered Oficir (i.e. Rade Cuturic) to 'stop the traffic behind him'.

Pepic confirmed the defense counsel's suggestion that in fact he had not seen any 'military formations' on 13 July 1995 in the area of Sandici and Kravica. However, a bit later, as he answered a question by Judge Flugge, the witness said he had seen only people wearing military uniforms in front of the warehouse.

Mladić's defense will complete the cross-examination tomorrow.

2013-06-11

THE HAGUE

EXECUTION SITE AT PETKOVCI DAM

One of the two survivors of the execution at the Petkovci dam on 14 July 1995 testified at the Tribunal, describing how he was captured and temporarily held in the school in Petkovci and then taken to an execution site at the dam nearby. This is the sixth time the witness is testifying in The Hague about his ordeal



◀ Execution site at Petkovci dam

Only two of about 1,000 Bosniaks captured after the fall of Srebrenica survived the execution at the Petkovci Dam on 14 July 1995. This massacre is one of the charges in the indictment against Mladić. One of the survivors appeared for the sixth time before the Tribunal to testify at the trial of the former VRS Main Staff commander. Mladić is on trial for genocide and other crimes in the war in Bosnia.

The witness gave evidence with the image and voice distortion and under the pseudonym RM 253 to protect his identity. The witness confirmed the accuracy of his previous statements, which were then admitted into evidence in this case. The prosecutor read out the summary of the witness's statement. In it, the witness

described his ordeal from 11 July 1995 when Srebrenica fell and when he joined the column of soldiers and civilians moving towards Tuzla through the woods to 15 July 1995, when he managed to cross into the territory under the control of the BH Army.

None of the relatives and friends who left Srebrenica together with the witness survived, the witness told the prosecutor as he was asked some additional questions. He told the court that he had lost 20 family members after the fall of Srebrenica.

In the cross-examination, Ratko Mladić's defense tried to show that Witness RM 254 was unreliable. Mladić's defense highlighted discrepancies between the various statements the witness has given since 1995. As defense counsel Dragan Ivetić said, it was only in his statement to the Tribunal's OTP that the witness stated that when Mladić spoke to the detainees in the football stadium in Nova Kasaba on 13 July 1995, Mladić said that the detainees 'have sent the women to UNPROFOR to seek protection' while they killed the Serb soldiers. The witness insisted he had mentioned Mladić's words in every statement he had made.

The witness was nevertheless not sure if Mladić had told the detainees in Nova Kasaba that before they joined their families they would be 'taken to Bratunac and Kravica on trucks', where they would 'spend the night and be fed'; this is what the witness had said in his statement to the OTP. As far as the witness was able to remember, Mladić said that the detainees would be transferred on trucks from Nova Kasaba but could not confirm that Mladić had mentioned Bratunac and Kravica.

Witness RM 253 will complete his testimony tomorrow.

2013-06-12

THE HAGUE

PRISONERS IN NOVA KASABA: WAS A LIST MADE OR NOT?

Former military police commander in the 65th Motorized Protection Regiment of the VRS Main Staff couldn't explain in his evidence at the trial of Ratko Mladić why a list was made of the names of all the Muslims detained in the football stadium in Nova Kasaba on 13 July 1995. The list was never completed and the lists of detainees were never used



◀ Alphonse Orić, judge at the Tribunal

In the final part of his evidence at the trial of Ratko Mladić, protected witness RM 253 said again that the former VRS Main Staff commander told the Muslims detained in the football stadium in Nova Kasaba on 13 July 1995 that they would be put on trucks and exchanged. Instead of the exchange, the detainees ended up at execution sites near Zvornik, such as the Petkovci Dam. The indictment alleges that about 1,000 men were executed at the Petkovci Dam. The only survivors were Witness RM 253 and another detainee.

After Witness RM 253 completed his evidence, the prosecution called Zoran Malinić. On 13 July 1995, Malinić, former military police commander in the 65th

Protection Regiment, was in charge of securing about 1,200 Muslims captured after the fall of Srebrenica, while they were detained in the football stadium in Nova Kasaba on 13 July 1995. The transcript of Malinić's testimony at the trial of Zdravko Tolimir in June 2011 was admitted into evidence. The prosecutor read out the summary of Malinić's evidence. Malinić testified under his full name but with image distortion as a protective measure. The Trial Chamber warned Malinić that he was not obliged to give any answers that might incriminate him.

As he answered the prosecutor's questions, Malinić said that on 13 July 1995 about 1,200 captives from the column of civilians and soldiers who were trying to break through to Tuzla after the fall of Srebrenica were brought to the football stadium in Nova Kasaba. As soon as the detainees were brought to the football stadium, the guards started drawing up lists with their names; the effort was put on hold for a while when General Mladić addressed the detainees, Malinić claimed. Mladić promised the detainees that they would be exchanged.

The effort to draw up the list continued until the detainees were taken from the football stadium; the lists remained incomplete, because, as Malinić explained, there was no time to put everyone's name on the list. Also, Malinić confirmed that the lists were not handed over to the soldiers who escorted the convoy with prisoners from Nova Kasaba. As Malinić noted, he kept the lists and nobody asked to see them. The prosecutor asked Malinić whether he found it strange because these men were to be exchanged, as Mladić had promised. Malinić said he did not find it strange at all, because he knew 'those men had to undergo security checks'; the checks were to identify those who were wanted for war crimes.

Presiding judge Orić was also prompted to ask, 'what was the purpose of the lists?'. It was done because the rules of service required it, Malinić explained. You had to 'get the personal details from the persons you captured in order to know their identity', Malinić noted. Recalling that the lists were never completed, the presiding judge remarked that obviously it was a rule one could either comply with or not.

As the hearing drew to a close, Mladić's defense began cross-examining the witness.

2013-06-14

THE HAGUE

SECURITY BEFORE EXECUTION

Protected witness RM 269 described at the trial of Ratko Mladić how he, as a VRS soldier, secured the Muslims captured after the fall of Srebrenica. The men were detained in the schools in the villages of Orahovac and Ročević near Zvornik

The procession of protected witnesses this week at the trial of Ratko Mladić continued today with the evidence of a former Republika Srpska Army soldier. Before he began his evidence, the Trial Chamber warned the witness, who is testifying under the pseudonym RM 269, that he had the right not to give any answers that might incriminate him. Most of his testimony proceeded in closed session.

The witness confirmed that on 14 July 1995, he was one of the guards near the school in the village of Orahovac near Zvornik. He estimates that about 700 to 800 Muslims captured after the fall of Srebrenica were brought to the school

in buses. The witness had to 'provide security' at the entrance of the school gym where the prisoners were put. Soon after the arrival of the buses, the villagers of Orahovac gathered there 'and openly showed their anger and hatred' towards the prisoners, the witness recounted. 'It was dramatic and confusing', he said. He was ordered not to allow the civilians to approach the prisoners. The witness agreed with the presiding judge's conclusion that his task was to 'make sure that the detainees didn't leave the school and the civilians didn't enter it'.

The witness claimed that he saw military police commander in the Zvornik Brigade, Miomir Jasikovac, and the security chief Drago Nikolic in front of the school. When the prisoners 'were taken out', the witness saw that their hands were tied. Some were blindfolded. The prisoners were put on a truck. When the truck left, bursts of gunfire could be heard from a nearby meadow. The truck returned empty and a new group of prisoners was made to climb onto it. 'It was clear that executions were being carried out', the witness said. He confirmed that he hadn't been at the execution site and couldn't say who actually killed the prisoners.

The next day the witness, Jasikovac and another military police officer from the Zvornik Brigade went to the school in Rocevic. The witness received 'the same task as the previous day in Orahovac'. When they reached the school, the prisoners were already on a truck. The witness didn't know where the prisoners would be taken; after a while, the trucks came back, empty. Near the school, the witness saw a number of dead bodies. As the witness heard later, one of the villagers from Rocevic who had lost his son in the war took those detainees from the school and 'killed' them on the spot. The witness didn't recognize any of the soldiers he saw in front of the school. Also, the witness wasn't able to tell who had executed the prisoners from the school in Rocevic.

The indictment that charges former VRS commander Ratko Mladic with genocide and other crimes committed in the war in BH alleges that about 1,000 Muslims were executed near the school in Orahovac on 14 July 1995. The Muslims were captured after the fall of Srebrenica. About 500 Muslims who were held in the school in Rocevic were killed the next day in Kozluk.

Ratko Mladic's trial continued with the evidence of yet another protected witness who testified in closed session.

2013-06-18

THE HAGUE

WHEN DID MLADIC RETURN TO CRNA RIJEKA?

The prosecution and the defense disagree about the date and time when General Ratko Mladic returned to the Main Staff in Crna Rijeka from Belgrade as the VRS Srebrenica operation was in full swing. Was it on 16 or 17 July 1995?



◀ Dragomir Keserovic, witness at the Ratko Mladic trial

On the second day of the evidence of retired general Dragomir Keserovic, the prosecutor continued to ask the witness about the date when he returned to the Main Staff from the Western front and received from General Mladic the order to assume the command of the 'operation to block and search the field' in the Srebrenica area. In July 1995, Dragomir Keserovic was the commander of the military police in the VRS Main Staff.

Yesterday Keserovic stated he wasn't sure if he had arrived in the Main Staff on 16 or 17 July 1995. Keserovic today told the prosecutor that it was on 16 July 1995 after all. However, when the prosecutor quoted from a

statement Keserovic had given to the head of the Srebrenica investigation team, Jean Rene Ruez, in 2000, it transpired that Keserovic had told Ruez he had arrived in Crna Rijeka on 17 July 1995. Keserovic confirmed it.

The prosecution and the defense disagree over the date when Mladic returned to the Main Staff in Crna Rijeka from Belgrade where he had met with Slobodan Milosevic and attended a wedding. Judging by the number of additional questions the judges had, Keserovic's testimony didn't help much to establish the date with greater accuracy.

Today Keserovic confirmed that the next day, on 17 or 18 July 1995, he went to the Bratunac area. There Keserovic saw Zoran Malinic, the commander of the military police in the 65th Protection Regiment. Malinic told Keserovic that 2,500 to 3,000 soldiers from the BH Army's 28th Division were captured in that region in the previous days. In his evidence at this trial last week Zoran Malinic stated there were 1,000 to 1,200 detained in the football field in Nova Kasaba.

Keserovic also confirmed today that he learned from Malinic about the lists of prisoners in Nova Kasaba being made and that General Mladic addressed the detainees. The prosecutor reminded him that in his evidence at the trial of Zdravko Tolimir in May 2011 he mentioned Malinic's words that the effort to list the prisoners stopped when 'Mladic said that it was not necessary because they would be transferred to Tuzla'.

Today Keserovic failed to specify on whose orders the prisoners from Nova Kasaba were transferred to Bratunac. This prompted the prosecutor to remind Keserovic that he stated in 2004, at Blagojevic's trial, that Malinic told him then that General Mladic had ordered the transfer of the captives to Bratunac. 'I may have had a better recall of the events at that time', Keserovic replied, agreeing that his previous version of the events in Nova Kasaba might be more accurate.

In the cross-examination today, the defense tried to prove that on 16 July 1995 Mladic was still in Belgrade. Also, there was nothing unlawful in ordering the troops 'to search the field', the defense noted. According to the defense, there were no civilians among the prisoners Malinic had told Keserovic about: there were only soldiers of the BH Army's 28th Division. The cross-examination continues tomorrow.

2013-06-20

THE HAGUE

COULD MLADIC REALLY NOT KNOW WHAT 'EVERYONE ELSE KNEW'

Retired VRS colonel Petar Salapura said at the trial of Ratko Mladic that he learned about the involvement of the 10th Sabotage Detachment in the massacre in Branjevo in December 1995 or January 1996, not before. Salapura didn't think he needed to report it because by that time, 'everybody knew' about it. The prosecutor and the judges asked if Mladic had known what everybody else knew. As the witness said, the whole town was abuzz about these facts



◀ Petar Salapura, witness at the Ratko Mladic trial

Retired VRS colonel Petar Salapura, former chief of the intelligence service of the VRS Main Staff, testified today at the trial of Ratko Mladic. The transcript of Salapura's testimony at the trial of Mladic's assistant for security and intelligence Zdravko Tolimir was admitted into evidence.

At Tolimir's trial, Salapura claimed that it was only in December 1995 or January 1996 that he learned about the involvement of the 10th Sabotage Detachment in the execution of more than 1,000 detainees at the Branjevo farm in July 1995. Salapura learned about it in Bijeljina from the detachment commander Miodrag Pelemis. By that time, 'everybody knew about it', and Salapura did not feel any urge to report this to his superiors. Salapura

said that 'entire town, not just the soldiers' knew about it. According to him, it was a massive operation in which many people were involved.

Salapura tried to evade giving a straight answer when the prosecutor asked him to identify all those who knew about the executions. After Judge Orije intervened, the witness replied that he meant the competent bodies in the Security Service and the 'majority' in the Main Staff. However, Salapura noted he 'could not claim' that Mladic knew about it. Cornered by the judges, Salapura said he couldn't give any facts that would corroborate the claim that Mladic didn't know about the crimes.

Salapura confirmed that the 10th Sabotage Detachment was directly subordinated to the VRS Main Staff. During the attack on Srebrenica, the detachment was subordinated to the Drina Corps, under the command of General Radislav Krstic. As soon as the protected zone was captured, the members of the detachment were purportedly allowed to go 'on leave'. A number of them that didn't have anywhere to go remained in the Srebrenica area. The witness claimed that they 'voluntarily' and 'on their own initiative' participated in the executions in Branjevo.

In the cross-examination prosecutor Vanderpuye showed Salapura a request he had sent to the RS interior minister Dragan Kijac on 16 January 1996, asking him for new identity cards with false names for eight members of the 10th Sabotage Detachment – Franc Kos, Brane Gojkovic, Aleksandar Cvetkovic, Vlastimir Golijan, Zoran Garonja, Stanko Savanovic, Marko Boskic and Drazen Erdemovic.

Salapura admitted that he had filed that request but didn't see anything strange about it. According to Salapura, that is 'how it is done all around the world'. The prosecutor didn't deal with the document in detail because the witness had spoken about it at Tolimir's trial. The prosecutor nevertheless recalled that the reason for the request was the fact that the detachment members were indicted by the Tribunal.

Mladic's defense counsel Miodrag Stojanovic noted in the cross-examination that the 10th Sabotage Detachment was 'multi-ethnic'. Stojanovic put it to the witness there were Slovenes, Croats and Muslims in its rank; they purportedly had problems in their countries and entities and this prompted them to seek a new identity.

Before the witness replied, Judge Flugge stated that the Trial Chamber had not seen any evidence that the members of the detachment had sought new identities. On the contrary, 'this document says that the witness requested it', the judge noted. Salapura agreed with the judge that the detachment members didn't request the false documents. That request was based on 'our assessment' and he submitted it 'on his own initiative', Salapura explained.

2013-06-25

THE HAGUE

ACIMOVIC: EXECUTION ORDER DEFIED ALL PRINCIPLES OF HUMANITY

In his reply to Mladić's defense counsel, former commander of the 2nd Battalion in the VRS Zvornik Brigade Srečko Acimović said that although there was every indication that the detainees would be executed he had hoped it wouldn't happen 'because it defied human dignity and all principles of humanity'



◀ Srečko Acimović, witness at the Ratko Mladić trial

In his testimony at the trial of Ratko Mladić, Srečko Acimović, former commander of the 2nd Battalion in the VRS Zvornik Brigade said that in July 1995 he refused to obey the order to provide a platoon for the execution of Bosniaks captured after the fall of Srebrenica. The Bosniaks were detained in the school in the village of Ročević near Zvornik.

Acimović said he didn't remember who had sent him the order in an encrypted cable; he did know that Drago Nikolić and Vujadin Popović, the security chiefs in the Zvornik Brigade and the Drina Corps respectively, pressured him into completing the task. Nikolić told Acimović that the order had come from 'above'. This led Acimović to conclude that the Main Staff was behind the

order. The Main Staff was under the command of the accused Mladić.

As he answered the questions posed by Mladić's defense counsel Branko Lukić, the witness said that Popović was visibly 'edgy' and in a 'hurry' to secure the vehicles to transport the detainees. Popović asked Acimović to get in touch with the drivers Milivoje Lazarević, Radivoj Jekić and Djoko Nikolić and to order them to come to Ročević.

Acimović contends that he had 'sabotaged' Popović's order too. The witness contacted the drivers but 'warned them' that Popović wanted them to transport the prisoners. The first two drivers didn't show up. Djoko Nikolić, who was 'probably too scared to defy the order', arrived eventually in the school yard in Ročević with his vehicle.

Although there was every indication that the detainees would be executed, Acimović said he had hoped until the very end that it wouldn't happen. In Acimović's view, it 'defied all human dignity and all principles of humanity'. No one asked Acimović why he 'sabotaged' Popović's order to find drivers to transport the detainees if he had really believed that nothing would happen to them.

In the cross-examination, the defense noted that in his statements to the OTP investigators Acimović didn't mention his meeting with Vujadin Popović in front of the school in Ročević. Acimović first spoke about it at the trial of the Srebrenica Seven. In 2001 and 2002 the OTP investigators interviewed Acimović as a suspect. Acimović replied that in his first interviews with the investigators in The Hague, six or seven years after the events in Srebrenica, it was difficult for him to remember everything.

After Acimović completed his evidence, the prosecution called a witness who testified under the pseudonym RM 279 and with image and voice distortion to protect his identity. The witness was an operator in the BH Army 2nd Corps and his statement was tendered into evidence under seal. In his statement, the witness explained the procedure involved in the interception and surveillance of the VRS communications during the Srebrenica operation. The witness also explained how the transcripts of the intercepted conversations were handed over to the Tribunal's OTP.

Intercepted conversations were recorded on audio tapes and then transcribed in notebooks. They were then sent as reports to the Intelligence Department of the BH Army 2nd Corps. According to an entry from a notebook kept by a BH Army operator, by the evening of 13 July 1995 the VRS captured about '6,000 men fit for military service'. When one of the two unidentified men carrying the conversation mentioned the figure, the other, obviously aware that their conversation could be intercepted, said 'be quiet, don't say that again!'

Protected witness RM-279 will return to court on Thursday when the defense will complete his cross-examination. In the meantime the Trial Chamber will hear the evidence of yet another prosecution witness.

2013-06-26

THE HAGUE

'SOLDIERS' ARMED WITH PARING KNIVES

In the cross-examination of Dutch colonel Vincentus Egbers, Ratko Mladić's defense tried to prove that the men detained after the fall of Srebrenica in the 'white house' in Potocari could be considered soldiers. Many of them had had knives on their persons, the defense counsels argued. The witness explained that these were pocketknives, commonly used to 'pare apples'



◀ Vincentus Egbers, witness at the Ratko Mladic trial

In July 1995, Dutch colonel Vincentus Egbers was a platoon commander in the UN Dutch Battalion stationed in the Srebrenica enclave. In his evidence at the trial of Ratko Mladic Egbers said that the people of Bratunac 'cheered' when a convoy of buses with women and children from Srebrenica passed through the town. They gathered along the road, shouted and hurled various objects at the buses.

In July 1995, Egbers was a second lieutenant. He has already testified about what he saw and went through in Srebrenica in July 1995 at the trials of Radislav Krstic, the Srebrenica Seven and Zdravko Tolimir. In his evidence Egbers said that in the morning of 12 July 1995 he entered

the 'white house' in Potocari, where the men who had been separated from women and children were detained.

Today Egbers said that about 150 men from the 'white house' were put on three buses for Bratunac on 12 July 1995. Just before the buses left Potocari, the men signaled to him what, in their view would happen to them: they made a slashing gesture from left to right across their throats. The witness said that at that moment he didn't believe it would happen; he was confident that the men would be taken to Kladanj.

That same day, Egbers escorted a convoy with women and children leave Potocari for Kladanj. As he passed through Nova Kasaba, Egbers noticed a large group of detained men in a football field. The prisoners were on their knees with their hands behind head. On his return from Kladanj on 13 July 1995 the Serb troops stopped the witness in Nova Kasaba. The Serb soldiers confiscated his vehicle, the equipment and prevented him from returning to Potocari.

Egbers's 'host', Major Zoran Malinic explained that Egbers was detained 'for security reasons'. When Egbers complained about the behavior of Serb soldiers, Malinic replied that Ljubisa Beara was in charge of that zone. On 14 July 1995, Egbers personally gave Beara the list of complaints. A couple of hours later, Malinic told Egbers that he could return to Potocari.

In his cross-examination, Mladic's defense counsel Branko Lukic strove to prove that it was legitimate to separate the men from the women and children in Potocari, citing the Geneva Convention which recommends the separation under some circumstances. Lukic put it to the witness that it could not be ascertained at first glance if the men in Potocari were soldiers or civilians. They wore civilian clothes and didn't carry arms.

Lukic tried to prove that the men detained in the 'white house' could rightly be considered as soldiers since Egbers said that he had seen a lot of knives among the discarded things in front of the 'white house'. The witness explained that the knives were pocketknives commonly used to 'pare apples'.

As the defense counsel also argued, Egbers wrote in a form he most probably filled immediately after leaving Srebrenica that he and other Dutch soldiers had been Zoran Malinic's guests in Nova Kasaba. Egbers confirmed that Malinic was a hospitable man. It was a strange situation: 'you are held here and they won't let you leave, yet they want to play chess with you, dine with you and talk about the situation in the country', the witness explained.

2013-07-02

THE HAGUE

DRAZEN ERDEMOVIC TESTIFIES FOR THE TENTH TIME

A protected witness who was an operator in the Bosnian State Security Service completed his evidence at the trial of Ratko Mladic. During the war, the Bosnian secret service intercepted the conversations between Bosnian Serb civilian and military leaders. The prosecution then called its next witness, Drazen Erdemovic, former member of the VRS 10th Sabotage Detachment. Erdemovic had pleaded guilty to the execution of more than 1,000 Muslims at the Branjevo farm on 16 July 1995

An operator who worked for the Bosnian State Security Service completed his evidence at the trial of the former VRS Main Staff commander, Ratko Mladic. During the war, the State Security Service intercepted and recorded the communications between Bosnian Serb civilian and military leaders. Witness RM 316 and his colleagues were able to recognize on several occasions the voice of General Mladic among the participants in the conversations intercepted during the VRS Srebrenica operation.

In his cross-examination, the witness confirmed that the operators never mentioned Mladic's name in the reports on intercepted conversations unless they were sure that they had identified him as one of the speakers. The witness noted that Mladic very often called his interlocutors 'bro'.

After Witness RM 316 completed his evidence, the prosecution called a former member of the VRS 10th Sabotage Detachment, Drazen Erdemovic. Erdemovic took part in the executions of the captured Srebrenica Muslims at the Branjevo farm on 16 July 1995. According to the summary of Erdemovic's statement, a 'big, tall and grey-haired' VRS

lieutenant colonel ordered the soldiers to execute the prisoners. Erdemovic claims he doesn't remember the officer's name.

Erdemovic and seven other members of the 10th Sabotage Detachment teamed up with a group of VRS soldiers from Bratunac to execute the prisoners at the Branjevo farm. The executions lasted from 10am to 4pm. During that time, Erdemovic estimates that they killed about 1,000 or 1,200 persons. In 1996, Erdemovic pleaded guilty to the crime and was sentenced to five years in prison. Erdemovic served the sentence in a prison in Norway. After his release, Erdemovic and his family were put in a witness protection program. Erdemovic was given a new identity and a new place of residence. Erdemovic has now testified 10 times before the Tribunal. His evidence at the Mladic trial continues tomorrow.

2013-07-03

THE HAGUE

DEFENSE CONTESTS ERDEMOVIC'S CLAIMS USING ACCOMPLICES' STATEMENTS

In the cross-examination of the Tribunal's first penitent witness, Ratko Mladic's defense counsel tried to contest parts of Erdemovic's testimony by using the statements made by his fellow fighters and accomplices in the crime at the Branjevo farm, Franc Kos and Aleksandar Cvetkovic. They gave the statements to the OTP investigators after their arrests in Croatia and Israel, respectively



◀ Miodrag Stojanovic, defence attorney of Ratko Mladic

Drazen Erdemovic, former member of the 10th Detachment of the Republika Srpska Army, the first person accused before the Tribunal to plead guilty to the crimes he was charged with, concluded today his evidence at the trial of Ratko Mladic. This was the tenth time he testified, and he probably won't have to do it again in The Hague.

In May 1996, Erdemovic pleaded guilty to the execution of Bosniaks on 16 July 1995 at the Branjevo farm near Zvornik. The Bosniaks were captured after the fall of Srebrenica. Erdemovic estimated that about 1,000 or 1,200 detainees were executed that day.

In the cross-examination, Ratko Mladic's defense tried to contest parts of Erdemovic's testimony by invoking the statements made by Erdemovic's former fellow fighters and accomplices in the Branjevo crime, Franc Kos and Aleksandar Cvetkovic. They spoke with the OTP investigators after their arrest in Croatia and Israel, respectively.

Mladic's defense counsel Miodrag Stojanovic first confronted Erdemovic with a statement given by Franc Kos in May 2010, while he was in custody in Osijek. In a long statement, extending on over 150 pages, Kos claimed that on 16 July 1995 Erdemovic volunteered to participate in the task ordered by the detachment commander Milorad Pelemis. Erdemovic denied the allegation, claiming that Brano Gojkovic had read out his name and the names of six other detachment members who were picked to carry out the task. Pelemis appointed Gojkovic the group leader.

Defense counsel Stojanovic noted that in his interview with the OTP investigators Kos estimated that '650 to 700 persons' had been killed that day at Branjevo. The figure is significantly lower than Erdemovic's assessment of 1,000 to 1,200 executed victims. Erdemovic said he couldn't say whose estimate was correct, stressing once again, 'I don't know and don't want to know how many people were killed, not because of those people...but because of my conscience'.

In his previous statements and testimony before court, Erdemovic said that at one point, the group leader Brana Gojkovic and one of the group members Aleksandar Cvetkovic started firing at the detainees from a machine gun to 'speed up the process'. The OTP investigators confronted Cvetkovic with the allegation. Cvetkovic is currently awaiting extradition to Bosnia and Herzegovina in an Israeli prison. According to the statement quoted by the defense counsel, Cvetkovic said Erdemovic's allegations were 'nonsense'.

Kos's and Cvetkovic's statements that contest parts of Erdemovic's testimony were admitted into evidence as defense exhibits. The judges noted those were 'not witness statements but interviews with suspects'. They also took note of the prosecutor's remark that those 'are not the most reliable documents in the world' since it is not really in the interest of Kos and Cvetkovic, and indeed of all the other members of the 10th Sabotage Detachment who have been arrested in the meantime, to corroborate the evidence of the Tribunal's first penitent witness. It was Erdemovic's evidence that has put them all behind bars.

Finally, defense counsel Stojanovic had Erdemovic confirm that he hadn't participated in the execution at Branjevo with a genocidal intent to 'annihilate the entire Bosniak nation'. Erdemovic also confirmed that he wasn't able to

identify the VRS lieutenant colonel who had brought the execution squad to Branjevo and that he heard rumors in Bijeljina that their commander, Milorad Pelemis, had been 'promised money and gold' for the 'services' his unit had provided.

Ratko Mladić's trial continues tomorrow with the evidence of a new witness.

2013-07-04

THE HAGUE

FOOTBALL WITH 'CHETNIKS'

In July 1995 protected witness RM 254 was captured twice. The witness was able to escape the first time when he was sent to fetch water. The second time, he was saved after he lied about his age, saying he was just 14. The witness recounted that during his detention in Bratunac he met a person who introduced himself as Ratko Mladić. The witness and some other boys of his age were forced to play football with 'Chetniks'. While they played, the "Chetniks" filmed them with a camera



◀ Ratko Mladić in the courtroom

A protected witness testified under the pseudonym RM 254 at the trial of Ratko Mladić today. He was 16 at the time of the Srebrenica operation in July 1995. The witness's written statement from August 1996 was admitted into evidence under seal.

Once they learned that Srebrenica had fallen, the witness and his father headed in a column of about 1,000 men through the woods towards the territory under the control of the BH Army. The witness got separated from his father near the village of Kamenica when they ran into an ambush. The witness never saw his father again. The witness was captured and taken to the warehouse in Kravica. There he saw Serb soldiers execute a group of about a dozen detainees.

While he was in Kravica, the witness was told to go and get some water. The witness saw a dying girl behind the warehouse; her throat had been cut minutes ago. That sight prompted him to flee: he took advantage of a moment when Serb soldiers weren't looking and ran to the woods. The witness met a group of about a dozen men who were wandering around the woods. They all went to the village of Burnica and joined the group of about 500 Srebrenica inhabitants there. The Serb soldiers surrounded the village, captured them and took them to a field near the road to Konjevic Polje. Their hands were tied with wire and they were ordered to lie down.

As they lay down in the meadow a 'short and fat' Serb soldier approached the witness and asked him how old he was. The soldier then cut the wire the witness was tied with and ordered the other soldiers to take him to a bus with some other boys. The boys were taken to the military barracks in Bratunac. There, they were interrogated and ordered to 'play football with Chetniks'. They were filmed playing football. The next day, the boys were brought to the police station in Zvornik and then to Kalesija. There, they were released.

In the cross-examination, the witness recounted how he and other boys in Bratunac were taken to an office for interrogation. There a person told them his name was Ratko Mladić. When the boys told him that the Muslims hiding in the woods were eating snails, Mladić got angry and shouted at his soldiers. Mladić asked the soldiers why they, who had enough food, couldn't defeat an army feeding on snails. The witness wasn't able to identify Mladić in court, saying that he didn't know him from before.

The defense tried to contest the reliability of the witness's evidence by pointing to some differences in the statements he gave to the OTP investigators and the local BH authorities from 1996 to 2009. Defense counsel Dragan Ivetic noted that in his statement to the Agency for Investigation and Documentation (AID) the witness gave his age in 1995 as 14. Also, in the cross-examination the witness said he saw the Serb soldiers shoot some other men apart from the group of about a dozen detainees, the defense counsel argued.

As the witness explained, there may have been some confusion when he gave the statement to the AID. He deliberately told the Serb soldiers that he was 14 so that they wouldn't kill him. In the re-examination, the prosecutor noted that the witness gave the AID agent his actual date of birth and that it was written down in the statement. As far as the arrest in Kravica was concerned, the witness said that some years after the war he visited Kravica and recalled the details, and 'each and every wall' where the people from Srebrenica were executed.

2013-07-05

THE HAGUE

CLEAN-UP OPERATION AFTER FALL OF SREBRENICA

A protected witness testifying under the pseudonym RM 254 said yesterday that a 'Serb soldier' took him away from a group of Bosniak prisoners on 17 July 1995. Today, the prosecution called a former artillery officer in the Bratunac Brigade who claimed he had done that



◀ Mico Gavric, witness at the Ratko Mladic trial

Former artillery chief in the Bratunac Brigade Mico Gavric testified at the trial of Ratko Mladic. This was the first time he testified as a prosecution witness: the two previous times, he testified for the defense. In 2004, Gavric gave evidence in the defense of his former commander Vidoje Blagojevic, and in 2008, he testified for the former security chief in the Zvornik Brigade, Drago Nikolic. Parts of Gavric's testimony at that trial were today admitted into evidence in the case against Ratko Mladic.

According to the summary of Gavric's evidence, on 17 July 1995 Gavric was ordered to join the police and the 3rd Battalion of the Bratunac Brigade in a clean-up operation

in the area of Konjevic Polje near the village of Sandici. About 30 Bosniaks were captured in the operation, who had been trying to break through to the BH Army-controlled territory after the fall of Srebrenica. Among them were four boys aged from eight to 14. Gavric took them away from the rest of the prisoners and drove them to the Bratunac Brigade HQ. The boys were exchanged the next day. Gavric handed the rest of the prisoners to the special police unit commander Dusko Jevic Staljin. He didn't know what happened to them later.

As the prosecutor asked him some additional questions, Gavric confirmed that he suggested that the boys be filmed the next day by TV cameras so that 'it would not occur to anybody to harm them'. When the presiding judge asked why he thought something might happen to the boys, Gavric replied that there were 'a lot of people bent on revenge'. Gavric recounted he had to protect the boys from a 'reserve soldier' who tried to attack them. The prosecution is using Gavric to corroborate the evidence of a protected witness, RM 254, who testified yesterday. The protected witness was one of the four detained boys.

In his replies to Mladic's defense, Gavric confirmed that he found a large number of bodies in the clean-up operation on 17 July 1995. The dead were the soldiers of the BH Army's 28th Division who had 'committed suicide'. Gavric claimed he saw people 'who had hanged themselves' or who had half of their body blown up, most probably, as Gavric explained, when they 'activated a hand grenade'. Ratko Mladic's defense contests the number of Srebrenica victims, arguing that many Bosniaks died in combat or committed suicide.

The presiding judge finally asked the witness why Bosniaks he described as civilians had in fact been arrested. Gavric replied that each and every of the prisoners could well have been a soldier, but as far as he was concerned, they were 'all captured civilians'. The presiding judge said that Gavric's response reminded him of a saying 'you can't have your cake and eat it'. Ratko Mladic's trial continues on Monday.

2013-07-08

THE HAGUE

QUESTION WITHOUT ANSWER

Mladic's former assistant for organization, mobilization and personnel issues Petar Skrbic didn't want to answer the question if he thought the 'evacuation' of women and children from Srebrenica on 12 July 1995 was a crime. Skrbic provided buses for the evacuation



◀ Petar Skrbic, witness at the Ratko Mladic trial

In his testimony at the trial of his former commander Ratko Mladic, retired VRS general Petar Skrbic used his right not to answer to any potentially incriminating questions. At the very end of his testimony, the prosecutor asked Skrbic if 'it is a problem for you to accept the fact that you participated in the transfer of the non-Serb population of Srebrenica in July 1995 because you know it was a crime'. Mladic's former assistant for organization, mobilization and personnel issues in the VRS Main Staff said that he would 'rather not' answer the question.

Prosecutor Peter McCloskey followed up on a series of questions asked by the judges about the 'mobilization of 50 buses' ordered by Skrbic on 12 July 1995, in line with an order issued by the Main Staff commander Ratko Mladic. The judges tried to check if Skrbic knew what the buses would be used for when he forwarded Mladic's order to the RS Defense Ministry. Skrbic said he had been told that the buses, which were to be sent to Bratunac, would be used 'for the evacuation' but he stressed he hadn't known at the time what kind of evacuation it would be. As alleged in the indictment, on 12 July 1995, the day after the fall of Srebrenica, the evacuation of refugees who had gathered in Potocari began.

When the judges asked how he could order the mobilization of the buses if he 'didn't know what they would be used for, where they should go and who would issue the instructions', Skrbic replied that it was not his job to figure it out. All he needed to know was the destination, the football stadium in Bratunac, and the purpose, 'evacuation'. Though he obviously failed to convince the judges that his answers were valid, the judges didn't force Skrbic to answer to the prosecutor whether the knowledge that it was a crime prevents him from accepting that he too played a role in the forcible transfer of the non-Serb population from Srebrenica.

In the cross-examination, the defense tried to draw the attention of the Trial Chamber on the responsibility of other Bosnian Serb military and political officials. Skrbic confirmed that Mladic was not on good terms with the supreme commander of the RS armed forces Radovan Karadzic. On several occasions Karadzic tried to have Mladic removed from his post. Karadzic would sometimes 'bypass' Mladic, issuing orders directly to corps commanders, as he did with General Radislav Krstic, when he personally authorized Krstic to launch the operation in Srebrenica.

As the defense counsel's questions indicated, General Manojlo Milovanovic may bear some of the responsibility. He was the chief of the Main Staff at the time and was in the Western front in Krajina during the operation in Srebrenica. Skrbic contends that 'nobody ever represented' Milovanovic, contradicting the prosecution's allegation that during the Srebrenica operation General Radivoje Miletic represented Milovanovic.

Miletic's case is in the appellate stage. The Trial Chamber sentenced Miletic to 19 years.

Ratko Mladic's trial continues tomorrow with the evidence a new prosecution witness.

2013-07-09

THE HAGUE

NEW FIGURES FOR SREBRENICA VICTIMS

According to the latest figures by Dr Thomas Parsons from the International Commission on Missing Persons, the remains of 6,767 victims exhumed from the Srebrenica mass graves have so far been identified using DNA analysis



◀ Thomas Parsons, witness at the Ratko Mladic trial

Dr Thomas Parsons, director of forensic sciences at the International Commission on Missing Persons (ICMP) presented at the trial of Ratko Mladic the latest figures for the Srebrenica victims. Using DNA analysis of the remains of the exhumed victims and samples taken from surviving members of their families, a total of 6,767 persons were identified until June 2013.

According to Dr Parsons, until January 2013 a total of 6,708 persons were identified using the DNA matching method. The remains of the victims were exhumed from the mass graves in Srebrenica. The effort to identify the remains has continued in the meantime and according to latest figures, a total of 6,767 persons were identified

by early June 2013. The identification is not yet complete in 124 cases where DNA was analyzed but the samples have not yet been matched to the DNA of one or more surviving relatives.

Dr Parsons has already testified about the identification of the Srebrenica victims in a number of cases before the Tribunal. Several reports that he wrote about the exhumations of mass graves related to the fall of Srebrenica in July 1995 have been admitted into evidence at Mladic's trial. In his reports, Dr Parsons also spoke about the identification of victims recovered from the mass graves.

The task of identifying victims is particularly difficult because the bodies were first buried in five large primary mass graves, and were dug out after some months, transferred to new sites and reburied in 39 secondary graves, Dr. Parsons noted. Heavy equipment was used to dig out primary graves and in many cases the victims' bodies were cut to pieces.

Mladic's defense started cross-examining Dr Parsons as the hearing drew to a close and will continue tomorrow.

2013-07-10

THE HAGUE

AUSTRALIAN POLICE OFFICER IN SREBRENICA'S KILLING FIELDS

Senior inspector in the Australian police gives evidence at the trial of Ratko Mladic about his involvement in the investigation of the Srebrenica crimes conducted by the Tribunal's OTP from 1998. The witness coordinated the program of identification and exhumation of mass graves in the Srebrenica area



◀ Dean Manning, witness at the Ratko Mladic trial

Parts of the transcript of the evidence Australian inspector Dean Manning gave at the trial of the Srebrenica Seven in 2007 and at the trial of Radovan Karadzic in 2012 were admitted into evidence today in the case against Ratko Mladic. The prosecutor read out in the courtroom a brief summary of the witness's testimony. From 1998 to 2004, Manning coordinated the work of investigators in the exhumation program. The aim of the program was to locate and exhume mass graves, to establish their connection with the events in Srebrenica and to establish the number of exhumed victims, their identity, sex and cause of death.

As the coordinator, Manning worked not only with the OTP investigators but with the archeologists, anthropologists, forensic pathologists and others involved in the exhumation program. Based on the gathered data, Manning wrote three reports in 2000, 2001 and 2003. In November 2007, the witness amended the reports to include the information collected after he had left the OTP. In his replies to the prosecutor, Manning said that he had examined in detail all the findings presented by those involved in the exhumations – from items recovered in mass graves, to post mortem results and the conclusions of forensic experts about the cause of death and the way the victims lost their lives.

Bodies recovered from mass graves were mostly victims of mass executions: this is evidenced, as Manning claimed, by the fact that the victims were blindfolded, their hands were tied and by the position of their bodies in the graves. The mass graves were located through witness statements and aerial photos provided by the US government to the OTP, Manning confirmed. The aerial photos were even more important in the effort to uncover the so-called secondary graves. The victims' bodies were exhumed out of the graves where they were first buried and were then moved to secondary graves. This was part of an operation to cover up the crimes perpetrated after the fall of Srebrenica, the witness explained.

In the cross-examination, Ratko Mladic's defense counsel challenged the Australian police officer's ability to coordinate the exhumation program and, in particular, his ability to write proper reports based on the expert findings of pathologists and other forensic experts. Manning's conclusions, the defense argued, couldn't be objective because it was in his interest as an OTP officer to corroborate the allegations in the indictment. The defense opposed to the admission of Manning's reports into evidence and the issue would be considered later.

Dean Manning continues his evidence tomorrow.

2013-07-15

THE HAGUE

EVIDENCE FROM MASS GRAVES

Australian archeologist Richard Wright gave evidence at the trial of Ratko Mladic. Wright was in charge of the OTP's team that located and exhumed the mass graves in Srebrenica and Prijedor



◀ Richard Wright, witness at the Ratko Mladic trial

The prosecution continues calling evidence at the trial of former VRS Main Staff commander Ratko Mladic. Australian archeologist Richard Wright was in charge of locating and exhuming the mass graves in Bosnia and Herzegovina as part of the OTP's effort to investigate war crimes.

Seven expert reports written by Wright were admitted into evidence. Four of them pertain to Srebrenica and the remaining three reports are about Prijedor. The transcript of Wright's testimony at the trial of Radislav Krstic was also admitted into evidence. Krstic was sentenced to 35 years for aiding and abetting the genocide in Srebrenica.

Wright was in charge of the mass grave exhumations until 2000. His estimate at the time was that there were 3,477 bodies buried in twenty-odd mass graves that had been discovered until that time. In his evidence at the Mladic trial, Professor Wright said that the data obtained in the exhumations and in the analysis of the remains of victims showed that his estimate erred on the side of the caution by about 10 percent.

Mladic's lawyer Miodrag Stojanovic argued in the cross-examination that at the Karadzic trial the witness had stated he couldn't entirely rule out the possibility that the bodies from Srebrenica mass graves had been buried there after a clean-up operation. Wright confirmed this, but said nevertheless that all the bodies recovered from the mass graves wore civilian clothing. This led Wright to conclude that they were civilians.

If the people whose bodies were found in the mass graves had been collected and buried during the terrain clean up, their bodies would have been in various stages of decomposition, Wright noted, adding that there was no insect activity on the bodies of exhumed persons. This led him to assume that the victims from the mass graves didn't die on the battlefield. Also, as the prosecutor stressed, many of the victims had been blindfolded and had their hands tied.

After Wright completed his evidence, the prosecution called Susan Maljaars, a Dutch fabrics expert. She testifies about the fabric used to tie the hands and blindfold the executed prisoners. Maljaars continues the testimony tomorrow.

2013-07-16

THE HAGUE

BLINDFOLDS TELL A TALE

Dutch textile expert Susan Maljaars analyzed pieces of fabric found in the Srebrenica mass graves. The fabric was used to blindfold and tie the prisoners who were later executed. The prosecution called Maljaars as its case continues at the trial of Ratko Mladic



← Pieces of binding textil from Srebrenica mass graves

Dutch chemist Susan Maljaars testified today for the first time about a report she wrote in February 2000, in which she outlined the results of the analysis of about 400 textile samples. The fabric was used to blindfold and tie the hands of the victims who were recovered from the mass graves in Srebrenica.

Jean-Rene Ruez, head of the team that investigated the crimes that occurred after the fall of Srebrenica, and Dean Manning, the team coordinator, handed the textile samples to the Dutch Forensic Institute. Maljaars's task was to identify the blindfolds and ties made of the same fabric. The investigators used codes to mark each piece of fabric and each code indicated the time and place of recovery.

The samples were first analyzed macroscopically. Then, when similarities were established, the samples were examined under a microscope and tests were run to confirm the composition and special features of the textile. According to the report of the Dutch chemist, 16 pieces of fabric were analyzed in detail and matched: she was able to confirm that the pieces of fabric used to blindfold and tie the hands of the victims, recovered from different graves, were in fact identical.

In her analysis, the Dutch forensic expert showed that the bodies from the primary grave, where the victims executed at that location were initially buried, were transferred to several secondary graves. The pieces of the same fabric were thus found in two or more locations.

In the cross-examination, the defense put it to the witness that the analysis conducted by the Dutch Forensic Institute was not reliable because the sample was too small. The defense counsel noted that only 16 of the extant 400 samples were investigated in detail. Also, the results were then checked by the internal control. The data about the time and place of recovery marked on the samples by the OTP investigators were not verified, the defense counsel argued. Susan Maljaars defended the findings in her report.

After the Dutch chemist completed her testimony, the prosecution called retired VRS general Ljubomir Obradovic. This is the third time Obradovic is testifying as a prosecution witness. In 2007, he testified in the defense of his former superior in the VRS Main Staff, Radivoje Miletic. Obradovic's testimony at the trial of Zdravko Tolimir, Mladic's former assistant for intelligence and security, was admitted into evidence in the case against Ratko Mladic. The prosecutor read out the summary of Obradovic's statement in court.

In the summer of 1995, Obradovic was the chief of the Operations and Training Administration in the VRS Main Staff. In his evidence, Obradovic described in detail the structure and the functioning of the VRS Main Staff. He described

how the directives from the 'high-ranking commands' of the RS armed forces were prepared and written. In his testimony, Obradovic also explained who and how controlled the movement of humanitarian convoys heading for the enclaves that were nominally protected by the UN. As the hearing drew to a close, Mladić's defense counsel began cross-examining Ljubomir Obradovic.

2013-07-18

THE HAGUE

SREBRENICA SYNDROME

Psychotherapist Teufika Ibrahimfendic testified about the trauma and suffering of the survivors from Srebrenica at Ratko Mladić's trial. Grief, deep pain and uncertainty because many of the victims have not been found and identified, and the resultant inability to go through the normal process of grieving for the lost family members, and the unclear circumstances in which they lost their lives are just a few of the features of the trauma experienced by the survivors. Dr Ibrahimfendic calls this trauma 'the Srebrenica syndrome'



◀ Teufika Ibrahimfendic, witness at the Ratko Mladić trial

Psychotherapist from Tuzla Teufika Ibrahimfendic testified today at Ratko Mladić's trial about the trauma experienced by the family members of the victims of the Srebrenica massacres in July 1995. Dr Ibrahimfendic has labeled their symptoms 'the Srebrenica syndrome': it is characterized by grief and deep pain because many of the victims have not been found and identified yet. As a result, the victims still live their lives in a state of uncertainty and confusion, 18 years on.

Dr Ibrahimfendic works as a therapist for the organization Viva-zene from Tuzla. The first time she testified about the trauma and suffering of the Srebrenica survivors in 2000 at the trial of General Radislav Krstic,

who was sentenced to 35 years in prison for aiding and abetting the Srebrenica genocide. The transcript of her evidence at that trial was admitted into evidence at Ratko Mladić's trial today. Mladić is also charged with the genocide in Srebrenica, that occurred after his troops overran the town on 11 July 1995.

The inability to bury the family members who were killed in 1995 keeps the survivors from Srebrenica 'frozen in the past', as the witness said. They are unable to face their loss and start grieving for them. On the other hand, the relatives of the victims who have been found and identified still face the feelings of sadness and uncertainty regarding the circumstances in which their kin lost their lives: they worry whether they had been hungry, thirsty, afraid, and so on. They need information and the truth, and the support of the community where they live. They need understanding and recognition of their suffering in order to be able to regain the trust they have lost.

According to the witness, since 2003, when the first identified victims from Srebrenica were buried, the psychological status of the survivors has been going up and down. They are still able to laugh from time to time, 'but everything is tinged by death in a way'. Happy events, such as the birth of a grandchild, are always overshadowed by the events from the summer of 1995 and are filled with sadness because their nearest and dearest are not there to share the happiness with them. 'I keep offering them life, and they offer me death in return', Ibrahimfendic said.

As the witness said, the survivors from Srebrenica live their lives torn between the desire and resistance to return to Srebrenica; the latter is caused by the trauma they had been through there. In the cross-examination, Mladić's lawyer Branko Lukic tried to attribute the trauma to the nostalgia felt by many of those who decided to leave their homes for economic reasons. The witness reminded him that the people did not leave Srebrenica 'voluntarily': they were forced to go.

After Dr Ibrahimfendic completed her evidence, the prosecution called Australian forensic pathologists Christopher Lawrence, who led the forensic team that conducted the post mortems of the victims exhumed from several mass graves in the Srebrenica area in 1998. Dr Lawrence and his team examined 2,239 body bags containing the remains of at least 883 Srebrenica men killed in the area. In most cases, death was caused by gunshot wounds. Shrapnel were found in some of the bodies. Dr Lawrence will continue his evidence tomorrow.

2013-07-19

THE HAGUE

BLINDFOLDS AND TIES FROM MASS GRAVES

In the cross-examination of Dr. Christopher Lawrence, Mladić's defense tried to prove that the victims from the Srebrenica mass graves were soldiers, not prisoners. The defense also argued that the pieces of fabric found in the mass graves were not blindfolds or ties used to bind the victims' hands; to corroborate that claim, the defense showed segments from the Srebrenica video collection prepared by the prosecution



◀ Christopher Lawrence, witness at the Ratko Mladić trial

Forensic pathologist Christopher Lawrence headed the forensic team that conducted post mortems of the remains of the victims exhumed from the Srebrenica mass graves, as a part of the Tribunal's Srebrenica investigation. Dr. Lawrence and his team examined 2,239 bags with the remains exhumed at the Petkovci Dam and the sites called Cancarski Put, Hodzici Put, Zeleni Jadar and Liplje.

In his evidence at the trial of the former VRS Main Staff commander Ratko Mladić, Dr. Lawrence said that he and his team carried out the post mortems of at least 883 people from Srebrenica and were able to ascertain that most of the victims died of gunshot wounds. Shrapnel

were found in some graves, as were numerous blindfolds and ties used to bind the prisoners' hands, made of different fabrics. The findings led the witness to conclude that the victims had been executed.

Mladić's defense counsel Dragan Ivetic argued in his cross-examination that the blindfolds and ties used to bind the prisoners' hands were not found on each and every body. Ivetic also tried to contest the meaning of the fabrics found in the graves by showing some segments from the so-called Srebrenica video collection, depicting a man with a bandanna wrapped around his head and another shot of a soldier with a pink linen ribbon tied around his upper arm. Dr. Lawrence agreed that the bands on the photos were similar to those recovered from the graves. However, Dr. Lawrence stressed that at the time of the exhumations a lot of victims still had those bands wrapped around their skulls in the eye area.

In a bid to prove that the victims were soldiers killed in combat rather than prisoners, defense counsel Ivetic claimed several times that shrapnel had been found in the mass graves. In Ivetic's view, this showed that the victims had been killed by shells. In the re-examination the prosecutor noted that the shrapnel Dr. Lawrence mentions in his reports were found only in the Zeleni Jadar 5 grave. The victims of the massacre in Kravica on 13 July 1995 were buried in that grave. According to the evidence called by the prosecution, some of the prisoners who died in that massacre were killed by hand grenades.

Ratko Mladić's trial continues next week with the evidence of new prosecution witnesses.

2013-07-22

THE HAGUE

BULLET CASINGS FROM SREBRENICA EXECUTION SITES ANALYZED

At the trial of Ratko Mladić, the prosecution has called Timothy Curtis, an employee of the US Bureau of Alcohol, Tobacco, Firearms and Explosives, who has written an expert report on the bullet casings recovered from the execution sites in Srebrenica



◀ Timothy Curtis, witness at the Ratko Mladić trial

At the trial of the former VRS Main Staff commander Ratko Mladić, the prosecution called Timothy Curtis, a firearms expert. Curtis has written an expert report on the bullet casings found at mass execution sites in Srebrenica.

Curtis, an employee of the American Bureau of Alcohol, Tobacco, Firearms and Explosives, has testified as a firearms expert more than 100 times before US courts. This is Curtis's first appearance as a witness before the International Tribunal for the former Yugoslavia.

Analyzing the bullet casings found at the mass execution sites, the witness and his two colleagues established that many of the bullets had been fired from the same type of weapon. The experts were able to establish that on the basis of a microscopic examination of the bullet casings and typical marks left by the firing pin when they were fired.

The Kravica warehouse and Zeleni Jadar were mentioned in the examination-in-chief: these are the sites of the mass executions and mass graves in the Srebrenica area. According to the previous witness, Christopher Lawrence, the victims of the massacre in Kravica on 13 July 1995 were buried in the Zeleni Jadar grave.

As Curtis was cross-examined by Mladić's defense counsel Dragan Ivetic, he said that at the time when he conducted the analysis, he didn't know where the bullet casings had come from or the sites where they had been found.

After Curtis completed his evidence, the trial went into closed session to hear the testimony of Witness RM 318.

2013-07-23

THE HAGUE

'OVERLAPPING' IN COURTROOMS

With increasing frequency, the trials of Ratko Mladić and Radovan Karadzic feature prosecution and defense witnesses who testify at the same time about the same contentious issues, and their evidence is diametrically opposed. Karadzic's defense expert Dusan Dunjic harshly criticized the findings of American forensic anthropologist William Haglund. One floor below, at the Mladić trial, Haglund testified for the prosecution about the exhumations and the examination of the remains from the Srebrenica mass graves



◀ William Haglund, witness at the Ratko Mladić trial

From 1996 to 1998, American anthropologist William Haglund served as a senior forensic advisor in the OTP. In that capacity, Haglund led the exhumations of mass graves at several locations in the Srebrenica area and participated in the examination of the remains from the Srebrenica mass graves. Haglund has already testified about his work four times. At the trial of Ratko Mladić, parts of the transcript of Haglund's first testimony in the case against General Radislav Krstic in 2000 were admitted into evidence.

The prosecutor read out the summary of Haglund's evidence in the courtroom. Haglund wrote four reports that were based on the results of the analyses of the

remains found in the mass graves exhumed in 1996. The reports were also admitted into evidence. According to the reports, the remains of 150 men were exhumed from the grave in the Cerska Valley: 149 had gunshot wounds. The grave in Orahovac, marked as Lazete 2, comprised two pits. One pit was undisturbed while the other had been dug up, the experts concluded based on the tracks left by the heavy construction machinery. A mass grave 28 meters long, five meters wide and three meters deep was exhumed at the Branjevo farm. A hundred and thirty two bodies were found in just one part of the grave. Seventy seven victims had their hands tied on their back. The rest of the bodies from the Branjevo mass grave were removed in a clandestine operation to eliminate the evidence of the crime and were taken to the so-called secondary graves. The remains of 33 victims were recovered in the four primary graves in Nova Kasaba; 27 had their hands tied. Those graves were also dug up in the fall of 1995.

In the re-examination, the prosecutor tried to clarify the criticism levied by some forensic experts in Haglund's team against Haglund's methods and the credibility of his reports. Haglund explained that the controversy centered on the amended cause of death for some victims made by Dr. Kirchner, who headed the team of pathologists. Dr. Kirchner worked for Physicians for Human Rights, a non-governmental organization. The final conclusions about the cause of death were not affected by the changes, Haglund said. Dr. Kirchner intended only to 'generalize' the findings without previously consulting the pathologist who had performed the post mortems. A similar explanation was given by the Supervisory Commission that investigated the case at the pathologist's request.

At the beginning of the cross-examination, Mladić's defense went through the results presented in Haglund's reports and the conclusions of the Supervisory Commission. The cross-examination continues tomorrow.

2013-07-24

THE HAGUE

DEFENSE: FINDINGS FIT PROSECUTION NEEDS

Ratko Mladić's defense contests the findings from the report written by forensic expert William Haglund, who coordinated the exhumations of the Srebrenica mass graves. The defense maintains that the reports were written to fit the prosecution's needs, as the witness was on the OTP's payroll at the time



◀ William Haglund, witness at the Ratko Mladic trial

Ratko Mladic's defense contests the findings of forensic anthropologist William Haglund, who established that the remains found in the Srebrenica mass graves belonged only to the victims executed en masse after the fall of the enclave in the summer of 1995. As a senior forensic consultant to the OTP in The Hague, Haglund supervised and coordinated the exhumations of several Srebrenica graves in 1996.

Branko Lukic, defense counsel of the former VRS Main Staff commander who is on trial for the Srebrenica genocide, confronted the American anthropologist in the cross-examination with the documents that, in his view, show Haglund's data on the victims' identity and cause of death were unreliable.

The list of victims whose remains were found in the grave in Cerska contains the name of a person who was also listed among the BH Army fighters killed in 1994, the defense counsel said. Asked how he could explain that, the witness replied that his team of pathologists, archeologists and anthropologists had nothing to do with the effort to identify the victims. This prompted the defense counsel to ask Haglund if he allowed the possibility that the graves he examined contained the 'bodies of the victims of executions and of those who were killed in combat, in 1995 and in the previous years'. The people from the grave in Cerska 'weren't fighters: they were lined up by the road and killed. Full stop. They hadn't been fighting anyone', the witness replied emphatically.

The defense counsel tried to contest the reliability of Haglund's findings with a series of questions pertaining to the report of the Supervisory Commission. The Commission probed the criticism levied against Haglund's methods and reports. The defense counsel confronted the witness with some claims from the Commission's report. There were allegations that the 'exhumations were rushed', that 'security was compromised at the sites' of the exhumations, that there were failures in the 'work coordination' and in the 'system put in place to supervise the volunteers' involved in the investigation of the graves and remains. There were allegations that sometimes 'some of the recovered bones were mixed up' in the field.

Dr. Haglund dismissed most of the allegations; he did admit that some mistakes were made but they did not jeopardize the validity of the procedure Haglund coordinated or the results he obtained. Haglund also dismissed the defense counsel's suggestion that as an 'employee in the Office of the Prosecutor' he tried to do his job in a way best suited to contribute to the results the prosecution needed to support the indictments.

Ratko Mladic's trial continues tomorrow with the evidence of another prosecution witness.

2013-07-25

THE HAGUE

DEMOGRAPHY OF SREBRENICA GENOCIDE

According to a report written in 2009 by Norwegian demographer Helge Brunborg, presented today at Ratko Mladic's trial, 7,692 persons are listed as missing from Srebrenica. The prosecution indicated that an updated figure would be presented in the course of the trial



◀ Helge Brunborg, witness at the Ratko Mladic trial

Prosecution's demography expert Helge Brunborg began his evidence today at the trial of Ratko Mladic. Brunborg worked for the OTP in 1997 and 1998 and then continued investigating the demographic consequences of the conflict in BH.

Brunborg drafted the report on the number of missing and dead persons in the Srebrenica area and presented it for the first time at the trial of Radislav Krstic. Since then the report has been updated several times. The 2009 version of the report was admitted into evidence today at Mladic's trial.

According to the report, in 2009 7,692 persons were listed as missing from Srebrenica. Of that number, 5,061 persons, or 65.8 per cent, were identified using DNA analysis until 2009.

The data from the report, the expert explained, are based on the missing persons list of the International Red Cross and the Physicians for Human Rights, a non-governmental organization. For the purpose of verification, the lists were later collated with the BH 1991 Census and the electoral rolls from 1997 and 1998.

Prosecutor Peter McCloskey indicated that the prosecution would present the most recent data on the number of Srebrenica victims as the prosecution case continued with the evidence of two other witnesses, former OTP investigator Dusan Janac and demography expert Ewa Tabeau.

In his recent evidence at Mladić's trial, Dr. Thomas Parsons, head of the forensic medicine department of the International Commission on Missing Persons, said that 6,767 persons were identified by early June 2013 through DNA analysis of the remains from the Srebrenica mass graves and samples taken from surviving members of their families.

At the beginning of the cross-examination, Mladić's defense tried to contest the reliability of Brunborg's report, arguing that there was a lack of data on the cause of death for the persons listed among the identified victims and the absence of personal information about the missing persons listed by the International Red Cross and the Medecins Sans Frontiers.

Mladić's defense will continue cross-examining the Norwegian demography expert tomorrow.

2013-08-19

THE HAGUE

ALMOST 7,000 VICTIMS OF SREBRENICA GENOCIDE IDENTIFIED

In his evidence at the trial of Ratko Mladić, former OTP investigator Dusan Janac has stated that 6,849 Srebrenica victims have been identified so far. The figure is not final, Janac has noted, since new mass graves are still being discovered, 18 years after the massacre



◀ Dušan Janac, witness at the Ratko Mladić trial

The trial of Ratko Mladić continued after a three-week break with the evidence of a new prosecution witness. Dusan Janac is a police inspector from Slovenia who is currently working in the UN mission in Nairobi. From 2006 to 2009 Janac worked as an investigator for the Tribunal's Office of the Prosecutor. He was part of a team tasked with discovering and exhuming the mass graves containing the remains of the Muslim men and boys executed after the fall of Srebrenica. Janac produced a report entitled *Summary of forensic evidence pertaining to the events in Srebrenica*, where he compiled the data gathered by the OTP team, the BH judicial bodies and the teams fielded by the international commission on the missing persons and its BH counterpart.

Janac's first report was used at the trial of Vujadin Popovic and six other former Bosnian Serb military and police officers charged with crimes in Srebrenica. Janac updated the report for the trial of the VRS Main Staff security chief Zdravko Tolimir and then later for the trial of Radovan Karadzic. Finally, in June 2013, Janac once again amended his report, and presented it at the trial of the former Bosnian Serb army commander Ratko Mladić.

So far, 6,849 victims of the Srebrenica massacre have been identified, Janac said. Of that number, 6,056 victims were found in the primary and secondary mass graves where blindfolds and hand ties were also found on the bodies. Janac said that it was impossible to ascertain if 756 bodies that were not buried had been executed or killed in combat.

In his answers to prosecutor Vanderpuye, the witness stressed that the number of identified victims was not final since new graves were still being discovered. Since the previous report for the trial of Radovan Karadzic, two new mass graves and four individual graves containing the remains of the Srebrenica victims have been found.

A special part of Janac's report deals with the links between the primary and secondary graves. Primary graves are the sites where the victims were first buried immediately after the massacre. At one point, they were dug up and the remains were reburied in secondary graves as part of a cover-up operation. There is a lot of evidence indicating that the remains of same persons were found at empty primary graves and in one or more secondary graves.

As the hearing drew to a close, Mladić's defense counsel Dragan Ivetic began cross-examining the witness.

2013-08-20

THE HAGUE

TERRAIN CLEAN-UP, NOT CRIME COVER-UP

Ratko Mladić's defense contests the allegations in the report written by a former OTP investigator about the exhumations of the Srebrenica mass graves



◀ Dušan Janc, witness at the Ratko Mladić trial

Dusan Janc, a police inspector from Slovenia and former OTP investigator, wrote a report, *Summary of forensic evidence pertaining to the events in Srebrenica*, using the data gathered in the Srebrenica area by the OTP, BH judicial bodies and the teams fielded by the International Commission on the Missing Persons and its BH counterparts. In his examination of the witness, Ratko Mladić's defense counsel contested the findings in Janc's report, especially the issue of the number of victims exhumed from the mass graves and the cause of their death.

The defense counsel put it to Janc that in his report, the figure for the victims of the executions whose remains

were exhumed from mass graves included the victims killed in combat when the column of soldiers and civilians was moving towards Tuzla after the fall of Srebrenica. Janc said it was impossible to ascertain only if the 756 bodies found unburied in the area where the column had passed through had been executed or killed in combat.

When the forensic evidence from the remains, the analysis of the terrain, pollen and fabrics found in the graves were collated, it was possible to establish a link between the primary and secondary graves, Janc explained. The prosecution alleges that the graves were dug up and the bodies were transferred as part of a cover-up operation. The defense counsel put it to him the bodies of those who had been killed in the fighting were buried in those graves during the 'terrain clear-up' operation. It was a regular procedure after a fight to collect, remove and bury the bodies of those who had been killed in action.

Janc didn't contest the fact that in only 6.5 per cent of the cases, DNA analysis confirmed the link between the remains from the primary and secondary graves. The witness stressed that DNA analysis was just one of the methods used in the forensic examination of the graves and remains. Final results are obtained only when different data are collated, Janc said.

The trial of Ratko Mladić continues tomorrow with the evidence of a new prosecution witness.

2013-08-21

THE HAGUE

ESCAPE FROM CERTAIN DEATH

A protected prosecution witness has told the court at the trial of Ratko Mladić how in July 1995, after the fall of Srebrenica, he managed to board one of the buses used to evacuate the women and children. He was discovered soon afterwards and taken to one of the execution sites. His luck held and he was able to escape and reach the liberated territory



◀ Ratko Mladić in the courtroom

A Bosnian Muslim testified at the trial of Ratko Mladić under the pseudonym RM 249 and with image distortion to protect his identity. In July 1995, the witness managed to escape from one of the Srebrenica execution sites. He has described his ordeal at several trials in The Hague. The transcript of the witness's testimony at Zdravko Tolimir's trial and his statement to the OTP investigators from 1996 were admitted into evidence.

In the summary of the statement, read out by prosecutor Vanderpuye, the witness recounted that after the Bosnian Serb military and police entered Srebrenica on 11 July 1995 he and his family sought shelter in Potocari. The witness hoped that he would be spared because a

shell injury in 1992 left him severely disabled. Two days later, on 13 July 1995, the witness managed to board one of the buses used for the evacuation. He was with his wife and children. As the bus passed through about a dozen check points along the way, the witness was able to remain unnoticed, hiding on the floor.

When the bus arrived in the place called Luke, everybody was ordered to get off the bus. The witness was then discovered and separated from his family. Soldiers told him to hand his four-year-old daughter to his wife and to go with them. The witness was then taken to a local primary school yard where his hands were tied. All detainees were then taken inside the building. There they were searched, robbed and verbally and physically abused. As the witness recounted, a total of 22 detainees were gathered there until the evening of 13 July 1995.

After midnight, the detainees were ordered to get on a military truck and were taken in the direction of Vlasenica.

After 20 or 30 minutes, the vehicle stopped. Three detainees were taken off the truck and executed. Two other detainees were mown down when they tried to flee. The witness decided to take his chance and escape: his luck was better. He was able to roll down a cliff in the dark and hide at the bottom, just below the execution site, behind a rock on a river bank. There, the witness said, he remained until the gunfire stopped, until the other detainees were executed. As the witness said, their bodies were exhumed near the place of the execution. The remains of a number of identified victims were buried with thousands of other Srebrenica victims in the Potocari graveyard.

For seven days, the witness roamed the woods and finally was able to join the column of fugitives and reach the liberated territory, where he was reunited with his family. The people in the column told the witness that the site where he had escaped the execution was called Rasica Gaj.

In a brief examination-in-chief, the witness said that when he left Srebrenica he had no choice. No Muslim there could 'either stay or survive' there, he said. The only chance to escape certain death for all the Muslims, and men in particular, was to flee the town. In the cross-examination, Mladić's defense counsel put it to the witness that the Dutch peace-keepers 'participated' in the evacuation of the people. The witness replied that the Dutch UN soldiers in Potocari only took part in directing the population towards the buses that were used for the evacuation. The general impression among the people was that 'Serbs controlled everything', the witness noted.

The protected witness completed his evidence today. The prosecution case will continue tomorrow morning.

2013-08-22

THE HAGUE

DRINA RIVER WAS NOT TO BE THE BORDER

Analyzing the minutes from the Bosnian Serb Assembly sessions, prosecution expert Robert Donia has concluded that the document known as 'Six Strategic Goals' envisaged the occupation of those parts of BH with a sizeable non-Serb population and the establishment of a border between the Bosnian Serb state and the territory inhabited by Muslims and Croats, while no border was to be drawn between the Bosnian Serb state and Serbia proper. The goals were conceived by Karadzic, Krajisnik and Koljevic, and implemented by Mladić



◀ Robert Donia, witness at the Ratko Mladić trial

US historian Robert Donia started his evidence at the trial of Ratko Mladić today. This is the 15th and probably the last time that Donia has appeared before the Tribunal. He was asked by the prosecution to write two reports: 'Background, Policy and Strategy of the Siege of Sarajevo' and 'Key excerpts from the Bosnian Serb Assembly Debates, 1991-1996'. The retired professor from the University of Michigan, who received his PhD for a thesis on the former Yugoslavia, presented his conclusions on the causes, goals and course of the war in BH, with a special focus on the role of the accused Mladić.

In the examination-in-chief, the witness confirmed that he was the author of the report on Sarajevo, while prosecutor Bibles's questions focused on the excerpts from the Assembly debates. She highlighted in particular the session on 12 May 1992, when the Republika Srpska Army was established, with Mladić as its commander. At the same session, the deputies were shown a document known as 'Six Strategic Goals' defining the Bosnian Serbs' war goals. Since the goals were not formally adopted at the Assembly, the prosecutor showed the Republika Srpska Official Gazette from November 1993, where, as Donia explained, 'the state officially recognized' the goals.

The first goal envisages the 'drawing of state borders' between the Serb people and the other two peoples in BH. As the witness said, the phrase is not very precise: it is not clear if this goal calls for the drawing of borders between the envisaged states or the separation of ethnic communities along the same borders. Analyzing the speeches of the top Bosnian Serb officials including President Radovan Karadzic before and during the war, Donia concluded that the plan was to achieve 'a total separation of the peoples': Serbs were to live in the Serb state, and Croats and Muslims would remain outside these borders.

The remaining five goals define the geographical framework of the Serb state, with the borders on the rivers Neretva and Una, no border on the Drina, the corridor in Posavina, a part of the divided Sarajevo and access to the sea. In order to achieve those goals, the witness explained, the Bosnian Serbs had to place under their control the municipalities where Serbs were in the minority, or which had sizeable Muslim and Croatian minorities. In his report the witness notes that Mladić knew full well that those territories could not be taken without crimes against the Muslims and Croats. He recalled a speech the accused made at the Assembly session on 12 May 1992, when he expressed his concerns about the attempt to take non-Serb areas. Mladić did not mince his words: 'I don't know how Mr Krajisnik and Mr Karadzic will explain this to the world, this is genocide, people'.

As he analyzed the lexical aspect of the Assembly speeches, Donia found this was one of the two times when the word 'genocide' was used in relation to non-Serbs. The same word was used 12 times in reference to the genocide

against Serbs. In his view, the nationalists believed that ‘the ethnic nature and character’ of the Serb people did not allow them to commit genocide.

The witness identified the three leading Bosnian Serb politicians, Radovan Karadzic, Momcilo Krajisnik and Nikola Koljevic, as the key ideologues who defined the strategic goals, and the key man in the field, despite the initial resistance, was Ratko Mladic. Donia agrees that there were ‘tensions and conflicts’ between Mladic and the top politicians, but is convinced that they all worked in concert to implement the same goals. The accused ‘implemented’ the policies designed by Karadzic and his associates. Donia recalled that the accused had stated at several Assembly sessions during the war that he was ‘very committed’ to the realization of the strategic goals.

In the second part of the hearing, Mladic’s defense counsel Branko Lukic began cross-examining the expert.

2013-08-23

THE HAGUE

MLADIC’S TRIAL ADJOURNED TEMPORARILY

In the middle of the cross-examination of prosecution expert Robert Donia, the accused Ratko Mladic complained of dizziness. After a medical examination revealed his blood pressure was low, the trial was adjourned until Monday. Donia was talking about the causes of the war in BH

In the first part of the cross-examination, Ratko Mladic’s defense asked US historian Robert Donia questions about his first expert report, ‘Background, Policy and Strategy of the Siege of Sarajevo’. In the first part of the document, Donia analyzed the events that preceded the war in BH. Defense counsel Lukic tried to challenge his conclusions.

The witness claims that the JNA, ‘having suffered humiliation in Slovenia’, openly sided with Serbs in the war in Croatia. The defense counsel put it to Donia that the Yugoslav army did nothing but defend itself, trying to deblock the besieged barracks. Donia recalled that in some villages, such as in Kijevo, in Krajina, there were no barracks, yet they were attacked by the JNA and other Serb formations. Lukic argued that this was done in order to deblock the roads leading to major cities such as Split and Zadar.

The defense counsel suggested that the war in BH was caused by ‘the other side’: according to Lukic, the war started with the incidents in March 1992, when the Croatian paramilitaries attacked the Serb village of Sijekovac, and a local Muslim criminal killed Nikola Gardovic, a Serb guest at a wedding in Sarajevo. For Donia, things are much more complex: one must bear in mind that on the one hand, there was a movement for BH’s independence, and on the other, there were the opponents of this endeavor, led by the Serb Democratic Party and the JNA, who were much stronger in military terms. According to Donia, they initiated the war which started when the Serb units entered Bijeljina on 1 April 1992.

When the war started, Serbs withdrew to the area around Sarajevo, the defense contends. This is where they ‘owned’ the land. As a result, the city was divided along ethnic lines. The witness begged to differ, saying that the city ‘was divided by force’. According to him, the argument that the land around Sarajevo was the property of Serbs is ‘a myth’ used to justify the siege. The truth is that some of the settlements around the city were Serb, some were Muslim, and some had a mixed population. In the spring of 1992, they were all seized by Serbs.

Defense counsel Lukic put it to the witness that 5,500 Serbs were killed in Sarajevo during the war; no one represented their interests. The witness said there was a Serb party in the city; Mirko Pejanovic represented the Serb ethnic community in the BH Presidency. According to him, the figure of 5,500 Serb victims is ‘very likely an exaggeration’. In his view, several hundred people were killed. At any rate, he advised the defense counsel to talk to the organizations that work on determining the number of victims and the cause of their death during the war in BH.

Halfway through the second one-hour session, the trial was adjourned. When the judges returned to court, they were told that Ratko Mladic was not feeling well. His defense counsel said Mladic felt dizzy, while his right arm and leg felt numb. This made it impossible for him to follow the trial. The physicians who examined him during the break notified the judges that his blood pressure was low, as a result of weight loss. Since Mladic refused to waive his right to attend his trial, Robert Donia’s evidence will continue on Monday. Two protected prosecution witnesses will testify after him.

2013-08-26

THE HAGUE

VIOLENCE AGAINST SARAJEVO A ‘PROPAGANDIST CARICATURE’

Although US historian Robert Donia does not deny that Sarajevo Serbs suffered violence during the war, he dismissed the allegations made by Mladic’s defense that Serbs were ‘hostages’ because they suffered violence and could not leave the city. Donia labels those claims a ‘propagandist caricature’

As Ratko Mladic’s defense counsel continues cross-examining US historian Robert Donia, he challenged the claim

Donia made in one of his two expert reports, that Serbs in BH acted as separatists. Branko Lukic asked Donia how he could label as separatists those who advocated BH's continued existence as part of Yugoslavia. As Donia explained, BH remaining part of a single state was the Bosnian Serb leadership's first pick. Once BH declared independence, they changed tack and opted for another scenario: secession of those parts of BH they considered to belong to them, and their annexation to Serbia or Yugoslavia.

The defense put it to him that Serbs feared they would 'lose the hallmarks of a nation' and be outvoted by the Muslims and Croats; they would thus become a minority and would no longer be a constituent people. The witness said that the Bosnian Serb leadership 'overestimated the cause for concern' which was only partially justified.

For the most part, the defense focused on the US historian's report on the siege of Sarajevo. Lukic put it to Donia that the Serbs' position in the city was tragic and that they were in effect hostages, as they suffered violence and could not leave. They were used as 'human shields' in the fighting, forced to dig trenches for the BH Army, robbed and killed. Only the richest, those who could pay the bribes, could leave the city.

Although Donia did not deny that the Sarajevo Serbs did suffer some violence, he said that the picture painted by the defense was nothing but a 'propagandist caricature'. As he explained, in the first few months of the war, the paramilitaries did take the citizens of Sarajevo, including Serbs, to dig trenches, but this practice stopped once the paramilitary units were placed under the control of the regular forces. Last week, Donia said that several hundred Serbs were killed in Sarajevo, but the figure was much lower than the 5,500 victims claimed by Mladic's defense. Today he said that the Bosnian authorities did take some steps to control and prevent the departure of citizens from Sarajevo, but regardless of their ethnic background. As he explained, on the eve of the war about 100,000 Serbs lived in the part of the city that was to be besieged. By the end of the conflict, between 20,000 and 60,000 of them still lived in Sarajevo.

The defense put it to the witness that in some cases the Bosnian authorities deliberately obstructed gas, water and power supply to the city in order to paint a grimmer picture of the situation, and that the BH Army shelled civilian areas controlled by the Serb side. Donia agreed with the allegations. Very few questions dealt with the issues relevant for the allegations against General Mladic, who is on trial for the sniper and artillery terror campaign against the citizens of Sarajevo, and other crimes.

Robert Donia's cross-examination will be completed tomorrow.

2013-08-27

THE HAGUE

RATKO MLADIC'S 'INFLUENTIAL VOICE'

When prosecution expert Robert Donia was asked to comment on the role of the accused in the work of the Bosnian Serb Assembly, he said that as the Army commander he could not participate in the decision-making process in an official capacity, but in practice, his was 'an influential voice': he could 'present proposals, advocate policies and take part in debates'



◀ Robert Donia, witness at the Ratko Mladic trial

After suggesting yesterday that the Bosnian Serbs were afraid of being reduced to a minority and stripped of their status as a constituent nation, Ratko Mladic's defense counsel continued putting similar arguments to the US historian Robert Donia as his cross-examination continued. According to Lukic, on the eve of the war, the Serbs in BH feared the loss of their status of a constituent people, and the 'replay of genocide' - the crimes committed against them in World War II.

The prosecution expert, who has a PhD in the history of the Yugoslav peoples, said he could not say just how strong the fear of genocide was, but he knew that the Bosnian Serbs were constantly told by their political and intellectual elites that 'they should be afraid'.

Donia also said he found no evidence of any intent to strip the Bosnian Serbs of their status as a constituent people, as had been done in Croatia in the new Constitution. The fact that the Serb members of the parliament could be outvoted did not necessarily mean that a nation would be reduced to a minority, he added. Outvoting is an integral part of life in a democracy: sometimes your proposals get accepted, sometimes they are rejected.

As in one of the two expert reports admitted into evidence the witness analyses the speeches made by the persons who attended the Bosnian Serb Assembly sessions, Branko Lukic asked him to define Mladic's role in the parliament. Specifically, the defense counsel wanted to know if Mladic could vote or just make proposals. As Donia explains, in his official capacity as the Army commander, Mladic could not make any proposals, let alone take part in the

decision-making process. And yet, in reality, Mladic's was 'an influential voice': he could 'present proposals, advocate policies and take part in the debates'. He attended eight out of a total of 66 sessions of the Assembly, but his generals often attended other sessions.

This was the fifteenth time that Robert Donia testified before the Tribunal. He spent three and a half days in the witness stand in what is his last evidence. Despite the claims of the defense that the accused will find it hard to participate in his trial five days a week because of his ill health, he was quite active today and yesterday, consulting his defense counsel. He was cautioned several times because he spoke too loud.

After Donia completed his evidence, the prosecution called Emir Turkusic, former employee of the Anti-Sabotage Department in the BH Interior Ministry.

2013-08-28

THE HAGUE

JUSTIFYING THE SHELLING OF SARAJEVO

As the cross-examination of Emir Turkusic continued today at Ratko Mladic's trial, his defense tried to prove that the shelling of Sarajevo was legitimate. Turkusic is a former employee of the Anti-Sabotage Department in the BH Interior Ministry



◀ Emir Turkusic, witness at the Ratko Mladic trial

As the cross-examination of Emir Turkusic continued today at Ratko Mladic's trial, his defense tried to justify the shelling of Sarajevo and to prove that it was in fact legitimate. Turkusic is a former employee of the Anti-Sabotage Department in the BH Interior Ministry.

Mladic's defense claims that the Markale incident that happened on this day, 18 years ago, was one of the 'legitimate' actions of the troops under Mladic's command. As the indictment alleges, 43 people were killed and 75 injured in the explosion of a 120 mm mortar shell fired from the VRS positions on Mount Trebevic.

Mladic's defense counsel Branko Lukic put it to Turkusic that there were 2,000 legitimate military targets in the part of Sarajevo controlled by the BH Army. One of them was the *Svjetlost* building, in the immediate vicinity of the Markale market.

Turkusic confirmed that the *Svjetlost* building was some fifty meters away from Markale, but did not accept the criteria put forward by the defense as to which facilities could be considered as legitimate military targets. It was clear from the defense's questions, the witness noted 'that the defense considers the citizens of Sarajevo to be legitimate military targets'.

According to the defense, the citizens of Sarajevo were either collateral damage in the shelling of legitimate military targets by the Serb forces, or were in fact shelled by the Bosnian government forces, as the defense argued again today.

According to the defense, the fact that the police came and warned the citizens about impending artillery attacks just before the incidents happened clearly proves that the government had a hand in orchestrating those incidents. This, as defense counsel Lukic said, goes for all the incidents listed in the indictment against Mladic that happened in Dobrinja: the shelling of a football match on 1 June 1993, the shelling of a water queue on 12 July 1993, and the shelling of the humanitarian aid queue on 4 February 1994.

The defense will continue cross-examining Emir Turkusic tomorrow.

2013-08-29

THE HAGUE

'INSANE' THEORIES ABOUT CAUSE OF MARKALE EXPLOSION

Former employee of the Anti-Sabotage Department in the BH Interior Ministry has labeled 'insane' the theory put forward by Ratko Mladic's defense according to which the incident at Markale on 28 August 1995 was caused by setting of a stationary explosive device planted there



◀ Emir Turkusic, witness at the Ratko Mladic trial

Former employee of the Anti-Sabotage Department in the BH Interior Ministry Emir Turkusic testifies at Ratko Mladic's trial about the results of the investigations into the various shelling incidents in Sarajevo. He took part in those investigations during the war. One of the incidents he investigated was the shelling of Markale market on 28 August 1995, in which 43 people were killed and 75 injured.

As his evidence continued, he said that he was midway between his office and the market when the explosion occurred. After he saw a convoy of vehicles 'careening'

through the streets as they drove the dead and the wounded to the hospital, he and his colleagues headed towards the scene and carried out a crime scene investigation, in the presence of the UNPROFOR staff.

Turkusic and his team were able to establish at the scene that the round was a 120 mm shell manufactured in the Krusik defense industry in Valjevo in July 1993. They were also able to determine the angle of impact of the shell. This and other physical evidence made it possible for them to determine that the shell had been fired from the direction of Mount Trebevic, which was controlled by the VRS. Mladic's defense is trying to prove that the other side was responsible for the explosion, putting it to the witness that the explosion could have been caused by a stationary explosive device that had been planted there and set off.

In response to defense counsel Lukic's question, Turkusic said he and his team did not probe this scenario at all. 'We abhor such speculations', the witness said, adding that the very idea was 'insane'. He explained to Judge Orić that it never occurred to him and his colleagues to see if it was possible because nothing at the scene indicated that a planted explosive device had gone off there.

Emir Turkusic's evidence will be completed tomorrow.

2013-08-29

THE HAGUE

MLADIC WANTS WEDNESDAYS OFF

If the judges want Ratko Mladic to be polite in court and not respond furiously without 'short circuiting', they should agree to his request for a four-day working week, as his defense put it in the motion to the Appeals Chamber



◀ Ratko Mladic in the courtroom

Ratko Mladic's defense has filed a motion to the Appeals Chamber asking the judges to quash the decision made by Judge Orić's Trial Chamber that established a five-day working week at Mladic's trial. The motion was prompted by an incident last Friday when Mladic felt faint and dizzy because of a drop in his blood pressure caused by weight loss. The judges had to adjourn the trial until Monday. The defense has already asked the Trial Chamber to reduce the number of working days in January, but the Chamber rejected it.

The defense recalls that when it filed a motion for the suspension of Mladic's trial in April, a team of doctors from Serbia examined the accused and concluded

that his emotional state causes 'furious and sudden responses', similar to a 'short circuit'. The accused had a low tolerance to stimuli and had a tendency to respond to them 'here and now'. Added to all this, as the doctors note in their report in April, is his reduced ability to refrain from responding and to control them rationally. In short, the emotional sphere of his personality has been 'deconstructed, diffused and effectively beyond rational control'. They recommended that the working day do not exceed four hours and that there be at least one day off after two working days.

At one point in the trial, Mladic's 'short circuits' were a regular occurrence; they were reduced drastically after the Chamber showed it was determined to punish Mladic for misbehaving. Over the past months, the accused did not have any furious reactions, despite the claims of his defense that he is physically weak and emotionally irritable.

Apart from the Serbian doctors' report, the defense invokes the findings of the medical team in the UN Detention Unit, headed by Dr Falke; in their April report he also expressed his view that Mladic's health called for a four-day working week. Dr Falke repeated his view in court.

The defense notes that the Trial Chamber's failure to comply with the doctors' recommendations is a 'serious mistake'. Instead of relying on the opinions proffered by professional medical staff, the judges made a decision based on their 'lay opinion'. That is why, the defense contends, the Appeals Chamber should quash the decision on the five-day working week and give Ratko Mladić's Wednesday as a day off.

2013-09-02

THE HAGUE

FORENSIC EVIDENCE FROM FIRST STAGE OF SREBRENICA INVESTIGATION

Jose Baraybar, a forensic anthropologist from Peru, described the methodology used to establish the age, sex and the minimum number of 2,541 bodies of the Srebrenica Bosniaks exhumed from 1996 to 2001



← Jose Pablo Baraybar, witness at the Ratko Mladić trial

The prosecution case continues at the trial of Ratko Mladić with the evidence of Peruvian forensic anthropologist Jose Pablo Baraybar. From 1996 to 2001, Baraybar was part of the Tribunal's OTP investigation team involved in the exhumation of the graves containing the remains of the Srebrenica victims in Eastern Bosnia. Nova Kasaba, Konjevic Polje and Glogova were among the sites that were exhumed.

The transcript of Baraybar's testimony in the case against Radislav Krstić from 2000 was admitted into evidence together with his expert report and several reports on the exhumations carried out at the sites. Baraybar has also given evidence at three more trials in The Hague,

including the two trials of former Serbian officials where he testified about the exhumations of mass graves in Serbia containing the remains of the Albanian civilians from Kosovo.

The expert from Peru today stated that by 2001 the remains of at least 2,541 persons had been exhumed from the graves in Eastern Bosnia. This is the minimum figure, a 'conservative estimate' based on identifying and counting the same types of bones in a single grave, e.g., left femurs or the first cervical vertebra. Since Baraybar left the OTP investigation team the number has increased significantly and the DNA analysis technology has developed and as a result, 6,849 Srebrenica victims have been exhumed and identified. Former OTP investigator Dusan Janc gave this figure in his recent evidence at Mladić's trial.

In the cross-examination, defense counsel Miodrag Stojanovic tried to prove that the graves Baraybar exhumed contained not only the bodies of the men from Srebrenica executed in July 1995, but the soldiers killed in combat. The defense claims that the Bosnian Serb army, under the command of the accused, cleared up the terrain after the fighting, collecting and burying the bodies of the BH Army soldiers who were killed in the fighting as they tried to break out of Srebrenica.

The defense counsel put it to the witness that the bodies of soldiers who had been killed in combat were buried in the Nova Kasaba 8 grave. As the defense claimed, there was a road near the grave that was used by the soldiers as they tried to reach Tuzla. Baraybar explained that 33 bodies were recovered from that grave. Willow branches and leaves were also found in the deeper layers of the grave. Baraybar inspected the area around the grave and was able to establish that the only willow tree was at a site known as Nova Kasaba 5. Since bullet casings were found there as well as marks left by a backhoe, Baraybar assumed that the execution took place there and that the bodies were then transferred about 100 meters to the Nova Kasaba 8 mass grave. The witness couldn't say why the bodies were not buried at the execution site. He assumed that there was an effort to cover up the crime because the execution site was located very close to the road.

The Peruvian forensic anthropologist will complete his evidence tomorrow morning. The US military intelligence analyst Richard Butler is slated to testify next.

2013-09-04

THE HAGUE

MLADIĆ'S ROLE IN SREBRENICA OPERATION

Having examined the voluminous evidence, prosecution expert Richard Butler concluded that Ratko Mladić actively participated in the Srebrenica operation in July 1995. Mladić planned actions, monitored their implementation, attended combat operations in the field and decided on the fate of civilians that took shelter in Potocari, Butler explained



◀ Richard Butler, witness at the Ratko Mladic trial

Because the Bosnian Serb army had inherited a meticulous system of reporting and archiving documents from the former JNA, American intelligence officer Richard Butler was able to reconstruct in detail the course of the Srebrenica operation in July 1995. Intercepted conversations and witness statements helped Butler in his endeavor. In his expert reports, the witness focused on the command structure of the units involved in the attack. In his seventh testimony before the Tribunal, Butler focused in particular on the role of the accused Ratko Mladic.

The enclaves of Srebrenica and Zepa were captured as part of Operation Krivaja '95, Butler explained; this operation was based on Directives 7 and 7.1. The first directive was issued in March 1995 and was signed by Radovan Karadzic. Ratko Mladic signed Directive 7.1. The initial goal was not to capture the enclaves but to separate them and create the conditions of 'no hope of further survival' for the civilian population, as envisaged in Directive 7. The Bosnian Serb military leadership expected a stronger resistance of the BH Army 28th Division, the witness noted. They also expected a stronger involvement of UNPROFOR in the effort to protect Srebrenica and Zepa. Because they did not materialize, the Serb army could advance unhindered, and Karadzic, as the supreme commander, gave the army permission to enter Srebrenica at the request of the Main Staff on 9 July 1995.

Butler said that the documents and the intercepts showed that on 11 July 1995, just before Srebrenica was captured and in the immediate aftermath of its fall, confusion reigned among the Bosnian Serb military officers. Some of them were not aware of the plan to expel civilians from the town and to kill all men of military age. As an illustration, the prosecutor showed two conversations intercepted on 12 July 1995, in the space of just 10 minutes. In the first intercept, an unknown officer says that the civilians gathered in Potocari could choose if they wanted to stay or to leave. In the second intercept, Mladic says 'we will evacuate everyone, including those who want to leave and those who don't want to go'.

A Drina Corps document of 12 July 1995 states that the order to send buses and trucks to transport the people came from Mladic. Most of the vehicles were provided by the Defense Ministry. A report from the Main Staff sent on the same day to Radovan Karadzic speaks about the transportation of 10,000 civilians from Potocari. Based on the documents, the witness concluded that in addition to his role in the deportation of the people from Potocari, Mladic played an active part in each stage of the Srebrenica operation: from planning and implementing its military part to the crimes against the local population.

Mladic signed one of the two directives ordering the attack on Srebrenica and Zepa. Also, Mladic regularly received reports on the situation in the field. On 10 July 1995, Mladic observed the developments in the field from the forward command post. The next day Mladic, was already in Srebrenica with the army. Then, Mladic participated in several meetings in the Fontana Hotel in Bratunac where the fate of the civilians from Potocari was discussed. Butler concluded that the decision to kill the captured men and boys was reached between the second and the third meeting in the Fontana Hotel, in the evening of 11 July and the morning of 12 July 1995. Prosecutor Peter McCloskey will continue examining the prosecution expert tomorrow, and is expected to ask him about the executions of the Srebrenica detainees in more detail.

2013-09-05

THE HAGUE

EVERYTHING WAS UNDER MLADIC'S CONTROL

American intelligence officer Richard Butler, former analyst with the OTP in The Hague, described in detail the detention, transport and execution of the Srebrenica Muslims in July 1995. Butler used the documents that show the entire process went on with the knowledge and on the orders of the accused Mladic and officers from his staff



◀ Richard Butler, witness at the Ratko Mladic trial

On the third day of his testimony at the trial of Ratko Mladic, the prosecution's military expert Richard Butler presented his conclusions about the killings of the Srebrenica Muslims in July 1995. Butler drew his conclusions on the vast amount of documents he had inspected. Yesterday he said that the decision to execute the captives en masse was most likely reached in the night of 11 July 1995, between the two meetings Mladic and his officers had had with the representatives of UNPROFOR and Muslim civilians from Srebrenica.

The first mass killing of about 1,000 detainees happened on 13 July 1995 in the farm warehouse in Kravica. Based on the intercepted conversations and military documents, Butler concluded that thousands of Muslims had been captured at three locations along the road towards Bratunac that day. The Muslims were trying to reach Tuzla. According to an intercepted conversation between two unidentified VRS officers, about 6,000 detainees were gathered in the football stadium in Nova Kasaba, at the cross-roads in Konjevic Polje and in a field in Sandici. Butler couldn't confirm the number but said that in any case there were 'thousands, not hundreds'.

That same day the detainees were transferred to Bratunac. Later that evening, the detainees were taken to various buildings, mostly schools in the territory under the control of the Zvornik Brigade. That was done on Ratko Mladic's orders; the suggestion came from Zdravko Tolimir, security chief in the Main Staff. Tolimir wanted to 'put the prisoners somewhere indoors or in an area that could not be observed from the ground or the air'. In the order of 13 July 1995 Mladic prohibited any release of information to the media 'particularly about the prisoners of war and evacuated civilians'. That same day, Radovan Karadzic gave a coded order to his commissioner for Srebrenica, Miroslav Deronjic, instructing him that the 'goods must be put in the warehouses'. In other words, prisoners were to be placed in enclosed facilities.

The killings of thousands of prisoners in the Zvornik Brigade area of responsibility went on from 14 to 17 July 1995, Butler explained. There is no mention of the executions in the VRS documents, not surprisingly, but a number of orders and reports admitted into evidence show that Mladic and officers from his staff, Tolimir, Gvero, Miletic and others, made the decisions to transport and detain the captured men and boys. At any given point, Mladic and his officers knew where the detainees were, the documents proved.

Yesterday the witness said that Mladic was in the field on 10 July 1995 when he observed the operation from the Drina Corps forward command post. On 11 July 1995, Mladic and his troops entered Srebrenica. Today Butler noted that in the days that followed the accused was in the area of Srebrenica and Bratunac. He then briefly returned to the Main Staff on 14 July 1995. From there, Mladic travelled to Belgrade that same day, to meet Slobodan Milosevic and several international officials. Mladic was back in the Main Staff on 16 July 1995. He was in Belgrade when the executions of the captured inhabitants of Srebrenica were in full swing. The prosecution expert contends that this cannot be used as an alibi, as he found several documents that indicate Mladic duly 'exercised command' in that period.

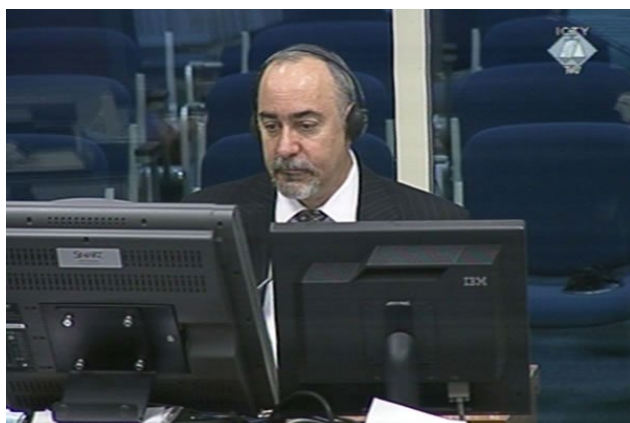
Today, the trial of Ratko Mladic ended earlier when an alarm sounded around 1pm. On his way out of the courtroom the accused asked out loud: 'Has Obama's attack on Syria started?' Expert Richard Butler continues his evidence tomorrow.

2013-09-06

THE HAGUE

A BAD ATTEMPT TO COVER UP SREBRENICA MASSACRE

In their documents and intercepted conversations Bosnian Serb military officers tried hard to cover up the Srebrenica crimes in July 1995. However, it was not difficult for prosecution expert Richard Butler to reconstruct the course of the events from the capture to the mass executions, the burial of the bodies and their transfer to other graves in a secret operation to eliminate the evidence of the crimes



◀ Richard Butler, witness at the Ratko Mladic trial

Documents of the Bosnian Serb Army and intercepted conversations of its officers never explicitly referred to the mass executions of the men from Srebrenica in July 1995. However, American military intelligence officer Richard Butler highlighted in his evidence the details that enabled him to reconstruct the entire process. Butler was able to analyze the reports on the movements of some units and match the coded telephone conversations with other evidence about the situation in the field.

In the telephone conversations of VRS top officers intercepted by the Bosnian side, the executions were mainly called the 'job' that had to be done or completed while the prisoners were referred to as 'parcels'. In a

conversation on 14 July 1995, the chief engineer in the Zvornik Brigade Jokic put his foot in it, saying there were 'big problems with the people, I mean with the parcels'. The next day, security chief in the Main Staff Ljubisa Beara informed Radislav Krstic, the Drina Corps commander, that he still had another '3,500 parcels to distribute': this meant he had to kill those prisoners.

The prosecution expert says those were captured Muslims who were detained at the time at various locations around Zvornik. In Butler's opinion, the figure is a 'little bit exaggerated' as by then about 800 to 1,000 prisoners had been executed in the school in Orahovac and another 800 to 1,000 people had been killed in Petkovci. Butler estimated

that about 2,500 detainees were still in the schools in Rocevic and Kula and in the Pilica Cultural Center. By 17 July 1995, all of them were executed; few survived the executions.

The bodies of the victims were found in several mass graves in the Zvornik and Bratunac areas. In all of the six trials where Butler has testified so far, the defense teams claimed that the bodies were buried there when the terrain was cleaned up: the victims were Muslim fighters killed as they fought against Serb soldiers. The witness said that no army would waste its resources and risk the lives of its soldiers to collect the bodies of enemy fighters in a combat zone. Also, Butler noted, meticulous records were kept of all the movements of VRS engineer units. Those units used excavators and backhoes at the execution sites from 14 to 17 July 1995.

It is interesting to note that on 14 September 1995 Mladic ordered the delivery of five tons of diesel fuel to the engineer unit of the Zvornik Brigade. The consumption records are meticulous throughout July 1995, yet there is no mention about how this fuel was spent. Butler explained that the large-scale operation to cover up the crime began at that point in time. The bodies were dug up from the existing mass graves and transferred to other locations, further away from the execution sites. In intercepted conversations, Mladic was mentioned with his code name, Panorama 01. Other speakers mention Mladic when they talk about orders arriving from 'above' or from the 'chief' instructing them what to do about the detained Muslims and later their dead bodies. At the same time, according to Butler, the accused had nothing to do with the decision to open a corridor on 16 July 1995 to let thousands of Srebrenica inhabitants to reach Tuzla. Having examined a number of documents Butler concluded that Vinko Pandurevic, the Zvornik Brigade commander, decided to do this when he realized that his unit could suffer heavy losses.

Butler will continue his testimony on Monday. The prosecutor will finish Butler's examination-in-chief in an hour.

2013-09-09

THE HAGUE

TRIAL OF EXHAUSTED MLADIC ADJOURNED AGAIN

The defense told the judges the accused was so exhausted he was too weak to even 'socialize' with his fellow detainees after hearings last week. After the first session, the accused was taken back to the Detention Unit after he complained of numbness in the right side of the body. The hearing was adjourned until further notice



◀ Ratko Mladic in the courtroom

In the first hour of the hearing, prosecutor McCloskey completed the examination-in-chief of the American military intelligence officer Richard Butler, but he could not be cross-examined. When the trial resumed after the break, the judges announced the trial would be adjourned because Ratko Mladic wasn't feeling well. He was taken back to the UN Detention Unit on the doctor's orders.

Defense counsel Lukic said that last week and the week before Mladic had been too exhausted on his return to the detention unit from the trial. He had been too weak 'to socialize with other detainees', or to 'eat and drink' and 'function anymore at all'. During the first break at

the hearing today, Mladic complained of numbness in the right side of the body, 'as if his arm and leg were about to explode'. It was decided that Mladic should return to the detention unit.

The defense counsel reiterated his request to reduce the number of court days per week. Judge Orie did not respond to the request, in light of the fact that the motion to reduce the number of court days is pending before the Appeals Chamber. In the motion the defense appealed against the Trial Chamber's decision not to allow Mladic to have Wednesdays off. Fatigue was the main cause of the 'short circuits' – 'violent and sudden reactions' – the accused has been exhibiting in court, the defense noted in the motion.

Noting that the Trial Chamber only deals with the 'current situation', Judge Orie ordered to suspend the trial 'until further notice', as the accused had not waived his right to attend the trial. The judges will communicate the decision regarding the continuation of the trial later.

Before the break and the adjournment this morning, several documents and intercepts were admitted into evidence as prosecution exhibits. The documents show that Mladic and the officers in his Main Staff continued to control the situation in the field after the Srebrenica operation ended in July 1995. As Butler explained, this evidence shows that the military leadership decided the fate of the 18 wounded Muslims who were in the hospital in Milici. They disappeared without a trace in late July 1995 after they were transferred in Zvornik. It is assumed that the wounded Muslims suffered the same fate as the thousands of their countrymen who were executed after they were captured in and around Srebrenica.

2013-09-10

THE HAGUE

TRIAL CHAMBER: 'TRIAL CANNOT BE DELAYED BECAUSE MLADIC IS UNDER STRESS'

Presiding judge Orić said that Mladic's medical examination didn't indicate there were any reasons why he should not attend his trial, apart from Mladic's claims that he is under stress. When Ratko Mladic failed to appear in the dock today, the Trial Chamber decided the trial would go on tomorrow with Mladic or without him. The American intelligence officer Richard Butler, who just might be the reason for Mladic's stress, will thus be able to continue his evidence



◀ Branko Lukic, defence attorney of Ratko Mladic

After the trial was adjourned yesterday following Ratko Mladic's claims that he didn't feel well and his refusal to return to court today, it turned out that there were no medical indications that his health had taken a sudden turn for the worse. Ratko Mladic's blood pressure was within normal limits as were his sugar and oxygen levels. Mladic countered the medical findings with a claim, conveyed by his defense counsel Lukic, that he was under stress and that after the morning hearings he could do nothing but lie in bed, exhausted. Mladic purportedly does not socialize with anyone, watch TV, eat or drink.

Mladic's increased stress coincided with the evidence of American intelligence officer Richard Butler. Over the

course of several days Butler described in detail the way the Srebrenica operation unfolded in July 1995. Having examined the extensive evidence, including military documents, intercepted conversations and witness statements, Butler was able to reach conclusions about the role of the accused and the officers from his Main Staff in the mass executions of Muslim men and boys as well as the deportations of the Srebrenica women and children.

Yesterday, after the examination-in-chief, Mladic complained of numbness in the right side of the body and was taken back to the Detention Unit. Initially, the medical staff did not order the discontinuation of the trial, because the accused was in good health. However, the decision was changed under 'unexplained circumstances', as Judge Orić put it, and after defense counsel Lukic's angry response. The Trial Chamber recalled that Mladic was examined on 4 September 2013 and was found to be in a 'good mood' with all test results within the normal ranges. Mladic underwent an additional medical examination yesterday afternoon. The Detention Unit medical doctor concluded that the accused was able to attend the trial but Mladic refused to do so.

Mladic was examined again this morning and the Trial Chamber was told orally that, in the opinion of the Detention Unit medical doctor, Mladic was able to return to the courtroom. However, the doctor once again said that from a medical point of view, it was advisable for the trial to proceed for four instead of five times a week. The Trial Chamber has already dismissed this proposal, and the defense filed a motion to the Appeals Chamber asking it to reverse the decision. Today, Mladic's defense team ratcheted up the tension: defense counsel Lukic said that to continue the trial in the absence of the accused would contravene the Tribunal's rules. The defense 'is not willing to voluntarily participate in that', Lukic said, adding that if the Trial Chamber were to force the defense to participate in the trial, the defense would file a motion to 'disqualify the entire Trial Chamber'.

The presiding judge nevertheless said that the trial would go on tomorrow, 'with or without the accused in court'. Mladic's refusal to appear would be treated as a waiver of his right to attend the trial, Judge Orić said. According to him, the defense's intent to ask for the disqualification of the judges 'doesn't change the situation in any way'. As Judge Orić stressed, the Trial Chamber makes decisions about the course of the trial, and that if the defense and the accused thought it was up to them, it was a 'misapprehension' on their part.

2013-09-11

THE HAGUE

MLADIC BACK IN COURT

When the defense asked American intelligence officer Richard Butler if he had seen any orders issued by Ratko Mladic instructing his troops to commit crimes, Butler replied that in September 1995 the accused had ordered the delivery of five tons of fuel for the transfer of the bodies of the Srebrenica victims from the primary to secondary graves. The accused was back in court today, as he knew the cross-examination would have gone on in his absence



◀ Ratko Mladić in the courtroom

Yesterday, presiding judge Orić warned Ratko Mladić that his trial would continue with or without him. The accused duly appeared in court to hear the cross-examination of prosecution expert Richard Butler. The day before yesterday during a break General Mladić complained of fatigue; the medical staff advised that he be taken back to the Detention Unit. Yesterday he refused to appear in the dock, despite the fact that the doctors couldn't find anything wrong with him, deciding he was able to follow the trial. The Trial Chamber consequently warned Mladić that if he refused to appear in court again, his absence would be taken as the waiver of his right to attend the trial.

In the first part of the cross-examination of the American intelligence officer, defense counsel Dragan Ivetić made a series of objections to the methodology the expert used when he wrote the report on the VRS Srebrenica operation in July 1995 and the role Mladić and his subordinate officers played in the crimes. Butler dismissed the objections, noting that based on his inspection of a large number of military documents, intercepted conversations and witness statements he did his best to reconstruct the course of the events leading to the death of thousands of Srebrenica boys and men and ending in the expulsion of the rest of the inhabitants from Srebrenica.

As the defense noted, the witness was part of the prosecution team until 2003. Many documents came to light after his departure, including the materials from the Drina Corps. The expert did not have all those documents at his disposal when he wrote the first reports on Srebrenica for the previous trials. The American intelligence officer admitted that some of the documents were discovered later, but they did not contain anything that would 'make me question my earlier findings'. In the revised reports he produced for the trials after 2003, Butler analyzed the new documents, but his previous reports 'remain up-to-date and valid' even without this analysis.

The defense counsel asked Butler if, in the course of his search through the documents he had found any orders in which Mladić instructed his subordinates to commit crimes. According to a document from September 1995, the accused ordered the delivery of five tons of fuel to the units involved in the cover-up of the crimes, the witness replied. The units dug up the bodies of executed Srebrenica men, and re-buried them in secondary mass graves. The witness admitted there were no orders of the accused to commit crimes, at least not in writing.

Richard Butler will continue his evidence tomorrow.

2013-09-12

THE HAGUE

TESTIMONY ABOUT MLADIĆ'S 'SHOCKING AND OFFENSIVE' COMMENTS

At Ratko Mladić's trial, the OTP employee Maria Karall today repeated the offensive remarks addressed by the accused at a protected witness during a break in the hearing on 18 February 2013. After Karall completed her evidence, American intelligence officer Richard Butler resumed his testimony



◀ Maria Karall

The evidence of the prosecution military expert Richard Butler was interrupted briefly this morning because the court heard the testimony of Maria Karall, an OTP employee. On 18 February 2013, Karall witnessed an incident in which the accused Ratko Mladić played the main role. During a break in the hearing, Mladić loudly made offensive remarks to a protected witness, RM 513, who testified in closed session.

Maria Karall was born in a region in Austria where there is an indigenous Croatian community. Since she speaks the language of the accused, Karall's job was to follow Mladić's utterances in the courtroom. In that period, the accused was prone to inappropriate reactions in court,

such as making loud comments directed at witnesses or complaints.

On 18 February 2013, in the break after the first session Mladić said words which were overheard by Maria Karall. She wrote them down in an internal report. Ten days later, the Trial Chamber stated the words the accused used in reference to the witness were 'shocking' and 'extremely offensive'. To protect the identity and the integrity of Witness RM 513 Mladić's insulting words were today disclosed in closed session.

In the cross-examination, the defense played a video recording of the controversial event without sound, in a bid to

establish when exactly the accused made the insulting remarks: while he was seated, as he stood up or as he left the courtroom. The witness couldn't remember those details, which were important for the defense in its effort to prove that Mladic had actually been addressing his defense lawyers. This, the defense argued, was part of their 'privileged communication'. The defense tried to use this argument to postpone Maria Karall's evidence, but the Trial Chamber dismissed the idea, ruling that when the accused 'shouted out loud', he waived his right to private communication with his legal representatives. The defense indicated it would file an appeal.

As the trial continued Richard Butler returned to the witness stand. Butler took part in the OTP Srebrenica investigation from 1997 to 2003. He has written several reports for the prosecution about the course of events and the structure of units engaged in the crime. In today's cross-examination, defense counsel Ivetic argued that the witness did not mention in his reports that an incident preceded the murder of more than 1,000 Muslims in the warehouse of the Kravica farm on 13 July 1995. In the incident, a detainee tried to seize a Serb policeman's rifle. In the exchange of fire that ensued a police member was killed and another was wounded.

As Butler explained, this information was not available when he drafted the report, but when he testified at other trials he accepted the version of the event presented by the defense. He did so now too, Butler stressed. Nevertheless, in Butler's view, the incident couldn't be the cause of the mass murder that followed. As Butler noted, 1,000 persons couldn't be killed 'in response' to the incident. There had to have been a decision to carry out the executions that lasted several hours. The prosecution expert will continue his evidence tomorrow.

2013-09-13

THE HAGUE

VRS DOCUMENTS CONFIRM AUTHENTICITY OF INTERCEPTED CONVERSATIONS

American intelligence officer Richard Butler dismissed the defense's suggestion that the intercepted conversations of Ratko Mladic and his officers from the period before and after the fall of Srebrenica were not authentic. Butler noted that their contents corresponded to a great extent with the Bosnian Serb army documents as well as with the other evidence on the course of events leading to the Srebrenica genocide



◀ Dragan Ivetic, defence attorney of Ratko Mladic

In his reports on the course of the Srebrenica operation in July 1995, prosecution expert Richard Butler relied on the contents of the conversations of the Bosnian Serb military officers intercepted and recorded by the BH Army. This prompted Ratko Mladic's defense counsel to contest the authenticity of the documents. The witness explained that in order to make his expert findings valid he had 'looked into every nook and cranny' and rigorously checked the possibility that they might be forgeries. He managed to confirm their authenticity.

The witness is convinced the intercepted conversations are authentic because their contents match the 'wider context': the actual course of events established on the

basis of other evidence. For example, in an intercepted conversation someone says that 500 liters of fuel must be delivered to Vujadin Popovic, the Drina Corps security chief. The fuel was needed to move and bury the bodies of Srebrenica victims. Three years later, the reference to the fuel requisition was found in one of the seized VRS documents. As Butler said, for the BH Army soldiers to be able to fake the intercept, they would have had to sneak into the Bosnian Serb unit premises right after the fall of Srebrenica, while the mass executions were going in, read the relevant document and then incorporate the real facts into the fictitious intercepted conversation. After all the trouble, they could still not be certain that an investigation by the prosecutors from The Hague would actually unearth the document.

To sum up, the witness was convinced of the authenticity of the intercepts because the two warring sides – the BH Army in the intercepts and the VRS in its orders and reports – said the same thing about the same events.

When the defense noted that for the most part there were no audio recordings of the conversations, only the transcripts made by the Bosnian army technicians, the witness explained there had been a shortage of audio tapes. Defense counsel Dragan Ivetic tried to contest the credibility of the transcripts by highlighting the purported linguistic inconsistencies. In a conversation of 12 July 1995, Ratko Mladic said 'we will evacuate everyone, those who want to leave and those who don't want to go', speaking about the civilians gathered in Potocari. The defense argued that the conversation was not authentic because the Serb general used the Croatian form of the word 'evacuate'. Butler didn't want to comment on the differences among the Yugoslav languages but argued in turn that a BH Army soldier who transcribed the conversation may have been a Croat.

As the cross-examination continued, the defense dealt with the witness's conclusion that Mladic's Directive 4 issued in August 1992 was not legitimate. One of the goals defined in the directive was to 'force' the enemy and the civilian

population to 'leave' the enclaves in Eastern Bosnia. The defense counsel suggested that the idea was to 'temporarily remove' the civilians from the combat zone. The witness couldn't confirm the suggestion.

Richard Butler's evidence continues on Monday, and is expected to end on Tuesday.

2013-09-16

THE HAGUE

'CARPET-BAGGERS' WERE A LEGITIMATE MILITARY TARGET

Mladić's defense implied that the Srebrenica civilians, known as the 'carpet-baggers', actually participated in combat when they entered and looted captured Serb villages and were thus a legitimate military target. The prosecution military expert begged to differ



◀ Richard Butler, witness at the Ratko Mladić trial

On the last day of the cross-examination of prosecution military expert Richard Butler Ratko Mladić's defense noted that the Srebrenica enclave hadn't been demilitarized despite the agreement to that effect concluded by the warring sides and UNPROFOR. The witness never denied this in his examination-in-chief, and today he repeated that the BH Army's 28th Division had never been fully disarmed. This made it a legitimate military target of the Bosnian Serb army, Butler explained. However, when defense counsel Dragan Ivetić claimed civilians were legitimate targets too, the witness disagreed.

The defense showed a document signed by Ramiz Becirović, the BH Army Staff commander in Srebrenica. The document states that 'each local community had its logistics and provided food for its troops'. As the defense counsel argued, this meant that civilians provided support to the fighters and participated in the hostilities, and were thus a legitimate military target. The witness didn't deny that the people gave shelter and provided food for the soldiers. That, however, didn't imply that the civilians were involved in the hostilities, Butler emphasized.

The same document states that civilians accompanied the troops as they attacked Serb villages, broke into houses and 'took whatever they wanted'. According to the defense, this was conclusive evidence that they had taken part in the fighting. The American intelligence officer replied he knew that civilians would enter into villages where they mostly took food from abandoned houses. Butler 'wouldn't formulate this' as fighting. Presiding judge Orić noted that looting of captured villages could be labeled as 'undermining' rather than helping the BH Army. The defense counsel replied that the issue called for a 'more serious analysis'.

Becirović's document notes that the 28th Division soldiers handed over old and broken weapons in a bid to avoid complying with the demilitarization agreement. The good weapons remained hidden in the houses. The defense argued that this automatically turned the houses into legitimate military targets. Butler begged to differ. In Butler's opinion, the fact that weapons or artillery pieces were hidden in a house didn't make it a legitimate military target unless fire was opened from it. Butler used an example from Iraq to illustrate his point. The US troops there didn't have the right to destroy houses where weapons were found in a search.

In a bid to justify Directive 7, signed by Radovan Karadžić in March 1995, which ordered the troops to create an 'unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica and Zepa', the defense counsel put it to Butler that the quote was in fact an example of the 'doctrine of dominant force' which called for the use of a strong military force to disarm the enemy as soon as possible. According to the defense, the wording of Directive 7 was rather clumsy because it had been written by 'lay persons'. The military expert reminded Ivetić that the document had been drafted by Radivoje Miletić, a general in the VRS Main Staff. Miletić surely wasn't a lay person, Butler noted, adding that Karadžić – who signed the document – couldn't be regarded as such either because by that time he had been the supreme commander of the armed forces for three years, although he had not had any formal military training.

As the hearing drew to a close, prosecutor McCloskey began re-examining the witness. The re-examination will be completed tomorrow morning.

2013-09-17

THE HAGUE

MILOVANOVIC AND MLADIC: TWO BODIES, ONE SOUL

At the trial of his former superior Ratko Mladic, General Manojlo Milovanovic said that the two of them had been 'two bodies, one soul'. The two met, worked together and became friends in the former JNA and then went on to become closest associates at the top of the VRS. They drove together through the war in BH at the 'speed of a tank'. After the war, one of them ended up in the dock, the other in the witness stand



◀ Manojlo Milovanovic, witness at the Ratko Mladic trial

At the beginning of his testimony at the trial of Ratko Mladic, former chief of the VRS Main Staff Manojlo Milovanovic said that they were 'two bodies, one soul'. Once, at a meeting Milovanovic asked Mladic 'how come that you chose me as your deputy'. 'I start the engine in the first gear, you in the third. As a tank officer, you know that the second gear is the best', Mladic replied. Mladic laughed from the dock at Milovanovic's words and applauded in approval.

Milovanovic testifies at the trial of Ratko Mladic because he had been issued a subpoena, or a binding order, compelling him to appear before the Tribunal. After a few minutes, Milovanovic took an opportunity to stress

that there had never been any agreement between him and the OTP that he would not be prosecuted in exchange for his testimony. Replying to the prosecutor, Milovanovic said that before the war Mladic and he had been friends. During the war, their relationship was 'strictly military': a 'relationship based on strict military subordination between the superior and his subordinate'. According to Milovanovic, he was never on a first-name basis with Mladic during the war.

As he answered the questions of prosecutor Dermot Groome, Milovanovic described the circumstances of his transfer from Serbia to Bosnia and Herzegovina in early May 1992. On 11 May 1992, Mladic 'briefed' him about the situation in Crna Rijeka near Han Pijesak. Mladic told Milovanovic that 'war was unavoidable', and that the SDS had already distributed the weapons to the people. They had about 85,000 or 90,000 people under arms, who should be organized into corps. This figure did not include the JNA personnel. The JNA was in the process of pulling out of BH; that was the official line.

Milovanovic, Mladic and about a dozen other JNA officers formed the VRS Main staff in the night of 11 May 1992. It officially came into being the next morning, on 12 May 1992, at the session of the Assembly of the Serbian Republic of BH. The Assembly appointed Mladic the commander. Mladic in turn appointed Milovanovic as the Chief of the Main Staff and his deputy, and assigned Milovanovic a place at his desk in the office in Crna Rijeka.

Mladic, Gvero and some other officers, who were the core of the future VRS, attended the Assembly session in Banja Luka. Upon their return, Gvero told Milovanovic that Mladic had warned the deputies that Republika Srpska 'cannot be cleansed so that only Serbs remain in it'. 'People, it is genocide', Mladic told the deputies. Mladic's words were recorded in the minutes from the session, shown in court today by the prosecution.

'Politicians orchestrate wars, and generals are just there to execute orders', Milovanovic said today. According to Milovanovic, Radovan Karadzic, Biljana Plavsic, Nikola Koljevic and Momcilo Krajisnik were the 'four people' who made all the political and military decisions in Republika Srpska. Their role remained unchanged even after the Supreme Command was established in December 1992. Karadzic never let Mladic become an equal member of the Supreme Command and invited him to the meetings only as an 'observer', Milovanovic said.

Manojlo Milovanovic will continue his evidence tomorrow.

2013-09-18

THE HAGUE

MILOVANOVIC: DIRECTIVE 7 WAS ILLEGAL

General Manojlo Milovanovic said at the trial of Ratko Mladic that the order of the Republika Srpska Supreme Command in Directive 7 - to create unbearable living conditions in Srebrenica and Zepa - was illegal. However, Milovanovic blamed it on Karadzic alone



◀ Manojlo Milovanovic, witness at the Ratko Mladic trial

In his evidence at the trial of Ratko Mladic, General Manojlo Milovanovic said that the order of the Republika Srpska Supreme Command in the notorious Directive 7 was in his view 'illegal'. 'By planned and well-thought-out combat operations, create an unbearable situation of total insecurity, with no hope of further survival or life for the inhabitants of Srebrenica and Zepa', the directive instructed the troops.

Today, prosecutor Dermot Groome continued questioning Milovanovic. Under the Geneva conventions, the population of Srebrenica and Zepa couldn't be a legitimate military target, the witness said. Therefore, in

Milovanovic's view, Directive 7 signed by the Republika Srpska president Radovan Karadzic on 8 March 1995 was illegal.

Yet, as regards Directive 7/1 issued by Mladic some days after he received Karadzic's directive, Milovanovic claimed that it was completely legal because it didn't contain the controversial sentence about the creation of unbearable living conditions in the enclaves. According to Milovanovic, Mladic was aware of the illegality of that section and left it out 'on purpose'.

The fact that the Drina Corps command forwarded the order about the creation of unbearable conditions to his subordinated units was a result of the 'mistake on the part of Karadzic's administration', Milovanovic claimed. Karadzic's directive was sent directly to the corps by mistake before Mladic had a chance to send his document. Milovanovic added that he didn't have any particular knowledge about the whole situation and that his conclusions were based on his interpretation of what had happened.

Prosecutor Groome asked the witness about the shelling of Sarajevo and the use of modified air bombs. Milovanovic confirmed that Momcilo Perisic, chief of the VJ General Staff, tried to get him to discuss aerosol bombs in January 1994. Perisic told Milovanovic that he had spoken about it with Mladic. 'Plavi, I am not interested in what you guys from Herzegovina are thinking up. If anyone has to tell me something, it had to be Mladic', Milovanovic retorted brusquely.

Milovanovic explained that at the time he didn't know anything about aerosol bombs. The only thing he did hear was that they were used to 'change the weather'. Nevertheless, Milovanovic confirmed that he knew Colonel Ivan Djokic, VJ expert on anti-aircraft rockets. The prosecution alleges that Djokic helped the VRS to develop modified air bombs, which were called the 'contraption' at that stage.

Milovanovic said that he saw just a model of the 'contraption'. In Milovanovic's words, he knew that the weapon couldn't be used on 'pinpoint' targets but was better suited for targeting larger areas. Milovanovic repeated that the use of modified air bombs was supervised at the level of the VRS Main Staff by artillery chief Rajko Balac. Tomorrow Mladic's defense counsels will cross-examine the former chief of the VRS Main Staff.

2013-09-19

THE HAGUE

KARADZIC'S DIRECTIVE 7 WAS 'ILLEGAL', MLADIC'S 'LEGAL'

In the cross-examination, General Manojlo Milovanovic tried as much as he could to corroborate the defense case of his former superior in the VRS Main Staff, Ratko Mladic



◀ Manojlo Milovanovic, witness at the Ratko Mladic trial

As Ratko Mladic's defense lawyer cross-examined General Milovanovic, he tried hard to distinguish as much as possible the two versions of the notorious Directive 7. Karadzic's 'illegal' directive directed the troops to create 'by planned and well-thought-out combat operations [...] an unbearable situation of total insecurity, with no hope of further survival or life for the inhabitants of Srebrenica and Zepa'. Milovanovic claims that Mladic's directive, which does not contain the contentious sentence, was 'legal'.

Mladic's defense counsel Branko Lukic told the witness that General Radivoje Miletic drafted the first version of Directive 7 on Karadzic's instructions. Milovanovic immediately agreed with the suggestion. This didn't go unnoticed by Judge Orić, who asked the witness why he claimed that Directive 7 was written on Karadzic's instructions. Milovanovic replied that he heard it from general

Miletic's defense lawyer. In 2007, Milovanovic testified at Miletic's trial. The judge concluded that the witness was supposed to say 'I don't know' in response to the defense counsel's question.

Defense counsel Lukic put it to Milovanovic that Mladic in his version of the directive never referred to Karadzic's document. Once again Milovanovic confirmed it and once again, both the judges and the prosecutor noticed that Mladic did in fact invoke Karadzic's directive several times. Answering German judge Fluege, Milovanovic eventually had to agree that Mladic's Directive 7/1 'was indeed linked with Karadzic's'.

In the cross-examination, Milovanovic tried as much as possible to corroborate the defense case of his former superior in the VRS Main Staff. Milovanovic said that UNPROFOR and NATO sided with the BH Army. After the agreement on Srebrenica and Zepa was reached, the Security Council 'unilaterally' proclaimed Tuzla, Sarajevo, Gorazde and Bihac 'safe havens'.

In Milovanovic's words, Muslims were offered several times to demilitarize Sarajevo. Karadzic proposed to divide Sarajevo and to proclaim it 'an open, undefended city', Milovanovic said. Not only did the Muslims reject it, they would 'provoke' the Serb side by firing shells from portable mortars positioned at a crossroads somewhere and then would vanish. Serbs would respond and thus it 'appeared' that they were targeting civilians randomly and without control.

Milovanovic said that all aspects of life in Srebrenica were 'militarized'. Naser Oric was 'the big boss': he wielded absolute power, and he was part of the military. In Milovanovic's view, the Serb side even allowed 'surplus' humanitarian aid supplies to enter Srebrenica. According to Milovanovic, General Morillon told him there were 64,000 inhabitants in Srebrenica in March 1993. UNHCR provided food, clothes and other help for that number of refugees although their number, according to VRS information, was between 40,000 and 45,000.

Manojlo Milovanovic will continue his testimony tomorrow.

2013-09-20

THE HAGUE

RATKO HAD HEART OF DOVE

At the end of his evidence, General Manojlo Milovanovic said that when he and Ratko Mladic served in the VRS, Mladic was a 'charismatic man, a giant with the heart of a dove': he was 'a strict and fair commander' who 'protected his subordinates'



◀ Manojlo Milovanovic, witness at the Ratko Mladic trial

In the final part of his evidence, General Manojlo Milovanovic said that Ratko Mladic was a 'charismatic man – a giant with the heart of a dove'. This means that Mladic did not 'bear a grudge'; he 'was a strict and fair commander' who 'protected his subordinates', Milovanovic explained. Milovanovic was the closest associate of the commander of the VRS Main Staff, who is now on trial for double genocide and other crimes committed under his command.

Defense counsel Branko Lukic reminded Milovanovic of Mladic's 'first encounter' with genocide in May 1992, when he warned the Serb deputies at an Assembly session in Banja Luka that Republika Srpska 'cannot be

cleansed so that only Serbs would remain'. 'That is genocide, people', Mladic told the deputies. As far as Milovanovic knew, Mladic didn't change this attitude during the war.

Milovanovic noted that he personally never heard Mladic ordering the torture or killing of civilians or of the captured enemy soldiers in Srebrenica – or anywhere else. But, Milovanovic was able to recall two exceptions. Milovanovic heard Mladic order his troops to shell Sarajevo to 'roll out the Muslims' minds'. Also, there was a 'humorous conversation' in which Mladic ordered the artillery chief Rajko Balac to 'hit the Turks while there are still some left'.

Mladic's defense had tried hard to highlight the differences between Karadzic's notorious Directive 7 and Mladic's version of the document, Directive 7/1. In the re-examination, prosecutor Groome stressed the links between the two documents. The prosecutor showed that Mladic made several references to Karadzic's directive in his own document. Also, Mladic's directive couldn't be implemented 'without reading' Karadzic's document. Milovanovic finally agreed with the allegation.

The prosecutor argued that Mladic's directive didn't 'abolish' Karadzic's, as evidenced by VRS documents, such as the order issued by the Drina Corps commander Milenko Zivanovic a few months after the two directives. In his order, Zivanovic invoked both directives. According to the prosecutor, this shows that the people who implemented the two directives had to 'read them side by side'. Milovanovic agreed, adding that Zivanovic 'had to give priority to Mladic's Directive 7/1'.

The famous Directive 7, signed by Karadzic on 8 March 1995, directed the troops to create 'by planned and well-thought-out combat activities [...] an unbearable situation of total insecurity, with no hope of further survival or life for the inhabitants of Srebrenica and Zepa'. Four months later, in July 1995, the enclaves of Srebrenica and Zepa were 'eliminated'. Tens of thousands of women and children were evacuated. The remains of more than 7,000 men have been exhumed from the mass graves in that area. The prosecution alleges that the victims were summarily executed after they were captured or surrendered.

2013-09-20

THE HAGUE

AIR BOMBS WERE WORSE THAN UNRELIABLE

Engineer Milomir Soja described at the trial of Ratko Mladic an unsuccessful attempt by the Bosnian Serb army to improve the electronic firing mechanism on modified air bombs launchers. As the prosecution alleges, the bombs were extremely inaccurate and caused civilian casualties in Sarajevo



◀ Milomir Soja, witness at the Ratko Mladic trial

The last prosecution witness in the stand this week at the trial of Ratko Mladic was Milomir Soja, an electronics engineer. In 1995, Soja was doing his compulsory work service, and was involved in modifying the air bomb launchers. The bombs were used by the Bosnian Serb army. Soja had already testified at the trials of Radovan Karadzic and the former Sarajevo-Romanija Corps commander, Dragomir Milosevic. Today, his statement to the OTP investigators and parts of his testimony at the latter trial were admitted into evidence. Milosevic was sentenced to 29 years in prison, among other things, because he used air bombs to attack Sarajevo.

Prosecutor Hochhauser read out the summary of the witness's statement. In the spring of 1995, Soja and another colleague were summoned to the Pretis factory in Vogosca to improve the electronic firing mechanism on the rockets attached to the air bombs. The new system turned out to be even less reliable than the previous one: an air bomb was fired on the refrigerating facility used by the BH Army in Stup. The bomb didn't even reach the target. It exploded in flight over the territory under the VRS control, the witness recounted. Soon afterwards, the old, simpler firing mechanism was fitted on the rockets.

As Soja said, anti-hail rockets were fitted onto the 100 and 250-kg air bombs, and the bombs were then launched using a special electrical mechanism from specially designed launchers. As far as Soja knew, the launchers were placed in at least four locations in the city – in Ilidza, Ilijas, Vogosca and Blazuj.

When Mladic's defense counsel Miodrag Stojanovic asked Soja if the air bomb launch systems had ever been tested before being put to use, Soja said he had heard that an air bomb had been fired on Mount Zuc as a test. Apart from the time when the air bomb missed the refrigerating facility in Stup, the witness was not aware of any other instances that would tell him how accurate or inaccurate the air bombs were. The prosecution has been arguing that they were highly inaccurate and that their use made the terror campaign against the citizens of Sarajevo even worse than the artillery and sniper attacks did.

As the witness said, in the summer of 1995 he heard the typical sound of air bombs flying and hitting a target five or six times. Also, Soja confirmed that the firing coincided with the period of intense combat between the BH Army and the VRS.

In a bid to absolve the accused of responsibility for the use of air bombs, the defense counsel asked the witness if he knew whether the VRS Main Staff was in any way 'involved in selecting targets' for modified bombs. The witness said he didn't know anything about it. The Sarajevo-Romanija Corps which actually used the air bombs was directly subordinated to the Main Staff during the war in BH.

Ratko Mladic's trial continues on Monday.

2013-09-23

THE HAGUE

FORENSIC EVIDENCE OF SREBRENICA CRIMES

British pathologist John Clark said at the trial of Ratko Mladic that most of Srebrenica victims exhumed by 2001 were men who had been shot to death. Some of the bodies recovered from mass graves were blindfolded and had their hands tied. This corroborated the prosecution's case that the Muslim men and boys were victims of mass executions



◀ John Clark, witness at the Ratko Mladić trial

The trial of Ratko Mladić continued today with the evidence of John Clark, British forensic pathologist. Clark is a medical doctor who, as he explained, specializes in 'establishing cause of death'. Clark has already testified in seven cases before the Tribunal. Parts of Clark's testimonies at the trials of General Radislav Krstić and Radovan Karadžić were admitted into evidence today.

The summary of those testimonies was read out in court by prosecutor D'Ascoli. According to the summary, from 1999 to 2001, Dr Clark headed the OTP team that carried out the exhumations at several locations in BH. Dr Clark conducted most of the postmortems of the bodies of the people from Srebrenica killed in July 1995 and buried

in mass graves at Kozluk, Konjević Polje, Nova Kasaba, Glogova, Lazete, Ravnica and Zeleni Jadar. Every year, Dr Clark wrote a summary report on the exhumations of the Srebrenica victims. When Dr Clark confirmed in a brief examination-in-chief the findings from his reports, the reports were admitted into evidence. Having examined the bodies and analyzed thousands of postmortem findings made by the pathologists from his team, Dr Clark was able to conclude that in most of the cases the remains recovered from the graves belonged to men. Most of the victims had been shot to death. Some of the bodies found in the graves in Kozluk and Lazete had blindfolds and their hands were tied.

In addition to the summary reports, some other reports the witness wrote on the basis of the exhumations and postmortems of bodies from other locations in BH, such as Kevljani, Ivan Polje, Jama Lisac etc., were admitted into evidence. Most of the bodies in those graves had sustained gunshot wounds. The only exception was the grave site in Kevljani near Prijedor where most of 73 bodies and 70 body parts revealed signs of blunt trauma.

In his cross-examination, Mladić's defense counsel Miodrag Stojanović highlighted the part of the report Clark wrote in 1999, where he inventoried the problems he had encountered in the analysis of the mass graves of Srebrenica victims. Among them was the fact that the pathologists who were part of the team didn't all speak English well and had different medical and legal background. Today the witness confirmed it, adding that 'luckily' he was able to understand the pathologists who didn't speak English well. Everybody on the team used the same methodology and the same forms and there was not much divergence in the final findings.

In support of his argument that there were different approaches, the defense counsel used two examples of victims with leg injuries. In the first case, Clark concluded that the cause of death was unknown, i.e., that it was not possible to state how the person died. In the other case, a pathologist from Sri Lanka found that the cause of death was the entry-and-exit gunshot wound to the leg. The witness admitted that here similar cases were treated differently, adding that there were no more than one or two percent of such cases.

John Clark completed his evidence today. Mladić's trial will continue tomorrow with the testimony of new prosecution witness.

2013-09-26

THE HAGUE

RECONSTRUCTION OF SNIPER INCIDENTS IN SARAJEVO

OTP investigator Barry Hogan began his evidence about the reconstruction of sniper incidents in Sarajevo. These attacks are among the charges against the former commander of the VRS Main Staff



◀ Barry Hogan, witness at the Ratko Mladić trial

In the past two and a half days, Ratko Mladić's trial went on in closed session with the evidence of two protected witnesses. Today, the prosecution called OTP investigator Barry Hogan. For the trials of generals Stanislav Galić and Dragomir Milošević, Hogan visited the locations of the incidents in which Sarajevo civilians were hurt or killed. Hogan also collected the documents on the operations of the Sarajevo-Romanija Corps. He testified about his findings at the trial of Radovan Karadžić. Parts of Hogan's evidence in the Karadžić case were admitted into evidence at Mladić's trial.

Using a GPS device, Hogan was able to read correctly the coordinates of each of the 16 locations where sniper incidents listed in the indictments against Karadžić and Mladić occurred. Cameras were placed in the exact spots where the victims had been and panoramic shots of the surrounding area were made. In every single case, the

cameras were located precisely at the height where the bullet entered the victim's body. Hogan marked the locations of the incidents on photos and maps of Sarajevo. Also, Hogan marked the locations from which, according to the eyewitnesses, the shots had been fired.

Mladić's defense counsel Branko Lukic objected to the admission of the panoramic shots of the crime scenes, insisting that they be shown in court first. As he argued, 'nothing can be seen' in the panoramic shot of the incident in which three-year old Anisa Pita was wounded on 13 December 1992 as she stood on the porch of her house in Sirokaca, not even the mountain from which – as the prosecution alleges – the shot was fired. Judge Orić noted that 'a lot can be seen' on the photo including Baba Stijena, where a sniper nest was located according to the prosecution.

The prosecutor played the recording of the reconstruction of the death of Munira Zametica. On 11 July 1993, Zametica was hit by a round fired from a sniper rifle as she was trying to draw water from the Dobrinja river. According to the reconstruction, the shot was fired from the bell tower of the Orthodox church in Veljine, about 900 meters from the site where Zametica was killed. When the camera zoomed in on the bell tower, the defense lawyer jovially said, 'I don't see it all that well because I'm half-blind'. The judge suggested to him in the same tone to 'go see an ophthalmologist because you would need it as a defense counsel'. The defense's objection was eventually rejected and the panoramic photos were admitted into evidence.

The prosecutor also presented two documents investigator Hogan found earlier this year in the BH Army archives. The documents state that the enemy observation post was located on the bell tower of the church in Veljine, and that there was a sniper rifle and an anti-aircraft machine gun on the observation post. According to the documents, fire was opened from the post from a sniper with a silencer.

In addition to the incidents in which three-year old Anisa Pita was wounded and Munira Zametica killed, prosecutor Hochhauser briefly touched upon a few other sniper incidents mentioned in the indictment against Mladić, including the wounding of Nafa Taric and her eight-year old daughter Elma on 3 September 1993, and the incidents in which Ramiza Kundo and Sanela Muratovic were wounded, on 2 November 1993 and 26 June 1994 respectively.

Barry Hogan will continue his evidence tomorrow.

2013-09-30

THE HAGUE

VICTIM FROM FOCA: 'THEY TOOK AWAY MY HAPPINESS'

In her evidence at the trial of Ratko Mladić, a Bosniak woman from Foca testified as a protected witness. She recounted how she was detained several months in a series of prison facilities in 1992. She and many other women were raped, tortured and humiliated in many other ways

Witness RM 70 testified today with full protective measures to conceal her identity. She described her ordeal during her detention at the hands of the Serb army and police in the war in BH. The statement the witness gave to the prosecution in 1995 and parts of her evidence at one of the previous trials in The Hague were admitted into evidence in the beginning of the hearing. Prosecutor Marcus read out the summary of her statement.

According to the summary, the Serb army arrested the witness and about 30 other Bosnian Muslims in Foca in early July 1992. Ten detainees were killed soon afterwards while the others were taken to the prison facility in the Buk Bijela motel. There they were abused sexually and in other ways. The women and girls were moved to the high school in Foca where they were raped and tortured on a daily basis. The same pattern of violence continued when the female prisoners were moved to the Partisan sports hall. Finally, the witness ended up in the notorious Karaman's house in Foca where she was held from early August to the end of October 1992. During that period, the witness and other female detainees were gang raped and subjected to other forms of torture. Finally, two Serb soldiers helped her to flee to Montenegro. All the prison facilities where the witness was held are listed in the indictment against Mladić.

Most of her evidence, particularly the parts when she talked about the crimes she had survived, was heard in closed session. While the court was in open session, the witness identified the Bosnian Serb army soldiers and police officers Pero Elez, Gojko Jankovic, Dragan Zelenovic and Janko Janjic as some of the rapists. On one occasion, a local school teacher, Milorad Cicmil, threatened the witness, saying he would cut off her arm because she didn't know how to make the sign of cross when she was ordered to do so.

In her testimony, the witness said that 12-year old Almira Bektovic was detained with her in Karaman's house. Asked what happened with Almira Bektovic later, the witness replied that she never saw Almira after they parted. She heard that Almira was sold to a man from Montenegro for 200 German Marks.

The witness was then asked why the women and girls from Foca had been sexually abused and maltreated. 'They wanted to kill us and destroy us spiritually, for there is no cure for a woman who has been raped, I can never wash it away, never. I've been fighting it, but my life has been destroyed, they killed my mother and brother, the persons I loved most in my life, they took away my happiness. Before the war, I was so very happy, so happy that no words can describe it', the witness RM 70 said in a rush, in tears.

The witness said she didn't hate Serbs despite all that they had done to her. There are good Serb people, who unfortunately 'couldn't do anything' to protect their Bosniak neighbors, the witness said. In a brief cross-examination, the witness confirmed that two Serb soldiers saved her from captivity and that she would be forever grateful to them.

The witness has not returned to where she had lived before the war. Only one Bosniak man lives in her village, the witness said, adding that her former Serb neighbors battle severe poverty. 'Today our Serb neighbors would be happy to see us back, to have us live together with them once again. They say their good luck was gone when we left. They have nothing; they are poor, very poor. I feel sorry for them when I see them like that', the witness said, concluding her evidence.

2013-10-01

THE HAGUE

CONTESTING SARAJEVO INCIDENTS

Ratko Mladic's defense continued cross-examining OTP investigator Barry Hogan, in a bid to contest Hogan's reconstructions of and findings related to the sniper and artillery incidents in Sarajevo

The defense of the former VRS Main Staff commander Ratko Mladic tried to contest the findings of OTP investigator Barry Hogan about the sniper and artillery incidents in Sarajevo. Hogan used a GPS device to determine accurately the coordinates of the locations and to reconstruct the incidents in which Sarajevo civilians were killed.

Hogan tested the theory put forward by Russian colonel Andrei Demurenko who claimed that the shell that caused the Markale town market massacre on 28 August 1995 had not been fired from the VRS positions. Hogan visited the same locations as the Russian colonel. Unlike Demurenko who claimed that the positions were 'steep and rocky', unsuitable for mortars, Hogan saw that the locations were 'even and stable'.

In a bid to contest the accuracy of Hogan's measurements Mladic's defense counsel Branko Lukic argued that Hogan went to wrong positions in the territory under the VRS control. At the same time, defense counsel Lukic claimed that there were other locations, controlled by the BH Army, such as the village of Studenkovici that could have been the point of origin of the fatal shell.

The defense used similar arguments to contest Hogan's conclusions about other artillery and sniper incidents listed in the indictment against Mladic. Defense counsel Lukic tried to prove that Hogan failed to establish the correct location of the incident that occurred on 1 June 1993, when shells fell on a football pitch in Dobrinja just as a match was in progress. The defense counsel argued that the shells hit the football pitch and not the nearby parking lot where Hogan did his reconstruction of the incident.

Defense counsel Lukic also tried to challenge the validity of the information contained in two BH Army documents related to the VRS observation post in the church in Veljani. As the prosecution alleges, the shots that killed Fatima Zametica in Dobrinja on 11 July 1993 when she tried to draw water from the river were fired from the Veljani church. The defense counsel put it to the witness that an anti-aircraft machine gun couldn't have been set in the church bell tower, as one of the documents alleged, as it was too big to fit in there.

The defense also tried to prove that the sniper bullets that killed so many Sarajevo civilians could have been fired from the BH Army positions. This included the bullet that killed three-year old Anisa Pita on the threshold of her home in Sirokaca on 13 December 1992. Defense counsel Lukic put it to the witness that the bullet could have been fired from the area under the BH Army control, from a cemetery located between the scene of the incident and the VRS position on Baba Stijena.

Ratko Mladic's trial continues on Thursday, 3 October 2013.

2013-10-16

THE HAGUE

DESTRUCTION OF COMMUNITY SYMBOLS

Andras Riedlmayer, American expert on cultural heritage in the Balkans, has said in his testimony at the trial of Ratko Mladic that religious facilities in Bosnia and Herzegovina were hubs of religious and cultural life. They were a symbol of the community's existence in that area, Riedlmayer pointed. When they were destroyed, Bosnian Muslims and Croats were given a clear message: there was no place for them in the Serb territories



◀ [András Riedlmayer, witness at the Ratko Mladic trial](#)

Andras Riedlmayer appeared for the ninth, and most likely final, time as a witness before the Tribunal. He testified about the destruction of cultural and historical heritage in the countries of the former Yugoslavia. Riedlmayer is the director of the Documentation Center for Islamic Architecture at Harvard University. In a report he wrote for Ratko Mladic's trial, Riedlmayer investigated the destruction of Muslim and Croat monuments in 12 municipalities under the control of Bosnian Serbs.

Religious facilities were centers of religious life, but they were also the hubs of cultural and social life, and visual proof of the existence of a community in an area. Religious buildings were not destroyed randomly, but intentionally, often during or immediately after the exodus of the local non-Serb population, Riedlmayer concluded.

The statements made by those who knew what was going on in the field indicate that there was awareness of the consequences the destruction of religious monuments would have for the affected communities. Riedlmayer gave an example: Milan Tupajic, president of the war Crisis Staff and of Sokolac municipality, said at the trial of Momcilo Krajisnik, 'Serbs believe that if there are no mosques, there are no Muslims. And by destroying the mosques, the Muslims will for all intents and purposes lose their motivation to return to their villages'. In the same context Riedlmayer quoted the words of a Banja Luka Muslim, who said that when the Ferhadija Mosque was destroyed, the Muslims were given a clear message: there was no place for them in Banja Luka. Those statements 'accurately describe the attitude towards the reasons for the destruction', Riedlmayer concluded.

The prosecutor showed a series of photos of destroyed mosques and parish churches. The level of destruction in photos varied from minor damage to almost complete or complete destruction. Most of the mosques were in the latter categories. By the end of the war, all the Catholic churches in the twelve municipalities covered by Riedlmayer's report had been damaged to a lesser or greater extent.

A photo from Foca shows a pig skull in the interior of a destroyed Mosque of Mehmed Pasha Kukavica in Foca. The witness noted that the skulls of the animal the Muslims consider impure were left at several other locations. Other examples he used showed the destruction of the very foundations and turning the sites where mosques once stood into garbage dumps, a frequent practice. The witness also said that the remains of the Mosque Aladza in Foca were found outside of the town, buried seven meters deep.

At the beginning of the cross-examination, defense counsel Branko Lukic contested the witness's expertise, impartiality and methodology. The defense counsel put it to Riedlmayer that he was biased because he had produced his report for the prosecution. According to the defense, members of Cela's paramilitary group set the National Library in Sarajevo on fire. The witness countered this claim by saying that he had examined the statements made by the people who were actually there, at the scene: journalists and fire-fighters. Riedlmayer was adamant that the City Hall was destroyed by the shells fired from the Serb positions around Sarajevo.

Mladić's defense will continue cross-examining the prosecution expert tomorrow.

2013-10-17

THE HAGUE

CONTESTING PROSECUTION EXPERT'S CREDIBILITY

Ratko Mladić's defense contends that Andras Riedlmayer, expert on the cultural heritage in the Balkans, is pro-Muslim and biased against Serbs. According to Mladić's defense, Riedlmayer 'advocated the Muslims' interests' before the International Court of Justice. Riedlmayer replied that he didn't believe in ethnic divisions but in Bosnia and Herzegovina as a civil state. The defense claimed that the skull in the ruins of the mosque wasn't that of a pig but of a 'horned animal'



◀ Andras Riedlmayer, witness at the Ratko Mladić trial

Ratko Mladić's defense counsels continued the cross-examination of Andras Riedlmayer, the director of the Documentation Center of Islamic Architecture at Harvard University. Putting it to the witness that he was 'biased against Serbs' and that he was involved in the 'propaganda war' against Serbs during the BH war, the defense contested Riedlmayer's credibility. The prosecution had asked Riedlmayer to produce a report on the destruction of Muslim and Catholic religious monuments in 12 BH municipalities listed in the indictment against Ratko Mladić.

Mladić's defense counsel Branko Lukic described Riedlmayer's testimony as Bosnia and Herzegovina's 'advocating the Muslim interests'. The witness replied that he had testified as an expert on the Islamic heritage of the Balkans and not as a representative on any of the sides. The witness rejected the defense counsel's claim that he was 'anti-Serb' and 'pro-Muslim', saying such claims were tendentious. Riedlmayer denied any preferences for any of the ethnic groups, saying 'I favor Bosnia and Herzegovina as a civil state and I don't believe in ethnic divisions'.

In the better part of the cross-examination, the defense counsel asked Riedlmayer the same questions as Vojislav Seselj had when Riedlmayer had testified at his trial in 2008. Most of the questions focused on the witness's opinions expressed in his private correspondence and on his blog in 1993. In a letter to a friend, Riedlmayer described the ideology of the Serbian Radical Party as neo-fascist. Riedlmayer's friend then posted the letter on his blog. Today

Riedlmayer confirmed that in early 1990s he described the ideology of the extremist nationalism represented by the Serbian Radical Party as analogous to the ideologies from the World War II.

The defense claimed that Ratko Mladić never called for the destruction of Catholic churches or mosques. To respond to this allegation, in the re-examination the prosecutor played a recording of Mladić's speech in the RS Assembly. The accused then told the deputies that they 'couldn't allow that mosques with two minarets' remain in the area around Tesanj.

Finally, addressing Riedlmayer's testimony about a pig's skull that had been found in the interior of the ruined Mosque of Mehmed Pasha Kukavica in Foca, the defense counsel argued that the photo showed the skull of a unicorn animal. The defense counsel compared the skull with the photos showing skulls of various animals on the Internet. In the examination-in-chief, Riedlmayer had said that the pig's skull was left in the ruins of the religious building intentionally because the Muslims consider pig to be an impure animal. Riedlmayer remained adamant that there was no horn on the skull: as he said, horns grow from an animal's forehead, not from the cheeks as it appeared in the photo.

After Andras Riedlmayer completed his evidence, the prosecution called Jeremy Bowen, BBC war correspondent in Sarajevo.

2013-10-17

THE HAGUE

SARAJEVO: NO PLACE WAS SAFE

In his testimony at Ratko Mladić's trial, BBC war correspondent from Sarajevo Jeremy Bowen said artillery and sniper attacks on civilians 'were run-of-the-mill scenes' in the city. 'No place was safe' in the city, Bowen added



◀ Jeremy Bowen, witness at the Ratko Mladić trial

After prosecution expert Andras Riedlmayer finished his testimony at the trial of Ratko Mladić, the prosecution called Jeremy Bowen, former BBC correspondent in Sarajevo. He has already testified three times in The Hague. This is Bowen's last testimony before the Tribunal, as was Riedlmayer's.

Prosecutor Edward Jeremy read out the summary of Bowen's statement. In the summary, Bowen says that he was in Sarajevo for most of the war. In Bowen's words, 'no place was safe' in the city, the civilians could not find shelter anywhere against the shelling and sniper attacks from the Bosnian Serb positions. Bowen visited central, eastern and western Bosnia, and concluded that ethnic

cleansing was a 'constant feature of the conflict'. Bowen noticed that when Muslim villages were cleansed, women and children were expelled, and men and youths were taken to prison camps.

Several TV reports Bowen made for BBC during the war were played today in court. The first report, from July 1992, showed the shelling of Hotel Europa in Sarajevo, where refugees from other places in BH were staying at the time. The same footage showed the evacuation of Serb civilians from the city. According to Bowen, as the war continued, the Serb civilians came under increasing pressure.

The next video showed an artillery attack on children and other civilians in the Sarajevo cemetery at the funeral of Vedrana Glavas, a two-year old girl. Glavas and another child were killed in an earlier sniper attack on a bus transporting children from an orphanage. The children were being evacuated from the besieged city. The prosecution also played Bowen's TV report showing the aftermath of an artillery attack on civilians at a football match on Dobrinja. Bowen also described several sniper attacks, remarking that they were 'run-of-the-mill scenes' throughout the war.

The witness said that the attacks obviously came from the territory under the Serb control, although he admitted that he was aware of the 'conspiracy theories' according to which the BH Army shelled Sarajevo to force the international community to act against the Serbs. 'As an independent journalist I wouldn't hesitate a moment and would file my report about self-shelling, but it simply never happened', Bowen said.

The British journalist will continue his evidence tomorrow.

2013-10-18

THE HAGUE

'AN OCEAN OF TRAUMA, DESPERATION, SOLITUDE AND FEAR'

Describing the consequences of ethnic cleansing, British journalist Jeremy Bowen said at the trial of Ratko Mladić that that process was particularly traumatic in BH. Entire families were left 'without their homes and money' in mere minutes, women and children were 'completely lost' without their husbands and fathers. Their husbands and fathers were either killed before their eyes or taken to prison camps



◀ Jeremy Bowen, witness at the Ratko Mladić trial

The prosecution continued the examination-in-chief of BBC war correspondent at the trial of Ratko Mladić. Bowen said that the first wave of ethnic cleansing of non-Serb villages in BH took place in 1992. In the following period, the expulsions continued, but in a more sophisticated manner, not at gunpoint. Bowen used the example of Bijeljina where a local leader, Vojkan Djurkovic, put in place 'a bureaucratic procedure' for the expulsion of remaining Muslims. Djurkovic set up a Committee for the Freedom of Movement that 'allowed those who wanted' to leave the town to do it. At the same time, non-Serb civilians were intimidated and for all intents and purposes forced to apply to leave.

The ethnic cleansing culminated in July 1995 when thousands of women and children were expelled from the Srebrenica enclave before the execution of the captured men. The witness followed the process from Sarajevo. In his report for the BBC, Bowen used footage produced by the Serb TV network from Pale showing the evacuation of women and children. The men of military age were notably absent in the footage.

Describing the effects of the ethnic cleansing on the population, Bowen said that in his career he had covered about 17 or 18 wars, but the ethnic cleansing in the war in BH was 'particularly traumatic'. Civilians were often expelled from their homes in just a few minutes, and were able to take with them just a few personal belongings that were not taken from them. Able-bodied men and sometimes even boys aged 13 or 14 were separated from other civilians and executed, often in front of their relatives, or were taken to prison camps. The communities where it happened were patriarchal: men made decisions. Without them, the women and children were 'completely lost, cast into an ocean of trauma, solitude, desperation and fear'.

The same stories occurred in various places in BH; BBC broadcast them less frequently because of the 'fatigue' among the editors and the public. In Bowen's opinion, the stories should have been broadcast regularly because they showed there was a pattern of ethnic cleansing.

In the cross-examination, defense counsel Ivetic mostly focused on the Sarajevo part of the witness's testimony. Ivetic put it to Bowen that the 'conspiracy theory' about the BH Army shelling Sarajevo to obtain international support did make sense. According to the defense counsel, there were some facts that corroborated the theory. Ivetic showed several UNPROFOR documents in which suspicion was expressed that the government troops may have been behind the attacks on civilians. The witness replied that a whole theory couldn't be based on 'a single case'. Bowen explained that he heard the allegations about the BH Army shelling targets on their side for the first time from the deputy to UNPROFOR commander MacKenzie whose name he didn't want to disclose. When Bowen asked the deputy if there was any proof to support the allegations, the unnamed officer replied 'We don't have any proof, but that's what we think'.

The defense counsel also put it to Bowen there was an 'internal siege' of Sarajevo by the units under the command of criminals such as Caco, Celo and Juka Prazina. There were also bureaucratic obstacles for those who wanted to leave the city. The witness replied that there were some restrictions, but 'the only siege' was that mounted by the Bosnian Serb army whose units held artillery positions around the city. Bowen completed his evidence. The prosecution case continues on Monday.

2013-10-21

THE HAGUE

MLADIĆ'S CURSING IN COURT

The prosecution analyst testified about Mladić's outburst in court on 18 February 2013. During a break in the trial, the accused uttered 'shocking' and 'extremely offensive' words to the protected witness. The Trial Chamber announced that the final prosecution witness would be examined in November 2013 and that the prosecution would rest its case in January 2014



◀ Dora Sokola, witness at the Ratko Mladic trial

On several occasions, Ratko Mladic's fondness for speaking too loud has resulted in his removal from the courtroom. Parts of the 'show' the accused put on during the breaks at the hearing on 18 February 2013 were admitted into evidence. Mladic then said something about a protected witness, RM 513, who testified entirely in closed session. Ten days later, the Trial Chamber described Mladic's words as 'shocking and extremely offensive'.

On 12 September 2013, Marija Karall, an OTP employee, was the first to give evidence about this incident. In closed session, Karall quoted the exact words of the accused. Today, OTP analyst Dora Sokola appeared in

court. She was tasked by the prosecution to listen to Mladic's reactions during the trial and breaks, as she speaks the same language as the accused.

Sokola noted that on 18 February 2013 during the break between the first and second sessions, Mladic told his defense lawyers he was 'proud' that he 'managed to get out from Mostar' the family of Yugoslav writer Mesa Selimovic. There followed some words that could relate to the protected witness: 'What the f... would she want, the Muslim...'. The end of the sentence was not read out, probably to protect the integrity of the witness. 'Ask her about Cicmo, he was a good fighter, he was killed near Trnovo. Did he rape her? Or was it Lieutenant Colonel Miljkovic, did he rape her?', Mladic said, and finally said something about a request to get some Macedonians out of Sarajevo.

Mladic's words sound disjointed to an extent, in part because the witness was not able to hear each and every word Mladic had said. What the witness did hear was reported in a document she wrote together with an OTP investigator. Today it was admitted into evidence in the case against Mladic.

As the defense counsel Miodrag Stojanovic cross-examined the witness, he argued that the accused had said those words in a 'privileged communication' with his defense lawyers. The witness replied that her task was to listen and report what the accused said, and she did it. The defense had presented a similar argument when it sought to postpone Marija Karall's evidence. The Trial Chamber rejected the motion at that time, explaining that by 'shouting out loudly' the accused waived the confidentiality of his communication with the defense counsels. Dora Sokola noted today that she could hear Mladic from one end of the courtroom to the other.

As the hearing continued, the parties discussed administrative issues. It was announced that the prosecution would call its final witness in November 2013. The prosecution is expected to rest its case in January 2014 once the Trial Chamber has ruled on all outstanding motions.

The next prosecution witness will testify tomorrow.

2013-10-22

THE HAGUE

PROSECUTION BEGINS CALLING EVIDENCE ON UN HOSTAGES

The prosecution has today begun calling evidence on the incidents in which more than 200 UN staff were taken hostage, the fourth and final joint criminal enterprise Ratko Mladic is charged with. The first to give evidence is a French officer who was disarmed at a UN check point on Vrbanja Bridge in Sarajevo in May 1995 together with nine other 'blue helmets'



◀ One of the UN hostages in May and June 1995

At Ratko Mladic's trial, the prosecution has begun calling evidence on Count 11 in the indictment charging the former commander of the VRS Main Staff with involvement in yet another joint criminal enterprise. As the indictment alleges, Mladic, 'in concert with other [members of the joint criminal enterprise] planned, instigated, ordered and/or aided and abetted' an action in which more than 200 UN military observers and peacekeepers were taken hostage by the Bosnian Serbs. The aim of the enterprise was to prevent further NATO air strikes against Bosnian Serb military targets following the strikes of 25 and 26 May 1995. The first of the witnesses slated to give evidence in the final stage of the prosecution case was a French officer whose identity

was protected: he testified under the pseudonym RM 401.

According to the summary of the statement given to the French judicial organs in Paris in March 1998, the witness and nine other 'blue helmets' from his unit were disarmed at a check point on the Vrbanja Bridge on 27 May 1995. They were then taken to different locations under the Serb control including the VRS military barracks in Lukavica. Over at least two days, the 'blue helmets' were beaten, tied to each other and threatened with death. At one point, the witness heard a message the VRS sent to UNPROFOR: if UNPROFOR rejected the demands made by the Serb side, the witness and other UN members would be executed. The hostages were released on 13 June 1995.

The witness provided more details about how they were disarmed and treated in captivity in the cross-examination by Mladić's lawyer Dragan Ivetic. Serb soldiers took the UN check point without a single shot fired in a 'sudden, very brutal nighttime operation', carried out commando-style. The Serb soldiers wearing UN uniforms showed up suddenly at the checkpoint at about 4 a.m. They overpowered two guards and then captured all the 'blue helmets' who were there. As the witness explained, he decided that his soldiers should not open fire to avoid 'slaughter on both sides'.

Defense counsel Ivetic quoted from a UN French Battalion document, which states that the 'blue helmets' at the Vrbanja Bridge were captured by 'fanatics' that is Chetniks under the command of Slavko Aleksic Vojvoda, and not by the 'regular Serb forces'. The witness said that most of the men in the group that captured him were indeed members of Aleksic's group, but insisted that there were also regular soldiers. After the arrest, he and other UN members were taken to the military barracks in Lukavica by soldiers wearing VRS uniforms. There, the provisions of the Geneva conventions pertaining to the rights of the prisoners of war were read out to them, the witness confirmed, much to his surprise. The witness thought it 'paradoxical' that he and his soldiers should find themselves in a situation where they were treated as detainees or hostages, in the first place.

As the witness recounted, two UN members were taken to a military facility in the Serb-controlled area on 29 and 30 May 1995. There the UN members were handcuffed to the building as human shields to protect it against NATO air strikes. As he answered the defense counsel, the French officer said that he and his men were treated well while they were in Lukavica. Prosecutor Lee asked the witness if he believed that being handcuffed to a military facility constituted good treatment. It was 'unacceptable', the witness replied, but it was better than what happened to them immediately after their arrest on 27 May 1995. When the witness spoke about the worse treatment, the court went into closed session.

Ratko Mladić is charged with participating in four separate but interrelated joint criminal enterprises: ethnic cleaning of large parts of BH, the terror campaign in Sarajevo, the genocide in Srebrenica and taking UN staff hostage.

2013-10-23

THE HAGUE

WITNESS ILL, MLADIĆ'S TRIAL ADJOURNED

Ratko Mladić's trial was adjourned when a witness fell ill. The trial is expected to continue on Friday, as the Tribunal is closed on Thursday. In line with the Appeals Chamber's decision, from now on, Mladić's trial will proceed four days a week instead of five.

After a half-hour delay, the trial of Ratko Mladić began without a witness and was soon adjourned. The prosecutor announced that former UN military observer in BH, Patrick Rechner, had fallen ill and was unable to appear in court. The next witness, former UN peacekeeper Jonathan Riley, will arrive in The Hague Wednesday evening. The prosecution has thus run out of witnesses for the time being.

The Trial Chamber decided to deal with some pending procedural issues and to end the hearing. Since the Tribunal is closed on Thursday because of the UN Day, the trial will continue on Friday morning. Riley will be called as the first witness. Rechner is unlikely to be called before next week.

In the spring of 1995, Rechner and Riley were both arrested by the Bosnian Serb soldiers who then held the pair hostage for a while to prevent NATO air strikes against Serb positions. Taking UN staff hostage is one of the four joint criminal enterprises in BH Mladić is charged with. The prosecutor started calling evidence on that count in the indictment on Tuesday with the testimony of a French officer whose identity was protected.

Apart from the current upset in the schedule, there will be another long-term change at the trial of the former VRS commander Ratko Mladić. It was indicated that the Appeals Chamber granted the defense motion for four-day working weeks, instead of five. Presiding judge Orić, whose Trial Chamber at first rejected the request, said that the decision on the schedule for the forthcoming week would be issued by the end of the week. The doctors that monitor Mladić's health proposed that the court take a recess on Wednesday.

2013-10-25

THE HAGUE

'HOSTAGE OPERATION' RUN BY TOP VRS ECHELON

Former commander of the Welsh battalion serving in UNPROFOR Jonathan Riley described at Ratko Mladić's trial how his soldiers were captured in the spring of 1995 and placed around VRS facilities to prevent NATO air strikes. The prosecution showed a document indicating that the hostage-taking operation was run from the VRS Main Staff



◀ Jonathan Riley, witness at the Ratko Mladić trial

In May 1995, British general Jonathan Riley commanded the 1st Battalion of the Royal Welsh Fusiliers. His unit served in UNPROFOR in Bosnia. Thirty-three of his soldiers were taken hostage by the VRS. As he testified at the trial of Ratko Mladić, he said that six hostages were wounded in a traffic accident and taken to the Visegrad hospital. The remaining 27 were placed around the VRS depots and other facilities as a human shield.

As the witness said, the objective of the hostage-taking operation was to prevent NATO from pursuing an air campaign against Serb positions, launched on 25 and 26 May 1995 because the Bosnian Serbs had violated the cease-fire agreement and attacked Sarajevo and

Gorazde. The hostage taking operation is one of the fourth joint criminal enterprises that the former VRS commander is charged with.

Riley was not among the hostages, but he spoke to the soldiers from his battalion after their release in Bugojno. They told him that after their capture they were held in VRS facilities, from Bileca in the south to Rogatica and Zvornik in the north.

An order issued by the VRS Chief of Staff Manojlo Milovanovic on 27 May 1995 shows, according to the prosecution, that this was an action organized with great precision by the top Bosnian Serb political and military echelons. Last week, the defense argued that the hostages were taken by groups of isolated 'Chetnik fanatics' acting of their own accord. Milovanovic orders his troops to place captured UN members around VRS depots and other facilities in order to deter NATO from launching air strikes. The witness confirmed that the Welsh officers and soldiers were treated like that. A document of the Drina Corps operationalizing the VRS Main Staff order was also admitted into evidence.

According to the prosecution, the fact that on 2 June 1995 Mladić ordered the release of the six wounded Welsh UNPROFOR soldiers showed that Mladić controlled the hostages' fate. In the cross-examination, the defense argued that the order had been issued by the supreme commander, Radovan Karadzic, and that Mladić had merely implemented it. Riley concurred and explained that in the chain of command, the supreme commander issues orders, carried out by his subordinates.

Defense counsel Branko Lukic put it to the witness that the Welsh battalion was biased, because it supported the BH Army in Gorazde. The witness explained that impartiality did not mean treating all the warring sides equally, but implementing the mandate: to keep the enclave safe and protect civilians in the enclave. The defense showed a document in which the UNPROFOR commander in BH, General Smith states his forces 'are very close to becoming an ally of the BH Government' because the Serb side had violated the peace agreement. The document was written after the hostage crisis, after the unlawful treatment of the UN peace-keepers by Mladić's troops ended, Riley replied.

Ratko Mladić's trial will continue on Monday.

2013-10-28

THE HAGUE

EVIDENCE FROM ORAHOVAC MASS GRAVES

Fredy Peccerelli, forensic anthropologist from Guatemala, gave evidence at the trial of Ratko Mladić today. In the summer of 2000, Peccerelli led the exhumations of mass graves at the Lazete location, near Orahovac. As alleged in the indictment, in July 1995 Mladić's troops executed and buried about 1,000 Muslims captured after the fall of Srebrenica at that site



◀ Fredy Peccerelli, witness at the Ratko Mladic trial

According to the indictment against Ratko Mladic, the forces under his command executed and buried about 1,000 Muslims captured after the fall of Srebrenica in a field near Orahovac on 14 July 1995. In the summer of 2000, a forensic anthropologist from Guatemala, Fredy Peccerelli, led the exhumations of the victims' bodies. The operation was part of the OTP Srebrenica investigation.

Peccerelli's task was to locate and exhume mass graves and to secure the remains in the mortuary in Visoko. Also, Peccerelli had to archive the items recovered in the graves. Peccerelli's two reports pertaining to the

exhumations of primary graves at Lazete 1 and 2 were admitted into evidence. Based on the aerial photos of the area, Peccerelli concluded that the graves were dug between 5 and 27 July 1995.

In the Lazete 1 mass grave, Peccerelli and his team recovered the remains of 127 persons. Two more bodies were found in a ditch nearby. Of those bodies, 89 had linen blindfolds. Only 16 bodies were found in the second mass grave, Lazete 2. A large number of bullet casings were also recovered from the grave. The witness said that both graves had been 'robbed' at one moment. The bodies were moved and buried in other locations in the so-called secondary graves.

Mladic's defense counsel Miodrag Stojanovic argued in the cross-examination that the forensic team run by the *Physicians for Human Rights*, an NGO, started the exhumation at Lazete 2. They stopped the operation after finding some bodies. Stojanovic suggested this was 'sloppy science', especially because the surface hadn't been examined first and the existence of casings hadn't been confirmed. This, the defense counsel noted, left room for speculation that the casings found later by Peccerelli's team could have been dumped at the site in the period from 1996 to 2000.

Peccerelli agreed that strictly speaking one could say that the 1996 exhumations and the procedure applied by the *Physicians for Human Rights* was not in line with the established rules. However, Peccerelli added that he was not at the site and couldn't draw any conclusions. As he noted, the important thing was to get the 'broader picture' of the events that unfolded at the time.

Stojanovic put to the witness the defense case that the mass graves in Lazete did not contain the bodies of the Muslims who were executed but those who were 'killed as they fought' the VRS soldiers in the woods about four kilometers from the locations. The bodies of those who had 'fallen in battle' were allegedly collected in a terrain clean-up operation, and were then buried. Stojanovic showed the witness the photos of two BH Army soldiers with linen bands. One wore it around the head, and the other on the arm. The defense counsel asked the witness if he knew that the BH Army soldiers wore linen headbands similar to those recovered in the mass graves. The witness replied that he heard about it for the first time from Radovan Karadzic, when he testified at Karadzic's trial. The only similarity between the headbands in the photos and those from the mass graves was that they were both made of fabric, Peccerelli said.

2013-10-29

THE HAGUE

HUMILIATED AND LET DOWN

In his evidence at the trial of Ratko Mladic, Canadian Patrick Rechner spoke about the 1995 'hostage crisis'. Rechner said that he had felt 'let down and humiliated' when he was taken hostage, used as a 'human shield' and threatened with death if NATO pursued air strikes against Bosnian Serb military targets. The defense contends that the paramilitaries were responsible for the bad things experienced by the witness and his colleagues



◀ Patrick Rechner, witness at the Ratko Mladic trial

The trial of the former VRS Main Staff commander Ratko Mladic continued with the evidence of Patrick Rechner from Canada. In May and June 1995, Serb forces held Rechner hostage and used him as a human shield to prevent NATO air strikes. At the time of the 'hostage crisis' the witness headed a team of UN military observers at Pale. The UNMO's main task was to maintain contacts with the Bosnian Serb political and military leadership.

In his statement to the OTP Rechner said that he had felt 'let down and humiliated' when he was taken hostage, used as a 'human shield' and threatened with death if NATO continued its air strike campaign against the Bosnian Serb military targets. The prosecutor played a

video recording showing Serb soldiers taking Rechner and his two colleagues to Jahorinski Potok. The Serb soldiers handcuffed them to lighting rods in front of the ammunition depot that had already been targeted by NATO.

When Serb soldiers broke into the military observers' premises at Pale on 26 May 1995, Rechner called the Republika Srpska president, as he explained in the cross-examination by Mladić's lawyer. Karadzic's secretary Mira told Rechner that 'those men have been sent there officially'. When Rechner asked Karadzic's legal advisor Jovan Zametica 'what's going on', Zametica briefly told him that he 'heard that something had been organized'. Zametica advised Rechner to 'be as cooperative as possible with those men'.

The defense tried to prove that 'those men' were paramilitaries and that the VRS 'didn't have anything' to do with the arrest of UN observers and other 'ugly incidents' Rechner mentioned in his testimony. According to Mladić's lawyer Miodrag Stojanovic, paramilitaries were to blame. Among them was Nicholas Ribic, a Canadian of Serb origin. Ribic threatened the observers that they would be killed if NATO didn't stop air strikes. The Canadian Federal Court sentenced Ribic to three years for terrorism and hostage-taking in May and June 1995.

As Stojanovic noted, in a questionnaire he filled in after his release, Rechner stated that he had been arrested by paramilitaries on 26 May 1995. Rechner explained that during their detention one of the soldiers who had arrested them identified himself to Rechner's colleague as a paramilitary. This led Rechner to conclude that the other soldiers were members of the same unit. Rechner also said that in the months before the 'hostage crisis' the VRS had been gradually restricting UNPROFOR's freedom of movement. By the time they were arrested, they were already for all intents and purposes under 'house arrest'.

The defense counsel put it to Rechner that when the air strikes were launched, the UN became a 'side in the conflict' and that Rechner and other UN members were considered 'prisoners of war'. Rechner said that he and his colleagues didn't feel like prisoners of war. On the contrary: they had been unlawfully arrested, held hostage and used by the Serb forces as 'human shields', Rechner said.

In the re-examination, prosecutor Camille Bibles brought up a VRS order from February 1994 stating that if NATO launched air strikes, all foreigners in Republika Srpska – including member of UNPROFOR and of international humanitarian organizations – should be attacked, arrested and held hostage until NATO stopped the strikes. Asked if that order reflected what had happened to him, the witness replied that it 'was much worse than that' in 1995. UN members had been taken to military facilities before, but were not used as human shields and they had not been threatened with execution.

2013-11-05

THE HAGUE

MLADIĆ'S DEFENSE CONTESTS EXPERT FINDINGS ABOUT MARKALE 2

In the cross-examination of Richard Higgs, prosecution mortars expert, the defense attempted to contest his conclusion that the shell that killed 43 and injured 75 Sarajevo inhabitants on 28 August 1995 was fired from the VRS positions on Mount Trebevic



◀ Richard Higgs, witness at the Ratko Mladić trial

The defense of Ratko Mladić, former VRS Main Staff commander, continued the cross-examination of Richard Higgs, prosecution mortars expert. Mladić's defense tried to contest Higgs's conclusion that the shell that hit the Markale market on 28 August 1995 was fired from the VRS position on Mount Trebevic. As alleged in the indictment against Mladić, 43 inhabitants of Sarajevo were killed and 75 were injured in the incident.

The defense highlighted the differences between the reports on the Markale incident the British expert prepared for the trials of Radovan Karadzic and Ratko Mladić that pertained to the measurements used to calculate the direction of the shell. The differences show

that Higgs made some mistakes in the report he produced for the Karadzic trial, the defense argued. According to the defense, Higgs then tried to correct the mistakes in his latest analysis by 'adjusting' the calculations from the crime scene reports to fit the prosecution's allegations.

Higgs agreed that he had amended to some extent the report used at Mladić's trial. However, in Higgs's view the 'differences were minimal' and didn't have an impact on his conclusions in the report.

The cross-examination of the prosecution expert was highly technical and extremely confused today. The fact that defense experts had prepared the questions asked by defense counsel Lukic only added to the confusion. At times, Lukic himself didn't understand the questions, and couldn't reply to the judges who sought clarifications.

Today Mladić didn't attend the hearing. The reason for Mladić's absence wasn't disclosed. It was only noted that

the accused had waived his right to attend the trial. The defense will continue cross-examining Richard Higgs on Thursday, 7 November 2013.

2013-11-07

THE HAGUE

CONTESTING MARKALE 1

Ratko Mladic's defense continued cross-examining expert Richard Higgs in a bid to contest his findings on the Markale market incident that occurred on 5 February 1994. According to the indictment, 66 persons were killed and 140 injured in the incident



◀ Richard Higgs, witness at the Ratko Mladic trial

In his analysis of mortar incidents listed in the indictment against Ratko Mladic, prosecution expert Richard Higgs established that the purpose of the VRS artillery campaign in Sarajevo was to 'inflict as many casualties as possible' and the shelling was conducted in a way that served to further this goal. As Mladic's defense lawyer continued the cross-examination, he tried to contest this and other findings in the expert report using the Markale market incident on 5 February 1994 as a case in point. The indictment alleges that 66 persons were killed and 140 wounded in the incident.

Mladic's defense counsel Branko Lukic put it to the British mortar expert that it was not very likely that a mortar crew could hit the Markale market with a single shell without correcting fire. Higgs begged to differ, saying it was possible to open accurate fire from a mortar. As Higgs said, he wouldn't be surprised to see a single shell hit a target, provided accurate calculations had been done in advance.

Lukic also highlighted the 'mistakes' in the local police reports on the Markale incident. One of the mistakes pertains to the sketch of the market stalls made by the Sarajevo Security Services Center. In the sketch, the stalls are depicted as having sloping roofs while the on-site photos showed the horizontal roofs, the defense argued. Also, Lukic suggested it was not very likely that a shell could 'squeeze through' the stall roofs which were very close together and explode as it hit the asphalt.

Higgs replied that he didn't see any evidence that would indicate that the shell had exploded on the roof of a stall in the Markale market. Answering a question asked by the presiding judge Orić, Higgs said that around 12 centimeters would have been enough for the shell to pass between two stall roofs and not explode. The witness didn't find it strange that the crater had been covered with asphalt dust, as shown on the photos exhibited in court.

The defense will continue cross-examining Richard Higgs on Friday, 8 November 2013.

2013-11-08

THE HAGUE

DEFENSE: INVESTIGATIONS OF ARTILLERY INCIDENT FULL OF FLAWS

As the cross-examination of Richard Higgs, prosecution mortars expert, drew to a close, Mladic's defense strove to prove that there were many flaws in the investigation of artillery incidents. As a result, reports drafted by the local police, UNPROFOR and UN military observers weren't reliable. Higgs doesn't see why he shouldn't believe the reports and stands by his findings



◀ Richard Higgs, witness at the Ratko Mladic trial

Richard Higgs, prosecution mortar expert, completed his evidence at the trial of the former VRS Main Staff commander Ratko Mladic. As alleged in the indictment, Sarajevo was shelled using mortars during the war. In his replies to the defense, the British expert stood by all of his conclusions in the analysis of mortar incidents listed in the indictment against Mladic.

Mladic's defense tried to prove that a number of errors were made in the investigation of the incidents. Consequently, no reliable conclusions about the origin of the mortar fire could be drawn from the reports of the

local police, UNPROFOR and UN military observers. In the defense's view, this is clearly reflected in the contradictory findings of the investigators about the caliber and the direction of shells. In some cases, investigations were carried out well after the incident. Higgs refused to budge, saying he didn't see why he should not believe the reports he had examined. He stuck to the conclusions from his expert analysis.

Defense counsel Branko Lukic used video recordings to prove that two stabilizers were found in Markale in August 1995, not one as the prosecution alleged. After he saw the recording and examined the photos the witness said that he stood by his earlier conclusion that only one stabilizer was depicted in the video. The fact that the body and fins show the same damage in the photos supports the conclusion about a single stabilizer, Higgs explained.

Prosecutor Adam Weber noted in the re-examination that the defense counsel had tried to confuse the witness in the cross-examination when he put it to the witness that incorrect firing tables had been used for the Markale incident from February 1994. As regards the second Markale incident which occurred on 28 August 1995, the prosecutor asked the witness some general questions about the type of ground where mortars can be mounted. The indictment alleges that the shell that caused the second Markale incident was fired from the VRS position on Mount Trebevic.

Higgs said that a mortar could be placed on almost any type of terrain. A 120-mm mortar should preferably be mounted on a flat surface, about four square meters in size. Higgs explained that a mortar could as well be placed on steep ground, but this required more time and effort because a mortar must then be dug into the ground for stability.

The trial of Ratko Mladic continues on Monday, 11 November 2013.

2013-11-12

THE HAGUE

MLADIC RESPONSIBLE WHETHER 'HE LIKES IT OR NOT'

Despite the efforts of the defense to describe the Republika Srpska Army as decentralized, British general Richard Dannatt 'politely thanked' them sharing with him the instructive materials in court. He nevertheless remained adamant that General Mladic was responsible for the events in the field, 'whether he likes it or not'



◀ Richard Dannatt, witness at the Ratko Mladic trial

In the cross-examination of General Richard Dannatt, Mladic's defense challenged the prosecution military expert's conclusion that the Republika Srpska Army was based on the principle of centralized command and control. In his expert analysis of command and control in the VRS, Dannatt concluded that detailed orders came in from the top and that 'nothing was done without Mladic's authorization'.

According to Dannatt, the VRS's structure was based on the corps and various units that were subordinate to them: the Territorial Defense, the paramilitary units including the Scorpions and all other formations in the field. The corps commanders had jurisdiction over

everything in the field, and they in turn reported directly to the General Staff and General Mladic. Mladic was responsible 'whether he likes it or not'. The defense counsel argued that the Scorpions were stationed in Djeletovci, Croatia, and that they were attached to the MUP of the Republic of Serbian Krajina. Dannatt remained adamant that the unit 'operated in Republika Srpska, in the area of responsibility of the Krajina Corps'. The Scorpions were thus under Mladic's command and control.

As the Srebrenica operation was in full swing, on 15 July 1995, Ratko Mladic met with the top officials of the international community in Belgrade, including General Rupert Smith. Dannatt claimed that at the meeting Smith 'asked Mladic about the massacres, rapes and executions in Srebrenica'. According to the defense and Yasushi Akashi's report of 17 July 1995, Mladic and Smith reached an informal agreement on a number of issues including the supply lines, rotation of UNPROFOR staff and freedom of movement. Dannatt replied that Mladic made a concession because he was afraid the events in and around Srebrenica would cause trouble for Republika Srpska. Asked if Mladic would have allowed Smith to come to Srebrenica if he had had anything to hide, Dannatt replied that at the time the men had already been executed and their bodies had been buried in places away from Srebrenica. Dannatt also said that when Mladic left for Serbia, the command was transferred to his chief of staff, Milovanovic, who always informed Mladic of his decisions before implementing them.

The defense counsel also presented an excerpt from Dannatt's book in which he summarized his conclusions from the testimony at the trial of Drina Corps commander Radislav Krstic. Krstic's 'body language' led him to conclude that Krstic considered that his blind acceptance of Mladic's orders to kill the men in Srebrenica was a 'mistake', Dannatt wrote. Today Dannatt confirmed that he did not actually see Mladic's 'physical order'. But based on the chain of command, Dannatt concluded that Mladic was the only person who could issue such an order to Krstic.

In his book, Dannatt notes that during his stay in Banja Luka in 1995 he was ready to arrest Radovan Karadzic if he had half a chance, but that the situation with Mladić was 'different'. Mladić's arrest would have caused uproar, but 'this monster cannot run forever – he will end up under arrest at one point'. When he was asked if he still considered Mladić to be a 'monster he wanted to face justice', Dannatt replied, 'Yes'.

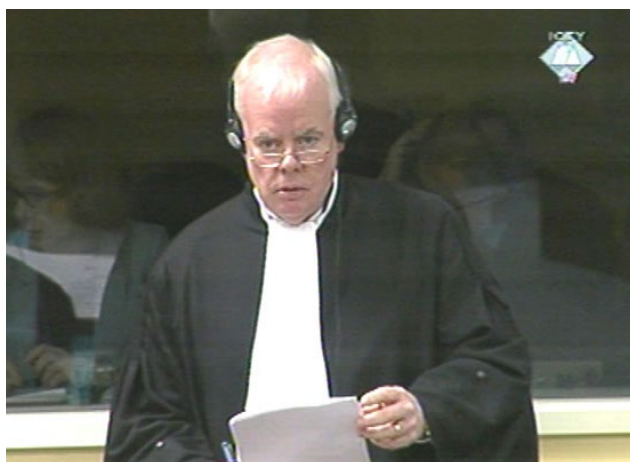
After General Dannatt, who is a former British chief of defense, completed his evidence, the prosecution called Ewa Tabeau. Tabeau is the prosecution's demography expert.

2013-11-13

THE HAGUE

PROSECUTOR: TOMASICA FINDINGS TO BE ADMITTED INTO MLADIĆ CASE

The prosecution has indicated that the evidence from the mass grave in Tomasica near Prijedor will be tendered into evidence in the case against Ratko Mladić. A total of 470 bodies have been exhumed so far. The trial continued today with the evidence of the prosecution demography expert, Ewa Tabeau. According to the updated data presented by Tabeau, 6,745 victims from the Srebrenica mass graves were identified until the summer of 2013



◀ Dermot Groome, prosecutor at the Ratko Mladić trial

Prosecutor Dermot Groome notified the Trial Chamber at the beginning of the hearing about the exhumation of the Tomasica mass grave, near Prijedor. Out of the 470 bodies exhumed to date, ten have been preliminarily identified. The data have shown that the victims could be linked to the charges listed in the indictment against Ratko Mladić.

Groome brought up the entry in Mladić's war diary for 27 May 1993, where Mladić notes that the Prijedor police chief Simo Drljaca had asked the army to help remove about 5,000 bodies buried in the Tomasica mine. As Mladić wrote, Drljaca wanted to 'foist that task on the army' and to 'get rid of' the bodies 'by burning them, grinding them or in some other way'.

As Groome said, the prosecution considers it as its obligation to include the Tomasica findings in the Mladić case. The prosecution will dispatch forensic anthropologist John Clark to examine the site.

The prosecution then called its next witness, demography expert Ewa Tabeau. According to the latest figures in the report Dr. Tabeau wrote for Mladić's trial, by 21 July 2013 a total of 8,047 victims were recovered from the mass graves linked with the fall of Srebrenica and Zepa. Of that number, 6,745 persons, 85.8 percent, have been identified. The total number of confirmed victims from other incidents in other municipalities listed in Mladić's indictment stands at 1,965.



◀ Ewa Tabeau, witness at the Ratko Mladić trial

The report about the changes in the ethnic structure of the population in 22 municipalities in Bosnia and Herzegovina states that 436,000 persons were expelled or fled from those municipalities during the war. 218,000 of them were Muslims. According to Tabeau, this is a very high figure, which shows that the ethnic composition of the population changed substantially. Such substantial changes can, as she argued, be explained only by reasons linked to the war in BH.

As the hearing drew to a close, Mladić's defense began cross-examining Dr. Tabeau. Tabeau's cross-examination will be completed after the court hears the evidence of Janusz Kalbarczyk, a Pole who served in the UN as an

observer. In May and June 1995, the Serb forces held Kalbarczyk hostage and used him as human shield against NATO air strikes.

2013-11-14

THE HAGUE

HUMAN SHIELD ON MOUNT JAHORINA

Janusz Kalbarczyk from Poland testified today at the trial of Ratko Mladic. In May and June 1995, Serb troops used Kalbarczyk and about 200 other UN members as human shields against NATO strikes in the Mount Jahorina region



◀ Janusz Kalbarczyk, witness at the Ratko Mladic trial

At the trial of Ratko Mladic, the prosecution called Janusz Kalbarczyk, a retired colonel in the Polish army. Kalbarczyk is one of about 200 UN peacekeepers who were held hostage by the Bosnian Serb troops in May 1995. They were used as human shield against NATO air strikes, as the prosecution alleges. At the time, Kalbarczyk was a major serving as a UN military observer in Pale.

The Serb forces arrested Kalbarczyk the day after the first NATO air strikes against Serb targets, in the morning of 26 May 1995. Kalbarczyk was first taken to Jahorinski Potok, where he was handcuffed to a lightning rod near an ammunition depot targeted by air strikes. A Serb officer held a gun to his head and told Kalbarczyk that he

had been ordered to kill the 'blue helmets' if NATO didn't stop the air strikes.

Several hours later, Kalbarczyk and a Canadian peace-keeper, Patrick Rechener, were taken to Mount Jahorina. There, a journalist from a Serb TV network interviewed Kalbarczyk and Rechener standing next to a radar facility. 'Whether they live or not will depend on whether NATO continues the air strikes', the journalist concluded in the footage. Another interview with the witness, filmed the next day at the same location, was also broadcast.

In his evidence, the witness spoke about the impact of his detention by the Serb forces. After his release and a leave of absence, he returned to the post of a military observer. Kalbarczyk noticed that he got 'upset every time I saw Serbs'. He also realized he would get 'emotional' whenever he spoke about his time in detention, and he felt he would cry.

As he answered the questions asked by Mladic's defense, Kalbarczyk said that until his release on 13 June 1995 he and other UN members were held captive in the VRS military barracks in the Pale region. From there, the detainees could be moved to any of the potential NATO targets as needed. This only increased their feeling that they were used as human shields, Kalbarczyk said. The witness recounted that on 2 or 3 July 1995 they were visited by a delegation which included Ratko Mladic.

The witness dismissed defense counsel Stojanovic's suggestion that Mladic wasn't in that delegation. Kalbarczyk explained that at first he didn't recognize Mladic because he was in civilian clothes. Later that day, he realized that it was Mladic, because he saw him on TV.

The defense put it to the witness that because of the NATO air strikes, there was a danger that the local population would act aggressively towards the 'blue helmets'. Therefore, the VRS commanders ordered measures for their 'protection'. There really was a danger, Kalbarczyk agreed, especially on the first day of their detention, when Serb soldiers left them alone, handcuffed to a car. The residents of Pale pelted them with stones and spat on them. In Kalbarczyk's view, this only meant that the VRS soldiers didn't really care what would happen to them.

2013-11-15

THE HAGUE

TRIAL CHAMBER ORDERS MEDICAL EXAMINATION FOR MLADIC

Ratko Mladic's Trial Chamber has ordered that the accused undergo a detailed medical examination to establish if the trial could be on five instead of four days a week. In the decision, the judges indicate that a four-day schedule could mean that Mladic's trial would extend until mid-2016

The Appeals Chamber granted the motion of Ratko Mladic's defense and ordered the trial judges to cut the working week short, from five to four days. The Trial Chamber issued ordered that the accused undergo a detailed medical examination during the break between the prosecution and the defense case.

In the request to reduce the working week, the defense quoted the opinions of two medical doctors from Belgrade, who stated that the former commander of the VRS Main Staff was at risk of a new stroke. The Chamber then heard the Detention Unit doctor, who said their assessment was a worst case scenario. According to him, Mladic could suffer "burnout" brought on by exhaustion.

In the order the Trial Chamber notes that before the defense case opens in February or March 2014, the judges want to get an updated report on the "Accused's overall health situation" with a special emphasis the reports of his cardiologist and neurologist.

This examination should tell the judges if the accused is at a risk of a stroke if the trial continues on a five-day sitting schedule. The Trial Chamber expects the doctors to assess the risk in comparison to the average risk for men of his age, to say whether a break of about two to three months in the forthcoming period would influence the degree of risk and whether a delay in the conclusion of the trial by a period of half a year in 2016 would be medically preferable to maintaining a weekly court schedule of hearings during 5 days a week resulting in an earlier conclusion of the case.

The doctors are expected to submit their confidential reports as soon as possible and not later than 24 January 2014.

2013-11-18

THE HAGUE

PROSECUTION EXPERT WITNESS USED INAPPROPRIATE' TERMINOLOGY

Ratko Mladić's defense has argued that the words such as 'massacre', 'atrocities', 'scale of victimization', and 'ethnic cleansing'... were 'inappropriate' for an expert report on demography. Ewa Tabeau, the prosecution's demographer, begged to differ, noting that the terminology stemmed from the data collected after the discovery of mass graves



◀ Ewa Tabeau, witness at the Ratko Mladić trial

The cross-examination of the prosecution's demography expert Dr. Ewa Tabeau was completed today at the trial of Ratko Mladić. Last week Tabeau's cross-examination was interrupted in order for the judges to hear the evidence of Janusz Kalbarczyk, former UN soldier who was held hostage and used as a human shield against NATO air strikes by the Serb troops in May and June 1995.

The defense insisted that Ewa Tabeau used 'inappropriate' terms in her report: words such as 'massacre', 'atrocities', 'scale of victimization', 'ethnic cleansing'... Mladić's defense counsel Dragan Ivetic put it to her that she adopted the terminology used in the media, an unreliable source for an expert demography report.

As Ewa Tabeau argued, the words were 'very appropriate' given the topic of her demographic analyses. In the report on Srebrenica, Tabeau noted, she spoke of about 8,000 men that disappeared when the enclave fell into the Serb hands. Most of them were later found in unmarked mass graves, exhumed and identified. Her terminology stemmed from the data, not the media, Tabeau concluded.

Mladić's defense attempted to contest the number of victims, noting that the report on Srebrenica does not specify how many persons were killed in combat in the attempt to break out of the enclave through the woods. The Srebrenica report does not establish how many victims died in mine fields or how many of them committed suicide in order not to fall into the Serb hands alive.

The defense counsel also noted that the lists of missing persons from Srebrenica in some instances overlapped with the BH Army records and that the BH Army lists didn't include the 'Muslim paramilitaries'. Tabeau confirmed that about 70 per cent of the names from the missing persons lists were soldiers. In her expert reports she didn't deal with the cause of death, Tabeau emphasized.

After Ewa Tabeau completed her evidence, the prosecution called its military expert, Ewan Brown, from Great Britain.

2013-11-19

THE HAGUE

VRS OPERATIONS WERE BASED ON STRATEGIC GOALS

The prosecution military expert contends that the strategic goals set by the political leadership on Pale were the basis for VRS operations. According to the expert, the accused Ratko Mladić had to have received reports about the attacks on non-Serbs in Bosnian Krajina and about the conditions in prison camps



◀ Ewan Brown, witness at the Ratko Mladic trial

Prosecution military expert Ewan Brown presented his expert report, *Military Situation in the Bosnian Krajina in 1992*, at the trial of Ratko Mladic.

In early 1992 in Bosnia and Herzegovina the JNA 'operated on two tracks'. On the one hand, the JNA troops were deployed throughout the country in order to ease the interethnic tensions, while on the other, it directly helped Bosnian Serbs. In the entry on 30 April 1992 of his war-time diary, Mladic wrote that General Adzic, the Chief of the JNA General Staff, assured him the JNA would remain in the Serb regions despite the official line which was that the JNA would pull out of BH.

In his report Brown presented in detail the transformation of the JNA 5th Corps into the VRS 1st Krajina Corps that operated in Bosnian Krajina. Mladic received reports about what happened to the non-Serbs in Bosnian Krajina, Brown claimed. Among the documents that corroborate the claim is a report sent on 12 May 1992 to the 2nd Military District, at the time when he was its commander. The report speaks in detail about the mass exodus of Croats and Muslims from Donji Vakuf. Brown included the combat reports of the 1st Krajina Corps in the same category of documents. The combat reports speak about the large number of non-Serbs captured after the cleansing operations. On top of that, on 30 April 1992 Mladic wrote in his diary under the heading *Enormous Damage* the following words: 'Arkan in Bijeljina; Foca razed to the ground, looting, arson; burning of Croatian villages in Kupres; shelling of the old part of Sarajevo'. All that, Brown concluded, shows that Mladic knew what was going on in the field.

The analysis of political and military of documents made it possible for Brown to establish a direct link between the military operations and the six strategic goals of the Bosnian Serbs. Karadzic presented the goals on 12 May 1992 to the RS Assembly; the VRS was formally established at that session. Mladic warned the politicians at the session that 'people are not little stones or keys' that can easily be moved from pocket to a pocket. The attempt to move them could easily lead to 'genocide' that the 'political leadership will have to explain'. Mladic went on to conclude that they should be 'cautious' and all their actions 'should remain top secret'. Finally, a report of the VRS Main Staff on combat readiness in 1992 states that the goals 'served as a general guideline, providing as a basis for the planning of VRS operations'.

Brown concluded that the Main Staff had to have been informed about the conditions in prison camps, especially in Manjaca. However, the annual report prepared by the Main Staff is not critical of the operations conducted by the 1st Krajina Corps that resulted in civilian victims and makes no mention of the prison camps at all.

At the beginning of the cross-examination, Mladic's defense counsel Branko Lukic tried to contest the witness's claim about the JNA's 'partiality'. According to the defense, the JNA had to protect Serbs in Croatia and Bosnia because the other two sides had obtained arms and were gearing up for the war. Ewan Brown's evidence continues on Thursday.

2013-11-22

THE HAGUE

NUTRITIONIST IN MANJACA PRISON CAMP

Mladic's defense tried to exonerate the army for the conditions and treatment of prisoners in the prison camps in Bosnian Krajina. According to Mladic's defense, the prisoners were malnourished because of a general food shortage, even though the Manjaca prison camp command had even hired a nutritionist. 'If he existed, the nutritionist obviously didn't do his job', the prosecution military expert replied



◀ Ewan Brown, witness at the Ratko Mladic trial

The prosecution military expert Ewan Brown completed his four-day testimony at the trial of Ratko Mladic. For the purpose of the trial, Brown wrote a report, *Military situation in the Bosnian Krajina in 1992*.

In a bid to refute the report's findings, the defense counsel insisted that the army punished those who committed crimes against non-Serbs. Stressing that the VRS followed the same strict disciplinary measures as the JNA had, the defense counsel showed an order issued in June 1992. The troops were ordered to prevent looting 'at any price', to observe international standards in the treatment of the enemy, and to punish perpetrators, which included their 'physical elimination'.

This prompted Brown to ask if such 'ultimate sanctions' had ever been used. The documents Brown examined did

not contain any evidence that 'rigorous, robust and efficient measures' were taken. Brown did not see any evidence that investigations were launched against any high-ranking officers. There were only a couple of motions filed by military prosecutors; investigations were half-hearted and the cases were dropped.

Lawyer Branko Lukic tried to contest Brown's conclusion that the VRS supported organized looting of non-Serbs' property. To corroborate this claim, Lukic presented a document signed by General Talic in May 1995. The document ordered that the supplies should be brought in 'as usual'. In Brown's words, Talic issued double orders. On the one hand, Talic strove to prevent looting and disciplinary infractions, but only on a case-to-case basis. On the other, Talic 'gladly condoned' the policy of the authorities to seize the movable and immovable property of those who had left. According to the instructions of the RS authorities in July 1992, that property was to be centralized and placed at the disposal of the state. 'It seems that the authorities didn't want individuals to profit from the exercise', Brown concluded. The fact that few cases were ever investigated created an atmosphere in which soldiers knew they could loot with impunity. This rendered the initial orders to prevent crimes 'pointless and useless'.

Commenting on the parts in the report about the bad conditions in prison camps in Bosnian Krajina, the defense counsel put it to the witness that the 'general shortage of food' caused malnutrition in the Manjaca prison camp despite the prison camp command efforts. The command even employed a full-time nutritionist. 'If he was indeed there, the nutritionist obviously didn't do his job', Brown said.

In a bid to exonerate the army for the events in Manjaca and in Omarska, Keraterm, Trnopolje prison camps in Prijedor, Lukic insisted that the police brought the prisoners to the prison camps, that the prison camp command didn't have full control and that the army wasn't responsible for what happened outside the prison gates. According to the defense counsel, the army was not responsible for the deaths of several prisoners who were killed by the police in early August 1992 in front of the Manjaca gates. Brown reminded the defense counsel that the prison camp command didn't even try to take the perpetrators into custody immediately, to secure the crime scene and to inform the military police about the crime.

2013-11-25

THE HAGUE

ABOUT PRISONERS 'INDIRECTLY, WITHIN LIMITS OF LEGALITY'

Colonel Milenko Todorovic testified at the trial of Ratko Mladic about an order he received in July 1995, after the fall of Srebrenica, to relay a task to the Corps command to organize the accommodation for 1,000 to 1,200 prisoners in the Batkovic prison camp. The witness said that the order was issued 'indirectly, within the limits of legality', but the prisoners never arrived in Batkovic



◀ Milenko Todorovic, witness at the Ratko Mladic trial

The series of expert testimonies at the trial of Ratko Mladic was interrupted briefly for the court to hear the evidence of Milenko Todorovic. The former chief of security and intelligence in the East Bosnia Corps had given a statement to OTP investigators in 2010. This statement and the transcript of his testimony at the trial of Zdravko Tolimir in April 2011 were admitted into evidence as prosecution exhibits.

Immediately after the fall of Srebrenica in July 1995 Todorovic recounted how he received an order from the Main Staff, 'most probably in a cable' to relay a task to the Corps command: to prepare the accommodation for about 1,000 to 1,200 prisoners in the hangar in Batkovic. This, Todorovic explained, would allow the exchange of

those prisoners for the captured VRS soldiers. The logistics unit was told to empty the hangar in Batkovic, to prepare everything so that the people could be billeted there, to connect the building to the water mains and to provide basic sanitation facilities. Todorovic assumed that the order originated from Zdravko Tolimir, the chief of security and intelligence in the VRS Main Staff.

The 'general public' knew about the arrival of the prisoners and so did the parents of the captured VRS fighters who 'were waiting eagerly' for the exchange, Todorovic said. Since the prisoners didn't come, the families started to put pressure on the Corps command, prompting the Corps commander Novica Simic to order Todorovic to ask the 'boss' what was going on. Todorovic called Tolimir who told him that 'it won't happen, put a stop to the preparations'. In his statement to the OTP investigators Todorovic said that 'talking to the people there' he learned that the prisoners who were supposed to arrive in the Batkovic prison camp had been executed in Pilica.

The defense counsel argued that when General Tolimir sent the request to Todorovic asking him to convey the order to his superior commander Simic, he effectively bypassed the chain of command. The witness agreed with the defense counsel, but he denied that General Mladic issued any order to find accommodation for the prisoners. Todorovic did allow the possibility that 'someone', whose name he didn't specify, may have relayed the order to the East Bosnia Corps 'indirectly, within the limits of legality'.

Todorovic will continue his evidence tomorrow.

2013-11-26

THE HAGUE

VALID INSTRUCTIONS AND UNAUTHORIZED ORDERS

In the opinion of the former chief of security in the East Bosnia Corps Milenko Todorovic, General Tolimir 'partly' operated outside of his purview when he ordered the Corps command in charge of the Batkovic prison camp to prepare the accommodation for about 1,000 to 1,200 prisoners from Srebrenica



◀ Milenko Todorovic, witness at the Ratko Mladic trial

In his examination-in-chief at the trial of Ratko Mladic, Colonel Milenko Todorovic claimed that in July 1995 he received an order from General Zdravko Tolimir from the VRS Main Staff. Tolimir purportedly told Todorovic to relay a task to the Corps command to prepare the accommodation for about 1,000 to 1,200 prisoners in the Batkovic prison camp near Bijeljina. The prisoners would be exchanged for the VRS soldiers captured by the BH Army in Lisaca.

In a subsequent telephone conversation, Tolimir told Todorovic that the prisoners from Srebrenica wouldn't be arriving. In the cross-examination, Mladic's defense

counsel called into question the 'appropriateness' of Tolimir's order. According to Mladic's defense counsel, the order was not in line with the chain of command.

In the re-examination, the prosecutor presented to the witness two documents from the Main Staff, which, in the prosecutor's view, showed that Tolimir, who was Mladic's assistant for security and intelligence, was legally authorized to issue orders to the East Bosnia Corps command. Todorovic explained that Tolimir 'partly did and in part didn't' operate within his purview. As Todorovic considered Tolimir's request as an 'instruction', he didn't see anything controversial in its implementation. If that request had been couched as an order, it would have been 'outside of Tolimir's purview'. However, as he found it 'difficult' to answer in a simple way, the witness concluded that 'basically nothing was contrary to law'.

The next witness at Mladic's trial will testify in closed session under the pseudonym RM 038. Barry Hogan, OTP investigator, returns to the witness stand next. In September 2013, Hogan testified about the VRS sniper and artillery actions in Sarajevo.

2013-11-27

THE HAGUE

PROSECUTION COLLECTS EVIDENCE ON TOMASICA

The prosecution has announced it intends to re-open its case at the trial of Ratko Mladic to present evidence on the mass grave in the Tomasica mine near Prijedor. The defense has asked for a break of at least six months to prepare its case

Prosecutor Dermot Groome has indicated that he will seek to re-open the prosecution case at the trial of Ratko Mladic to call the evidence pertaining to the recently discovered mass grave in the Tomasica mine near Prijedor.

The prosecutor has estimated he would need two weeks in March 2014 to call this evidence. Groom stressed that the evidence was relevant not only for the effort to establish the death of the victims but also to prove there had been 'a vast operation to kill and bury' those people. That is relevant for the allegations in Count 1 in the indictment charging Mladic with genocide.

Given that the prosecution case is set to end in two weeks' time, the defense has announced that it would need the same amount of time as the prosecution for its case. The defense intends to call approximately the same number of witnesses. The prosecution has taken about 200 hours to present its case so far. Defense counsel Branko Lukic has asked for at least six months to prepare the defense case. However, if the prosecution re-opens its case to present new evidence on Tomasica in March 2014, Lukic will ask twice the time allotted to the prosecution for that purpose. The defense plans to take as much time as the prosecution to call its evidence on Tomasica, and will need as much time again to prepare the evidence.

The defense has also indicated it intends to file a Rule 98 *bis* motion after the prosecution rests its case. This rule give the defense the opportunity to call for the acquittal of the accused at the half-time of the trial on the counts in the indictment for which, in its view, the prosecution has failed to call sufficient evidence which would lead to a conviction if left unchallenged. The motion will be not be submitted before February 2014.

Before this latest development, the prosecution recalled OTP investigator Barry Hogan for a brief re-examination. In September 2013, Hogan testified about the sniper incidents and the shelling in Sarajevo. In his evidence today, Hogan was shown two maps of Sarajevo, a Sarajevo-Romanija Corps operations map from July 1992 and the BH Army map from March 1995. The witness marked the lines of conflict on both maps. According to the witness, there was not much difference between the positions in 1992 and 1995.

The prosecutor asked Hogan to mark a number of hills: Debelo Brdo, Colina Kapa, Mojnilo, Hum, Hrasno and Hrasno Brdo on the maps. Hogan confirmed that the hills were held by the BH Army and that the Serb army positions overlooked those hills. Hogan said that Mount Zuc 'changed hands several times' while Mount Trebevic, Dobrinja 1 and Dobrinja 2 remained under the SRK control throughout the war. The BH Army controlled the rest of Dobrinja.

At the defense counsel's request, Hogan marked on the map of Sarajevo the locations controlled by the BH Army: Vranjace, Gordonj Brdo, Brijesce Brdo and Balino Brdo. The defense alleges that the BH Army could control Vogosca from those positions.

2013-12-02

THE HAGUE

ETHNIC DIVISION IN BH

Patrick Treanor, the prosecution's political expert, testifies at the trial of Ratko Mladic about the evolution of the Bosnian Serb political leadership from 1990 to the end of 1995. Treanor described the 'unilateral' acts designed to create the Serb state and the 'successful' accomplishment of the fundamental goal of the Bosnian Serbs: ethnic division of Bosnia and Herzegovina



◀ Patrick Treanor, witness at the Ratko Mladic trial

In the final stage of the prosecution's case at the trial of General Ratko Mladic the prosecution called its political expert Patrick Treanor. The transcript of Treanor's evidence at the trial of Radovan Karadzic in 2011 was admitted into evidence. The two reports Treanor wrote about the evolution of the Bosnian Serb leadership from 1990 to 1995 were marked for identification.

In the reports Treanor provided a brief overview of the evolution and origin of the basic Serb political structures in BH, of the Serbian Democratic Party and its bodies, and of the main bodies in Republika Srpska. Treanor also described the establishment of the Bosnian Serb Assembly on 24 October 1991. By that time, as Treanor

said, the Bosnian Serbs had already established at local levels parallel government structures, under the patronage of the SDS. The final step in the 'creation of a separate state entity in Bosnia and Herzegovina' was taken on 9 January 1992 when the Republic of the Serbian People in BH was proclaimed.

Referring to various documents produced by the Bosnian Serb Assembly, the prosecutor emphasized that under the February 1992 Constitution, the Serb republic of BH was a 'State of the Serbian people'. Its territory comprised the autonomous regions, municipalities and other Serb ethnic areas, including the 'areas where genocide against the Serb people was committed'. Treanor said that throughout the conflict, the Bosnian Serbs wanted to seize the territories which in their view belonged to them for historical reasons. From the very beginning, the Bosnian Serbs 'openly' made unilateral moves whose goal was to create their own state, Treanor explained.

The Republika Srpska Army was established when the Territorial Defense was re-organized at the Assembly session on 12 May 1992, Treanor said. Ratko Mladic was appointed the commander of the Main Staff. The Bosnian Serb strategic goals were formulated at the same session. Treanor also referred to the powers of the commander of the VRS Main Staff as provided by the Army Act, and the role and responsibilities of political leaders, including the leader of the SDS and RS president Radovan Karadzic, and his vice-presidents Biljana Plavsic and Nikola Koljevic. Finally, Treanor noted that the Bosnian Serb leadership was 'very successful' in accomplishing their fundamental goal: the ethnic division of Bosnia and Herzegovina.

Treanor will continue answering Mladic's defense tomorrow. The defense counsel spent most of the cross-examination arguing that the Serbs decided to establish their own state only after the Croats and Muslims changed their attitude towards the SFRY and decided to secede.

2013-12-03

THE HAGUE

MLADIC WAS ACTIVE AND INFORMED COMMANDER

The prosecution military and intelligence analyst Reynaud Theunens says Ratko Mladic was an 'active' commander who 'de facto led combat operations'. Mladic was 'very well informed' about the activities of his units. As the commander of the Main Staff, Mladic implemented the policy formulated in the Bosnian Serb strategic goals. This is the ninth, and probably the last time that Theunens is testifying before the Tribunal. The defense may open its case on 13 May 2014



◀ Reynaud Theunens, witness at the Ratko Mladic trial

The prosecution's case is drawing to a close with the evidence of military and intelligence expert Reynaud Theunens. The prosecution case began on 9 July 2012. This is Theunens's ninth and probably the last appearance as a prosecution witness. Theunens worked for the OTP until 2009 and has been the chief of the Joint Mission Analysis Centre (JMAC) in the United Nations Interim Force (UNIFIL) in Lebanon.

In September 2012, Theunens wrote an expert report for Mladic's trial in which he analyzed Mladic's role as the deputy commander of the JNA 2nd Military District and the VRS Commander. Having examined a series of documents, Theunens concluded that Ratko Mladic was

an 'active' commander who 'intervened' whenever he thought the chain of command was not observed or that he was not kept sufficiently informed about the events. Mladic 'moved outside the headquarters', personally visited command posts and '*de facto* led combat operations', Theunens concluded.

Theunens's report covers the period from the beginning of 1992 to the end of 1995. Although he didn't have many documents from the first period, until 12 May 1992 when the VRS was formed, Theunens was nevertheless able to conclude that Mladic was kept 'very well' informed in a 'systematic' manner about the activities of the units and commands at all times.

Theunens said that the Bosnian Serb strategic goals articulated at the Assembly session on 12 May 1992 represented the 'key political guidelines governing the VRS operations until the end of the conflict'. The strategic goals called for the separation of the Serb people from the other ethnic communities in Bosnia and Herzegovina and defined the geographical territory of the envisaged Serb state, with borders on the rivers Neretva and Una, with the Posavina corridor, a part of the divided Sarajevo and access to the sea. The Drina river was no longer to be a border. Theunens's evidence will continue on Thursday and most likely into next week.

Before Theunens took the stand, Mladic's defense completed the cross-examination of the prosecution political expert Patrick Treanor. The defense counsel argued that until the VRS was officially established, Mladic 'didn't have any powers over the Territorial Defense forces', which were under the 'command' of Bogdan Subotic and under the 'control' of Radovan Karadzic. Also, the defense counsel claimed that paramilitary units outside the VRS control were active in mid-1992 in Krajina and Banja Luka.

Presiding judge Orić stated that the Trial Chamber was ready to agree to the defense's request for six months to prepare the defense case. The Trial Chamber was willing in principle to allow Mladic's defense to open its case on 13 May 2014. The exact date of the beginning of the defense case will be announced later.

2013-12-05

THE HAGUE

STRATEGIC GOALS ACHIEVED UNDER MLADIC'S COMMAND

The examination-in-chief of military and intelligence expert Reynaud Theunens continued at the trial of the former VRS Main Staff commander. Theunens presented his analysis of how the six Bosnian Serb strategic goals were accomplished through Ratko Mladic's exercise of command and control

Prosecution military and intelligence expert Reynaud Theunens wrote an expert report on the role of Ratko Mladic as the VRS Main Staff commander. A section of his report is dedicated to the military goals pursued by Bosnian Serbs. The strategic goals were formulated at the 16th session of the Assembly of the Serbian Republic of Bosnia and Herzegovina Assembly on 12 May 1992.

According to Theunens, achieving the separation of the Serb people from the other two ethnic groups was a priority goal. The other goals defined the geographical boundaries of the planned Serb state with borders on the Neretva

and Una rivers, the disappearance of the border on the Drina river, a corridor connecting Semberija and Krajina, a part of Sarajevo and access to the sea.

The strategic goals were the foundation for the establishment of the Serb state and served as a basis for VRS operations from 1992 to the end of 1995, Theunens explained. The Bosnian Serb forces, comprising the Territorial Defense, the police and volunteers from Serbia began implementing the goals even before they were officially articulated. By April and May 1992, the municipalities in the north of BH were taken. This allowed the creation of the corridor in Posavina at a later stage.

The prosecutor presented several orders showing that various measures aimed at accomplishing the strategic goals were indeed taken. At a meeting of the top Serb leadership on 6 June 1992, Mladic wrote down in his diary that Karadzic said 'Bratunac is liberated', 'now Bratunac has fallen, Zvornik will fall too' and 'we hold half of Srebrenica'. In Theunens's opinion, this shows the intent to accomplish the third goal – the elimination of the border on the Drina river – and the first goal, the separation of the ethnic communities. At the same meeting, Krajisnik called for the unification of northeastern Bosnia which would serve to accomplish the second goal, the creation of the Posavina corridor. Krajisnik concluded that 'borders should be protected and defended, and tomorrow we will seize what is ours and stand ready to defend our state'. That same day, Mladic issued Directive 1 defining the future VRS operations.

According to the prosecutor, the orders he presented in court show that Mladic regularly exercised command and control. In April 1992, Mladic sought the transfer of personnel from the JNA 9th Corps to the police, and ordered that they be issued weapons and ammunition. Theunens concluded that Mladic thus 'sidestepped' the implementation of the Vance Plan in the so-called Republic of Serbian Krajina. According to the plan, the military units were to be disarmed and the police were to carry only sidearms. When Mladic took over as the commander of the Main Staff, he ordered the JNA units that were pulling out of BH to leave their weapons behind, the JNA soldiers born in BH to join the VRS and demanded regular reporting. All this shows that there was unified command and control in the units under his command, Theunens concluded.

Mladic showed great interest in Theunens's evidence, and was cautioned several times by the presiding judge because he engaged in loud consultations with his defense. Theunens will continue his evidence in Mladic's absence. Mladic has waived his right to attend the trial for undisclosed reasons.

2013-12-06

THE HAGUE

DIRECTIVES ISSUED BY 'CHARISMATIC COMMANDER'

Prosecution military and intelligence expert Reynaud Theunens has explained how Ratko Mladic and the VRS implemented the strategic goals of the Bosnian Serb political leadership. He also spoke about Mladic's 'charisma', about Mladic's knowledge of events and the investigations of the violations of laws and customs of war



◀ Reynaud Theunens, witness at the Ratko Mladic trial

At the end of his testimony on Thursday, prosecution military and intelligence analyst Reynaud Theunens said that the former VRS Main Staff commander Ratko Mladic was striving to accomplish the strategic goals set by the Bosnian Serb political leadership in the directives for military actions, from May 1992 to the end of 1995.

In a bid to prove that there was a link between the strategic goals and military actions, the prosecutor showed several documents, including Mladic's directives. In the first directive issued on 6 June 1992, Mladic orders his troops to launch the operations in the Sarajevo theatre and to cut off the communications between Sarajevo and Trnovo. According to Theunens, this was done to implement the fifth strategic goal, the division

of Sarajevo, as well as the second goal, the creation of the Semberija-Krajina corridor. The division of Sarajevo also served to accomplish the first goal, which was to separate the ethnic communities. The text of the directive reflected faithfully the debate at the meeting of the political leadership. The meeting was held on same day when the directive was sent to subordinated units. The prosecutor also showed operational instructions and a combat situation report, because they confirm the immediate implementation of Directive 1.

At the beginning of his testimony, Theunens described Mladic as an active commander who often spent time in the field. Today Theunens explained that Mladic used frequent visits to forward command posts to check the troops' combat readiness, 'shorten the lines of communications' and maintain closer contact with his subordinates. In light of Mladic's 'charismatic' personality, the visits served to further motivate his subordinates.

The prosecutor presented an order of the Visegrad Tactic Group for continued action, dated 11 April 1994. The order relays Mladic's oral order: 'Keep pushing energetically onwards, pay no attention to what is going on around us.'

The Turks must disappear from these areas'. As Theunens explained, this order shows that Mladic was present in a combat zone and that the TG commander considered that Mladic's oral order should be related to subordinate units. Also, as Theunens said, there were no Turkish troops there; it was a 'pejorative' term for Bosniaks.

In his expert report on Mladic's role as commander Theunens found that 'to a large extent' the accused was kept informed about the activities and the situation in the field. If he thought he was not receiving enough information, Mladic issued additional instructions to rectify the situation, Theunens said.

Having examined a series of documents Theunens concluded that Mladic was authorized to order investigations, but used his powers selectively. Mladic focused on infractions and offences that had to do with the implementation of orders. As Theunens claimed, he didn't see a single document produced by Mladic or the Main Staff that would order an investigation of the violations of laws and customs of war by VRS members. However, Theunens did find VRS documents ordering the investigation of the crimes committed by the enemy soldiers.

Next week, Theunens will be cross-examined by Mladic's defense.

2013-12-09

THE HAGUE

DEFENSE CONTESTS EXPERTISE OF PROSECUTION'S WITNESS

As Ratko Mladic's defense counsel continued cross-examining the prosecution military intelligence expert Reynaud Theunens, he claimed Theunens lacked experience to assess the role of Ratko Mladic as the VRS Main Staff commander. Theunens replied that, in his view, his experience and education made him qualified to draw conclusions about Mladic's command role

As the cross-examination of the prosecution military and intelligence expert continued, Ratko Mladic's defense counsel contested Reynaud Theunens's expertise. Theunens had been asked by the prosecution to write an expert report on the powers and responsibilities of Ratko Mladic as the commander of the VRS Main Staff.

As the defense lawyer noted, Theunens never rose higher in the Belgian Army ranks than company leader, never had more than 80 people under his command and performed this duty seldom. The defense counsel put it to Theunens that his experience and expertise were insufficient to evaluate Mladic's role as the Main Staff commander. Theunens countered by saying that both his education and experience made him qualified enough to draw conclusions about Mladic's role as the deputy commander of the JNA 2nd Military District and the Main Staff commander. It will, of course, be up to the Trial Chamber to decide whether the experience and the reasoning he used in the report make him acceptable as an expert, Theunens said.

When the defense counsel asked Theunens if he had taken part in the meetings or offered advice pertaining to the indictment or the examination of witnesses, Theunens said that he made recommendations to the OTP as to the correct and appropriate military terminology to be used in the indictments. Also, at least once he asked 'witnesses or suspects' direct questions and offered the OTP staff advice.

At the end of the hearing, the defense counsel noted that the Republika Srpska Army was poorly staffed. Theunens confirmed that the Bosnian Serb army documents speak about the shortage of officer cadre. However, in Theunens's view, that didn't affect command and control.

Reynaud Theunens, the last prosecution witnesses in the Mladic case, will continue and most likely complete his evidence tomorrow.

2013-12-10

THE HAGUE

MLADIC'S 'OSTENSIBLY GOOD INTENTIONS'

The defense suggested that General Ratko Mladic helped the UN troops to keep the peace, that he insisted on disarming and arresting the paramilitaries who committed crimes, that he was against the use of modified air bombs and that he could not exercise direct command in combat operations. Theunens said that Mladic's intentions were 'ostensibly' good, but an analysis of the documents indicated that the opposite was the case, Theunens explained

Prosecution military and intelligence expert Reynaud Theunens claimed in the examination-in-chief that in early 1992, Ratko Mladic, who was the commander of the JNA Knin Corps at the time, tried to undermine the Vance Plan for Krajina. Mladic handed out the JNA weapons to the local police and Territorial Defense units, Theunens said. The defense argued that Mladic did it in an effort to help the UN to keep the peace.

In a document from January 1992, Mladic wrote that the deployment of the UN peace keepers in Krajina in line with the Vance Plan secured the end of conflict in Croatia and guaranteed to the Serb people that the 'Ustasha genocide' wouldn't happen again. Theunens remarked that conclusions couldn't be based on a single example. A number

of documents from February to April 1992 show, that despite Mladić's 'ostensibly good intentions' weapons and personnel continued to be shunted to the RSK units. This contributed to the undermining of the Vance Plan.

In his report, Theunens said that Mladić was 'involved in the crimes in Croatia and Bosnia committed by the volunteers and the paramilitaries' by doing nothing to prevent the crimes. In a bid to contest the claim, the defense counsel showed a document from July 1992, in which Mladić called for the disarming, arrest and prosecution of the paramilitaries who had committed crimes. Theunens replied that the orders should have been carried out as the next step, but that wasn't always the case.

A part of Theunens's report was dedicated to the 'open conflict' between Mladić and Karadzic in 1995. According to the defense counsel, Karadzic as the supreme commander tried to 'bypass' Mladić by issuing direct orders to the VRS units. Theunens responded that the statement was 'too strong'; he did confirm that on one occasion Mladić suspected that General Dragomir Milosevic, the Sarajevo-Romanija Corps commander, was acting on someone else's orders when he intended to attack Sarajevo with modified air bombs. When the defense counsel suggested that the decisions of the political leadership influenced Mladić's ability to exercise command, Theunens replied that he didn't see a single document in which Mladić complained about not being able to exercise command and control in the Republika Srpska Army.

The defense counsel tried to contest Theunens's conclusion that Mladić commanded combat operations directly. There was no indication that Mladić had issued any orders to the Drina Corps during the Srebrenica operation, the defense counsel argued. Theunens agreed that he hadn't seen any such documents. However, Theunens said that there was a report drafted by a special police commander which indicated that Mladić personally commanded the operations in the Srebrenica area.

Theunens might complete his expert testimony Thursday.

2013-12-12

THE HAGUE

BREAK IN RATKO MLADIĆ'S TRIAL

Reynaud Theunens was the last witness called by the prosecution at the trial of the former VRS Main Staff commander Ratko Mladić for double genocide and other crimes in BH. The hearing on the defense motion to acquit the accused at the half-time of the trial has been scheduled for late February 2014. The prosecution's case is expected to resume in March 2014, and the defense case will probably begin in May 2014



◀ Reynaud Theunens, witness at the Ratko Mladić trial

In the last part of his evidence, prosecution military and intelligence expert Reynaud Theunens was examined at length by the prosecution, the defense and the judges about the relationship between the Bosnian Serb army and police with Zeljko Raznatovic Arkan's unit. Theunens was asked by the prosecution to write an expert report on the role of the commander of the Republika Srpska Army Main Staff, Ratko Mladić.

In the cross-examination the defense counsel first showed a letter from September 1995 in which Mladić asked Karadzic to get rid of Arkan. Mladić also urged the MUP to take steps to stop Arkan's men who were committing crimes against Bosnian Muslims in Sanski

Most. In another document from July 1992, Mladić ordered that paramilitary units be disarmed, that crimes be investigated and perpetrators punished. The defense counsel used the documents to argue that Mladić intended to get rid of the paramilitary formations but wasn't able to do it.

In the re-examination, the prosecutor showed an order issued by the police minister Tomislav Kovac in October 1995. According to Theunens, the order shows that the VRS Main Staff and the RS MUP cooperated. The document states that an agreement had been reached with Manojlo Milovanovic, chief of the Main Staff, to use Arkan's men to arrest the deserters and to return them to their brigades. Although it was not specified on whose orders Arkan operated, the document notes that the VRS Main Staff 'tolerated' Arkan's men, Theunens explained.

The prosecutor tried to contest the defense's argument that Mladić had helped the implementation of the Vance Plan for Krajina in early 1992 when he was the commander of the former JNA 9th Corps. The Vance Plan envisaged the disarming of all units; the police were supposed to carry only sidearms. Theunens confirmed that a series of documents showed that Mladić intended to continue mobilizing and equipping the MUP and the Krajina Territorial Defense units from February to April 1992.

Reynaud Theunens is the 146th and the last witness called by the prosecution. The prosecution has taken a little more than 200 hours to present its case. The parties will reconvene again in the last week in February 2014. The defense

will present its arguments under Rule 98 *bis*. The rule allows the defense to call for the acquittal of the accused on counts in the indictment for which the prosecution, in the defense's view, has failed to call sufficient evidence that would lead to a conviction, if uncontested. If the Trial Chamber rejects the motion, the defense will continue with the preparations for its case, slated to begin in May 2014. If the prosecutor re-opens its case, as indicated, in March 2014 to call additional evidence on the exhumation of the mass grave in the Tomasica mine near Prijedor, defense counsel Lukic announced he would request for one more month to prepare the defense case.

2013-12-17

THE HAGUE

MLADIC SEEKS DISQUALIFICATION OF TWO JUDGES

In the break between the prosecution and defense cases, the former Bosnian Serb army commander has submitted a motion to disqualify judges Alfons Orié and Christoph Flugge because of their purported bias against Mladic

As soon as the prosecution rested its case at the trial of Ratko Mladic, his defense filed a motion to disqualify two judges from the Trial Chamber: presiding judge Alfons Orié and Christoph Flugge. The bias purportedly evinced by Judge Orié was described in no less than 15 paragraphs in the motion. Most of them are a copy-paste from the motion for Orié's disqualification filed before the beginning of the trial. There is only one ground for Flugge's purported bias.

In the first set of reasons for the disqualification of Judge Orié for his bias, the defense brought up his decision to read out the entire indictment in court despite the accused's opposition. When the accused made loud objections and tried to prevent the reading of the indictment, Judge Orié had him removed from the courtroom. The defense notes that Judge Orié continued with his 'irregular procedures' when he prevented Mladic from communicating with his defense and by removing him from the courtroom. The accused has repeatedly been excluded from the proceedings for making loud comments to the witnesses or for addressing his defense lawyers. This, in the view of the Trial Chamber, was a threat to the integrity of the trial.

According to the defense, Mladic's right to 'privileged communication' with his defense has also been jeopardized. During the prosecution's case, the testimony of two OTP employees was admitted into evidence: in their testimonies the witnesses stated that they had heard improper comments made by the accused about a protected witness. The defense maintains that the accused was addressing his lawyers, albeit in a loud voice because of his health problems, but those comments were in the domain of 'privileged communication' and couldn't be used against the accused.

The defense notes that Judge Orié was biased because he has failed to comply with the medical doctors' proposal to cut down the trial schedule because of Mladic's ill health. The Appeals Chamber has recently granted the defense's request, and the trial now proceeds for four instead of five working days per week. As the defense says, presiding judge Orié in general has not shown any respect to the health problems of the accused during the trial.

Judge Orié has 'a personal interest' in 'preserving the findings' of the judgments reached at five trials as he either presided over or was a member of the trial chambers and Mladic was mentioned as one of culprits in those judgments. The potential bias could stem from the fact that Alfons Orié defended Dusko Tadic, a reserve police officer from Prijedor, and in the course of the case Orié saw confidential and other materials that might have influenced his attitudes about Mladic's responsibility.

The defense objects to Orié's purported partiality in his conduct in court and claims he prejudiced the defense with his decisions allotting time for the examination-in-chief and cross-examination of the witnesses. Finally, Orié's nationality also caused him to be biased, the defense argues. Orié is Dutch and as such is in a 'conflict of interest' because his fellow countrymen from UNPROFOR were involved in the events in Srebrenica in 1995 of which Mladic stands accused. When Judge Orié interrupted witnesses speaking about the role of the Netherlands in Srebrenica on two occasions, this was clear evidence of his bias. Under the pretext of "requesting a more focused answer", Judge Orié in fact prevented them from speaking their mind.

In the second disqualification motion, Judge Flugge fared better because the defense presented only one ground for his purported bias. Flugge's impartiality was called into question because of his alleged interest in 'preserving the findings' of the judgment in the trial of General Zdravko Tolimir, the Main Staff officer subordinated to Ratko Mladic, for the Srebrenica genocide.

For these reasons, the defense wants to see the two judges disqualified and new 'impartial' judges appointed in their stead.

2014-02-26

THE HAGUE

PROSECUTION RESTS ITS CASE, MLADIC'S DEFENSE CASE TO BEGIN ON 13 MAY 2014

The scheduling order issued by the Trial Chamber in the case against Ratko Mladic marked the end of the prosecution case. A 98bis Rule hearing is slated for 17, 18 and 19 March 2014. The judges will hear the arguments on the defense motion to acquit the accused on the counts in the indictment for which the prosecution has failed to call sufficient evidence. The defense case is scheduled to begin on 13 May 2014

Two days ago, the prosecution indicated there wouldn't be any additional evidence in the case against Ratko Mladic. The Trial Chamber formally stated that the prosecution rested its case. The same decision specifies the schedule for the further course of the trial of the former commander of the VRS Main Staff. Ratko Mladic is charged with double genocide and other crimes in the war in BH.

A Rule 98bis hearing will take place from 17 to 19 March. The rule grants the accused the right to seek acquittal on some or all counts in the indictment if, in his view, the prosecution has failed to call sufficient evidence that could, if unchallenged, lead to a conviction.

The defense will then be given time to prepare for its case. The defense must submit the witness and exhibit lists by 28 April 2014 and to disclose the evidence it intends to rely on to the prosecution by 5 May 2014. On 12 May 2014 there will be a pre-defense conference. A day later, on 13 May 2014 the accused Mladic will call his first witnesses.

The prosecution took more than 200 working hours to call its evidence, examining a total of 146 witnesses. Ratko Mladic was arrested on 26 May 2011 and his trial began on 16 May 2012.

2014-03-17

THE HAGUE

MLADIC 'LOOKS FORWARD' TO HIS DEFENSE CASE TO START

At the half-time of the trial, Ratko Mladic's defense dismissed all of the evidence called by the prosecution, noting that the former commander of the VRS Main Staff 'is looking forward' for the defense case to start because he wants to 'show the truth and demonstrate his innocence'



◀ Dragan Ivetić, defence attorney of Ratko Mladic

At the beginning of his presentation at the Rule 98 bis hearing, Mladic's defense counsel Dragan Ivetić said that 'nothing in my argument and the choice of topics should be interpreted as an admission or acceptance of any part of the prosecution case against Ratko Mladic'. On the contrary, Ivetić noted, the defense didn't give any weight to the prosecution's evidence and dismissed its case in its entirety. According to Ivetić, Mladic 'is looking forward' for his defense case to start. He is confident that with the help of his witnesses he will 'show the truth that will demonstrate his innocence'.

Rule 98 bis grants the accused the right to petition the judges to acquit them on some or all counts in the

indictment after the prosecution has rested its case, if – in the view of the accused – the prosecution has failed to call evidence that may lead to a conviction, if uncontested.

Mladic's defense lawyer argued that his client should be acquitted of the individual crimes for which the prosecution has failed to call sufficient evidence to support a conviction, not only of the entire counts in the indictment, as envisaged under Rule 98 bis. Ivetić made detailed references to some of the allegations in the indictment. He spoke about the incident of the bank of the river Jadar, on 13 July 1995, when the VRS troops executed 16 Bosniaks captured after the fall of Srebrenica. The only survivor testified about the massacre under the pseudonym RM 314. Next, Ivetić mentioned the shelling of the Sarajevo neighborhood of Sirokaca, in which witness Fadila Tarcin was injured. He also spoke about the destruction of religious buildings in Bijeljina, Kalinovik, Pale and other municipalities under the VRS control mentioned in the testimony of prosecution expert Andras Riedlmayer.

According to Ivetić, the evidence of the survivor from the Jadar bank was 'full of inconsistencies, contravening the documentary findings, lacking in credibility'. As for the evidence on the shelling of Sirokaca, it 'fell apart', Ivetić said, adding that the testimony of witness Tarcin 'contradicted the rest of the evidence'. As a result, the charges relating to this incident should be dropped from the indictment. Finally, the defense counsel argued that Riedlmayer's expertise

on the destruction of cultural and religious buildings was based on 'anonymous information and unknown, second-hand or third-hand evidence that does not meet the minimum requirements for the establishment of criminal responsibility'. Ivetic noted that the prosecution had failed to establish 'who and to what purpose' caused damage to the Muslim religious buildings.

According to Mladić's defense counsel, at the half-time of the trial Mladić should be acquitted of the crimes committed by the MUP, Arkan's Tigers and other paramilitary formations as the accused didn't have 'effective control' over them. This includes the crime committed by the Scorpions unit, the execution of six Bosniak youths and boys. 'However horrible, this crime didn't have anything to do with Mladić'. Mladić 'wasn't present at the execution and the perpetrators didn't mention him', Ivetic explained. Speaking about the Tomasica mine, Ivetic invoked an entry from Mladić's diary mentioning 5,000 bodies at that location. Ivetic argued that the police had tried to blame the military for what they had done.

Finally, as the defense counsel argued, the prosecution has failed to prove that genocide was committed in seven municipalities in Bosnia and Herzegovina and that Mladić played any role in the genocide in Srebrenica. As far as Srebrenica was concerned, Ivetic stressed that Radovan Karadzic was the author of Directive 7. In fact, Mladić decided to omit from the directive the controversial sentence 'By planned and well-thought-out combat operations create an unbearable situation of total insecurity, with no hope of further survival or life for the inhabitants of Srebrenica or Zepa', as well as the order to separate the enclaves Srebrenica and Zepa 'by force'.

As the hearing continues tomorrow, the Trial Chamber will hear the prosecution's response to the defense argument.

2014-03-18

THE HAGUE

PROSECUTION: MLADIĆ HAD FULL CONTROL OF VRS 'AT HIS FINGERTIPS'

According to the prosecution, the evidence called in its case unequivocally shows that Ratko Mladić was responsible for each crime committed by the forces under his command. As the prosecutor said, Mladić had full control of the VRS 'at his fingertips'



◀ Dermot Groome, prosecutor at the Ratko Mladić trial

According to the prosecution, the Trial Chamber should deny Ratko Mladić's demand to be acquitted at the half-time of the trial. The testimony of more than 360 witnesses and about 5,200 exhibits presented during the prosecution case prove unequivocally all the crimes alleged in the indictment. The witnesses and the evidence clearly show Mladić's role in the crimes and his criminal responsibility, the prosecutor noted.

Prosecutor Dermot Groome mentioned the entry from Mladić's war diary for 7 May 1992, a reference to a meeting of the top leadership held behind closed doors. The participants discussed the strategic goals that would be proposed to the Assembly at its session on 12 May

1992. As Mladić wrote down, the first and the most important of the six strategic goals was to 'separate from the Croats and Muslims forever'. According to the prosecutor, the goals represented the general guidelines for the Republika Srpska Army. Mladić's entries written at that time 'placed the campaign of persecution at the heart of the VRS goals'.

According to prosecutor Arthur Traldi, General Mladić, the VRS and the Serb forces controlled by other participants in the joint criminal enterprise carried out the criminal campaign of persecution in a 'brutally efficient, genocidal way' in the municipalities from Prijedor in the west to Vlasenica in the east and Foca in the south. The campaign involved the expulsions and mass murders that culminated with the execution of thousands of people from Srebrenica in the summer of 1995.

The destruction of religious and cultural buildings was also part of the pattern of the operation of the Bosnian Serb troops. Prosecutor Traldi reminded the judges of the testimony of expert witness Andras Riedlmayer who said that not a single mosque in the municipalities listed in the indictment survived the war. In that way the very 'essence' of the non-Serb communities was erased, as was the most visible evidence of their existence.

As prosecutor Camille Bibes said, Mladić played the key role in the artillery and sniper terror campaign in Sarajevo. At the same time, in the municipalities of Ključ, Sanski Most, Prijedor, Kotor Varos, Vlasenica and Foca thousands of people were killed, suffered serious physical and mental harm and held in conditions designed to destroy them while the survivors were forcibly evacuated. All those acts were substantive elements of the crime of genocide.

At the end of the presentation, prosecutor Groome recalled the conclusion reached by Sir Richard Dannat, British military expert, who said that Mladić had the control of the Bosnian Serb forces 'at his fingertips'. Mladić exercised command and control in the VRS as if it were a complicated piece of machinery, by pressing keys with his fingers.

According to prosecutor Groome, Mladic himself produced some of the most damning evidence called by the prosecution during its case, including the war diaries seized in Mladic's house in Belgrade in 2008 and 2010, and audio and video recordings of Mladic's conversations. 'May they both disappear, God willing', Mladic told a man by the name of Marinko in 1993: he meant both Muslims and Croats.

Prosecutor Groome also quoted from two documents found in Mladic's house. The documents were written just after the Dayton agreement was signed. In the first document, dated 14 January 1996, Mladic says that the most important decisions were made by a small group of people in the Main Staff. The most important decisions, 'on matters that involved risk to life, I often made on my own', Mladic said.

In the last document Mladic signed as the commander of the VRS Main Staff, transferring his authority to Manojlo Milovanovic, he asked Biljana Plavsic, RS president, to guarantee that none of his soldiers would be criminally prosecuted for any acts they committed on his orders. Mladic asked for that because he knew that many crimes had indeed been committed on his orders, the prosecutor concluded.

The Rule 98 bis hearing continues and is expected to end tomorrow.

2014-03-19

THE HAGUE

DEFENSE: 'IRRECONCILABLE DIFFERENCES' BETWEEN MLADIC AND KARADZIC

In the final part of the Rule 98bis hearing, the defense of the former commander of the VRS Main Staff argued there was 'clear evidence of irreconcilable differences' between Ratko Mladic and Radovan Karadzic. Countering the argument, the prosecution insisted that the 'professional relationship between Karadzic and Mladic functioned well'. Their occasional differences didn't affect their participation in the joint criminal enterprise or their 'superior-subordinate' relationship, the prosecution claimed

The Rule 98bis hearing ended today at Ratko Mladic's trial. The rule allows the accused to ask for acquittal after the prosecution has rested its case on the counts in the indictment for which, in their view, the prosecution has failed to call sufficient evidence that could, if uncontested, lead to a conviction. In its response to the prosecution's arguments presented yesterday, the defense repeated the argument that Ratko Mladic 'never intended or ordered any crimes, because he had at all times acted honorably to defend his nation and his country during the conflict'. According to defense counsel Dragan Ivetic, both the defense and Ratko Mladic 'feel for all the bereaved'.

The defense argued that during its case the prosecution 'hasn't called evidence showing that Mladic was informed about the crimes'. Whenever he learned about crimes, the defense argued, Mladic issued orders to disarm, punish and prosecute the perpetrators. The prosecution's interpretation of the events, that the transfers of people from one place to another was an organized campaign of ethnic cleansing, 'did not take into account the whole context', the defense said.

Presiding judge Alfons Orié followed up on Ivetic's repeated claims that Mladic never issued a single unlawful order, and told Ivetic to give the judges his interpretation of the order of 28 May 1992. Mladic ordered his troops to shell Pofalici 'because there aren't many Serbs there' and to 'roll out the minds' of the people in Sarajevo. The defense contested the authenticity of the recording, but argued just in case that the order was 'taken out of context'. After consulting with the accused, Ivetic offered a new, original explanation of the order: Mladic worried that the BH Army might 'take revenge' on the Serb civilians and therefore ordered the shelling of an area where there weren't many of them.

Ivetic went on to speak about the relationship between Karadzic and Mladic. According to the defense, the prosecution hasn't been able to explain 'how there could be any agreed and coordinated action of the purported members of the joint criminal enterprise' given the 'clear evidence about the irreconcilable differences' between Mladic and Karadzic. The 'clear evidence' includes Karadzic's attempt to remove Mladic from the post of the Main Staff commander, their disagreements over the use of Arkan and other paramilitary units and Karadzic's direct orders to the VRS units that 'bypassed' Mladic. As an example, defense counsel Ivetic mentioned Karadzic's order to the Sarajevo-Romanija Corps to use modified air bombs, the so-called 'sows', without the permission of the Main Staff.

Responding to the defense's arguments, prosecutor Dermot Groome noted that Karadzic did not try to remove Mladic until 1995. During the war, Karadzic's and Mladic's professional relationship functioned well. Their differences never reached the scale that would have negatively affected their involvement in the joint criminal enterprise or jeopardize their 'superior-subordinate' relationship, or the relationship between Mladic and his subordinate officers. It is true that sometimes Karadzic and Mladic disagreed over how best to achieve common goals listed in the indictment, the prosecutor concluded.

Presiding judge Orié concluded the hearing saying that the Trial Chamber would consider the arguments presented by the parties. The decision will be delivered in due course.

2014-03-31

THE HAGUE

MLADIC BACK TO FIVE-DAY WORKING WEEK REGIME

In line with the Appeals Chamber's order issued last year, the Trial Chamber hearing the case against Ratko Mladić reassessed the trial sitting schedule, concluding that the trial could go on at full speed during the defense case, for five instead of four days a week

Judge Alphons Orie's Trial Chamber has ordered the trial of Ratko Mladić to proceed under a new regime, for five instead of four days a week. During most of the prosecution case, the trial went on for five days a week. The Registry was ordered to arrange cardiological and neurological examinations for Mladić every four months during the defense case and to notify the Trial Chamber about the results.

With this latest decision, the struggle between the defense and the Trial Chamber over the length of the working week is back on square one, where it was a little over a year ago. In January 2013, the defense demanded that the working days be cut down to four because of Mladić's ill health. The judges dismissed the request, deciding that the trial didn't jeopardize Mladić's health. The Trial Chamber continued monitoring the health of the accused, and at one point the medical reports indicated the accused was showing signs of 'fatigue and exhaustion'.

Invoking the doctors' recommendation, in April 2013 the defense once again requested a shorter working week but the Trial Chamber denied the motion. The decision was reversed on appeal in late October 2013, and the prosecution case continued at four days a week. At the same time, the Trial Chamber was directed to reassess the working hours at the beginning of the defense case, and has now complied with the direction.

In light of the reports submitted by the cardiologist, the neurologist and the general practitioner, and the motions filed by the parties, the Trial Chamber has ruled that the trial can proceed at full speed, for five days a week. In the prosecution's view, the five-day working week is 'adequate'. The defense, on the contrary, argued that Mladić's health was at risk, and demanded that the cardiologist and neurologist were questioned in the courtroom.

The defense case is slated to open on 13 May 2014. The defense was ordered to submit the witness and evidence list by 28 April 2014, and fulfill its obligation to disclose the evidence to the prosecution until 5 May 2014.

2014-04-08

THE HAGUE

JUDGMENT TO MLADIC AT 'HALF-TIME' OF TRIAL ON 15 APRIL 2014

On 15 April, Judge Orie's Trial Chamber will render its decision on the defense's motion to acquit Ratko Mladić on all charges at the half-time of the trial. In its motion, the defense argued that the prosecution has failed to call sufficient evidence to support a conviction in the course of its case

On Tuesday, 15 April 2014, Judge Orie's Trial Chamber will render its decision on the Rule 98 *bis* motion filed by Ratko Mladić's defense. The rule allows the accused to call for his acquittal after the prosecution has rested its case on some or all counts in the indictment if, in the defense's view, the prosecution has failed to call sufficient evidence that could lead to a conviction, if uncontested.

At the hearing held from 17 to 19 March 2014, Mladić's defense lawyers stated their reasons for rejecting the prosecution case in its entirety. Mladić's defense was particularly scathing vis-a-vis the prosecution's evidence on the responsibility of the accused for the crimes committed by the local police and the paramilitary units from Serbia, such as Arkan's 'Tigers' and Slobodan Medic's 'Scorpions'. The defense of the accused former VRS commander claimed that Mladić had acted 'honorably', and that he never ordered any crimes. Mladić's defense denied that Mladić had any ties with the war-time Republika Srpska president Radovan Karadzic, who is tried separately on the same charges.

The prosecution responded that the evidence called in the course of its case unequivocally points at Mladić's responsibility for double genocide and other crimes against the non-Serbs in BH. According to the prosecution, the accused had control of the Bosnian Serb forces 'at his fingertips'. Mladić used it to implement the criminal campaign of murder and ethnic cleansing of the parts of BH that were supposed to belong to Serbs. The crimes included the artillery and sniper terror campaign against the Sarajevo citizens, genocide and other crimes in Prijedor, Vlasenica, Foca and other municipalities in 1992, and another instance of genocide in Srebrenica in 1995.

If the motion for acquittal is denied in part or entirely, the trial will continue. Aware of that possibility, Mladić's defense indicated at the Rule 98 *bis* hearing that their client 'is looking forward to the defense case'.

2014-04-15

THE HAGUE

MLADIC STILL FACES SAME CHARGES

Judge Orić's Trial Chamber has dismissed the defense's motion to acquit Ratko Mladić of genocide and other crimes against non-Serbs in Bosnia and Herzegovina. According to the Trial Chamber, the prosecution has called enough evidence to support all 11 counts in the indictment

The Chamber considers that the Accused has a case to answer on all counts of the Indictment', presiding judge Orić said in the conclusion of the decision on the defense counsels' motion to acquit Ratko Mladić on the counts of genocide and other crimes in six municipalities in Bosnia and Herzegovina in 1992 and in Srebrenica in 1995. Mladić's defense had presented its submissions in line with Rule 98bis. The rule allows the defense to call for Mladić's acquittal on those counts in the indictment for which, in its view, the prosecution had not called evidence capable of supporting a conviction.

In a detailed analysis of the evidence called in support of the counts in the indictment contested by the defense, the Trial Chamber notes that the prosecution has called evidence on murders, rapes, detention and abuse of non-Serbs, which were all aimed at expelling them from municipalities that belonged to the Bosnian Serbs, according to their leadership. The presiding judge quoted specifically just some of the evidence: testimony of witnesses on the murders of the detainees in prison camps such as Keraterm in Prijedor, Susica near Vlasenica and the Correctional and Penal Facility (KP Dom) in Foca and the killings of non-Serb men in the Ključ region. The judge also mentioned the evidence of female witnesses about mass rapes and sexual slavery in Foca and the evidence about inhumane treatment of prisoners in the prison camps of Keraterm, Omarska and Manjaca.

In reference to the evidence on the Srebrenica genocide, the Trial Chamber recalled the testimony of Dražen Erdemović. By his own admission, Erdemović and other members of the VRS 10th Sabotage Detachment took part in the mass execution of 1,000 or 1,200 Srebrenica Muslims at the Branjevo Farm near Zvornik. The Trial Chamber also highlighted the fact that many execution survivors had testified about mass murders. The decision referred to the evidence of two survivors whose identity is protected.

Mladić is charged with crimes that are allegedly part of four joint criminal enterprises. The first was allegedly aimed at the permanent elimination of Muslims and Croats from parts of BH that belonged to Bosnian Serbs, in their view. This joint criminal enterprise was implemented through a campaign of widespread crimes. In the municipalities of Foca, Ključ, Kotor Varos, Prijedor, Sanski Most and Vlasenica those crimes reached the scale of genocide. The goal of the third joint criminal enterprise was to eliminate Muslims from Srebrenica. The genocide was to be implemented by killing local men and expelling women and children. The Trial Chamber concluded that the prosecution had called enough evidence to support the allegation about the existence of all the elements of the joint criminal enterprises and Mladić's involvements in them: a shared goal, the involvement of several persons in its implementation, and the significant contribution of the accused. The prosecution called evidence on Mladić's ties with other members of the joint criminal enterprises, primarily the Republika Srpska president Radovan Karadžić. The court also heard evidence about Mladić's knowledge of the crimes which had been, were being or would be committed.

The second and fourth joint criminal enterprises comprise the artillery and sniper terror campaign against the residents of Sarajevo during the entire war in BH and to an operation when UN staff were taken hostage. In its motion to acquit Mladić, the defense didn't contest the evidence on those joint criminal enterprises and the Trial Chamber didn't consider them in much detail in its decision.

The judges concluded that Ratko Mladić had a case to answer. At the end of the hearing, there was a discussion about the preparations for the evidence of first witnesses, scheduled for 13 May 2014. The pre-defense conference will be held on 12 May.

2014-04-22

THE HAGUE

MLADIC'S DEFENSE FOLLOWS IN KARADZIC'S FOOTSTEPS

Ratko Mladić's defense intends to open its case with the evidence of nine witnesses who have previously testified in Radovan Karadžić's defense – despite the fact that the former military commander and the war-time president of the Bosnian Serbs have often tried to shift the blame on each other for the crimes they are tried for

Ratko Mladić's defense case will start on 13 May 2014 with the opening statement. At the beginning of his case, Mladić will focus on contesting the prosecution's evidence on the responsibility of the Bosnian Serb military commander for the sniper and artillery terror campaign against the Sarajevo citizens. That is one of four joint criminal enterprises Mladić stands accused of.

Interestingly, Mladić chose to open his defense case with the evidence of nine witnesses who have, all but one, testified in Radovan Karadžić's defense. This despite the fact that the two accused have, in the course of their trials, blamed each other and denied that they had any sort of a relationship during the war in BH:

The defense disclosed the statements of nine witnesses. Seven of them – Predrag Trapara, Dragan Maletic, Milorad Dzida, Slavko Gengo, Nikola Mijatovic, Mile Sladoje and Dusan Skrba – are former officers in the VRS Sarajevo-Romanija Corps. In their statements to the defense all the witnesses denied the responsibility of their units for the crimes against the citizens of Sarajevo. Their explanations have been heard many times before the Tribunal. The witnesses maintain that the BH Army held dominant positions in the city and used them to open sniper and artillery fire on the civilians. The Serb side 'was just defending itself' and occasionally responded to the 'provocations from the city'.

Branko Radan and Zdravko Cvoro, the remaining two witnesses, are former officials from Sarajevo municipalities of Novo Sarajevo and Pale. According to the defense brief, Radan and Cvoro will deny the responsibility of Serb military and police forces for the crimes that had led to the ethnic cleansing of Muslims and Croats in those municipalities.

In their evidence in Karadzic's defense, Mladic's future witnesses denied strongly the responsibility of the Serb side for the major incidents in Sarajevo: the two mortar attacks on the Markale Town Market, the shelling of a bread queue in Vase Miskina Street, the shelling of people queuing for water in Dobrinja and the shelling that killed children in Alipasino Polje. Both Karadzic and Mladic are charged with those crimes. The witnesses blamed the BH Army for the attacks, claiming that they had all been 'staged' to blame the Serbs.

In addition to the terror campaign against the Sarajevo citizens, Mladic is on trial for genocide and other crimes committed in 1992 in the BH municipalities the Serbs claimed as their own, for the Srebrenica genocide in 1995 and for taking UN staff hostage. Last week Judge Orić's Trial Chamber rejected the motion to acquit Mladic on some of the counts in the indictment. The former Bosnian Serb army commander will have to answer the accusation in all 11 counts.

2014-04-28

THE HAGUE

MLADIC'S DEFENSE HAS ITS PROBLEMS

Due to problems with remote access to the Tribunal's IT system Mladic's defense has asked for the trial to resume three weeks later than originally planned. The trial was scheduled to continue on 12 May 2014



◀ Ratko Mladic in the courtroom

Ratko Mladic's defense has petitioned Judge Alphonse Orić's Trial Chamber to postpone the resumption of the trial by three weeks. The trial was originally slated to continue on 12 May 2014. According to the current schedule, the trial was to resume with the pre-defense conference, and Mladic's first witnesses were expected to appear on 13 May 2014.

The reason for the delay, the defense has explained in the motion, are the problems with the Tribunal's IT system caused by the switch to the new version of the Windows operating system. Despite the efforts of the technical support unit, the defense still has problems with accessing the documents and data necessary for the preparation of the defense case.

The defense lawyers claim they are unable to log in and work on their computers in the Tribunal's building or to access the databases from remote locations. The defense has been unable to retrieve the documents in the so-called e-Court environment, to access transcripts from the trials, or even to use the scanner they have been given. According to the defense, a three-week postponement would make it possible for them to make up for the time lost.

The prosecution has responded by proposing that a hearing be held as soon as possible to discuss the problems and clarify the defense's position; the Tribunal's technical staff should also attend the hearing.

The trial of the commander of the Bosnian Serb army Main Staff has been adjourned since the prosecution rested its case. In the first stage of its case the defense will contest the allegations relating to the war-time terror campaign against the citizens of Sarajevo, the first of the four joint criminal enterprises Mladic is charged with. Mladic is on trial for the crimes in the parts of BH claimed by the Serbs in 1992. In some municipalities, those crimes reached the scale of genocide. He is also charged with the genocide in Srebrenica in July 1995 and for taking UN staff hostage in the spring of 1995.

2014-05-02

THE HAGUE

MLADIC'S DEFENSE GETS ANOTHER WEEK TO PREPARE

The Trial Chamber has granted Mladić's defense one additional week for the preparation of its case; the defense had asked for three. Mladić's first witness will thus appear in the courtroom on 19 May 2014. The pre-defense conference will be held on 12 May, as initially planned

Ratko Mladić's motion for the postponement of the defense case has been granted in part: instead of the three weeks it requested, the defense got one additional week to prepare its case. The defense asked for the postponement because of the problems with the Tribunal's IT system, caused by the switch to a new version of the Windows operating system.

In its decision, Judge Orić's Trial Chamber explains that the defense's motion described the problems but failed to specify how that impacted the preparation of the defense case. Also, some problems, such as entering the list of exhibits to be used in the course of the witnesses' testimony, will have a negative impact on the prosecution's work, and the prosecution has not complained about it.

The judges are aware that the technical problems have affected the defense's preparations to a degree. Consequently, Mladić's defense has been granted a postponement. The pre-defense conference will take place as previously scheduled, on 12 May 2014, but the first witnesses will appear in court on 19 May 2014 instead of 13 May 2014.

Mladić will first contest the prosecution's evidence on the sniper and artillery terror campaign against the Sarajevo citizens, mostly through the evidence of former Sarajevo-Romanija Corps soldiers. The former commander of the Bosnian Serb army is on trial for the gravest war crimes in the part of BH claimed by Serbs in 1992. In some municipalities those crimes reached the scale of genocide. Mladić is also charged with the genocide in Srebrenica in July 1995 and taking UN staff hostage in the spring of 1995.

2014-05-12

THE HAGUE

MLADIC'S DEFENSE WITHOUT OPENING STATEMENT

Mladić's defense has been granted a total of 207.5 working hours to examine its planned 336 witnesses in chief, the same amount of time as the prosecution had to examine their witnesses. The defense has decided not to present its opening statement. On Monday 19 May 2014, the defense will thus begin its case with the evidence of its first witnesses



◀ Ratko Mladić in the courtroom

A month after the decision to deny Ratko Mladić's motion for acquittal at the half-time of the trial, and five months after the prosecution called its last witness, the trial of the former commander of the Bosnian Serb army continued with the pre-defense conference. The last preparations for the defense case were discussed at the hearing. In the course of its case, the defense will have to contest the prosecution's allegations about the four joint criminal enterprises Mladić has been charged with. Mladić is on trial of the terror campaign against the Sarajevo citizens, a number of crimes in various municipalities, including those where those crimes reached the scale of genocide, the genocide in Srebrenica in 1995 and taking the UN staff hostage in the spring of 1995.

As it was disclosed today, the defense decided not to present the opening statement. Consequently, on 19 May 2014, the first defense witnesses are due to appear in court. It was indicated previously that in the first phase of its case the defense would contest the prosecution's allegations about the artillery and sniper terror campaign in Sarajevo.

It was announced that the witness list contained 336 names. For the most part their testimony will be tendered into evidence in the form of written statements. The defense intended to take about 300 hours examining the witnesses in court. Judge Orić's Trial Chamber found that unacceptable as that was considerably in excess of the time used by the prosecution to examine their witnesses in chief. The established practice in the cases with just one accused, the judge explained, is to grant more time to the prosecution than to the defense as it has the burden of proof. However, an exception was made and Mladić's defense was allotted exactly the same amount of time as the prosecution – 207.5 hours – for the examination-in-chief of its witnesses.

It has already been indicated that the defense intended for the most part to call the same former Bosnian Serb army and police personnel and politicians who had already testified in Radovan Karadzic's defense. The identity of some of those witnesses who have not testified elsewhere was disclosed. Unless the court rules she is a witness who will present the *tu quoque* defense, the defense plans to call a woman raped in a Sarajevo prison. Mladic will also call alibi witnesses: the bride, the groom and the photographer whose wedding the accused attended in Belgrade on 16 July 1995, even as the prisoners were being executed in Srebrenica. Two Russians' are also on the witness list, but there is no other information about them.

The defense will submit its final witness and exhibit lists by Friday. This should have been done long ago, but the delay was caused by technical problems. The defense faced difficulties when a new operating system was installed at the Tribunal. This in turn postponed the beginning of Mladic's defense case from 13 to 19 May 2014. Today, however, the Trial Chamber noted that in addition to technical problems, the defense also faced some 'organizational difficulties'.

The beginning of the hearing was marked by technical problems. As Judge Orić noted, the problems thwarted Mladic, who showed 'lively interest', and he was unable to follow the transcript in English and to observe the goings-on in court on his screen; he was in the courtroom. While technicians were fixing the equipment the accused merrily chatted to them, thus showing that he was in good spirits on the eve of his case.

2014-05-17

THE HAGUE

APPEALS CHAMBER TO CONSIDER MLADIC'S 'HALF-TIME' JUDGMENT

The Trial Chamber has allowed the defense to appeal against the decision dismissing the motion to drop some counts in the indictment against Ratko Mladic, filed in line with the Tribunal's Rule 98bis, in mid-May

Ratko Mladic was granted permission to appeal against the Trial Chamber's decision of 15 May 2014. In the decision, the Trial Chamber dismissed the defense's request to remove parts of the indictment relating to double genocide and other war crimes against non-Serbs during the BH war. Mladic's defense has sought leave to file an interlocutory appeal, as it is known, against the decision which confirmed Counts 1 and 2 in the indictment pertaining to the genocide in six BH municipalities in 1992 and in Srebrenica in 1995.

According to the defense, the Trial Chamber's decision to dismiss the motion filed in line with Rule 98 *bis* didn't offer a 'well-reasoned justification' for inferring Mladic's genocidal intent. Rule 98*bis* allows partial or full acquittal at the half-time of the trial. As the defense noted, their arguments were not given proper weight. The Trial Chamber failed to demonstrate the existence of direct evidence incriminating the accused, the defense noted. Finally, in the view of the defense counsels, the evidence of two protected prosecution witnesses, who were 'unreliable' according to the defense, was not given proper weight either.

In its response the prosecution opposed the defense's request specifying that the Trial Chamber addressed all the evidence that pertained to the elements of genocide. Also, the prosecution maintained, in their decision pursuant to Rule 98*bis* the judges were not obligated to consider evidence favorable for the accused.

In its decision, Judge Orić's Trial Chamber didn't consider the details that the Appeals Chamber should deal with, but merely indicated that the issues raised by the defense might significantly affect the outcome of the trial: this is one of the requirements for an interlocutory appeal to be allowed. The Trial Chamber concluded those issues should be dealt with at this stage rather than at the end of the proceedings, and granted the defense the right to file an appeal.

Ratko Mladic's defense case was slated to begin on Monday, 19 May 2014. The decision allowing the appeal shouldn't lead to any further delays.

2014-05-19

THE HAGUE

RATKO MLADIC'S DEFENSE KICKS OFF

The former VRS Main Staff commander opened his defense case by contesting the allegations of artillery and sniper terror campaign against Sarajevo. Mile Sladoje, his first witness, contends that his battalion received a 'standing order' to 'return' fire when his soldiers were targeted by fire from the city, but only if the 'targets were visible'. In the cross-examination, the witness said that in his view there was no conflict between the 'standing order' and the order he received in July 1995 to 'return' fire on Sarajevo because the VRS had run into trouble in the Trnovo battlefield and in the Gorazde area



◀ Mile Sladoje, defence witness at Ratko Mladic trial

Ratko Mladic's defense case opened today with the evidence of Mile Sladoje, deputy commander of the Nedzarici Battalion, which was part of the Sarajevo-Romanija Corps. According to the witness's written statement, during the war the battalion operated in line with a 'standing order to open fire only in response to the enemy fire and only at identified targets'. In Nedzarici, the Serb forces acted 'defensively', the witness said, arguing that he never received or issued any orders to open fire on civilians.

Sladoje denied that the Serb forces in Nedzarici were responsible for the artillery incident listed in the indictment, in which, as alleged, six children were

killed and five were injured in Alipasino Polje on 22 January 1994. In the written statement and in his replies to the prosecution Sladoje said that the shell had been fired at Alipasino Polje from the Stigma building, which was located in the area under the BH Army control. In the cross-examination, the witness corrected himself explaining that it was only his assumption based on the information from the media.

Responding to prosecutor Dermot Groome Sladoje said that he 'absolutely' agreed with the claim that the shelling of children was a crime. Sladoje confirmed that there was no military justification for the shelling because there were no military facilities in that area. The shelling of children at play was an act that horrified every normal man, Sladoje said. Nevertheless, in Sladoje's view, it was not 'an act of terror', at least not in the sense that the prosecution tried to paint it.

Sladoje also claimed that the Serb forces didn't have a sniper nest in the Home for the Blind. In June 1994, 16-year old Sanela Muratovic was injured by a shot fired from that location. Sladoje had doubts that the incident had actually happened: the girl may have been hit by a 'stray bullet'. The witness was then shown a photo which indicates that the spot where the girl was shot was clearly visible from the Home for the Blind. Sladoje agreed with the prosecutor's suggestion that the shooter didn't need a sniper to hit the victim, adding that in fact he personally didn't know anything about the incident.

As Sladoje insisted on the 'standing order' which instructed his soldiers to 'return the fire from the city', but only if the 'targets were visible', the prosecutor was prompted to ask him if he ever received an order to open fire on Sarajevo just because 'something else was happening elsewhere'. When the witness replied that he had never received such an order, the prosecutor confronted him with the order issued by the VRS Sarajevo-Romanija Corps commander of 21 July 1995. In the order the brigade commands were ordered to 'independently plan, prepare and implement attacks or show of strength attacks on Sarajevo', in order to support the Serb forces that had run into trouble in the Trnovo battlefield and around Gorazde.

In Sladoje's opinion, this order didn't contradict the 'standing order' to 'return fire at visible targets'. Sladoje referred to the military doctrines of warfare and the tactical transfer of operations to other areas. Asked how many shells were fired on the city in line with that order, Sladoje replied with a counter-question, 'Who says any shells were fired at all?' The prosecutor didn't press the issue, saying that he would clarify it through other Mladic's witnesses.

At the beginning of the hearing today, Mladic first saluted the judges, then bowed to them with his hands crossed over the chest. Although the judges warned Mladic not to do that, Mladic used every opportunity to salute the witness. The witness saluted him back. The judges then cautioned the defense counsels to warn the defense witnesses not to show their friendship and support of the accused with their behavior.

2014-05-20

THE HAGUE

'DOUBLE RING' AROUND SARAJEVO

Predrag Trapara who commanded a VRS company in Lukavica during the war, testified in Ratko Mladic's defense. In a bid to show that the two armies in Sarajevo were evenly matched, Trapara argued that his unit formed part of a Serb ring around Sarajevo. Another ring, manned by the Muslim forces, was positioned behind the Serbs' backs, on the dominant hills around the city

Ratko Mladic's defense case began On Monday. The case continued with the testimony of Predrag Trapara, former commander of a company in the Sarajevo-Romanija Corps stationed in Lukavica. Trapara has already testified in the defense of General Dragomir Milosevic and Radovan Karadzic. In a statement to Mladic's defense the witness repeated the key arguments presented at previous trials. Trapara attempted to present the situation in Sarajevo as a clash of two armies that were equal in strength, to challenge the allegations in the indictment about the artillery and sniper terror campaign pursued by the units under the command of the accused against the civilians in the besieged city.

In the summary of the statement, read out by defense counsel Branko Lukic, the witness claimed that at the beginning of the war the frontlines around Sarajevo were established when Serbs and Muslims 'got out of their houses and dug themselves in'. According to Trapara, for the most part the frontlines remained unchanged: one of the reasons was the fact that the Serb side 'didn't take any offensive actions' and managed to repel the enemy attacks. Trapara said that he had neither received nor sent any orders to terrorize the citizens in the city. The only orders were to attack enemy positions, the witness explained. On the other hand Trapara claimed that the Muslim side attacked Serb civilians, noting that his parents had been injured in two separate incidents. The Muslim artillery targeted the Serb territory and snipers were their 'mainstay', Trapara said, adding that the enemy used civilian facilities for military purposes.



◀ Predrag Trapara, defence witness at Ratko Mladic trial

In a brief examination-in-chief the witness noted that his company manned two frontlines, one in front of them, facing the city, and one behind them, facing Mount Igman and Mount Bjelasnica, as a result of the fact that Sarajevo was 'surrounded by two rings'. In his answers to the prosecutor, Trapara said that during the war he had seen accused Mladic two times. Trapara saw Mladic first at Vrace in May 1992, and then on 12 July 1993 in Lukavica when Mladic shook hands with his soldiers. Mladic told the fighters that 'as of tomorrow you will not see other insignia on caps but the Serb tricolor'.

Before the cross-examination the judges asked the witness to clarify several issues. The judges asked Trapara to comment on a quote from a document where Radovan Karadzic ordered the troops to let the humanitarian convoys into the city and to 'stop the military offensive operations'. According to the witness, there were no military offensive actions. When he saw the document, Trapara said that he 'didn't say Serbs had not carried out any offensive actions'. What he meant was that such offensive actions were carried out in other sectors, just not in the sector covered by his company. The witness argued that the Serb side never prevented humanitarian convoys from passing. This prompted presiding judge Orić to bring up another document in which the troops were ordered to stop the humanitarian convoys following the murder of two Serb girls in March 1995. Trapara said that he had been unaware of the order. In fact, he may have 'unwittingly violated' the order because he always let the convoys pass into the city, Trapara explained.

In the cross-examination, prosecutor Milbert Shin went over the maps with the frontlines of the Bosnian Serb Army and the BH Army around Sarajevo in great detail, with special attention to the artillery positions. Prosecutor Shin also showed the witness some documents according to which Stanislav Galic, the Sarajevo-Romanija Corps commander, ordered that 30-strong sniper platoons be established in each brigade in the Sarajevo area. This contradicts the witness's claim about the 'sniper supremacy' of the other side. Trapara didn't contest the suggestion but said that his company didn't have sniper rifles. His unit didn't need them because its positions were below to the BH Army positions. The prosecutor went on to suggest that the Serb shelling had been 'heavier' than the Muslim artillery attacks. The witness agreed in part, saying that the statement may have been true at the beginning. From the mid part of the war until its end, the two sides were even when it came to artillery attacks, Trapara claimed. At the end of the cross-examination the witness was asked about his involvement in the pre-war arming of Serbs in Sarajevo, which led to his arrest and conviction by the former JNA.

As the hearing today drew to a close, Mladic's third defense witness Dusan Skrba began his evidence. Skrba used to be the commander of the Mixed Artillery Battalion in the 1st Sarajevo Brigade.

2014-05-21

THE HAGUE

WAS SARAJEVO UNDER BLOCKADE?

Dusan Skrba, former artillery commander in one of the battalions that were part of the 1st Sarajevo Brigade, claimed that his unit was manned by citizens of Sarajevo who had no intent of 'terrorizing civilians'. All they wanted was to 'defend their homes as the people's army they were'. The witness was shown Mladic's order to 'keep Sarajevo firmly under blockade' and to 'prevent the de-blocking', but he was categorical that the city had never been under a blockade.

Ratko Mladic's defense case continued with the testimony of Dusan Skrba, former commander of the Mixed Artillery Battalion in the 1st Sarajevo Brigade. The task of Skrba's battalion was to provide support to the infantry units on the frontline. Through Skrba's evidence the defense wants to contest the prosecution's evidence on the artillery and sniper terror campaign against Sarajevo and its citizens.

According to the summary of the statement read out in the courtroom by defense counsel Miodrag Stojanovic, 'there was never any intent to cause civilian casualties or to terrorize civilians. The witness never received 'any written or oral orders to attack public transport vehicles in the part of Sarajevo inhabited by Muslims'. On the contrary, the

'standing order not to open fire on civilian targets' was in effect. Skrba highlighted the fact that for the most part the soldiers in his unit were people from Sarajevo 'defending their homes like the people's army they were'.



◀ Dusan Skrba, defence witness at Ratko Mladic trial

Noting that in his statement the witness said there were no 120mm mortars in the sector manned by his unit in the southern part of Sarajevo, the defense claimed the VRS was not responsible for the shelling of the Markale town market on 28 August 1995. As alleged in the indictment, 43 persons were killed in the incident and 76 were injured. The prosecution contends that the shell was fired from Mount Trebevic, from the positions under the control of the VRS. Skrba on the other hand claimed that large caliber mortars were moved 20 km from the center of Sarajevo. According to Skrba, in the Miljevici sector on Mount Trebevic there were no firing positions with 120mm mortars.

In the examination-in-chief, Skrba said that his battalion was deployed southeast of Sarajevo and that his soldiers had about 30 artillery pieces, including 120mm mortars, howitzers and multiple rocket launchers. Skrba claimed that the 1st Sarajevo Brigade took artillery fire from two sides – from the direction of Sarajevo, and from the direction of Mount Igman. Skrba's unit was thus sandwiched between the BH Army troops that constantly moved their positions. In Skrba's words, his unit only responded to attacks by firing one or two shells, and 'that was it'. Judge Orić then asked the witness if he ever received any orders to open fire on Pofalici. Skrba replied that he didn't hear such an order. Among the evidence the prosecution called against Mladic for the terror campaign against Sarajevo is his order of 28 May 1992 to shell Pofalici and Velesici to 'roll out [their] minds' because there aren't many Serb inhabitants there'.

The prosecution asked for no less than three and a half hours to cross-examine the witness. In the first part of the cross-examination, the prosecutor tried to learn more about the organizational structure and composition of the mixed artillery battalion, as well as the firing positions manned by its units. Skrba said that his troops always opened 'proportionate' fire to 'neutralize enemy positions' because he 'had no ammunition to just open fire randomly without a clear target'.

The witness confirmed his evidence at the trial of Radovan Karadzic, that the Sarajevo-Romanija Corps was in a 'double encirclement', and that the BH Army held the Sarajevo-Romanija corps under blockade. The prosecutor showed Skrba Mladic's order to the Sarajevo-Romanija Corps to 'keep Sarajevo firmly under blockade' and to prevent the de-blocking. Skrba was categorical that Sarajevo was not under a blockade. According to him, until August 1993 the BH Army troops could 'get into the city by crossing the airport strip and Butmir and later through the tunnel that had been dug out to carry food, water, fuel and water'. Furthermore, many civilians used that route to get out of Sarajevo. This prompted Judge Orić to note that the fact that some people manage to escape a prison does not mean that everyone was free to go. The witness replied that the commander of the BH Army General Staff himself said in public that he would 'go out and come to Mount Igman'. 'How could he go anywhere if he was not free to leave?', the witness asked.

Dusan Skrba will complete his evidence tomorrow.

2014-05-22

THE HAGUE

'NEIGHBORLY AGREEMENT' ON POPULATION EXCHANGE

In his evidence at the trial of Ratko Mladic, the former president of the Novo Sarajevo Executive Board claimed that non-Serbs were not persecuted and discriminated against in his municipality. Muslims and Croats regularly received pensions, humanitarian and medical aid. Despite that, the non-Serbs were 'timid', but the witness did not specify why. The court heard about the exchange of population in November 1992

In his evidence in Ratko Mladic's defense, Branko Radan, former president of the Executive Board in Novo Sarajevo denied the allegations that non-Serbs were persecuted and discriminated against in his municipality. In his statement to Mladic's defense the witness said that at the beginning of the war the Serb authorities in Novo Sarajevo decided not to discriminate against anyone in any way, and in particular not to torture or abuse the non-Serb inhabitants. 'On the contrary, safety was guaranteed to everyone', the witness said.

According to the witness, about 2,000 Muslims and around 300 or 400 Croats remained in the Serb part of Novo Sarajevo. They regularly received their pensions, humanitarian aid and had access to health care. Some 'individuals' did illegally obtain property, but some of them were made to return it after the municipal authorities intervened. When the judges asked who those 'individuals' were, Radan said those were mostly Serbs who had acquired the property that belonged to 'others' unlawfully. Muslims and Croats were 'timid', the witness noted.

Radan did admit that a group of criminals was active in Grbavica. The nine men that were led by Veselin Vlahovic Batko 'caused problems' not only to Muslims and Croats, but also to Serbs. The civilian and military police stepped in at one point, and the group was dealt with. The witness's claim that the troublesome group 'was active over a period of just two or three years' caught Judge Orić's attention. The presiding judge asked the witness to clarify when exactly the group left the municipality for good.



◀ Branko Radan, defence witness at Ratko Mladić trial

This question was asked several times, and Radan kept saying that Batko 'first' left in late 1992, only to return later. Radan wasn't able to specify when Batko and others 'left for good' or indeed, if they ever did.

The judges also insisted that the witness explain a paragraph from the statement where he said that in the second half of 1992 'there was an exchange: Serbs left Sarajevo in 15 to 20 buses at Vrbanja Bridge'. Contrary to what he said in his statement, in court Radan argued that this was not an exchange. As he explained, the departure of Serbs from Sarajevo on 15 November 1992 was the response of the other side to the Serbs' 'act of good will' of 30 September 1992, when Muslims left from Grbavica

and went to Sarajevo. It was a 'neighborly agreement' between Serbs and Muslims living near the frontline. This 'had nothing to do with the authorities'.

In the examination-in-chief Radan claimed that Serbs, unlike Muslims and Croats, hadn't been preparing for the war. In the first part of her cross-examination, prosecutor Camille Bibles confronted the witness with the prosecution's evidence to the contrary. According to one of the documents she showed Radan, in 1991 the JNA was training and arming SDS members. By 11 May 1992, 69,000 Serbs were armed, Ratko Mladić wrote in his war diary.

The prosecution will continue cross-examining Branko Radan tomorrow.

2014-05-23

THE HAGUE

DISCREPANCIES BETWEEN DOCUMENTS AND WITNESS'S EVIDENCE

Ratko Mladić's trial continued with the cross-examination of Branko Radan, former president of the Executive Board in the Serb municipality of Novo Sarajevo. The prosecution focused on the discrepancies between the documents and the witness's description of the situation facing the non-Serbs in his municipality. The judges also noticed this discrepancy

In the cross-examination of Branko Radan, former president of the Executive Board in the Serb municipality of Novo Sarajevo, the prosecutor brought up documents and other evidence that contradicted the witness's claim that the 'Serbs had not been preparing for the war'. According to one of the documents shown in court, in 1991 the JNA had been very busy training and arming the SDS members. By 11 May 1992, 69,000 Serbs were armed, Ratko Mladić noted in his war diary.

Prosecutor Camille Bibles confronted the witness with a report from the command of the JNA 4th Military District, dated 20 March 1992. The report emphasized that the 'leadership of the Serb nation and all the Serbs are ready for the war'. Prosecutor Bibles noted that the Serb crisis staffs were already in place in 1991. Asked if it was possible that the Serbs had in fact been preparing for the war but that he had not been aware of it, Radan agreed. If he had known about the efforts, he would have joined in, the witness added.

The prosecutor put it to the witness that the position of Muslims and Croats in the part of the municipality under Serb control was not as idyllic as the witness described it in his statement. The judges asked Radan to identify the nine men, headed by Veselin Vlahovic Batko, who had been terrorizing the non-Serbs in Grbavica. The witness could only remember two of them; he knew only their nicknames Cepter and Krompir. The prosecutor suggested to the witness that the Serb leadership knew about the crimes committed by the group but failed to do anything about it. Radan agreed that any action against that group 'wasn't desired'.

The prosecutor also claims the witness provided an inaccurate account of the reasons and circumstances of the non-Serbs' departure from the area under Serb control on 30 September 1992. At the session of the Serb Assembly of 14 September 1992, Mladić quoted Dr. Mitar Miljanovic from Pale in his diary. Miljanovic said there were 60 per cent of Muslims in Grbavica and that the 'principle of retorsion' should be applied to them. Radan was adamant that the two sides had reached a 'neighborly agreement', prompting the prosecutor to show him a report filed by the SRNA news agency on 1 October 1992. The report quoted municipal officials, saying that some groups, acting 'independently' expelled non-Serbs.

The judges didn't fail to notice the inconsistency between Radan's 'almost idyllic depiction' of the non-Serbs' life in Grbavica and the evidence called in court. The judges asked the witness to explain the discrepancy. According

to Radan, the fact that there was a war going on made everyone feel uneasy. He was adamant that Muslims left Grbavica on 30 September 1992 as part of a 'neighborly agreement', not because they were expelled.

After Branko Radan completed his evidence, the defense called Nikola Mijatovic, former chief of staff of the Ilidza Brigade in the VRS Sarajevo-Romanija Corps.

2014-05-23

THE HAGUE

THE PRAISE OF 'SOWS'

The indictment against Ratko Mladic alleges that modified air bombs (also known as 'sows') were used by the Serb army to attack Sarajevo and that they were extremely unreliable and inaccurate. Nikola Mijatovic, former chief of staff of the Ilidza Brigade, argued that the trajectory of the 'sows' could be easily controlled. The slight deviations from course were caused by meteorological conditions. Mijatovic also claimed that the order to launch an air bomb on Hrasnica because this is where the 'greatest casualties and physical damage can be inflicted' didn't mean that civilians should be attacked. Only enemy soldiers were the intended targets



◀ Nikola Mijatovic, defence witness at Ratko Mladic trial

After Branko Radan, former municipal official from Novo Sarajevo, completed his evidence, Ratko Mladic's defense called Nikola Mijatovic. He started his military career as the security officer in the Ilidza Brigade and was then appointed the chief of staff. In his statement to the defense team, read out in court by defense counsel Ivetic, Mijatovic said that his brigade, which was part of the Sarajevo-Romanija Corps, 'never had the intention to terrorize civilians in the Muslim part of Sarajevo'. According to Mijatovic, they only targeted combat positions and command posts of the BH Army. Mijatovic estimated there were about 1,000 such targets in the city.

Also, Mijatovic claimed in his statement that the BH Army manufactured ammunition in civilian facilities, primarily schools. Although UNPROFOR warned them against it, the BH Army often shelled the Serb army and civilians in Ilidza, Mijatovic said. According to Mijatovic's sources, 460 Serb fighters and about 400 civilians, most of them children, were killed during the war in Ilidza. Mijatovic claimed that the BH Army shelled the power substation in Blazuj. As a result, the power and water supply to the city was cut off. Serbs were unfairly blamed for that.

The witness didn't deny that his brigade used modified air bombs because there was a shortage of artillery ammunition, but he contradicted the prosecution's argument that modified air bombs were extremely inaccurate and dangerous for civilians in the city. In his statement, Mijatovic explained that the trajectory of the bombs – colloquially known as 'sows' – could easily be controlled. Slight deviations were caused by meteorological conditions, as is the case with all artillery ammunition.

In the examination-in-chief, Mladic's defense lawyer showed Mijatovic an order issued by the Sarajevo-Romanija Corps to the witness's brigade on 6 April 1995 to launch an air bomb on Hrasnica or Sokolovic Kolonija, selecting the 'most profitable target where the greatest casualties and physical damage can be inflicted'. Mijatovic said that the order referred 'solely' to military targets and 'absolutely ruled out' any attacks on civilians. Mijatovic said he knew it because he knew that the Bosnian Serb Army was 'committed' to full compliance with the Geneva Conventions and laws of war. 'We were not allowed to open fire even on unarmed people if they were unarmed, let alone on civilians', the witness was adamant.

One day after the order was issued, one air bomb hit Hrasnica, killing a woman and injuring three other persons. The physical damage to civilian buildings was great. The incident is listed in the indictment against Mladic. The witness claimed the enemy military positions and the command in Hrasnica were the targets. In his statement to the defense team, Mijatovic commented on another incident from the indictment: the air-bomb attack on the civilian building in Safeta Hadzica Street on 26 May 1995. Mijatovic said that the attack occurred amid a heavy offensive of the BH Army in which both sides were constantly firing on each other.

This was the third time Mijatovic has testified before the Tribunal. He has already testified at the trials of Dragomir Milosevic and Radovan Karadzic. The witness will continue his evidence in Ratko Mladic's defense on Monday.

2014-05-26

THE HAGUE

GRATEFUL TO 'SERB BROTHERS'

Although the indictment alleges that numerous crimes were committed against civilians in Ilidza, Mladić's defense witness Nikola Mijatovic has argued there were no crimes in that municipality in Sarajevo. For that, Mijatovic said, he was grateful to 'his brother Serbs'



◀ Nikola Mijatovic, defence witness at Ratko Mladić trial

The indictment against Ratko Mladić alleges that the non-Serbs in Ilidza in Sarajevo were persecuted and that there was a detention facility in the municipality, the Kula in Butmir. As alleged in the indictment, modified air bombs were fired on the civilian areas in Sarajevo from Ilidza. Nikola Mijatovic, a former officer in the Ilidza Brigade, contradicted those allegations, saying that in the entire territory of the municipality there were 'no war crimes and no rapes'. As Mijatovic noted, this made him 'proud and grateful to my Serb brothers'.

In the cross-examination, the witness said that such impeccable conduct was the result of the strict disciplinary measures and standing orders to the troops

in the Sarajevo-Romanija Corps to observe Geneva Conventions and international laws of war. No such orders have been found, but the witness insisted they had been issued. In fact, Mijatovic said, the fact that those orders have not been found is 'very telling'.

There was no need to conduct any investigations when Sarajevo was shelled from the Serb positions, Mijatovic said. 'The shelling was never random', because the Serb forces only returned fire. Mijatovic went to explain the procedure: scouts sent in reports to the unit commands about the Serb positions that had come under fire and then the commands decided whether to respond with artillery fire.

According to the indictment against Mladić, two modified air bombs were fired from the positions held by the Ilidza Brigade in the spring of 1995. The first bomb was fired on 25 May 1995 and hit a building in Safeta Hadzic Street, and another one hit family homes in Hrasnica on 7 April 1995. A woman was killed and many civilians sustained major and minor injuries. In his statement to the defense team the witness said that the first bomb had been fired during a 'Muslim offensive'. The witness said that the offensive began in June 1995, in other words, well after the civilian building had been hit. Mijatovic claimed there was a typo in the statement. As for Hrasnica, Mijatovic claimed in the cross-examination that a large number of 'potential military targets' – such as BH Army unit commands and artillery positions – were located there.

In the examination-in-chief, the witness claimed that modified air bombs were quite accurate. This prompted prosecutor Groome to remind him that the bombs were propelled by rocket motors that could fail if the bombs ran out of fuel in flight. The witness confirmed the prosecutor's suggestion. The cross-examination on that issue then continued in closed session.

In defense counsel Ivetić's re-examination, Mijatovic said that 'some deviation' was expected when artillery rounds were fired, and air bombs were no exception. In an effort to bolster his argument, Mijatovic said, 'At shooting competitions, the contestants will not all hit bull's eye all the time'.

Mijatovic completed his testimony today. Mladić's defense is expected to call a new witness tomorrow.

2014-05-27

THE HAGUE

WITNESS: CIVILIAN CASUALTIES WERE COLLATERAL DAMAGE

Former commander of the 7th Battalion in the 1st Romanija Brigade, which was part of the Sarajevo-Romanija Corps, testified today in the defense of Ratko Mladić. According to him, the civilians in Sarajevo were victims of the decision made by the BH Army to open fire from built-up areas on the Bosnian Serb positions. Slavko Gengo denied allegations that civilians were targeted deliberately and that the shell that hit the Markale Market in February 1994 was fired from a VRS position in Mrkovici

Ratko Mladić's defense today called Slavko Gengo, former commander of the 7th Battalion in the 1st Romanija Brigade, which was part of the Sarajevo-Romanija Corps. Through Gengo's testimony, Mladić is trying to prove that the Republika Srpska Army was on the defensive and that 'the only war objective' of the Bosnian Serb army was 'to protect its own people, territories and hearths'. The defense is also trying to contest allegations that the VRS was

responsible for the shelling of the Markale market on 5 February 1994, in which 66 persons were killed and 140 injured.

The summary of the witness statement read out in court by Mladić's defense lawyer notes that the BH Army forces encircled the VRS troops in the Sarajevo theatre of war, opening fire on them from mobile mortars and setting up positions in areas inhabited by civilians. The witness also claims that the BH Army snipers opened fire on buses, civilian cars and other vehicles traveling along the Vogosca – Hresa – Pale road. Gengo claims that the VRS troops returned fire solely at the enemy combat positions 'without any intent of causing civilian casualties or terrorizing civilians'.



◀ Slavko Gengo, defence witness at Ratko Mladić trial

The summary of Gengo's statement goes on to say that nobody in his battalion heard any mortars being fired on the day when a shell hit the Markale market. The suspicion that the shell that hit the Sarajevo town market was fired from a position manned by his unit in Mrkovici resulted in an inspection being dispatched to his unit on 6 February 1994. The inspection was ordered by the VRS Main Staff. The team comprised personnel from the brigade command, from the SRK and UNPROFOR. In his statement, Gengo claims that some days later he learned from a French UNPROFOR soldier that 'the investigation established that fire had not been opened from any positions manned by the 7th Battalion on the Markale market'.

The prosecutor referred to UNPROFOR and VRS documents in the cross-examination in a bid to prove that the commission, which comprised UNPROFOR soldiers too, never went to the positions held by the 7th Battalion, 1st Romanija Brigade. As the prosecutor noted, the documents make no mention of any visits or on-site investigations in Mrkovici. The witness was adamant that UNPROFOR staff had visited the positions held by his battalion.

In the cross-examination, Gengo confirmed that Sedrenik 'faced the positions held by my brigade'. According to the indictment, 14-year-old Tarik Zunic was wounded in Sedrenik on 6 March 1995. He also confirmed that civilians lived in that area, but he insisted that it was up to the BH Army to remove civilians from combat zones. It was his duty to ensure that his troops opened accurate fire on legitimate military targets. 'I could not make the civilians move away from their artillery pieces', Gengo said.

When the witness was questioned by Judge Orić, he repeated that his unit only returned fire on the BH Army positions. If those positions were in built-up areas, civilian casualties could not be avoided. As Gengo explained, those civilians were 'collateral damage'.

The prosecutor also showed the witness an order issued by the SRK commander, General Stanislav Galic, on 26 January 1994, instructing his troops to exert 'strong pressure on the Muslim forces in Sarajevo and to liberate a number of locations'. The witness denied that the order required his unit to take offensive action. The SRK units 'merely tried to improve their tactical situation, and did not move the front lines forward', Gengo explained. His evidence will continue tomorrow.

2014-05-28

THE HAGUE

'STAGED' MASSACRE

As he testified in the defense of former VRS Main Staff commander Ratko Mladić, Slavko Gengo claimed that the 'Muslim side refused to participate in the work of the joint military commission', set up to establish the origin of the shell fired on the Markale town market on 5 February 1994. According to Gengo, the Muslim side feared that the commission would determine that the massacre had been 'staged' as were many other incidents in Sarajevo



◀ Slavko Gengo, defence witness at Ratko Mladić trial

On 5 February 1994 a mortar shell was fired on the Markale town market. In his statement to Ratko Mladić's defense team, Slavko Gengo, former commander of the 7th Battalion in the 1st Brigade, part of the Sarajevo-Romanija Corps, claimed that the mortar shell hadn't been fired from the positions held by his brigade in Mrkovici. As Gengo explained yesterday, he was told about the findings by an UNPROFOR officer who had visited the position manned by Gengo's troops in Mrkovici on 6 February 1994 together with VRS soldiers.

Unfortunately, Gengo couldn't remember the officer's name.

Referring to a series of documents, the prosecution claimed that a joint military commission never did go out in the field the day after the Markale shelling. In the re-examination, the defense counsel referred to the same documents, claiming that they did not show the commission hadn't visited the field that day.

Gengo said that General Manojlo Milovanovic, Chief of the Main Staff, asked that a joint commission be set up. The 'Muslim side refused to participate in the commission's work', Gengo said. In Gengo's view, Muslims decided against it 'in fear of the truth because the commission would prove the Markale incident had been staged in Sarajevo, as were some other previous attacks'. The witness listed a series of incidents such as the shelling of the bread queue in Vase Miskina Street and blowing up Sefer Halilovic's apartment. Finally, the defense counsel showed another prosecution exhibit, which, in the defense's view, proved that the 'Serb side wasn't given any information on the investigation'. The witness confirmed it.

At the end of his cross-examination of the witness, prosecutor Adam Weber noted that Gengo had given 'almost identical' statements to Mladić's and Karadzic's defense teams. The only difference, the prosecutor stressed, is that Gengo told Karadzic's defense that the Muslims protested against the BH Army opening sniper fire on Gengo's brigade positions because they were afraid the VRS would respond by firing on them.

Gengo replied that it was an 'abridged version', but he was sure he had 'mentioned everything'. Mladić's defense team may have 'left things out while typing', Gengo explained. The indictments were identical, and so were the statements, the witness said. Gengo confirmed that his troops responded to the BH Army fire depending on the snipers' positions, either with mortar fire or with small or large caliber cannons.

The topic piqued the interest of presiding judge Orić who tried to establish how Mladić's defense was able to produce a statement that is identical 'word for word' to the statement Gengo gave to Radovan Karadzic's defense. Gengo claimed that the defense team didn't have his previous statement. He 'spoke, and they wrote it down', the witness explained. 'If you asked me 10 years later, I would tell you the same thing', Gengo assured the judge.

Judge Orić also tried to establish the exact locations of the positions held by the witness's brigade at Spicasta Stijena. The presiding judge wanted to know if fire could be opened on Sedrenik from those positions. The indictment alleges that 14-year old Tarik Zunic was wounded in Sedrenik on 6 March 1995. The witness replied that the sniper rifles he had were not accurate at ranges exceeding 800 meters. In Gengo's words, Sedrenik was further away and the houses that were in range mostly 'belonged to Serbs and were abandoned'.

After Gengo completed his evidence, the defense called Dragan Maletic, who will continue his evidence tomorrow.

2014-05-29

THE HAGUE

WHO BROUGHT PRISONERS TO FRONTLINES

In his evidence in Ratko Mladić's defense a former VRS officer denied the claim that the Serb troops had opened fire from Grbavica on civilians in Sarajevo. Soldiers in the witness's brigade didn't rape, rob and expel non-Serbs. He 'wasn't aware' that soldiers from other VRS units in Grbavica engaged in this kind of behavior. The witness admitted he knew that prisoners were used for forced labor on the frontlines



◀ Dragan Maletic, defence witness at Ratko Mladić trial

Dragan Maletic, a former unit commander in the 1st Sarajevo Motorized Brigade, gave evidence at the trial of Ratko Mladić. The 1st Sarajevo Motorized Brigade held positions along the Miljacka River, between the Vrbanja Bridge and the Bratstva i Jedinstva Bridge. Maletic commanded the unit from the beginning of the conflict to the end of 1992 when he was appointed assistant commander for intelligence and security in the 3rd Battalion.

In his statement to Mladić's defense, Maletic said that during the war his unit mostly carried out defensive operations, and 'never opened fire, especially not sniper fire, on civilians'. According to Maletic, his troops never

opened fire from the Metalka buildings in Grbavica; the prosecution alleges that during the war snipers often fired from those buildings at the Holiday Inn Hotel along the so-called 'sniper alley'. In the examination-in-chief Maletic said that Serb soldiers didn't climb to the higher floors in those buildings because they 'felt safer closer to the ground'. In his statement to the defense Maletic said his battalion had a sniper unit which was subordinated to the commander. However, Maletic didn't know anything about their tasks and the way in which they were executed.

In the cross-examination prosecutor Adam Weber confronted the witness with a statement made by the deputy battalion commander Milan Hrvacevic to the Bosnian MUP in 1996. In the statement Hrvacevic said that two snipers

– Zlatko Subotic and Marinko Krneta – were particularly active and often opened fire on the buildings. The prosecutor wanted to know how Hrvacevic knew about the snipers, while Maletic, who was an intelligence officer, ‘was not aware’ of their activities. Maletic replied that five or six years after the war Hrvacevic told him that he had signed the statement ‘under duress’.

At one point, prosecutor Weber asked the witness to give him the copy of the statement he had in front of him during the cross-examination. Maletic claimed that before he took the stand he made some notes on the papers regarding some documents he had been shown during his evidence at the Karadzic trial. Some notes had to do with the killing of prisoners who were doing forced labor at the frontlines and who tried to escape. If asked about those incidents, Maletic was ready to say that those were justified because the prisoners could tell the enemy about the VRS positions if they escaped.

The prosecution played a video made by the Sky News reporter Van Linden about prisoners being taken from the KPD Kula prison to do forced labor, and then he produced Maletic’s written report on two prisoners trying to escape on 21 May 1993. Judge Orić asked the witness who ordered the troops to fire on the prisoners. Maletic replied that ‘nobody ordered it’, adding that it was considered appropriate to open fire on the escapees in order to prevent them from revealing the Serb positions to the enemy. Also, Maletic said that he did not bring them there. This prompted Judge Orić to remark that certainly the prisoners didn’t say to each other, ‘hey, let’s go to the frontline and build a bunker there’: they were obviously brought there by the Serb soldiers to do forced labor.

The prosecutor asked a series of questions about rape, robbing and expulsions of non-Serbs in Grbavica. He wanted Maletic to tell him what, if anything, he did about those crimes. The witness didn’t do anything, he explained, because his soldiers didn’t commit any such crimes. Maletic remained adamant even after the prosecutor showed him documents confirming that Maletic’s superiors – Ratko Mladić included – knew about the rapes and other crimes in Grbavica.

In the re-examination, Maletic said the prisoners were taken to do forced labor at night for their own safety. The orders issued by the command not to abuse civilians and to treat prisoners of war in line with the Geneva Conventions were strictly observed. Judge Moloto asked the witness what he did when fire was opened on two prisoners who were trying to escape. Maletic replied that he didn’t do anything.

Ratko Mladić’s trial continued with the evidence of Milorad Dzido.

2014-05-30

THE HAGUE

APPLICATION FOR A CHANGE OF RESIDENCE

Muslims who lived in Pale ‘were not expelled’, argued former president of the Pale Executive Board Zdravko Cvorović. On the contrary, the Serb municipal authorities actively tried to persuade them to stay, but in the end, Muslims submitted ‘their applications for a change of residence’ and the authorities ‘granted their applications’



◀ Zdravko Cvorović, defence witness at Ratko Mladić trial

Zdravko Cvorović, former president of the Pale Executive Board, began his evidence at the trial of Ratko Mladić. In his statement to Mladić’s defense Cvorović said that the crimes committed by Muslims against Serbs made the Muslims in Pale ‘fear retribution’. This is why, despite the Serb authorities’ ‘active efforts’ to persuade them to stay, Muslims insisted they wanted to leave. In the end, the Pale Muslims submitted their ‘applications for a change of residence’ to the authorities.

In the examination-in-chief, Cvorović noted that ‘Muslims left in line with their own applications, in an organized fashion and without any problems’. In early June 1992, the witness explained, there were some ‘problems regarding the evacuation of Muslims’, but then an Assembly session was held; it resulted in the Muslims submitting their ‘applications for a change of residence’. ‘We complied with their applications’, the witness said. Because of some transportation problems, Muslims left Pale to go to Sarajevo in batches. They took their property with them, including vehicles.

In response to questions asked by Mladić’s defense counsel Branko Lukić, the witness said that the abandoned apartments, houses and weekend cottages were given to Serb refugees. There were some instances of abuse, but the municipal authorities strove to put an end to them, the witness explained. The municipal commissions made a detailed list of abandoned property that, as the witness noted, was kept safe and returned to rightful owners. The witness himself lived in a Muslim-owned property: a cottage owned by Izetbegović’s advisor Hajrudin Somun. After the war the witness returned the cottage to the owner together with everything he had found inside. On the other hand, the witness found his apartment in Sarajevo in a ‘dilapidated state, largely empty’.

In the examination-in-chief, Cvoro spoke about the fighting in late May 1992 in the village of Renovica. Until the beginning of the conflict, the village had a 90 per cent Muslim majority. According to the witness, the Serb troops from Pale went to Renovica to disarm the Muslims but failed to do it. During the fighting in the villages of Renovica and Praca, a frontline was established. It remained active until the end of the war. The rear part of those two villages was adjacent to the part of Gorazde area controlled by the BH Army.

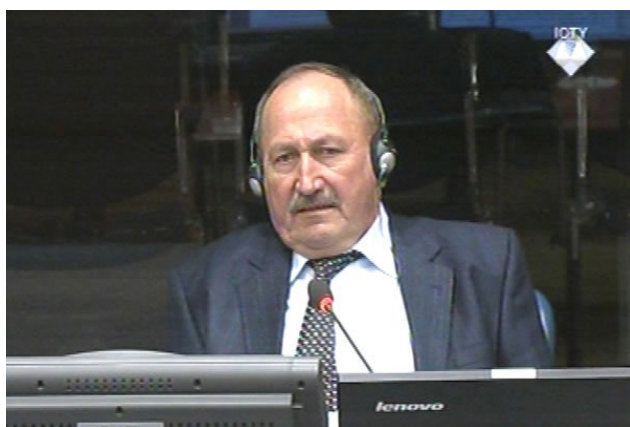
As the hearing drew to a close, the prosecutor started cross-examining the witness. The cross-examination will continue next week, after the testimony of Dragan Lalovic.

2014-05-30

THE HAGUE

MARKALE 1 COMMISSION: PHANTOM OR REAL?

The prosecution alleges that the shell that hit the Markale market in Sarajevo on 5 February 1994 was fired from the positions held by Slavko Gengo's battalion. Gengo's deputy Milorad Dzida corroborated his erstwhile superior's claim that a commission was set up, comprising VRS officers and UNPROFOR staff, and that the commission concluded the Serb troops were not responsible for the incident. The prosecution argues the commission was never established at all



◀ Milorad Dzida, defence witness at Ratko Mladic trial

Milorad Dzida, deputy commander of the 7th Battalion in the 1st Romanija Brigade, which was part of the Sarajevo-Romanija Corps, testified in the defense of Ratko Mladic. Following in the footsteps of the previous defense witnesses, in his statement to the defense team Dzida made some general claims to the effect that the BH Army had the upper hand in the Sarajevo theatre of war, and that the Bosnian Serb Army engaged only in defensive actions against the enemy, never targeting civilians in the city. In his statement, Dzida also denied that his unit was responsible for the massacre at the Markale town market on 5 February 1994. A single shell hit the market area, killing 66 and injuring about 140 citizens of Sarajevo.

As Dzida recounted, the day after the incident he was escorting a joint commission, which comprised the VRS and UNPROFOR personnel. The commission purportedly concluded that the shell hadn't been fired from the Serb positions at Mrkovici. Some days later, Dzida explained in his statement, an UNPROFOR team came to carry out a regular inspection. An unnamed French major said that the '7th Battalion didn't have anything to do with the Markale incident'.

As the witness said, he heard about this claim made by the French major from the interpreters. When the presiding judge asked him what language the interpreters were interpreting from, the witness said 'I don't know much about languages', adding that he spoke 'only Serbian'. He immediately contradicted himself, stating in the manner of a true linguist, that one of the UNPROFOR officers 'spoke English with a Russian accent'.

In the cross-examination, the prosecutor put it to the witness that no 'joint commission' ever existed, and neither did the statement made by the unknown French major. The prosecutor asked the witness if he could give him the name of a single person from the VRS Main Staff, the Sarajevo-Romanija Corps, UNPROFOR, or indeed his brigade, who had been part of the alleged commission. Dzida initially said 'no' three times, but was then able to recall that Captain Mile Pajic and a sergeant by the name of Jakovljevic were members of the commission from his unit. Pajic has passed away.

Slavko Gengo, the commander of the 7th Battalion, also testified about the 'joint commission' two days ago at Ratko Mladic's trial. In light of the almost identical written statements and answers the two witnesses gave in court, the prosecutor tried to establish if regular communication between the witnesses had anything to do with that. Dzida admitted that both he and Gengo talked to the representatives of Mladic's defense in Pale in October 2013. They both signed their respective statements on the same day, 10 May 2014, Dzida said, but he explained that the two of them weren't together in the office: they met in the corridor. Gengo and Dzida then met again at the Belgrade airport and took the same flight to Holland, although they were not seated together. Dzida also admitted that he and Gengo socialized even when they were not forced to do so because of their court duties. As he explained, they were too busy to meet 'more than four or five times a year, and then only briefly'. It is now up to the judges to decide if that was enough time for the witnesses to collude over their statements, i.e. whether they made sure their statements tallied as they were making them, before they arrived in The Hague. The judges will of course reveal their findings on this issue in the judgment, not before.

The judges had to wait until the end of Milorad Dzida's testimony to hear the most cogent version of his theory on what happened at Markale. As he was questioned by Judge Orić, Dzida said that he was '100 per cent sure' that the

shell hadn't been fired from the positions held by his unit. As he said, 'I suspect that something had been planted'. Accidentally or not, Dzida's commander Gengo presented the same theory two days ago: according to him, the incident had been 'staged'. Dzida explained why he was so dead certain his unit was not responsible for the incident: several high-rise buildings offered cover for the Markale market, and furthermore, no shells could be fired without his and Gengo's specific order.

Both witnesses have previously testified at the trial of Radovan Karadzic. The witnesses were warned at that time that the Tribunal's rules allowed them not to answer any potentially incriminating questions. This time, they were not cautioned.

2014-06-02

THE HAGUE

EVIDENCE ON EVENTS BEFORE AND AFTER PERIOD RELEVANT FOR INDICTMENT

In the examination-in-chief of General Dragan Lalovic, the defense insisted on getting his testimony on the pre-war incidents involving the JNA. The prosecution on the other hand dedicated a good part of the cross-examination to the period after the war, when the witness was the chief of Ratko Mladic's security, while Mladic was a fugitive from international justice. As the hearing drew to a close today, the accused was removed from court



◀ Dragan Lalovic, defence witness at Ratko Mladic trial

General Dragan Lalovic began his military career as a JNA officer, and ended his service in the Republika Srpska Army. During the war Lalovic commanded the 3rd Hercegovina Brigade, and later was appointed the commander of the 1st Motorized Brigade in his native Kalinovik. Lalovic is the first of the 10 witnesses heard so far at Ratko Mladic's trial who has not testified either at Radovan Karadzic's trial or at any other trial before the Tribunal.

In his statement to the defense team – and particularly in the examination-in-chief by defense counsel Branko Lukic – the emphasis was placed primarily on the events before the war in BH. In Lalovic's view, Muslim extremists

started the conflict when they attacked the JNA soldiers in Sarajevo. At that time, Lalovic held a post in the city. According to Lalovic, Muslims put up first road blocks on 1 March 1992. As a consequence, tensions increased and then several JNA soldiers were killed. Eventually, on 3 May 1992 the column of JNA troops was attacked in Dobrovoljacka Street.

Asked about the relevance of the evidence that pertained to the events that predated the crimes alleged in the indictment, defense counsel Lukic explained the evidence was called to refute the testimony of prosecution witness Robert Donia. In his evidence, Donia claimed that the first road blocks were put up by Serbs and that on 2 May 1992 the JNA tried to divide the city in two. The attempt was met with resistance. According to the prosecution, that part of Donia's report is merely there to provide context to the events, and is not very relevant. Consequently, Lalovic's testimony about those events lacks relevance too, the prosecutor argued today. 'Mladic is not charged with starting the war', the prosecutor noted.

In the cross-examination the prosecutor didn't ask a single question about the events before the war, focusing instead on contesting the witness's credibility because of his alleged bias in favor of the accused. The prosecutor put it to the witness that the accused and the witness were related: both are from the same municipality, and Mladic's maternal grandfather was Filip Lalovic. The witness explained that he and Mladic were from the same municipality, but came from different villages. They were only 'distant relatives'. As the witness explained, there were branches of the Lalovic family throughout the municipality. The family was so large that its members no longer considered themselves to be related: as a result, Mladic and Lalovic were not close relatives.

The second, possibly even closer tie between the witness and the accused stems from the fact that from 1997 to 2001 Lalovic commanded the military police unit that provided security to Ratko Mladic in the months after the war, first in Han Pijesak for a month, and then in Belgrade. General Lalovic didn't see anything controversial about the fact that he had protected a fugitive from international justice for four years against 'criminals and importuners', as he put it in the statement. Lalovic thus also protected Mladic against those who wanted to arrest Mladic because he had been indicted by the Tribunal for genocide and other crimes. No arrest warrant was in effect 'in my country', Republika Srpska, the witness explained, adding that he thus saw no reason why he should not provide security to the accused.

To corroborate the claim that there was no arrest warrant, Lalovic said Mladic had not gone in hiding at all. In Belgrade, Mladic 'moved around like anyone else', he went to the green market and did his shopping; he even

attended football matches. Mladic lived in his family house and 'from time to time' stayed in military facilities in Stragari and Rajac. Mladic never stayed in the military barracks in Topcider in Belgrade. In 2003, two soldiers were killed there. Their parents claimed the soldiers died because they accidentally saw Mladic there. Lalovic explained that he learned about the event from the media. While he was in charge of Mladic's security, Lalovic noted, the accused didn't stay in Topcider, but Mladic's security detail was stationed there. After he left his post, Lalovic was identified as one of the people who were helping Mladic hide, and he faced a variety of sanctions imposed by the international community: his bank accounts were frozen and he couldn't travel to the USA and EU.

After a rather long period of relatively good behavior in the courtroom, Mladic again acted up today, speaking louder than allowed. As the hearing drew to its end, the Trial Chamber decided to have Mladic removed from court, after he was warned several times not to stand up and not to talk loudly to his defense. When Mladic refused to comply with presiding judge Orić's order to calm down and sit still, he was removed from court.

2014-06-03

THE HAGUE

'MUSLIM SIDE RESPONSIBLE FOR POWER CUTS IN SARAJEVO'

In his evidence in Ratko Mladic's defense, Veljko Lubura, an engineer who worked for the Elektroprenos company in Republika Srpska, denied that the Serb side was to blame for the power cuts in Sarajevo. On the contrary, according to Lubura, the Bosnian side 'showed no interest' in improving the situation. Lubura contested the allegations in the report of the BH Elektroprivreda that in 1993, Sarajevo did not have power for a total of 140 days, including a period of 53 days in a row without electricity



◀ Veljko Lubura, defence witness at Ratko Mladic trial

Through the evidence of the former director of the Elektroprenos branch office in Ilidza Veljko Lubura, Ratko Mladic's defense intends to contest the prosecution's allegations that the terror campaign in Sarajevo did not involve just the artillery and sniper attacks, but also preventing humanitarian relief from reaching the city and cutting off power, water and gas supply. During the war, the witness was the chief engineer in charge of the facilities providing electricity to 15 Bosnian Serb municipalities. Indirectly, the witness was in charge of providing power to the part of Sarajevo under siege. Lubura has previously given evidence in Radovan

Karadzic's defense. Today, the statement Lubura gave to Karadzic's defense was admitted into evidence, with an addendum that pertained specifically to the Mladic trial.

In the statements, Lubura contradicted all of the prosecution's claims. Lubura argued that the Serb side in fact did everything to make sure the power supply system was operational, in order to meet the needs of both the Serb settlements and the rest of Sarajevo too. In his statement to the defense team, Lubura claimed that the fighting hindered their efforts, as did the 'obstructions by the Muslim side'. Nevertheless, the city received electricity regularly, using the transmission lines that ran through the Serb-controlled territory. There were occasional black-outs that lasted five to 10 days due to system failure, the witness explained. According to Lubura, the only time the power supply to the city was disrupted for a longer period was from December 1992 to January 1993 after Juka Prazina's group shelled the substation in Blazuj. In mid-1993 when Serbs conquered Trnovo, the situation improved and the Bosnian Serb authorities wanted the citizens of Sarajevo to feel it, Lubura recounted. The 'other side' however, 'showed no interest' in improving the power supply in the city. Lubura assumed that it was because the electricity imported from Montenegro 'had to be paid'.

In his replies to defense counsel Lukic, the witness said that he was the only person who could cut off the power in Sarajevo. But, as Lubura explained, he never did that and he never received any demands to do that, either from the military or civilian authorities. The 'top leadership' never issued any such orders, Lubura was adamant. To corroborate his claim that the obstructions originated in Sarajevo, the defense tendered into evidence an UNPROFOR document from June 1995. The document states that the 'Bosnian side decided at the eleventh hour not to restore the utilities in the city', urging UNPROFOR to take control of the Bacevo spring and of gas supply.

In the cross-examination, prosecutor Jeremy responded by showing several UNPROFOR documents stating the opposite, that the Serb side caused power cuts in Sarajevo. The reports note that 'Serbs deny access' to locations where the power lines were down, that repairs were underway on the 'Bosnian side only, and not on the Serb side' and that the situation improved only when Radovan Karadzic caved in and accepted an agreement to that effect. The witness replied that he didn't know anything about that.

The prosecutor went on to contest Lubura's claim that he was the only person who could turn off the power supply in Sarajevo; to that end, he produced a document from the VRS Main Staff signed by General Milovanovic, where the troops are ordered 'not to interfere with the power and gas supply to the city without my permission'. The witness

replied that the army was not at the top of the hierarchy when it came to the issues related to the power supply. 'In order to have the power cut off, they had to submit a request to the head of the Elektroprivreda. He would then order me to do it, and I would relay the order to the dispatchers', the witness said.

The prosecutor then showed him a report of the BH Elektroprivreda. According to the report, during 1993 Sarajevo was without power for a total of 140 days, including a period when the power was off for 53 days in a row, from 21 June to 13 August 1993. Lubura replied that he couldn't see 'how they reached this figure, 53 days'. According to Lubura, the report was not true.

As the hearing drew to a close Zdravko Cvor, a war-time official from Pale, continued his evidence.

2014-06-04

THE HAGUE

WHY AND HOW MUSLIMS LEFT PALE

In the cross-examination, the prosecution has put emphasis on the documents which contradict the witness's claims that the Muslims left Pale of their own accord, in fear of retribution



◀ Zdravko Cvor, defence witness at Ratko Mladic trial

Former president of the Pale Executive Board Zdravko Cvor claimed in the examination-in-chief at the trial of Ratko Mladic that the Muslims left that municipality of their own accord, because they feared retribution for the crimes committed by their compatriots against Serbs. Cvor said in his evidence that despite 'active efforts' of the Serb authorities to 'persuade' them to stay, Muslims finally submitted their 'applications for a change of residence'. Eventually, the Serb authorities 'granted their applications'.

Prosecutor Arthur Traldi noted in the cross-examination that until the war there were 4,364 Muslims living in Pale municipality, 27 per cent of the total population. The prosecution alleges that the Serb authorities expelled most of those Muslims to Sarajevo in late June and early July 1992. They left in convoys under police escort. The prosecutor corroborated the claim with a series of documents that contradicted the witness's claims about voluntary departure. The judges also took note of this discrepancy.

The prosecutor also presented documents that relate to the drive to arm the Serbs in Pale in the spring of 1992, to the establishment of the municipal Crisis Staff, which comprised only Serbs, and to a group of 400 Muslims who were arrested and abused in Bratunac. The group was then transferred to Pale and then deported to Visoko. The prosecutor reminded Cvor about what prosecution witnesses had stated in their evidence: that in the spring of 1992 Nikola Koljevic personally told Muslims they were not wanted in Pale because 'Serbs no longer want to live with them'.

Cvor argued that he didn't know anything about the effort to arm the Serbs in Pale. The fact that there were no Croat and Muslim members in the Crisis Staff was, in Cvor's view, 'a political issue'. After he saw the footage showing prisoners from Bratunac Cvor said that it 'might have been staged'. When the judges intervened, Cvor finally agreed that many prisoners bore evidence of abuse. Cvor however claimed that they were not 'prisoners' but simply 'people', because they had not been arrested in Pale. This prompted Judge Orić to present the witness with a hypothetical situation: if a prisoner is transferred through Vienna, he cannot be considered a prisoner for the duration of his stay in Vienna just because he has not been arrested there. Cvor then changed his mind and agreed that the men 'may have been' prisoners.

The prosecutor also reminded the witness of a letter he wrote to Biljana Plavsic in July 1992, in which he personally told Plavsic about forcible evacuation of Muslims from Pale. Cvor fell back on the same story he told in his evidence at the trial of Radovan Karadzic. According to him, the Muslims 'misinterpreted' the decision passed by the Municipal Assembly on 18 June 1992, which stated that all citizens had the right to live where they wanted to. There were some Serb individuals who also misunderstood the municipal decision. Some of them were police officers, but in Cvor's words they were 'exceptions'.

Zdravko Cvor will complete his evidence tomorrow. The defense will then call protected witness RM 311.

2014-06-05

THE HAGUE

SEVERED HEADS ALL OVER SARAJEVO

A protected defense witness claimed that the army under the command of the accused Ratko Mladic was not the sole culprit for war victims in besieged Sarajevo. The witness argued that 'young Muslims' would throw grenades at their fellow citizens. The witness claims he saw bodies with plastic bags on their heads in the city; in Pofalici there were more than 10 mutilated bodies of Serbs. One of the victims was a child with a severed head. Later on, the protected witness found six more severed heads: three were found hanging on the door of the Orthodox church in Novo Sarajevo and three were tied to the necks of stray dogs



◀ Ratko Mladic in the courtroom

After the evidence of former municipal official from Pale Zdravko Cvorovic, Ratko Mladic's defense called as its next witness a Serb who had spent the war in Sarajevo under siege. In fear for his personal safety, the witness asked for protective measures: image and voice distortion and a pseudonym, GRM 311. The witness's request was granted. In the statement to the defense team and in his evidence today, the witness recounted a series of shocking stories from the period he spent in the city under the control of the BH Army.

Defense counsel Ivetic read out the summary of the witness's statement in court. The witness claims that in the beginning of the war he 'received an order' to make

hand grenades for the BH Army in a civilian factory. The witness claimed that 'young Muslims' picked up the grenades and went into the city with a list of persons who were to be killed. The Muslims purportedly threw grenades at their fellow citizens too, to 'increase the number of victims' in the city.

The witness went out to collect wood for fuel, and on three occasions he saw bodies with black bags over their heads on different locations in the city. According to the witness, he was kidnapped on 5 January 1993 on his way home. 'Men wearing ski masks' threw him into a van and took him to a location in Pofalici. There the witness was shown a pit with more than 10 mutilated bodies. 'A child with severed head' lay on top of the pile. The head had been placed on the breasts of a dead woman who lay beside the child. The child's hands had also been cut off; they were a little further away 'forming a cross'. The people in ski masks beat the witness up, breaking his arm and leg. The masked people threatened the witness that they would kill him if he didn't keep on making grenades for the BH Army. The witness continued going to work regularly despite the broken leg and arm until June 1994.

Most of the brief examination-in-chief proceeded in closed session. The only thing that was said in open session was that in a 12-hour shift the witness was able to make about 120 grenades.

At the beginning of the hearing, the prosecutor said that in his view the witness's statement and his evidence constituted a *tu quoque* defense. The Tribunal's rules prohibit this form of defense, which is based on alleging crimes committed by the other side. The Trial Chamber nevertheless admitted the statement into evidence and allowed the testimony to go on. The Trial Chamber apparently felt that the witness's evidence showed the Sarajevo citizens were not victims only of the criminals around the city, as the prosecution alleges, but in some cases of the criminals that were active inside the city.

Most of the witnesses so far have also testified at the trial of Radovan Karadzic; not so Witness GRM-311. He did testify previously, in the defense of General Dragomir Milosevic, former commander of the Sarajevo-Romanija Corps. In the cross-examination prosecutor McGregor noted the discrepancies between the witness's testimony then and today. At Milosevic's trial the witness said the pit incident happened in October or November 1992. Today he said it happened in January 1993. The witness said both times that 'people wearing ski masks' kidnapped him 11 times, but gave a different time frame for those incidents. The witness replied that earlier, in his evidence at the trial of General Milosevic, 'somebody else made those mistakes, not me'. The witness was adamant that everything he said in his evidence today was true.

In the cross-examination, the witness recounted that he saw more severed heads in Sarajevo, not just the child's head near the pit in Pofalici. One time, he was picked up in the street by a man in black limousine. The man, also a Serb, drove the witness to the Orthodox church in Novo Sarajevo and told him: 'Look what they are doing to us'. The man pointed to the church door where three severed heads hung. Soon afterwards, the witness saw a pack of about 15 stray dogs who were fighting over three severed heads. The heads were tied to necks of some of those stray dogs. As if wanting to confirm that he heard it right, the presiding judge asked the witness to repeat the story from the beginning and to specify where exactly the severed heads had been. The witness replied that three heads hung on the church door, and three other heads were tied around the stray dogs' necks.

The witness described the life of Serbs in the city in the worst possible light. In the cross-examination, he did admit that on the eve of the war he was given an apartment from his company, that he had no problems at work and that

nobody threatened him. On the other hand, the witness claimed that he was expelled from Sarajevo after the war, in mid-1996, so that a Muslim could move into his apartment. This was done in a bid to buy the silence of the Muslim because his wife had been killed by the 'Muslim troops, not by the Serb forces'.

Witness GRM 311 will complete his testimony tomorrow morning.

2014-06-06

THE HAGUE

PROSECUTION: 'WITNESS IS INCONSISTENT AND INCREDIBLE'

The prosecutor has noted a number of strange claims made by the protected witness testifying in Mladić's defense. The witness claimed that he had seen a series of crimes against Serbs in Sarajevo, including severed heads, on at least three occasions, the prosecutor said. Nevertheless, the witness never noticed that Muslims also suffered in the besieged city

As the cross-examination of protected witness testifying under the pseudonym GRM 311 continued, prosecutor MacGregor was less circumspect than he was yesterday, putting it to the witness that his evidence about the events in Sarajevo was not true. 'I don't doubt that you had had traumatic experiences during the war but the killings and mutilated bodies you mentioned in the evidence are inconsistent and incredible', prosecutor MacGregor noted. According to the prosecution's view, the witness did not see many of the things he recounted.

In his statement to the defense team and in the examination-in-chief yesterday, the witness made a number of stunning claims about his time in Sarajevo during the war. The witness said that as a Bosnian Serb he had been forced to work in a factory, making grenades for the BH Army. 'Young Muslims' would then throw those grenades at the people to 'increase the number of victims in the city'. The witness also claimed he saw bodies with black bags over their heads on at least three occasions in Sarajevo. On three other occasions, the witness saw heads that had been cut off from Serb bodies: first he saw a child's head in Pofalici, then three heads hanging on the door of an Orthodox church in Novo Sarajevo, and finally, three heads that were tied to the necks of stray dogs.

Yet the witness saw no sign of any other people suffering in Sarajevo apart from Serbs, particularly not as a result of the artillery and sniper terror campaign against civilians. This is one of the charges Mladić faces. Asked if he knew that Muslims suffered too in the city, the witness replied that he had no knowledge of that. During the war he worked 12 hours a day and didn't pay any attention to what was going on around him, he explained.

For three entire years, the witness traveled 10 kilometers each day to work, yet he claimed he never saw any UN staff or vehicles in the city. The witness claimed that he didn't see them in the street that was nicknamed the 'Sniper alley', although he passed by the street every day. The witness didn't know about the containers and other object used to shield the passers-by from sniper attacks. The witness went there on a daily basis, but he never saw anything strange going on, particularly not sniper attacks. The witness admitted that he did hear about the 'Route of Life' but didn't know why Muslims would give such a name to a street in the city. On the other hand, the witness knew a lot about the BH Army snipers who were deployed in a number of buildings such as the Executive Board building, the technical school, and two city museums. The witness also claimed that he had seen mortars in the perimeter of the military hospital.

In a bid to see why the witness may have made those 'inconsistent and incredible claims', the prosecutor asked him if he perhaps felt 'psychologically unstable' after the ordeal he had been through during the war. The witness replied that all Serbs in Sarajevo felt like that today. 'We are all unstable, especially those Serbs who stayed in the city. I don't see them there, though. There are more Serbs in The Hague than in Sarajevo', the witness remarked.

As the hearing continued today, Mladić's defense called its next witness, Dragomir Andan, a former police inspector.

2014-06-06

THE HAGUE

'HONEST PEOPLE'S CLUB' AGAINST PARAMILITARY FORMATIONS

Former police inspector Dragomir Andan testified at the trial of Ratko Mladić about the role of the VRS Main Staff in the operations against the paramilitary formations in Brcko, Bijeljina and Zvornik in June and July 1992. By that time, most of the non-Serbs had already been expelled from the three municipalities, the prosecution alleges

After protected witness GRM 311 completed his evidence, the defense of former commander of the VRS Main Staff Ratko Mladić called his next witness, Dragomir Andan. Through the testimony of the former police inspector, the defense wants to show that the VRS took part in the effort to arrest and prosecute paramilitaries, and that it observed the laws of war in their counter-offensive operations. Also, the defense wanted to show that General Mladić ordered and oversaw the exchanges of prisoners, called for investigations when prisoners were abused and that he never issued an order that ran counter to the Geneva Conventions.

In the examination-in-chief, Andan said he met Mladic several times during the war. Mladic and Andan first met in July 1992 in the VRS Main Staff in Han Pijesak. Andan, Mico Davidovic and VRS officers were making plans for a joint military and police operation against the paramilitary unit called the Yellow Wasps, which was active in Zvornik. Mladic then shook hands with them and saluted them, saying 'welcome to the honest people's club'. Mladic said they couldn't stabilize the frontline before they dealt with the paramilitaries whose only goal was 'looting and expelling' the non-Serbs. Mladic also noted that Serbs 'are not alone in this war', that the 'entire world is watching' them, that they 'have to protect Croats and Muslims' and 'make every effort to observe the Geneva Conventions'.



◀ Dragomir Andan, defence witness at Ratko Mladic trial

At the beginning of the cross-examination, Andan confirmed that Serbs put up road blocks in Sarajevo in March 1992. Momcilo Mandic, who was the deputy police minister in the Republic, was actively involved in that. On 31 March 1992, Mandic issued the order establishing the Serb police force. For two months, Andan refused to join the Serb MUP, but finally agreed to do it after he received several threats. Later in the cross-examination Andan spoke about his role in the operations against paramilitary formations in Brcko; Bijeljina and Zvornik. These three BH municipalities were comparatively rich, and this is why the paramilitaries targeted them.

Andan recounted how he went to Brcko in early June 1992 and stayed there for two or three weeks. During that period the witness was able to set up the police station and to stabilize the security situation. Afterwards, things 'escalated again' when members of Captain Dragan's Red Berets unit and Arkan's men started causing trouble. Prosecutor Camille Bibles asked the witness if he heard about Goran Jelusic Adolf killing dozens of Muslims in front of the police building. Andan replied that he had heard about it, but 'at a later stage'. In Andan's words, he also became aware of the Luka prison camp at a later time. As far as the witness knew, the prison camp was under the VRS control. The Batkovic prison camp in Bijeljina was also under the military control, Andan said. On one occasion, Andan intervened on behalf of his friend Ante Vidovic, and obtained his release from the Batkovic prison camp. Vidovic was arrested and detained just because he was a Croat.

As the hearing drew to a close, Andan was asked about the operation launched by the Serb troops against the paramilitary formation known as Yellow Wasps in Zvornik. The prosecution suggested that the operation, just like those in Brcko and Zvornik, was carried out only after most of the non-Serbs had been expelled from those municipalities and after the paramilitaries started robbing and abusing the Serbs. According to Andan, the main reason for the operation was because the Serb forces on the frontlines were 'restless' because of what the paramilitaries were doing. In late July, when the operation started in the Zvornik area, there were still some Muslims left there. However, the witness agreed that many Muslims had by then already left.

The cross-examination of Dragan Andan continues on Tuesday, 10 June 2014.

2014-06-10

THE HAGUE

'DISPOSABLE' INSPECTOR

In the cross-examination of former police inspector Dragomir Andan the prosecution noted that the VRS condoned the presence of paramilitary forces in Republika Srpska. This is evidenced by a number of reports that praise the successful ethnic cleansing of non-Serbs in Zvornik, and by Mladic's commendation of the Panthers unit for their bravery

Ratko Mladic's defense called Dragomir Andan, former inspector in the Serbian MUP, in a bid to prove that the Serb army worked side by side with the police to arrest and prosecute paramilitaries. According to the defense, the operations against the paramilitaries in the Brcko, Bijeljina and Zvornik areas in June and July 1992 corroborate the claim. The prosecution, on the other hand, noted the facts that cast a different light on the relationship between the paramilitary formations and the Serb authorities, including the accused Mladic, who was the VRS Main Staff commander.

Prosecutor Camille Bibles highlighted the crimes committed by the Panthers, a unit under the command of Ljubisa Savic Mauzer in Bijeljina. Prosecutor Bibles stressed the fact that Mauzer has never been put on trial. On the contrary, in March 1993, Mladic commended the Panthers unit for their bravery and heroism. Asked if that 'disturbed' him, Andan replied that the commendation was not awarded to Mauzer himself, but to the unit, and it was well deserved. According to the witness, Mauzer was arrested in July 1992, but was released after his unit drove their tanks to the police station. This prompted Judge Moloto to ask if this was done by the same unit that Mladic had commended. Andan confirmed it.

The witness recounted that Biljana Plavsic invited the paramilitary units to come to BH. This prompted the prosecutor to note that the VRS condoned their presence and activities, especially their involvement in the ethnic cleansing of

the non-Serbs. Prosecutor Bibles showed a report of the Drina Corps command from December 1992. According to the report, Zvornik was 'cleansed of Turks'. The Drina Corps command report did indeed 'praise' the paramilitary units and ethnic cleansing, Andan admitted. But, as he explained, this was not a view shared by the entire VRS Main Staff. 'Just one unit', the Drina Corps, held that view.

Prosecutor Bibles suggested that the value of the witness's statement to the defense lay in what it failed to address: the fact that the RS authorities never prosecuted the paramilitary leaders, although there was evidence against them. Those leaders include characters such as the brothers Vuckovic, Vojin and Dusan, who led the Yellow Wasps unit, active in Zvornik. Andan claimed that after the operation in Zvornik he pressed criminal charges against the Vuckovic brothers and several other members of the Yellow Wasps unit. The men were arrested but were soon released, for reasons unbeknown to him, Andan explained.

The prosecutor stressed the fact that in August 1992 the witness was suspended from the police force. Andan confirmed it. According to him, police minister Tomo Kovac told him that Andan had been used by the top brass in Brcko, Bijeljina and Zvornik as a 'disposable condom'. They no longer needed him, Kovac told Andan. After that Andan accepted Petar Salapura's invitation to join the VRS. He served as an intelligence officer in the 65th Protection Regiment.

After Dragomir Andan completed his evidence, the defense called its next witness, Svetozar Guzina.

2014-06-10

THE HAGUE

COMMANDER'S KNOWLEDGE OF GENEVA CONVENTIONS PUT TO TEST

Mladić's defense witness Svetozar Guzina commanded a VRS battalion stationed in Nedzarici. According to him, he and indeed all the Serb soldiers in the Sarajevo theatre of war strictly observed the Geneva Conventions. This prompted the presiding judge to test the witness's knowledge. Guzina eventually admitted his knowledge of the Conventions was pretty basic. Before the war he was in the catering business and was not a trained officer



◀ Svetozar Guzina, defence witness at Ratko Mladić trial

In the second session at Ratko Mladić's trial today, Svetozar Guzina began his evidence in Mladić's defense. During the war, Guzina was the commander of the 1st Battalion in the VRS Ilidza Brigade. Defense counsel Stojanovic read out the summary of the witness's statement to the defense team. In it the witness repeated the key arguments from his evidence in Radovan Karadzic's defense. The witness described the conduct of the Bosnian Serb army in the Sarajevo battlefield in glowing terms.

In the summary, the witness stated that before the war he had 'a catering business' in Sokolovic Kolonija in Sarajevo. The witness became aware of the fact that

as early as in the spring of 1991 Muslims started getting weapons and gearing up for war. When the first inter-ethnic incidents occurred, the witness fled to Ilidza where he joined the Bosnian Serb army and became a battalion commander in Nedzarici. His unit, the witness said, complied with 'the strict orders' they had been given not to shoot at civilians in the city. Guzina claimed that he was 'not aware of a single instance' of targeting the citizens in Sarajevo by sniper or artillery fire.

The witness claimed that his unit wasn't responsible for the incident that happened on 26 June 1994, which is listed in the indictment. Sanela Muratovic, a 16-year old girl, was hit in shoulder by a sniper, as she walked down Djure Jaksica Street with a friend. The witness explained that his unit did not deploy any snipers in that area. He couldn't understand why civilians walked along the demarcation line while the fighting was going on, implying that Sanela was wounded in the cross-fire.

According to Guzina, his unit in Nedzarici never prevented the passage of humanitarian aid convoys into Sarajevo. Defense counsel Stojanovic showed a document of 15 May 1993 in which the Sarajevo-Romanija Corps relays the order of the VRS Main Staff to subordinate units 'not to prevent humanitarian convoys from passing through'. All the soldiers in the Corps knew about the order and implemented it, Guzina explained.

Presiding judge Orić noted that the same document ordered the troops to observe the Geneva Conventions. The presiding judge asked Guzina whether he was familiar with the Conventions, as he was supposed to implement them. 'Roughly speaking, I knew the basics', Guzina replied, adding that the conventions related to the rights of the prisoners of war. Asked to name those rights, the witness said that prisoners must be 'given food, water, must be protected from further suffering and transferred to relevant bodies which then take further action'.

The witness gave an example: on one occasion, 'Muslim children from Butmir' entered into his brigade's area of responsibility and were then escorted back. The presiding judge interrupted the witness at that point. He was

'surprised by the witness's idea of who can be considered as a prisoner of war', given that he had mentioned 'Muslim children' in that context. Guzina first claimed it was all a misunderstanding, but then he admitted that he didn't really ponder the issue of prisoners of war and their rights. After all, he 'had a restaurant' before the war and was not a professional officer.

Tomorrow, the prosecution will cross-examine the restaurateur turned battalion commander.

2014-06-11

THE HAGUE

TWO 'BAR TRUTHS' ABOUT ARMING OF SERBS AND MUSLIMS

Asked about the pre-war arming of Serbs in Sarajevo, Mladic's defense witness said he didn't know anything about it. Until the beginning of the war the witness ran a restaurant and didn't think about war at all. At the same time, the witness claimed that after people 'had a drink or two in a bar' all kinds of things could be heard about the Muslims arming themselves. According to the witness, the word 'poturica' is not a slur for a person who converts to Islam



◀ Svetozar Guzina, defence witness at Ratko Mladic trial

All previous witnesses of Ratko Mladic's defense claimed that the Muslims in BH were the first to get weapons and that they initiated the incidents that led to the war. In his statement to the defense team and in his examination-in-chief yesterday, Svetozar Guzina, who commanded the VRS battalion in Nedzarici during the war, made a similar claim. According to Guzina, as early as in 1991, while he still ran a restaurant in Sokolovic Kolonija, he heard that Muslims were getting arms. Today this prompted the prosecution to present documents showing that before the war Serbs were arming themselves in secret.

In early 1991, a report from the police station in the Serb municipality of Ilidza stated that at a series of 'illegal meetings' people 'advocated the war option as a means of accomplishing the national interests'. There was 'intensive work' underway to arm the citizens of Serb ethnicity, the report noted. Asked how that fit with his allegations, the witness replied that he didn't know anything about the arming of Serbs. At that time, he ran a restaurant and didn't get involved in the matters of war. But, as the presiding judge Orić noted, Guzina was nevertheless well aware of the arming of Muslims. The witness explained that it was because of his job as a caterer. Various people came to his restaurant and 'after a drink or two' they could tell all kinds of things.

Yesterday the witness was adamant that his battalion and the Ilidza Brigade were not responsible for the crimes against the Sarajevo citizens. This prompted the prosecution to present documents describing a Serb attack on Dobrinja in June 1992. In the incident, Guzina's battalion captured the settlement called Avijaticarsko naselje, and the local non-Serb civilians left their houses. The witness explained that his soldiers took the civilians out of their homes and took them all to the airport. After that, the civilians were allowed to leave the territory 'safe and alive'. Because the witness claimed that the civilians left voluntarily, the prosecutor showed several statements and reports of Nedjeljko Prstojevic, war-time president of the Ilidza Crisis Staff. In the documents Prstojevic mentioned that Serbs 'expelled the Muslim population' from the municipality.

The prosecutor stressed that the witness participated in the attack of the village of Azici in Sarajevo in February 1993. After that, in his statement to the Reuters news agency the witness said that in order to minimize the losses, they opted for the tactic designed to 'destroy the whole place before seizing it'. It was true that the village was 'heavily shelled', the witness said, but this was done because the Serb troops knew there were 'no civilians' there.

At the time of the attack on the village of Azici, the witness gave a statement to a Serb TV network, explaining that the attack was launched in response to an attack by the 'poturice', a word used to refer to converts to the Islamic faith. When the prosecutor put it to Guzina that the term was derogatory, the witness said he did not see it that way. Guzina was sure that the term didn't bother Muslims. In the defense's re-examination Guzina explained that there were in fact different historical forms of the same term. 'Now we call them Bosniaks, previously they were Muslims and before that they were 'poturice', converts to the Islamic faith, all those terms are the same for me', Guzina noted.

Before he left the courtroom Guzina said, 'I hope I have been useful'. The accused then nodded affirmatively. In contravention of the instructions he has received from the Trial Chamber, Mladic spoke to his defense counsels aloud. Mladic has recently violated the order several times. He was warned today that if he persisted, he would be denied the right to communicate orally with his defense, and would be restricted to exchanging written notes.

2014-06-12

THE HAGUE

WHO OCCUPIED SARAJEVO?

At Ratko Mladic's trial, his defense called Milorad Batinic Lola in order to highlight the suffering of Serb civilians in 'the occupied Sarajevo' and in the 'liberated' parts of the city under the VRS control where they were under constant sniper and mortar fire from the BH Army positions in the city



◀ Milorad Batinić, defence witness at Ratko Mladic trial

Milorad Batinic Lola started his testimony at the trial of Ratko Mladic. Mladic faces charges of double genocide and other crimes in Bosnia and Herzegovina. Batinic is a former soldier in the VRS Ilidza Brigade; he also worked as an interpreter for the UN monitors. The Trial Chamber has decided that Batinic should testify *viva voce* after two different versions of the witness's written statement appeared before the Tribunal in circumstances that remain unclear. The issue was discussed in a Rashomon style hearing.

In the first part of the examination-in-chief, Batinic testified about the ordeal of the Serb civilians in 'the occupied Sarajevo' and in the 'liberated' parts of the city under the VRS control. The Serb civilians were exposed to constant sniper and mortar fire from the BH Army positions in the city, Batinic claims. Batinic described how he was able to take his parents and several other friends out of 'the occupied Sarajevo' with great difficulty. Also, Batinic recounted how several of his close relatives were killed in the city. The defense showed photos Batinic had taken at the exhumation of his uncle. Batinic's uncle had been killed in the part of Dobrinja under the BH Army control.

The prosecution objected to the admission of those photos into evidence, noting that they were not relevant for Mladic's responsibility for the crimes listed in the indictment. Mladic's defense counsel Branko Lukic replied that the photos were evidence that refuted the testimony of the prosecution witnesses who had denied the crimes against Serbs. The judges overruled the prosecution's objection, but invited the parties to try to reach an agreement about the existence of crimes against Serb civilians in Sarajevo.

In his evidence Batinic also said that the personnel of the UN French Battalion moved the BH Army soldiers across the airport runway in their vehicles. This was called 'the French taxi', the witness noted. In early 1993, Batinic attended a meeting where Spasoje Cojic, the Igman Brigade commander, complained to the UN that the media 'vilified' Serbs. The media blamed Serbs for various incidents although the other side was responsible for them, Cojic said then. As an example Cojic mentioned the 'bread queue' massacre in May 1992 and tried to convince other participants of the meeting that the incident had been staged. The civilians were killed in the explosion of directional anti-personnel mines called MRUD which had been placed in the basement windows in Vase Miskina Street. The UN staff didn't comment on Cojic's allegations but, as the witness put it, they 'just listened to him with amazement'. It remained unclear what caused the amazement.

With Batinic's help, the defense tried to prove that the shell that hit the Markale market on 5 February 1994 wasn't fired from the Serb positions. As Batinic recounted, Colonel Marko Lugonja told the UN representatives that it was another 'staged' incident. He showed the footage of the incident which contained suspicious details: a 'prosthetic leg' at the site, untouched potato piles and undamaged bottles on market stalls after the explosion...

Finally, Batinic said that in the spring of 1995 he was with a group of UN staff who, as the prosecution alleges, were taken hostage by Mladic troops to stave off further NATO air strikes. Batinic claimed they were not hostages. The 'blue helmets' were 'semi-free'. It is true that their 'movements were restricted' but they could have left at any time. They did not do it because they were treated well and they knew nothing bad would happen to them, Batinic explained.

Milorad Batinic continues his evidence tomorrow when he will be cross-examined by the prosecution.

2014-06-13

THE HAGUE

'IF ELVIS PRESLEY IS A STAR, I AM A 'GRANDE' STAR', SAYS MLADIC

Ratko Mladic's defense witness Milorad Batinic brought to court a war-time photo of General Mladic because he wanted the accused to sign the photo for him. Everyone wants Elvis Presley's autograph, Batinic explained asking, 'why shouldn't I have the general's signature?'



◀ Milorad Batinić, defence witness at Ratko Mladic trial

Ratko Mladic's defense witness Milorad Batinic worked as an interpreter for the UN observers. In his evidence, Batinic claimed that the incidents in the bread queue in Vase Miskina Street on 27 May 1992 and at Markale market on 5 February 1994 were 'staged' in a bid to blame the Serbs for them. In the cross-examination, the prosecution noted that the witness didn't have any personal information on the incidents. Batinic didn't know anything about the course and results of the official investigations conducted at the crime scenes.

As Batinic explained, he trusted the words of Spasoje Cojic, former commander of the Igman Brigade, and Marko Lugonja, chief of the SRK intelligence and security,

who said the incidents in Vase Miskina Street and at Markale had been 'staged'. As an interpreter, Batinic boasted, he was able to read people's faces and see 'when someone speaks the truth, and when they avoid doing it'. Batinic nevertheless admitted that he wasn't involved in the investigations, that he didn't see the relevant documents, and that he wasn't an artillery expert.

The prosecution tendered into evidence the photo file that was produced in the investigation of the Vase Miskina Street incident. Mladic's defense counsel objected, noting that the incident wasn't listed in the indictment, which surprised the judges, as Batinic had talked about the incident in the examination-in chief. 'If you say that the only reason you called this evidence was to tell the Trial Chamber about what the witness heard someone else say they had heard, I would say we should plan to be still working in 2020', Judge Orić told defense counsel Lukic. The decision on the admission of the photo file into evidence will be rendered later.

Prosecutor Abeer Hasan confronted Batinic with reports drafted by the UN military observers, which claim that about 1,000 shells on the average were fired from the VRS positions on the city in June 1993. Prosecutor Hasan wanted to know if the witness was aware that in just one night - from 21 to 22 July 1993 - a total of 3,777 shells were fired on the city. The former interpreter replied that he 'believes' that there was shelling, that there was 'fighting going on', adding 'I don't know the exact number of shells'. The judges interpreted Batinic's reply as an attempt to avoid answering the question.

At one point, Batinic produced a war-time photo of himself with General Mladic that he had brought with him to The Hague. Batinic wanted the accused to sign the photo for him. Everyone wants Elvis Presley's autograph, Batinic said, 'so why shouldn't I have the general's signature?'. The comparison piqued Judge Orić's interest; Elvis Presley was a star, the judge remarked. It was logical for fans to want to have Presley's autograph, Judge Orić went on, and this 'could give us an impression that you are Ratko Mladic's fan'. Batinic explained that he was not Mladic's fan. He wanted to have the signature because he was a historian, and Mladic was a 'historical figure', the witness explained. Moreover, Batinic said, he still had a glass from the first meeting between Mladic and the military observers in late 1992.

During Batinic's evidence the judges repeatedly cautioned Mladic not to speak loudly in court. The accused didn't comply with the instructions, and the judges had him removed from court until the end of Batinic's testimony. 'If Elvis is a star, then I am a 'grande' star', Mladic shouted out on his way out of the courtroom.

Batinic told the judges he had two wishes but they were not granted today. He wanted to have coffee with the young prosecutor Hasan, and to shake hands with Judge Orić at the end of his evidence. The witness can still harbor hope that the Dutch judge would accept his invitation to come to Sarajevo, and to go sight-seeing with the witness.

2014-06-16

THE HAGUE

MLADIC'S TRIAL ADJOURNED FOR STOMACH FLU

Ratko Mladic's defense case did not continue today after it was announced this morning that the accused was ill and that the trial would be adjourned until further notice. Mladic didn't give his permission for the trial to continue in his absence. Defense counsel Lukic told the court that Mladic's problems were unrelated to his heart or brain: he has stomach flu

A protected defense witness was expected to continue with his evidence in closed session at the trial of Ratko Mladic today. Instead, in a public hearing it was disclosed that the trial was adjourned until further notice. As Mladic's defense counsel Branko Lukic explained, the adjournment was caused by the health problems of the accused. Mladic was in Bronovo Hospital in The Hague the whole day yesterday. Now, Mladic is in the Detention Unit's infirmary awaiting a decision by the medical staff on further treatment.

Mladic's health problems do not have anything to do with his brain or heart. He has a stomach flu. In a telephone conversation Mladic told his defense lawyer he felt better today, but not well enough to appear in court.

The accused didn't give his permission for the trial to continue in his absence and presiding judge Alphons Orie said that under the circumstances the witness could not continue his evidence, begun on Friday.

Before rendering this decision, the Trial Chamber invited the prosecution to respond to an earlier motion filed by the defense to switch once again from the five-day working week to working four days a week. The defense argued that the change would allow the accused to get more rest. The defense initially refused to discuss the issue without the accused, but finally agreed to do it. After a brief discussion in closed session it was decided to drop the issue of the length of the working week for the time being.

Ratko Mladić has been in the Tribunal's Detention Unit since 31 May 2011. Upon his arrival, Mladić had some health problems, but now his health has not been an issue for a while. At a hearing in June 2013, Mladić thanked everyone, 'from the cleaning ladies to the owner' of the Bronovo Hospital. They saved his life, Mladić then said, and 'snatched me from the jaws of death'. It is therefore to be expected that Mladić's stomach flu will be soon resolved.

The former commander of the Bosnian Serb Army Main Staff is charged with double genocide, one in several municipalities in BH in 1992 and the other in Srebrenica in 1995. Mladić is also on trial for the artillery and sniper terror campaign against the Sarajevo citizens and taking UN staff hostage.

2014-06-17

THE HAGUE

MLADIĆ TRIAL DIDN'T RESUME TODAY

For a second day in a row this week, General Ratko Mladić didn't appear in court because of stomach problems. The trial was adjourned because Mladić didn't give his permission for the trial to continue in his absence.

Ratko Mladić's trial was adjourned yesterday because of his health problems. The trial didn't resume today, although it was slated to begin an hour later than usual. The parties didn't appear in court and the trial will be adjourned 'until further notice', as presiding judge Orie put it.

Yesterday, defense counsel Branko Lukic told the court that Mladić's health problems were not serious, as they were unrelated to his brain or heart. Mladić has stomach flu. As a precaution, he was transferred to the Bronovo, a top hospital in The Hague, but was then returned to the Detention Unit and is now receiving treatment in the Dutch prison hospital, which provides health care to the detainees in the Tribunal's Detention Unit.

The forms filled in by the accused and the Detention Unit nurse were disclosed to the media today. Yesterday and today, Mladić checked the columns indicating that he 'is not able to attend the trial because he is ill' and that he 'has discussed it with his lawyer'. However, Mladić didn't check the third column, to confirm that the trial could go on in his absence. The nurse, on the other hand, said that the accused would be examined by the Detention Unit medical doctor. The continuation of the trial will depend on the doctor's assessment.

A protected witness testifying under the pseudonym GRM 258 is expected to continue his evidence at Mladić's trial. The witness began his evidence on Friday in closed session. Yesterday it was announced in The Hague that two other defense witnesses are on hold at Ratko Mladić's trial. The former commander of the Bosnian Serb army Main Staff is charged with double genocide and other crimes against non-Serb civilians, prisoners of war and UN staff in the war in BH.

2014-06-19

THE HAGUE

MLADIĆ'S TRIAL CONTINUES NEXT WEEK

The former VRS Main Staff commander didn't appear in court because of stomach flu. The Detention Unit nurse explained Mladić needed time to convalesce after his stay in the Dutch prison hospital. The defense continues its fight to reduce the working week from five to four working days.

Four days into the week, the trial of Ratko Mladić has not resumed because the accused is ill: he has the stomach flu. He was taken to the Bronovo Hospital in The Hague on Monday, and on Tuesday he was moved to the Dutch prison hospital located in the same facility as the UN Detention Unit.

The media were given a form today: on it, the accused checked the column indicating he was unable to attend the trial, but again did not check the column confirming that he was willing to have the trial proceed in his absence. He had done the same in the previous days. In the form for today, the Detention Unit nurse stated that Mladić was back from the prison hospital, and now needed time to convalesce. The convalescence period is expected to last at least until Monday.

Mladić's sickness comes at a time when his legal team is fighting to cut the working week down from five to four days. The illness will surely be used to corroborate their arguments. The defense has been fighting for the four-day working week since the beginning of the trial. The Trial Chamber, on the other hand, refused to grant the request. The

situation changed after the prosecution rested its case, when the Appeals Chamber granted the defense's motion and ruled that Wednesday was to be the day off at Mladić's trial. When the defense case started, the Trial Chamber ordered that the trial would be on five days a week. This prompted the defense to renew its previous request.

Last week Mladić's lawyer Branko Lukic recalled that his client's doctors had proposed a four-day working week during the prosecution case. The goal was to minimize the risk of potentially fatal 'mini strokes'. The condition is caused by stress due to 'emotional evidence' heard in court. The defense counsel added that the trials of Radovan Karadzic, Zdravko Tolimir and the six Bosnian Croats were in session only four days a week. In the first two cases, the accused represented themselves and were granted shorter working week in order to be able to prepare.

The prosecution has yet to state its position on the issue. Last week the prosecution called the Trial Chamber to prohibit so-called *tu quoque* evidence. According to the prosecution, Mladić has been using this form of defense, which is based on alleging the crimes committed by the other side. The prosecution argued that the time should be used rationally in order to bring the trial to an end as soon as possible, and to bring justice to the victims. The possibility that the working week might be cut short, the prosecution noted, made this aspect even more important.

Ratko Mladić is charged with double genocide and other crimes in BH. If the trial resumes on Monday, a protected witness is expected to testify. The witness began his evidence on Friday, 13 June 2014, at a hearing that went on entirely in closed session.

2014-06-23

THE HAGUE

WITNESS DENIES MARKALE 2 RESPONSIBILITY, INVOKING TYPING ERRORS

Milos Skrba, Mladić's defense witness, denied that 120-mm mortars were located at the positions held by his detachment on Mount Trebevic. It was therefore impossible that a shell was fired from that location on the Markale Town Market in Sarajevo on 28 August 1995. According to the witness, the Bosnian Serb document that contradicts his statement contains "typing errors"



◀ Milos Skrba, defence witness at Ratko Mladic trial

Ratko Mladić recovered from the stomach flu-related problems and appeared in the courtroom as his defense case continued today. The presiding judge expressed his satisfaction with this outcome. The defense called its next witness, Milos Skrba. Skrba's company secured the area along the road from Lukavica to Pale.

A part of Mount Trebevic called Palez was in the area of responsibility of the witness's unit. The prosecution alleges that the 120-mm mortar shell that hit the Markale market in Sarajevo on 28 August 1995 was fired from the area of responsibility of the witness's unit. The shell killed 43 and injured 75 persons. The Babina Stijena elevation was also in the sector held by Skrba's company.

As alleged in the indictment, a sniper located there wounded three-year old girl Anisa Pita in the leg in front of her house in Zagrici Street, on 13 December 1992.

Mladić's lawyer read out the summary of the witness's statement. Skrba claims that his soldiers never opened fire on civilians in Sarajevo; they only targeted enemy soldiers to defend themselves. As he answered the defense counsel's questions, Skrba said that his company didn't have snipers. There was no need to have them because there was no 'line of sight' towards the BH Army positions; there was no line of sight to Zagrici Street where the girl was injured. Skrba also claimed that there were no 120mm mortars in his area of responsibility and the shell that hit the Markale market could not have been fired from his positions.

After the examination-in-chief, presiding judge Orić noted that in his statement the witness said that his soldiers were targeted by the BH Army snipers. That prompted the presiding judge to ask how there could be a line of sight in only one direction. Skrba told Judge Orić he had no interest in 'chasing after the enemy in the woods' and that he 'did not have any intention' of deploying snipers. When the presiding judge repeated the question, Skrba gave the same answer. 'You gave an answer, but not to my question', the presiding judge concluded.

In the cross-examination, the prosecution reminded the witness that in his evidence in Radovan Karadzic's defense he said that there was a 'terrific view' of Sarajevo from the 'Baba Stijena' position. Today Skrba explained that the 'terrific view' was the view of 'just one part' of the city. Zagrici Street where the three-year old girl was wounded is not in that part of the city. Skrba admitted that his soldiers opened fire on civilian facilities but only after the residents had been removed and the BH Army soldiers had moved in. The witness agreed with the claim made in the documents that his brigade had about 30 sniper rifles and other rifles with optical sights. Nevertheless, the witness argued that he had no such weapons in the company under his command.

To contest Skrba's allegations that there had been no 120mm mortars in the sector of Mount Trebevic under the control of his unit, the prosecution showed documents drafted by the Sarajevo-Romanija Corps in May 1995. According to the documents, a battery of four 120mm mortars was located in Trebevic-Palez. Skrba replied that most likely it was a 'typing error'. Only 82mm weapons were deployed there, the witness claimed. In his order of 9 May 1995, the corps commander Dragomir Milosevic ordered his troops to 'place large swathes of the Old Town under fire control in order to achieve the final victory'. The witness agreed with the suggestion that the Old Town comprised the Sarajevo neighborhood of Bascarsija. However, in Skrba's opinion, the Markale Town Market was on the 'border' between that area and the city center and he was not sure if Markale is a part of Bascarsija.

Milos Skrba will complete his testimony tomorrow morning.

2014-06-24

THE HAGUE

'RANDOM' BOMBS LAUNCHED ON SARAJEVO

Ratko Mladic's defense witness Stevan Veljovic, a former operations officer who served in several VRS units, confirmed the prosecution's argument that the modified air bombs used by the Bosnian Serb army in the Sarajevo theatre of war were 'wholly inaccurate but highly destructive weapons'. Muslims called them 'random' bombs because no one could tell where they would hit. He claims they were not fired in built-up areas, but only on 'wider areas' where fighting was going on



◀ Stevan Veljovic, defence witness at Ratko Mladic trial

Most of the former Bosnian Serb soldiers who have testified in the defense of the accused charged with the artillery and sniper terror campaign in Sarajevo have tried hard to play down the 'inaccuracy and destructive power' of the modified air bombs used by the Bosnian Serbs to attack the city in the last two years of the war. Stefan Veljovic who testified today in Ratko Mladic's defense, after appearing as a defense witness at the trials of Radovan Karadzic and Dragomir Milosevic veered off the beaten path and confirmed and added to the prosecution's allegations about air bombs.

At the beginning of the war in BH, Stevan Veljovic was appointed the operations officer in the 1st Romanija Brigade. In December 1994, he became the operations officer in the Sarajevo-Romanija Corps. Just before the end of the war, he assumed command of the 4th Sarajevo Brigade. In his statement to the defense he claimed that civilians in Sarajevo were never deliberately targeted from the Serb positions. According to him, civilian casualties occurred when Bosnian Serbs returned fire opened by the BH Army from residential areas, the Kosevo Hospital, Bascarsija and other locations in the city. He claims that no orders were ever issued to attack civilian areas, and that there were no 120mm mortars in the sectors on Mount Trebevic controlled by his troops in August 1995. Consequently, the shell that hit the Markale market could not have been fired from those positions.

According to the prosecution, the use of modified air bombs fired from Serb positions proves that the Serb army intended to terrorize the citizens of Sarajevo, as those bombs caused random destruction in residential areas. As he described the working of this innovative weapon, Veljovic said that the bombs had been designed to be dropped from airplanes, but were fitted with rockets and fired from specially designed launchers. As it was impossible to tell which rocket would function or fail, it was impossible to tell where a bomb would fall. Sometimes they missed the intended target by two kilometers. Those were 'wholly inaccurate and highly destructive weapons', Veljovic explained at previous trials, and he repeated this statement today.

He added that because of the unpredictability of the rockets used to propel them, the bombs would 'overshoot or undershoot' the targets. As it was impossible to tell where they would hit, Muslims in Sarajevo called them 'random' bombs. He added several details that corroborate the prosecution's case: the bombs had never been tested, everyone in the Sarajevo-Romanija Corps knew they were inaccurate, from the command to the rank and file soldiers, and they were a danger even to the crews that fired them. As Veljovic said, the bombs could only be fired on the orders of the commander of the Sarajevo-Romanija Corps, Dragomir Milosevic, who had to get approval from the Main Staff for their use.

Veljovic claims that those bombs were never fired on built-up areas because of their inaccuracy. They were fired only on open 'wider areas' where fighting was going on. In the cross-examination the prosecutor is likely to confront him with military documents describing the air bomb attacks on the city; the prosecution did so when the witness testified at previous trials.

Veljovic will continue his evidence tomorrow. Milos Skrba, who commanded a VRS company deployed on Mount Trebevic during the war, completed his evidence earlier today.

2014-06-25

THE HAGUE

CONTRADICTION EVIDENCE ON SARAJEVO 'RANDOM' BOMBS

In two days, two of Ratko Mladić's defense witnesses made contradictory claims about modified air bombs. The Bosnian Serb Army used the projectiles also known as 'sows' or 'random' bombs in the attacks on Sarajevo. One witness claimed that the weapon was 'wholly inaccurate' and untested, which is why it was not used to target urban areas. The other witness said that modified air bombs were accurate and had undergone tests before being used. This witness personally ordered three attacks on various buildings in the city



◀ Vladimir Radojčić, defence witness at Ratko Mladić trial

In his evidence in Ratko Mladić's defense, Stevan Veljovic, former operations officer in the Sarajevo-Romanija Corps, claimed yesterday that the air bombs used by the Bosnian Serb Army to attack Sarajevo were 'wholly inaccurate'. Today as the cross-examination continued, Veljovic tried to downplay and relativize his allegations. At the beginning of the hearing, Veljovic said that he had suffered two strokes and was too ill to remember everything. According to Veljovic, the air bombs were not the only inaccurate weapon; in effect, all artillery weapons were just as inaccurate. Air bombs were first used by the Bosnian Serbs in 1994. According to the prosecution, their use is proof that the VRS launched random attacks on the city to terrorize civilians.

Presiding judge Orić was quite taken aback by this sudden need on the part of the witness to temper his allegations. He asked the witness if anyone had criticized him in the meantime because of the testimony he gave yesterday. The witness denied it, and complained that in the cross-examination the prosecutor was 'cutting my answers short'. This, the witness explained, made him feel 'stressed and disturbed'. According to the witness, the problem lies in the fact that the questions pertain to the 'things from a distant past'. This prompted the presiding judge to react once again and to point to the witness that he had been called to The Hague 'to speak about the past'. The prosecutor asked Veljovic whether he had followed the reports in the media about his testimony and decided to reverse his previous claims. Veljovic replied that he didn't follow any news in The Hague except for 'football matches'. Despite his persistent attempts to relativize his earlier claims, the witness did not change the key element of his testimony: according to him, air bombs were 'inaccurate'.

After he completed his evidence, the defense called its next witness, the war-time commander of the Ilidza Brigade Vladimir Radojčić. In his evidence on air bombs Radojčić contradicted all of Veljovic's claims. Veljovic had testified that air bombs could only be dropped from airplanes. If launched from the ground, air bombs were wholly inaccurate, Veljovic had explained. Radojčić contradicted these claims, saying that once the air bombs were modified, i.e. fitted with rockets which made it possible to launch them from the ground, they became 'much more accurate'. In his testimony, Veljovic had claimed that there were no firing tables for modified air bombs and that the weapon hadn't been tested. Radojčić said that tests had been run, and provisional firing tables produced. Finally, Veljovic had told the judges that air bombs had not been used to attack urban areas in Sarajevo because they were so inaccurate. They were fired on targets in open space. Radojčić said today that air bombs were used to attack targets in the city; those targets were carefully chosen.

Three such bombs were fired on his orders, Radojčić admitted. First, he wanted to test their 'effectiveness' and ordered the bombs to be fired on the Hladnjaca facility near Stup, where the BH Army was allegedly active. The bomb missed the target by about a hundred meters and then failed to explode, the witness explained. On another occasion, the witness ordered an air bomb attack on the TV Sarajevo building on 28 June 1995. According to the witness, it was the 'TV network run by the BH Army 1st Corps', involved in spreading 'the blackest propaganda' against the Serb army. This made it a legitimate military target. 'I personally attended the launching, I saw that the bomb hit the TV building and it made me happy', the witness said as he recounted the incident. One person was killed in the attack and 28 were wounded. The attack was removed from Mladić's indictment. However, the charges related to the third air bomb attack still stand in the indictment. In this incident which occurred on 7 April 1995, a private house in the Hrasnica neighborhood was hit. A woman was killed and three persons were injured. The witness explained that the Aleksa Santić School was the intended target, because the BH Army special units were purportedly trained there. 'That was the only target that we missed, but only by 20 meters', Radojčić admitted.

Radojčić could face prosecution, both for missing the target that time and for hitting it in the TV building incident. At the beginning of the hearing today, Radojčić was warned that he was not obliged to reply to incriminating questions. He will continue his evidence tomorrow, when he will face the prosecution's cross-examination.

2014-06-26

THE HAGUE

UN SOLDIERS WERE ARRESTED “IN MUTUAL INTEREST”

In late May 1995, the commander of the Ilidza Brigade, acting on Ratko Mladić's orders, arrested UN soldiers deployed around Sarajevo. As he testified in Mladić's defense, he claimed that he talked to the French and Ukraine Battalion soldiers as they were placed under arrest. The UN soldiers told him they were 'aware of the situation' and then laid down their arms and surrendered to 'mutual benefit'



◀ Vladimir Radojčić, defence witness at Ratko Mladić trial

The evidence of Vladimir Radojčić, former commander of the Ilidza Brigade, is relevant for at least two joint criminal enterprises Ratko Mladić is charged with. The first joint criminal enterprise pertains to the artillery and sniper terror campaign against the citizens of Sarajevo and the other to taking UN members hostage. Yesterday, the examination-in-chief focused on modified air bombs, which were, as the prosecution alleges, a major element in the terror campaign against the Sarajevo citizens. Today, the witness described from his perspective the arrests of UNPROFOR soldiers in late May 1995.

As the witness recounted, he 'received an order from the superior command' to disarm and arrest the UN soldiers

in the area of responsibility of his brigade. Because of their purported collaboration with NATO which had launched air strikes against Serb positions, the Bosnian Serb Army decided to treat the UN troops as the enemy soldiers, not peace-keepers. Colonel Radojčić immediately talked to the Ukraine and French officers in charge. The witness 'explained the situation' to them and informed them that from then on they were prisoners of war. The UN members 'agreed'. The disarming and arrest of the UN troops was a 'compromise', the witness explained, in 'mutual interest'. Foreign soldiers were treated 'as gentlemen'. In recognition of this, the witness recounted, a French officer gave him a monograph of his unit with a dedication thanking him for all he had done for the French soldiers.

The witness didn't bring the monograph with him in The Hague. However, in the cross-examination the witness promised he would provide it at a later date. When the prosecutor asked the witness if he claimed that UNPROFOR members 'agreed to become prisoners of war', the witness admitted that they 'were not in a position to agree or disagree'. UN soldiers 'didn't have a choice': they could only surrender and lay down their arms. Radojčić also said that he had received the order to arrest the UN troops from his 'superior command'. This prompted the prosecutor to note that in his previous statement to Radovan Karadžić's defense Radojčić had said that Ratko Mladić had issued the order. The latest version of the witness's statement does not contain the two paragraphs where he talked about this issue. The witness replied that it was a 'typing error', not the result of his intention to protect Mladić. The witness confirmed that the accused had in fact issued the order to arrest the UNPROFOR members.

In his statement to the defense Radojčić said that during the war the Sarajevo-Romanija Corps was surrounded 'on the inside and from the outside' by the BH Army 1st Corps. After the prosecutor insisted on this, asking a number of questions, the witness finally admitted that the external ring was in fact 'half-encirclement'. The road through Rajlovac and Lukavica to Pale was open. The witness then admitted that the territory held by the Sarajevo-Romanija Corps was linked with the area held by the Drina Corps. In 1993, the SRK re-established the corridor with the Herzegovina Corps. Judge Moloto noted that the military map in fact showed that the Bosnian Serb army encircled the BH Army in Sarajevo and not the other way round. The witness eventually agreed with the conclusion.

As the hearing drew to a close, the prosecution turned to the issue of modified air bombs in the cross-examination, to be continued tomorrow. Radojčić will complete his testimony next week.

2014-06-27

THE HAGUE

MILITARY TARGET MISSED OR CIVILIAN TARGET HIT?

In the cross-examination of VRS colonel Vladimir Radojčić, who is testifying in Ratko Mladić's defense, the prosecution tried to prove that modified air bombs were used for random attacks on the citizens of Sarajevo. As an example, the prosecution used the attack on the center of Hrasnica in April 1995. As the witness explained, on that occasion the air bomb fired on his orders 'did not hit civilians': it actually 'missed a military target'. The corps commander 'was satisfied', Radojčić noted

In the cross-examination of Vladimir Radojčić, former commander of the Ilidza Brigade, prosecutor Groome took most of his time to delve into the issue of modified air bombs. The Bosnian Serb Army used the weapon in the last

two years of the war to attack Sarajevo. The witness argued that it was a very accurate weapon with a margin of error not greater than a dozen meters. The prosecution alleges that modified air bombs were totally unreliable and were used for random attacks on the civilians in the city.

Radojic said that modified air bombs were more accurate when they were fired using ground launchers than when they were dropped from a plane, although they had been designed for the latter. Radojic also explained that modified air bombs had been tested before use and that there were provisional shelling tables. The prosecutor confronted the witness with the claims made by from the Ratko Mladić's previous witness, former operations officer in the Sarajevo-Romanija Corps Stevan Veljovic. According to Veljovic, the new weapon had never been tested and there were no shelling tables. As a result, the the margin of error was up to two kilometers, and everybody in the Corps knew about it, Veljovic claimed. Radojic agreed that the 'differences are surprising' but he was adamant Veljovic's claims were not true.

Three air bombs were fired on Sarajevo on Radojic's orders. One bomb fell on the Hladnjaca facility near Stup but it failed to detonate. The second bomb was launched on the center of Hrasnica, killing one woman and injuring several persons. The third bomb hit the TV Sarajevo building. It killed one person and wounded 28 others. The Hrasnica attack of 7 April 1995 is listed in the indictment against Mladić, and the prosecutor wanted to prove it was a random attack on civilians.

The prosecutor showed the witness an order issued by the Corps commander Dragomir Milosevic, in which he instructed Radojic to select the 'highest-yield target with as many human casualties as possible'. The witness replied that as a professional soldier he inferred from the order that he should select targets likely to inflict maximum damage to the enemy army, not civilians. As he explained, he told his artillery crews to choose which facility they wanted to shell: the Aleksa Santic school or the post office building. The BH Army special units were purportedly trained in the school while the 104th Brigade command was located in the post office. The artillery chose the first target but they missed it, hitting but a one-storey house with civilian residents instead.

The prosecutor stressed that the incident apparently didn't upset anyone in the Bosnian Serb Army. In his report to his corps commander Milosevic, the witness didn't say that he had missed the target. Milosevic's response was that he was 'satisfied' with the result. Radojic explained that it was only a 'relative failure'. 'It's not that I hit a civilian target: I actually missed a military target, but the commander was satisfied because after that the enemy stopped attacking our positions', Radojic specified.

The prosecution then presented a part of Martin Bell's TV report. The footage showed a house that had been flattened and several houses nearby that had been badly damaged. Radojic responded laconically that no one could tell for certain that the clip the showed the aftermath of the attack he had ordered. The houses might have been destroyed previously because they were located near the front line.

General Dragomir Milosevic was sentenced to 29 years in prison for the terror campaign against the Sarajevo citizens, including the Hrasnica incident. Radojic will end his testimony on Wednesday when the trial of Ratko Mladić continues.

2014-07-03

THE HAGUE

WHO TERRORIZED WHOM IN SARAJEVO

With the evidence of Slobodan Tusevljak, Ratko Mladić's defense is trying to prove that the prosecution had misrepresented the actual situation in Sarajevo. The defense contends that the real victims of terror were those citizens of Sarajevo who rejected the political platform of the then BH leadership. Tusevljak commanded a platoon in the 1st Sarajevo Motorized Brigade



◀ Slobodan Tusevljak, defence witness at Ratko Mladić trial

Slobodan Tusevljak, commander of the 4th Platoon in the 1st Sarajevo Motorized Brigade, gave evidence at the trial of Ratko Mladić. Tusevljak's unit held the positions in Ozrenska Street, in the part of Sarajevo under the control of the Bosnian Serb Army. Like Mladić's previous defense witnesses, Tusevljak argued that he never received any orders to fire on civilian targets in Sarajevo from his superior command. Tusevljak claimed that his unit engaged in 'defensive' operations only.

Mladić's defense counsel Miodrag Stojanovic spent most of the examination-in-chief in a bid to explain why there were three versions of the witness's written statement; usually there is only one document. The judges were not

pleased to see court time wasted because the defense was in a shambles. 'Discontent is a very mild term for what we think', presiding judge Orić remarked.

When the confusion about the statements was partially resolved, the defense continued highlighting the 'multi-ethnic' composition of Tusevljak's unit. There was one Muslim and several Croats in the unit, the defense stressed. According to the defense lawyer, the defense wants to show that the 'terror' campaign in Sarajevo was different from the way it was portrayed in the indictment. The defense maintains that the true victims of the terror campaign were the citizens who rejected the political platform of the then BH leadership.

The defense also tried to demonstrate that 230 Serb soldiers were killed in Ozrenska Street during the war. This prompted Judge Orić to say that with all due respect to the death of soldiers in combat is 'reality of war', not a crime. The fact that the defense has focused so much on the death of soldiers might be the result of its failure to grasp the very substance of Mladić's case, the judge warned.

In his statement, Tusevljak commented on the sniper incident in Ivana Krndelja Street on 3 September 1993. He claimed his platoon didn't have any sniper rifles. Replying to the judges, Tusevljak noted that he had no personal knowledge of the incident: he heard about it for the first time when he testified in Radovan Karadžić's defense.

Slobodan Tusevljak continues his evidence tomorrow morning.

2014-07-04

THE HAGUE

WITNESS: 'MUSLIMS STAGED MARKALE 1'

Mladić's witness Sinisa Maksimovic suggested that the shell that hit the Markale town market on 5 February 1994, killing 66 and injuring 140 Sarajevo citizens, hadn't been fired from the Serb positions. According to Maksimovic, the sniper bullet that wounded a 14-year old boy at Sedrenik on 6 March 1995 hadn't been fired from the Serb positions either. Maksimovic did note that he was appointed the commander of the unit that held those positions after the first incident, and left the unit before the second one



◀ Sinisa Maksimovic, defence witness at Ratko Mladić trial

In the second part of the hearing at Ratko Mladić's trial, Sinisa Maksimovic gave evidence in Mladić's defense. During the war Maksimovic, a Bosnian Serb military officer, commanded several units in the Sarajevo theatre of war. In the second half of 1994, Maksimovic commanded a platoon in the 1st Romanija Brigade. The unit held positions in the sector of the village of Mrkovici and at the notorious Spicasta Stijena. The prosecution alleges that Spicasta Stijena was one of the positions used to terrorize the citizens of Sarajevo with sniper fire.

Defense counsel Stojanovic read out the summary of the witness's statement. In the summary, Maksimovic presented his assumptions about the sniper attack at

Sedrenik on 6 March 1995. Tarik Zunic, a 14-year old boy, was wounded in the arm in the incident. The witness didn't specifically deny the responsibility of the Serb snipers. He merely pointed out that the distance from the place where the round was fired to the site where the boy was hit exceeded 1,000 meters. According to Maksimovic, there were no sniper rifles or soldiers trained to use them at Spicasta Stijena, and the units deployed at that location were under constant fire from the BH Army.

In his statement to the defense, the witness noted that at that time he no longer was the platoon commander. He had been transferred to the Igman Brigade, Maksimovic explained. In the cross-examination, prosecutor Bibles put it to the witness that, if so, he couldn't know what went on at Spicasta Stijena. Maksimovic agreed, adding that he knew the distance to the place where Tarik Zunic was wounded although he was not there at the time of the incident. This, however, was the least important information pertaining to the incident because – as presiding judge Orić noted – the distance could easily be established on the maps admitted into evidence.

In his statement to the defense, Maksimovic said that as the platoon commander he often had contacts with his soldiers. They 'were convinced to a man' that the 'Muslims staged the incident' when the Markale town market was shelled on 5 February 1995. The shell killed 66 Sarajevo citizens and injured about 140. The prosecutor noted that at the time, the witness was not the platoon commander in the sector of the village of Mrkovici where the shell was fired from, according to the prosecution. Maksimovic, the prosecutor explained, was in Banja Luka on military training. The witness confirmed that it was true.

As he moved from unit to unit, Maksimovic happened to take part in Operation Lukavac 93 as a member of an intervention platoon. The operation was headed by the Chetnik warlord Branimir Stanić. The witness didn't comment on the prosecutor's suggestion that Brne's unit killed prisoners of war in that operation. Maksimovic only said that his platoon captured three BH Army soldiers – a Serb, a Croat and a Muslim. The prisoners were taken to the brigade command for further examination.

Maksimovic will complete his testimony on Monday. Over the weekend, the witness was given 'homework': he must read the statement made by Perica Koblar from Sarajevo. At Vojislav Seselj's trial, Koblar described how members of Brne's unit killed prisoners.

2014-07-07

THE HAGUE

NEIGHBORS COMMUNICATING OVER GUN SIGHTS

In his evidence in Mladić's defense, former commander of the Mrkovici Platoon says his soldiers warned their neighbors in Sedrenik not to mow the grass or collect hay when the visibility was good to protect them from possible Serb fire. The prosecution suggested that his 'concerns materialized' when the neighbors from Sedrenik were targeted by snipers from Spicasta Stijena



◀ Blasko Rasevic, defence witness at Ratko Mladic trial

In the first part of today's hearing at the trial of Ratko Mladic, Sinisa Maksimovic, a Bosnian Serb military officer, completed his evidence. The next witness was Blasko Rasevic. In the summer of 1994, Rasevic replaced Maksimovic as the commander of the Mrkovici platoon. The unit held positions near the village of Mrkovici. The most important site under their control was Spicasta Stijena. As alleged by the prosecution, snipers terrorized parts of Sarajevo from that location.

In his statement to Mladić's defense Rasevic said that he never received or issued any orders to fire on civilians in the city. His unit, Rasevic stated, had only defensive tasks and never engaged in offensive operations. Also,

according to Rasevic, his unit was targeted by sniper attacks and the BH Army from the city attacked them with mortars mounted on trucks. The crews would open fire from the trucks and then shelter behind schools, kindergartens and hospitals.

In the brief examination-in-chief the defense presented excerpts from a video recording showing the attack of the Black Swans unit on Spicasta Stijena in the summer of 1994. The Black Swans was a BH Army special unit. The Mrkovici Platoon lost the position for a couple of hours in the attack because the Bosnian specials were able to hold the Serb trenches for an entire night.

Prosecutor Arthur Traldi put it to the witness that there was a 'good view' of Sarajevo from Spicasta Stijena. The witness replied that 'only a part of the city' could be seen from there: Sedrenik and its surroundings, Sirokaca, Zlatiste and a little bit of Bascarsija. The civilians who lived in Sedrenik were so close to the Serb positions that the soldiers serving in the witness's unit talked to their acquaintances from the village. The soldiers warned the civilians not to collect hay when the visibility was good. As the witness explained, they did so in a bid to protect the villagers from the Serb fire, because 'someone could have gotten an idea to kill an innocent man'.

The prosecutor put it to him that his concerns materialized: the civilians in Sedrenik really did come under fire at one point. Rasevic replied that it didn't happen while he was the platoon commander. He did admit that he heard about an incident in which a girl was injured. 'I am very sorry for every child, but I don't know anything about it because I wasn't there at the time', the witness noted. It remained unclear which incident Rasevic had in mind. He may have referred to the wounding of three-year old Anisa Pita in front of a house in the Sirokaca neighborhood on 13 December 1992. The incident is listed in the indictment against Mladic.

Describing the conversations 'over the gun sights' Rasevic said the soldiers of the Serb Army and the BH Army would communicate regularly while they were in trenches.

The Mrkovici platoon was part of the Hresa Battalion. The position Zecja Glava was in the unit's area of responsibility. The prosecution alleges that during the war non-Serb civilians were brought by buses from the Serb-controlled territories to Zecja Glava and were then deported to the part of Sarajevo under siege. Rasevic confirmed it, adding that he heard that the Muslim civilians were brought to the demarcation line 'at their behest' and then went on to Sarajevo. Blasko Rasevic will continue his evidence tomorrow.

2014-07-08

THE HAGUE

DEFENDING 'LIVING SPACE'

In his evidence in Ratko Mladić's defense, Luka Dragicevic, a war-time assistant commander in the VRS Sarajevo-Romanija Corps, claimed that the Serb troops in the Sarajevo area defended their 'living space'. According to Dragicevic, in the spring of 1995 the UN staff were not taken hostage. They were captured as prisoners of war, Dragicevic argued, because they 'went over to the enemy side'. Dragicevic agreed that tying prisoners of war to military facilities was a violation of international laws of war



◀ Luka Dragicevic, defence witness at Ratko Mladić trial

The trial of the former VRS Main Staff commander Ratko Mladić continued with the testimony of Colonel Luka Dragicevic. From November 1994 to the end of the war, Dragicevic was an assistant commander in the VRS Sarajevo-Romanija Corps. In his statement to Mladić's defense Dragicevic stated that in the Sarajevo and Romanija region the SRK defended the 'living space' of the Serb people against the BH Army that was three times as strong.

The SRK opened fire only on enemy positions, unlike the BH Army that often fired from positions close to UNPROFOR to provoke the Serb side into responding, Dragicevic said in his statement to the defense. As for the Markale incident of 28 August 1995, Dragicevic claimed

that the VRS Main Staff demanded that a joint commission be set up to investigate the incident, but the other side rejected the idea.

In his statement Dragicevic also talked about the incident in Dobrovoljacka Street in May 1992. The fact that the international forces did not respond to that incident convinced him that UNPROFOR had sided with the enemy and that the international community could not be trusted, Dragicevic explained.

In the first part of the cross-examination, prosecutor Alan Weber focused on the relationship between the VRS and soldiers serving in the international forces, noting that there was a hostage crisis in May and June 1995. The VRS arrested and held hostage more than 200 UN military observers and UNPROFOR staff to stop NATO air strikes.

Dragicevic testified about the hostage crisis in the cases against Dragomir Milosevic and Radovan Karadzic. In his statement to Karadzic's defense Dragicevic said that UN members were arrested on the orders of the VRS Main Staff. This prompted the prosecutor to ask Dragicevic today why he failed to mention this in his statement to Mladić's defense. The witness responded that it wasn't up to him: his statement depended on the questions he was asked.

As he answered the prosecutor's questions, Dragicevic said that he did not oppose the arrest of UN members because it was 'permitted' by the international laws of war as the UN had 'sided with the enemy'. Dragicevic nevertheless agreed with Judge Orić's suggestion that tying UN members to military facilities was against international law. According to Dragicevic, he learned about that detail from the media.

The cross-examination of Luka Dragicevic continues tomorrow.

2014-07-09

THE HAGUE

MLADIĆ'S WITNESS: SERBS ARE GENETICALLY STRONGER, BETTER, HANDSOMER AND SMARTER

According to Luka Dragicevic, former assistant commander for morale, religion and legal affairs in the Sarajevo-Romanija Corps, Serbs are 'genetically stronger, better, handsomer and smarter' than converts to Islam, i.e. Muslims. Dragicevic doesn't think such views make him a racist. On the contrary, they are 'facts I have learned from my life experience', Dragicevic explained

Colonel Luka Dragicevic, former assistant commander for morale, religion and legal affairs in the Sarajevo-Romanija Corps, completed his evidence at the trial of Ratko Mladić today. As the cross-examination continued, the prosecutor described how Dragicevic 'boosted the morale' of Serb soldiers in the Sarajevo theatre of war.

'We are genetically stronger, better, handsomer and smarter', wrote Dragicevic in the SRK command guidelines. 'Remember how many Muslims there were among the ten best pupils, students, soldiers? Precious few. Why? Because they are *poturice* [converts to Islam] and only the weakest among the Serbs became *poturice*'. The prosecutor then asked the witness if he agreed that it was 'offensive language'. 'No, basically all of that is true', retorted Dragicevic. The witness added that he still stood by words he had written then.

Dragicevic rejected the suggestion of prosecutor Adam Weber that he was a racist but didn't renounce his theory about Serbs being 'genetically stronger, better, handsomer, and smarter' as a nation than Muslims. Asked if he really believed that Serbs were 'genetically handsomer than the people of Muslim faith', Dragicevic replied 'Well, of course. If I didn't believe it, I wouldn't have written it'. That was based on 'my life experience', Dragicevic noted.

In his guidelines for the boosting of the morale of the SRK officers and soldiers Dragicevic wrote other things about *poturice*. 'A sharp, well-conceived hit on the nose is all it would take for them to change their religion again', Dragicevic wrote. His motive was to 'encourage' his subordinates to fight against the BH Army successfully, he explained. He also bragged about knowing how to do it, as evidenced by his victories as the commander in the Visegrad battlefield.

The prosecutor quoted from an order issued by General Stanislav Galic on 1 April 1994. In the order, Galic orders his troops to fortify their positions around Sarajevo by erecting wire and concrete fences to enhance the feeling that they are indeed under a blockade', or 'in a prison camp'. The order pertains to Operation Zvezda in which two VRS corps, from Drina and Herzegovina, were brought in to reinforce the SRK. The Visegrad tactical group also took part in the operation under Dragicevic's command.

Dragicevic said that there were quotation marks around the word 'prison camp'; this means that Sarajevo was not really a prison camp. 'That is what it means in our punctuation', Dragicevic explained. Also, the witness said that Galic's order didn't refer to Sarajevo and the civilians but to the BH Army's 1st Corps. This prompted Judge Moloto to ask him how it was possible to surround the enemy army without surrounding the civilians. Dragicevic replied that the BH Army used the people as a shield and was therefore responsible for the suffering of the civilian population in Sarajevo. The Serb army was not to blame. Judge Moloto noted that the witness had not replied his question.

Prosecutor Weber also noted that Milan Lukic and his Avengers, held responsible for the kidnapping and disappearance of Muslims in Sjeverin and Strpci, were under the command of Dragicevic's Visegrad Brigade. According to one of the documents, Dragicevic issued a certificate confirming that Lukic had proven his worth as a fighter in the Visegrad Brigade. Lukic was set free by the Court in Uzice based on the certificate. Dragicevic denied the claim. According to him, the document was a forgery. Milan Lukic's relatives asked him to give them a certificate, Dragicevic explained, but he refused to do it. As a result, Dragicevic received death threats.

Ratko Mladić's trial continues tomorrow morning.

2014-07-10

THE HAGUE

NENAD KECMANOVIC WAS DELUDED FOR TWENTY YEARS

Mladić's defense witness Nenad Kecmanovic contends that the war propaganda and the trust in his friends resulted in him believing for 20 years that Prijedor had witnessed 'terrible repression by the Serb army and police'. The repression ended with the Muslim population being expelled, their houses burned and the crimes in prison camps. Recently, Kecmanovic received information from some unnamed sources from Banja Luka: the new information 'refutes and relativizes' his previous beliefs



◀ Nenad Kecmanovic, defence witness at Ratko Mladić trial

Former BH politician Nenad Kecmanovic has appeared as a defense expert in the case against Kvočka *et al.*, involving the crimes in Prijedor, and at the trial for the crimes in Bosanski Samac. Kecmanovic also appeared as a fact witness in the cases against Momcilo Krajisnik and Radovan Karadzic. Today Kecmanovic began his fifth, and last, testimony before the Tribunal in Ratko Mladić's defense.

In his statement to the defense, the witness described his work in the BH Presidency at the beginning of the war, from 1 June to 6 July 1992, when Kecmanovic left Sarajevo to move to Pale. After a meeting with the Bosnian Serb leadership there, Kecmanovic continued

his journey to Belgrade. In a brief examination-in-chief Kecmanovic blamed President Alija Izetbegovic for the war. Kecmanovic highlighted Izetbegovic's extremist views expressed in his book, *Islamic declaration*. Izetbegovic wrote the book in 1970 and it was re-issued amid the political turmoil in Yugoslavia in 1990. According to the witness, Izetbegovic wanted an independent state dominated by the Muslims, and at the same time he advocated pan-Islamism, extending 'from Morocco to Indonesia'. Serbs, on the other hand, wanted to remain in Yugoslavia. Croats 'endorsed Muslims' and then made moves 'that mirrored the Serb moves', establishing their own autonomous regions.

Kecmanovic's statement to Mladić's defense is similar to the one he gave in the case against Karadzic. The paragraph about the crimes in Prijedor was removed from Kecmanovic's statement in the Mladić case. The explanation was that Kecmanovic didn't have any direct knowledge of the events there. In the original paragraph, Kecmanovic said that

he still stood by the opinion he gave in the expert report in the Kvočka *et al.* case: the killing of two Serb policemen in Prijedor caused 'terrible repression by the Serb military and police' that ended up with 'the expulsion of the Muslim population' and 'burning down of their houses'. In the same report Kecmanovic wrote, and confirmed in his statement to Karadzic's defense, that the conditions in the prison camps Omarska and Keraterm were 'extremely inhumane'.

When prosecutor Traldi asked the witness if he still stood by his allegations, Kecmanovic replied that in the meantime he had obtained new information that 'refutes and relativizes' his old beliefs. Kecmanovic recounted that he learned about the crimes in Prijedor at the meetings of the BH Presidency while he was still in Sarajevo. When he drafted the expert report for the Kvočka case he didn't have any personal knowledge of the situation there, Kecmanovic explained. This is why he used an unusual method when he wrote the expert report: he let his friend Bosko Baskot to write the part about Prijedor because Baskot knew more about it. Kecmanovic then put Baskot's piece into his report without making any special checks.

Relying on his old information from Sarajevo and trusting Baskot, Kecmanovic believed until recently, for full 20 years, that the Prijedor crimes occurred as described in his report. Between his evidence in the Karadzic case in 2012 and his statement to Mladić's defense, he travelled to Banja Luka, Kecmanovic explained. There he spoke to the people in local bars and elsewhere, and learned that the scale of the crimes against non-Serbs 'was significantly smaller'. When the judges asked him if he could name the source, or at least one person who told him that, the witness said he couldn't.

The prosecutor showed the transcripts from several BH Presidency meetings in June 1992. In the transcripts Kecmanovic says that the 'other side' was guilty of genocide and that there are 'prison camps for Muslims'. Kecmanovic argued that his beliefs at the time were formed under the influence of the propaganda disseminated by the Bosnian leadership and the media. This prompted the prosecutor to show him a Bosnian Serb police document which states that the Serb 'army and the crisis staffs want to round up as many Muslim civilians as possible and to place them in prison camps under inhumane and inadequate conditions'. Kecmanovic agreed that it couldn't be propaganda because high-ranking police officers spoke creditably about 'what their authorities are doing'.

In the second part of today's examination-in-chief, the defense focused on the shelling of Sarajevo. The trial continues tomorrow.

2014-07-11

THE HAGUE

NENAD KECMANOVIC REVISES ERSTWHILE OPINIONS AND POSITIONS

In his evidence in Ratko Mladić's defense, Professor Nenad Kecmanovic revised his previous expert findings on 'random' shelling of Sarajevo from the Serb positions. Now, Kecmanovic called those views 'just impressions'. He had used the term 'destruction' of the city center: now he spoke about 'damage'. A recording of an intercepted conversation in which Mladić calls Kecmanovic 'a monkey' was played in court



◀ Nenad Kecmanovic, defence witness at Ratko Mladić trial

Thursday, Nenad Kecmanovic, former BH politician, revised his previous opinions and positions about the crimes in Prijedor. As he continued his evidence in Ratko Mladić's defense, Kecmanovic did the same, this time with regard to the war in Sarajevo. Kecmanovic was in Sarajevo until 6 July 1992 when, as a member of the BH Presidency, he went to Pale to negotiate with the Serb side. Kecmanovic never returned. From Pale he travelled to Belgrade where he got a teaching job. Now, Kecmanovic is a 'senator' in Republika Srpska.

In the expert report he had written for the defense in the Kvočka *et al.* case, which revolved around the crimes in Prijedor, Kecmanovic stated that the 'superior Serb

artillery caused a great deal of destruction in central Sarajevo and in the old town'. Now Kecmanovic backtracked, saying it 'wasn't exactly destruction', but that 'damage' had been caused in the central part of the city. The buildings were not destroyed as they were in other parts of Sarajevo, such as in Grbavica which was split in two by the two warring sides. In the same expert report the witness noted that he 'got the impression' that 'random' fire was opened on Sarajevo from the Serb positions. Kecmanovic didn't deny that today, but stressed that it was 'just an impression'.

In his statement to Mladić's defense team the witness mentioned Radovan Karadzic's speech at a BH Assembly session. However, he made no mention of 'the shocking statement' made by the Bosnian Serb leader that the war could drag 'Bosnia and Herzegovina to hell and Muslims into possible disappearance'. Kecmanovic had also included this quote in his earlier expert report. Kecmanovic corrected this claim, saying that it was a 'warning'. This prompted prosecutor Traldi to read once again the excerpt from the previous report. Kecmanovic then offered a compromise version, saying that Karadzic had made a 'shocking warning'.

Kecmanovic strove to corroborate Mladic's defense case, which was also presented by other indicted Republika Srpska officials: Cutilheiro's plan for the internal division of BH, drawn up before the war, was rejected because the Muslim side pulled out of the agreement, which had been accepted by the Bosnian Serb leadership. The prosecutor put it to Kecmanovic that Serbs accepted the plan as a 'basis for their later separation and to increase the size of the Serb entity in BH'. Karadzic said that Cutilheiro's maps were 'completely unacceptable' for Serbs but were adopted because they made it possible to 'increase the area Serbs would claim as their right to 45 and 50 percent'. Prosecutor Traldi went on to show Kecmanovic's statement to a Belgrade newspaper, *Borba*, in August 1995. When he spoke to the reporter, Kecmanovic claimed the Serbs had the right to 70 percent of the territory, because of their military domination. The witness replied that he never commented on specific statements but only on the general view of Cutilheiro's plan. Kecmanovic didn't refute the allegations he made in his interview to *Borba*.

At the end of the cross-examination, the prosecutor played in court an intercepted conversation between Mladic and Karadzic. Mladic referred to Kecmanovic as 'this monkey of ours who was with Alija', saying that on his departure from Sarajevo he 'was granted asylum in Belgrade'. The witness said he didn't know anything about asylum, and didn't make any other comments.

Nenad Kecmanovic's cross-examination was completed. Kecmanovic's re-examination is not over yet because Kecmanovic must go home over the weekend for private reasons. He will probably return to The Hague in late August 2014 to complete his testimony.

2014-07-14

THE HAGUE

KECMANOVIC: 'NO GENOCIDE IN BH'

Although Nenad Kecmanovic has stated on a number of occasions that crimes – genocide included – were committed in BH, now, as he testifies in Ratko Mladic's defense, he explained that it was his 'fault' that the term 'genocide' was mentioned at all. 'None of the ethnic communities in BH wanted to exterminate others' in a way comparable to what Nazis had done to Jews

Although it was announced on Friday that witness Nenad Kecmanovic would have to return to Belgrade for private reasons and return to The Hague in late August to complete his evidence in Ratko Mladic's defense, he changed his mind and appeared in court Monday morning. In two hours of the re-examination, defense counsel Branko Lukic tried to rehabilitate his witness by giving him an opportunity to correct the parts of his evidence that, in his view, didn't favor the accused.

In his expert report for the Kvočka *et al.* case, Kecmanovic stated that while he was still in Sarajevo (he left on 6 July 1992) he had the impression that the city was shelled 'randomly' from the Serb positions. Last week in the cross-examination the witness stressed that it 'was only an impression'. Monday, Kecmanovic explained that there were two military facilities near his apartment in the Ciglane neighborhood in Sarajevo. The BH Army 1st Corps HQ and the artillery weapons hidden in a tunnel were targeted by the Serb forces. Kecmanovic thus implied that his 'impression' that the shelling was random was in fact wrong.

In the same expert report, the witness mentioned Radovan Karadzic's speech at a BH Assembly session: Karadzic told the deputies that war could drag BH to Hell, and Muslims into possible disappearance. In his report, Kecmanovic used the phrase 'a shocking statement' to describe the speech. Last week, Kecmanovic corrected himself, saying that it was in fact a 'warning', albeit a 'shocking' one. The defense lawyer noted that Karadzic was prone to issuing 'warnings' and went on to show another part of his assembly address, where Karadzic asked his political opponents 'how will you prevent a situation where people will be killing each other in BH'. Karadzic also said he wouldn't stop speaking until the issue of the BH secession was taken off the agenda. Kecmanovic agreed that here the Bosnian Serb leader issued 'another warning'.

Last week in the cross-examination the witness was confronted with the claims he had made in his expert report for the Kvočka *et al.* case, with the transcripts of his speeches while he was one of the BH Presidency members at the beginning of the war and with his subsequent interviews in the Belgrade media. Kecmanovic told the media that the Serbs had expelled and detained Bosnian Muslims and that the ethnic composition of BH had been completely transformed 'through violence, war and genocide'. Last week, the witness confirmed those claims in part. Monday, Kecmanovic explained that the ethnic composition had changed because people wanted to leave BH because in fear of war and concerns over the safety of their families.

The witness stressed that the mention of the term 'genocide' was his 'fault' because in his view a crime at such a scale had not been committed in BH. According to Professor Kecmanovic, until recently, genocide was defined as a systematic destruction of a people, such as for instance the destruction of the Jews by the Nazis. There was no such thing in BH, because 'none of the ethnic communities wanted to destroy others', Kecmanovic noted.

After Kecmanovic completed his evidence, the defense called Milorad Sehovac. During the war, Sehovac commanded the 2nd Sarajevo Brigade in the Bosnian Serb Army.

2014-07-15

THE HAGUE

MLADIC'S WITNESS: BH ARMY VIOLATED LAWS OF WAR

At Ratko Mladic's trial, Colonel Milorad Sehovac has claimed that the BH Army violated international rules of warfare because it failed to evacuate civilians from combat zones. The prosecutor remarked the witness was personally involved in criminal activities, including the murder of Franjo Vrgincic in Brcko. According to the prosecution, Sehovac is not a credible witness



◀ Milorad Sehovac, defence witness at Ratko Mladic trial

Colonel Milorad Sehovac, war-time commander of the 2nd Sarajevo Brigade, testified at Ratko Mladic's trial. Sehovac's unit held positions facing Hrasnica and Dobrinja, neighborhoods in Sarajevo. In his statement to the defense, the witness claimed that the BH Army in Sarajevo was by far stronger than the VRS. The BH Army 1st Corps had between 44,000 and 64,000 soldiers, in comparison with 22,000 to 25,000 troops in the Sarajevo-Romanija Corps. The objective of the Serb army was to 'block' the BH Army in Sarajevo and to 'protect its territory and population'.

When Sehovac carried out various operations, when his troops fired or returned fire from Sarajevo, he never

thought that those actions 'were part of a systematic attack on civilians', as alleged in the indictment against Mladic. According to the witness, there were no exclusively civilian areas in Hrasnica and Dobrinja. He and his brigade took every measure they could to 'reduce civilian casualties' in the enemy territory, the witness noted. Sehovac said that his superior command did everything it could to ensure that the SRK soldiers were familiar with the Geneva Conventions.

In his evidence Sehovac said that the VRS fired a 250-kg air bomb on Hrasnica in response to a BH Army attack. The objective was to destroy the Aleksa Santic school, which was used by the BH as a plant where they produced shells. From his observation post three kilometers away, the witness saw that the bomb impacted at a site 20 to 30 meters from the target. When defense counsel Ivetic asked Sehovac if the bomb had been fired in line with international rules of war, Sehovac confirmed it. 'We were taught that the warring side that was planning and organizing operations had to evacuate civilians from the combat zone'. The BH Army failed to do it, Sehovac added, stressing that it was an 'obvious example of violations of the laws of war'.

Prosecutor Peter McCloskey noted in the cross-examination that the witness failed to mention in his statement the details pertaining to his military career at the beginning of the war. Sehovac was chief of staff of the VRS 1st Posavina Brigade in Brcko at that time. The prosecutor put it to him that he never mentioned this detail in his CV, as Sehovac was one of those who committed crimes in the Brcko area. According to the testimony of a witness in the case against Momcilo Krajisnik, Sehovac ordered the murder of Croat Franjo Vrgincic.

The murder was mentioned in the judgment of Momcilo Krajisnik which was handed down by Judge Orić's Trial Chamber. Judge Orić is the presiding judge at Mladic's trial. Krajisnik's judgment specified that Sehovac first told Vrgincic to take off his shoes, and then ordered his subordinates to kill Vrgincic. The prosecutor showed a photo of a mass grave with a bare foot belonging to Vrgincic protruding from the ground.

Sehovac claimed that 'it was all a lie'. According to Sehovac, at the time of the murder he was in a village about 20 km from Brcko. The witness was then asked if he heard about the mass grave where Vrgincic's body. The mass grave was located near the 1st Posavina Brigade headquarters. 'I have not heard about it or seen it', Sehovac replied.

In his statement to the defense the witness also said that the VRS 'didn't shell the tunnel underneath the airport runway because it was close to the UN troops'. The prosecutor then confronted the witness with a report by UN military observers which states that on 7 May the VRS fired mortars on the tunnel entrance. Ten persons were killed and many were wounded in the attack, according to the report. The UN argued that it was the 'bloodiest violation' of the NATO ultimatum of 9 February 1994. Air strikes on the VRS were considered as an option after this incident.

Sehovac said that it 'could in fact be true'. This prompted the prosecutor to suggest that he was 'not a reliable witness': his claim to Mladic's defense that the VRS never attacked the tunnel was patently untrue. Sehovac told McCloskey that the VRS did fire on the airport, but not on the UN troops located nearby. This differs from what Sehovac had previously stated to the defense.

After Milorad Sehovac completed his evidence, the defense called Dragan Milanovic, former platoon commander in the Cerezluk neighborhood in Foca.

2014-07-16

THE HAGUE

SERB FROM FOCA BLAMES 'DOGS OF WAR' FROM SERBIA AND MONTENEGRO FOR CRIMES

Mladić's defense witness has claimed he was unaware of any crimes against Muslims in Foca apart from the looting and burning of houses. He blamed the 'dogs of war' from Serbia and Montenegro for those crimes. After the Serb Territorial Defense soldiers entered the town, Muslims were allowed to live a 'normal life'. This claim prompted the prosecutor to quote the Foca Crisis Staff president who said that the number of Muslim citizens in the municipality had fallen from pre-war 51 percent to just one percent by September 1992



◀ Dragan Milanovic, defence witness at Ratko Mladić trial

As alleged in the indictment against Ratko Mladić, Foca is one of the municipalities where crimes against non-Serbs reached the scale of genocide. The evidence of Dragan Milanovic painted a different picture. Before the war, Milanovic owned a liquor store. He became the commander of a Territorial Defense platoon when the war started. He didn't deny that crimes had been committed against Muslims in Foca. According to Milanovic, the crimes were limited in scope and were committed by 'out-of-control groups' from Serbia and Montenegro. Milanovic is one of the few defense witnesses who have not testified in other cases. This is his first time before the Tribunal. Milanovic testified *viva voce* unlike most of his predecessors in the witness stand.

As he answered questions posed by Mladić's defense counsel Lukic, the witness claimed that in the spring of 1992 'there was a feeling in the air that something would happen'. Village guards were soon established in the municipality. In late March 1992, his platoon was established too, 'spontaneously', as he put it. The platoon soon joined the Serb Territorial Defense. In July 1992, the platoon joined the Foca Brigade of the Bosnian Serb Army. At that time, the witness was no longer in the unit because he was seriously wounded in late May 1992.

According to Milanovic, the situation in Foca unfolded like this: the Muslim units attacked the town on 8 April and seized its central part. The Serb 'Territorial Defense' responded to the attack and captured the municipality on 12 April 1992. Muslim fighters then withdrew and non-Serb civilians were allowed to live a 'normal life' given the war conditions. The witness claimed that during the four days the Muslims had controlled the town, Serbs had been detained in the Correctional and Penal Facility (KPD). However, the witness wasn't able to name a single prisoner or to specify the source of that information. Milanovic didn't deny that later Muslims were detained in the KPD but did not provide any details. The witness was on the frontline until late May 1992. He was then sent for medical treatment out of town.

Several Serb houses were burned in Foca on 11 April 1992, the witness noted. Muslim buildings subsequently suffered the same fate. According to the witness, the 'dogs of war' from Serbia and Montenegro were responsible for that. Those 'dogs of war' first looted non-Serb houses and then burned them down 'probably to cover up the evidence'.

Milanovic laid the blame for the events in Foca on the civil authorities, i.e. the local Crisis Staff. Prosecutor Bibles didn't challenge the claim. It is the prosecution's case that the Crisis Staff was part of a broader military and political structure which implemented the leadership policy. The prosecution did contest Milanovic's allegation that the conflict broke out spontaneously and that Serb units 'formed spontaneously'. Prosecutor Bibles first presented a document showing that by 20 March 1992 the JNA had armed 3,000 Serb volunteers. She then proceeded to show a recording of a TV appearance by Miroslav Stanic, president of the Foca Crisis Staff. Stanic said that an 'illegal parade' of eight Serb battalions was held in Foca in June 1991. The witness knew nothings about the effort to arm the Serbs by the JNA. In Milanovic's view, Stanic probably wanted to 'impress the viewers' by telling lies.

Invoking the witness's claim that Muslims led 'a normal life', the prosecutor quoted an entry from Ratko Mladić's diary. At a meeting on 17 September 1992, Miroslav Stanic explained to Mladić how he was able to prevent Muslims from turning Foca into 'another Islamic center in Europe'. 'Before the war, the Muslim population in Foca stood at 51 per cent, and now the Serbs make up 99 per cent', Stanic boasted. Milanovic said he didn't know anything about that.

Ratko Mladić's trial continues tomorrow with the evidence of a new defense witness.

2014-07-17

THE HAGUE

GUARD FROM 'RECEPTION CENTER' FOR WOMEN IN FOCA TESTIFIES AT MLADIC TRIAL

Through the evidence of Milutin Vujcic from Foca, Ratko Mladic's defense tried to contest the allegations from the indictment about the systematic rape of Muslim girls and women in Foca in 1992.



◀ Milutin Vujčić, defence witness at Ratko Mladic trial

Milutin Vujcic from Foca testified at the trial of the former VRS Main Staff commander Ratko Mladic. Through Vujcic's testimony, the defense wanted to contest the allegation in the indictment that the Partizan Sports Hall was one of several prison facilities in Foca where Muslim girls and women were systematically raped in 1992.

Vujcic served as a guard in the Partizan Sports Hall in the first half of April 1992. He spent four days there. According to Vujcic, the Serb authorities organized a 'reception center' for Muslim women in order to ensure their 'safety'. Vujcic said there were 'several women' in the prison facility, and they could 'move freely and receive visitors'. The Serb authorities protected several

Muslim houses in Foca in the same manner, the witness added.

Replying to Mladic's defense counsel Dragan Ivetic, the witness said that the Muslim civilians left Foca 'voluntarily', although the Serb authorities 'begged' them to stay. The witness claimed that mosques and other Muslim religious buildings were damaged in the fighting with the Patriot League and the Green Berets units. Also, many other buildings were destroyed in the fall of 1995 as collateral damage during NATO air strikes.

Prosecutor Camilla Bibles confronted the witness in the cross-examination with a report drafted by Colonel Marko Kovac, commander of the Foca Tactical Group. In his report of 31 August 1992, Kovac notes that 55 elderly men and 40 women and children were 'released' that month from the Penal and Correctional Facility in Foca in order not to be there when 'the commission pays the announced visit'.

If the women in Foca had been 'protected' in the way the witness described in his statement, then why did the Serb authorities deem it necessary to 'evacuate' them at one point, prosecutor Bibles asked. Vujcic replied that he had not seen the document before and didn't know anything about those women.

In the cross-examination, the prosecutor quoted from a report drafted by the Council of Europe, which states that 13 mosques were destroyed in Foca by the end of 1993. That, presiding judge Orić noted, surely happened before any NATO strikes. The witness replied that 'groups and individuals that ran riot in Bosnia' destroyed or damaged some mosques.

2014-07-18

THE HAGUE

WHO RAPED WOMEN IN FOCA: WITNESS OR HIS NAMESAKE?

Mladic's defense witness Zoran Nikolic denies that he was the person identified in the judgment delivered in the case against Dragoljub Kunarac and others. According to the witness, there were two other men called Zoran Nikolic in Foca. One of them had lived there before the war, and the other was a soldier from Montenegro



◀ Zoran Nikolic, defence witness at Ratko Mladic trial

Today Ratko Mladic's defense continued contesting the prosecution's evidence on the crimes in Foca with the evidence of Zoran Nikolic. At the beginning of the war, the witness, who was the head of the local employment office, joined the Territorial Defense. From early April 1992, Nikolic served in an intervention platoon. By mid-June, Nikolic returned to his work in the employment office. After that Nikolic was periodically called up to the Bosnian Serb Army as a reservist.

In the statement to Mladic's defense, the witness recounted that Serbs and Muslims started fighting for

Foca on 8 April 1992. The conflict ended on 12 April 1992 with the victory of the Serb Territorial Defense, which was under the command of the local Crisis Staff. The Muslim fighters withdrew, and a large number of civilians left with the soldiers, in fear for their safety, Nikolic said, although the Serb authorities didn't issue any orders to that effect. The witness's brother Dragan was killed in the fighting in Foca.

As he was questioned by Mladic's defense counsel Stojanovic, the witness said that at the very beginning of the conflict Muslim and Serb paramilitary groups arrived in the area 'from other places'. When the Serb Territorial Defense soldiers took control of the municipality, other such units from Serbia and Montenegro arrived. As Nikolic said, it was his impression that the military and political authorities in Foca didn't have any control over them. Nikolic's evidence tallies with what Dragan Milanovic, a platoon commander in the Foca Territorial Defense, said in his testimony two days ago. Neither Nikolic nor Milanovic have testified before the Tribunal.

At the beginning of the cross-examination prosecutor MacGregor asked the witness if he was ever politically active. Nikolic explained that he had been in the League of Communists before the war in BH, and after the war he served as the Serbian Radical Party commissioner in Foca.

As Nikolic continued his evidence, he said that during the war Gojko Jankovic and Dragoljub Kunarac, who have both been convicted of rape in Foca, commanded the units which were operating as part of the Bosnian Serb Army. The prosecutor brought up the Tribunal's judgment in the case against Kunarac where a protected witness claimed she had been raped twice in August or September 1992 by a soldier called Zoran Nikolic. The witness denied it was him. He explained that there was another man by the name of Zoran Nikolic in Foca that had lived there before the war. When the conflict broke out, a man with the same name and surname came to Foca from Montenegro. Either of them could be the rapist, Nikolic concluded.

Interestingly enough, the issue of the Correctional and Penal Facility (KP Dom) in Foca, one of the prison facilities mentioned in the indictment against Mladic, was raised only after the end of the regular working hours. Neither the defense nor the prosecution brought up the topic. The presiding judge asked the witness about it, and the witness said that in 1993 he hitched a ride to his parents' home outside Foca in a police vehicle transporting KP Dom prisoners. The prisoners were taken to work in the Miljevina mine and the witness was 'unpleasantly surprised' when he heard it. One of the prisoners was the brother of Nikolic's pre-war 'colleague' Ekrem Cemo. Nikolic learned that Ekrem Cemo was also held in the KP Dom. The prisoners did not complain, apart from saying they didn't have enough cigarettes. As far as the witness knows, Cemo and his brother were later exchanged.

Ratko Mladic's trial continues on Monday.

2014-07-21

THE HAGUE

NO CRIMES IN FOCA...ONLY CRIMINAL OFFENSES

Veselinko Simovic, former member of the Foca Intervention Platoon, contends that the crimes in Foca Ratko Mladic is charged with didn't happen. Later, Simovic clarified that when he said there were no crimes he didn't mean that there were no 'criminal offenses' such as mistreatment of civilians, looting, and torching of houses. According to Simovic, members of uncontrolled paramilitary groups committed such acts. How 'men with poetic souls' turned Foca into Srbinje



◀ Veselinko Simovic, defence witness at Ratko Mladic trial

In his statement to Ratko Mladic's defense and in his examination-in-chief today, Veselinko Simovic claimed that the conflict broke out in Foca after a Muslim attack. The claims of the former member of the Foca Intervention Platoon were similar to those made by the previous witnesses from the same municipality. The attack prompted the Serbs to set up their military units. As part of their effort to defend themselves, the Serbs captured Foca on 12 April 1992. As alleged in the indictment, numerous crimes against the local Muslims ensued: detention, abuse, rape and murder. The witness didn't know anything about that. 'In my opinion, there were no such acts,' the witness said when he was asked what he knew about the crimes listed in the indictment against Mladic.

Simovic contended that paramilitary groups from Serbia and Montenegro arrived in Foca in the spring of 1992. They 'disgraced the honest Serb fighters'. According to Simovic, he personally participated in a military action when 'criminals from Belgrade' were expelled from the town. As Simovic recounted, he and his soldiers had been given orders to kill the paramilitaries if they refused to leave. This, as the witness explained, is indicative of the determination of the local authorities to deal with the issue.

At the beginning of the cross-examination the prosecutor asked Simovic to explain how the paramilitary members disgraced the honest Foca fighters. The witness said that they mistreated the people, set houses on fire and looted them. This prompted the prosecution to note that there had been crimes in Foca after all, contrary to what the witness had said, No, the witness replied, it was a misunderstanding. 'There were no crimes, only criminal offenses' such as looting, arson and 'slapping', the witness explained. He was adamant that the paramilitary groups were to blame for that.

The prosecution nevertheless noted that several members of the Bosnian Serb Army received long-term prison sentences for those crimes, such as the rapes of Muslim girls and women in Foca. Radovan Stankovic and Dragoljub Kunarac were among them, as was Radomir Kovac, member of the witness's intervention unit. Simovic said that the rapes were committed 'in secret' and therefore had not been prosecuted before the indictments were issued against the perpetrators in The Hague. The witness allegedly told Kovac, who has come back to Foca recently, that he 'would never have released him' because he had disgraced the entire Serb army. 'You fared well, if I had been your judge, I would have put you to electric chair and pressed the button three times, not once', the witness purportedly told Kovac 'to his face'.

Speaking about illegal detention, torture and murder of Muslims in the Correctional and Penal Facility (KP Dom) in Foca, Simovic said that he didn't know anything about that. Simovic only knew that captured enemy soldiers were held there. The prosecutor then showed Simovic a Bosnian Serb Army document with a list of prisoner sent for exchange. All of the prisoners in the list were older than 50. Simovic replied that he didn't know anyone from the list. According to the witness, some soldiers were older than 70.

The witness claimed that nobody forced Muslims out of Foca. The Muslims 'themselves expressed their desire to leave' and the Serb authorities 'met their request' providing buses and 'escorting them' without any mistreatment, Simovic explained. 'We didn't pursue them, I swear by God, nobody touched them, except that group of convicted individuals', said Simovic.

And yet, according to the prosecution evidence, Foca has been almost completely ethnically cleansed of Muslims. Even the name of the town was changed to Srbinje. The witness said that the change of the name was irrelevant. The name was changed by 'men with poetic souls': they wanted to coordinate linguistically the new name with the names of the neighboring municipalities of Trebinje, Ljubinje and Nevesinje.

Former police officer from Bratunac Nenad Deronjic began his evidence as the hearing drew to a close.

2014-07-22

THE HAGUE

NO INVOLVEMENT IN RIVER JADAR CRIME

Nenad Deronjic, a police officer from Bratunac, claimed at the trial of Ratko Mladic that he was on duty in Srebrenica when the captured Muslims were executed on the bank of the River Jadar. The witness used the entries from a police duty log book to corroborate his claims. The prosecutor noted that the entries in that document have been altered. The original documents showed that the witness was not on duty at the time when the execution took place



◀ Nenad Deronjic, defence witness at Ratko Mladic trial

On 11 July 1995, the day of the fall of Srebrenica, Nenad Deronjic, police officer from Bratunac, was on duty at a check point on the cross-roads in Konjevic Polje. In his statement to Ratko Mladic's defense Deronjic claimed that in the morning of 12 July 1995 he returned to the police station in Bratunac. On the same day, according to Deronjic, he was sent to Srebrenica to prevent looting and to establish law and order. Deronjic stated that he remained in Srebrenica until 21 July 1995.

The witness contested the evidence of Momir Nikolic, security officer in the VRS Bratunac Brigade. In his guilty plea, Nikolic said that on 13 July 1995 he saw Deronjic at the check point in Konjevic Polje. At the same time

Mladic was in Konjevic Polje, promising a group of prisoners there that they would be exchanged. Deronjic was adamant that Nikolic had said a number of lies, not only about him but also about other people from Bratunac. According to Deronjic, Nikolic wanted to secure a better position in his bid to reach a plea agreement with reaching the prosecution.

At General Krstic's trial, a prosecution witness alleged that Deronjic participated in the execution of 15 prisoners on the bank of the River Jadar on 13 July 1995. The prosecution confronted Deronjic with the claim several times, in an interview in Banja Luka in 2001, and during his testimony at the trials of Vidoje Blagojevic and Radovan Karadzic. Each time Deronjic denied that he participated in the crime, arguing that from 13 to 21 July 1995 he didn't leave Srebrenica.

In the cross-examination, prosecutor Peter McCloskey confronted the witness with the documents of the Zvornik Public Security Center and the Srebrenica Police Station duty log book. The documents showed that on 13 July 1995 the witness was on duty in Srebrenica from 7am to 7pm. However, the prosecutor stressed, the dates have been altered. According to the prosecutor, the original entry stated that Deronjic was on duty from 7pm on 13 July 1995 to 9am on 14 July 1995. That would imply that Deronjic was free during the day, the prosecutor suggested, and that he does not have an alibi.

Deronjic said he didn't know who had altered the duty log book, arguing that 'someone from the OTP could have done it'. This prompted presiding judge Orić to note that it was the right moment to remind the witness of Rule 90E. The rule allows the witness not to answer any potentially incriminating questions.

As the hearing drew to a close, Mladić's defense called Milan Pejic, a medical doctor who used to work in the Kosevo Hospital in Sarajevo.

2014-07-23

THE HAGUE

NON-SERB PATIENTS IN SERB HOSPITAL

Through Milan Pejic's evidence, Ratko Mladić's defense wants to prove that the accused knew that the wounded and the sick ethnic Muslims and Croats were treated in the Serb hospital in Blazuj and did nothing to prevent it; according to the defense, this shows Mladić did not intend to commit crimes against non-Serbs in BH



◀ Milan Pejic, defence witness at Ratko Mladić trial

Until the war in BH, Dr. Milan Pejic worked in the Kosevo Hospital in Sarajevo as an ear, nose and throat specialist. In May 1992, Dr. Pejic went to the territory under the Serb control and became the chief of the hospital in Blazuj. In his statement to Ratko Mladić's defense, as well as in his previous evidence as Radovan Karadžić's defense witness, Pejic described what he did as a medical doctor during the war.

In his evidence, Pejic claimed that the wounded and sick persons were treated in the Serb hospital in Blazuj regardless of their ethnicity and religion. Amid the Croat-Muslim conflict in 1993, about 150 wounded Croats from Kiseljak were admitted in the hospital, the witness

recounted. This prompted the presiding judge Orić to note that the relevance of that part of the evidence was questionable. Mladić is not on trial for 'not providing help to non-Serb patients', the presiding judge said, but for the gravest war crimes. The defense counsel replied that they wanted to show the state of mind of the accused during the war. According to the defense, there was no intent to commit crimes because medical assistance was given in the territories under the Serb army control to the members of the ethnic groups targeted, as the prosecution alleges, by the accused.

The witness noted that Mladić knew about the Croats and Muslim being treated in the Blazuj hospital. Mladić never issued any order or instructions to put a stop to it. On the contrary, Pejic said, Mladić visited the wounded several times and wished them all regardless of their ethnicity a quick recovery.

In the cross-examination, prosecutor Abeer Hasan noted that Ramiz Mujkic, a Muslim prisoner, was treated in the Blazuj Hospital from 8 to 22 August 1992. In his evidence at Radovan Karadžić's trial, Mujkic described how he had been wounded in the leg, detained and abused in the Rajlovac military barracks. His captors beat him on the wound. Military police escorted Mujkic on his way in and out of the Blazuj Hospital. Mujkic was then detained in Planjina Kuca.

Dr. Pejic explained that he personally insisted that everything should be done to save Mujkic's leg, rather than to amputate it. The leg was saved and Mujkic purportedly thanked the witness after the war. The witness neither denied nor confirmed that Mujkic had arrived under military police escort. Also, Dr. Pejic didn't specify where Mujkic was before and after his hospitalization. When the prosecutor asked Pejic if Mujkic's discharge letter specified that his wound showed evidence of blows inflicted after the actual wounding, Pejic answered that in war conditions medical doctors 'didn't fill in the details of injuries'. Also, the doctors were not forensic experts and could not establish why a patient's wound ended up being neglected and infected.

Asked if he knew about civilian casualties in the part of Sarajevo under control of the Bosnian authorities, the witness replied that his knowledge was based on media reports. Dr. Pejic could neither deny or confirm that the Serb artillery and snipers attacked the city. The only thing he knew was that the Serb civilians were killed in the BH Army attacks on the parts of the city under the Bosnian Serb military control.

As the hearing continued, Zoran Kovacevic began his evidence in Mladić's defense. Kovacevic was a platoon commander in the Bratunac Brigade during the war.

2014-07-24

THE HAGUE

WITNESS: WE AVOIDED MLADIC LIKE PLAGUE

Former platoon commander in the Bratunac Brigade Zoran Kovacevic claimed at the trial of Ratko Mladic that he didn't see or hear about anyone from Bratunac participating in the effort to separate the men from the rest of the people in Potocari. Kovacevic admitted that he was in Potocari on 12 July 1995. However, after his brief encounter with Mladic, Kovacevic tried to leave as soon as possible. Everyone avoided Mladic 'like plague', the witness said



◀ Zoran Kovacevic, defence witness at Ratko Mladic trial

Zoran Kovacevic, former platoon commander in the 2nd Battalion of the Bratunac Brigade, claimed at the trial of Ratko Mladic that he had not participated in the effort to separate the men from the women and children in Potocari after the fall of Srebrenica in July 1995. The witness said that he didn't see or hear about anyone from the Serb military and civilian authorities from Bratunac being involved in that operation.

In his statement to the defense Kovacevic said that on 12 July 1995 his unit was ordered to clean up the terrain along the roads in Potocari. When they entered Potocari, the witness came across Mladic. After the encounter, the witness and his whole unit took shelter behind a building 50 meters from the entrance to the UN base. The witness

remained there for about an hour. In that period, the witness said he 'didn't see any abuse of the Muslim population, or the separation of the men from the women and children'.

Prosecutor Abeer Hasan confronted the witness in the cross-examination with the statement made by Nedziba Salihovic to the Bosnian MUP on 26 July 1995. Salihovic stated that on 12 July 1995 she saw her neighbors Zoran Kovacevic and Momir Nikolic separating men from women and children. Kovacevic confirmed that he knew Nedziba Salihovic. He heard that Salihovic was saying he had taken her son from her arms in Potocari. 'This has nothing to do with the truth', Kovacevic was categorical.

As far as he knew, the witness said, no one from the Bratunac military and civilian authorities had taken part in the effort to separate the men from the women and children in Potocari. The only person who took part in the operation was Momir nicknamed Penzijica, chief of security in the VRS Bratunac Brigade, who pleaded guilty for the Srebrenica crimes at the Tribunal.

The prosecution alleges that Nikolic and Kovacevic both took part in the operation to separate the men from the women and children on 12 July 1995 in Potocari. According to the prosecution, the witness denied it now because he knew that the men would be killed. Kovacevic, on the other hand, claimed that he last saw Nikolic a month before the operation in Srebrenica. According to Kovacevic, he spent less than an hour in Potocari. After his encounter with Mladic, Kovacevic wanted to leave as soon as possible because 'when the general showed up, we avoided him like a plague'.

At the end of the hearing, presiding judge Orić ordered the parties to use the court time more efficiently. The Trial Chamber was concerned about the 'time lost' calling evidence of 'questionable relevance'. The witnesses' testimonies are either 'too general' or pertain to the facts that the parties don't contest, the presiding judge warned. The defense was ordered to refrain from calling such evidence in the future, while the prosecution should not pay attention to this evidence in the cross-examination. If not, the Trial Chamber will have to interrupt the irrelevant testimony and reject any irrelevant exhibits, including the witnesses' written statements.

The trial of Ratko Mladic continues after the Tribunal's summer recess, on Monday, 25 August 2014.

2014-07-24

THE HAGUE

DOUBLE GENOCIDE REMAINS IN MLADIC'S INDICTMENT

Mladic's motion against the Trial Chamber's decision confirming the first two counts in the indictment – genocide in six BH municipalities in 1992, and in Srebrenica in 1995 – was rejected today. The prosecution called sufficient evidence capable of supporting a conviction for the accused's involvement in both genocides, the Appeals Chamber ruled

The Appeals Chamber headed by the ICTY President Theodor Meron confirmed the Trial Chamber's decision on Rule 98bis motion filed by General Mladic and confirmed the two counts pertaining to genocide in the indictment against

Ratko Mladić. The first genocide encompasses the crimes in 1992 in the municipalities of Foca, Ključ, Kotor Varos, Prijedor, Sanski Most and Vlasenica and the second genocide was committed in Srebrenica in 1995. The defense appealed against the decision rendered at the half-time of the trial in April 2014 by the Trial Chamber. After the prosecution rested its case, the Trial Chamber denied the motion in which the defense asked the judges to drop the two counts from the indictment because, as the defense argued, the prosecution had not called enough evidence to support the charges.

In its decision, the Appeals Chamber notes that the Trial Chamber was right when it concluded that the prosecution had called sufficient evidence to support a conviction for both genocides in BH and the involvement of the accused in them.

First, the Trial Chamber applied its discretionary right and correctly concluded that the evidence on the killing of a large number of persons, their detention and inhumane treatment including rape and grave physical and mental suffering, creating conditions designed to cause the physical annihilation of Bosnian Muslims and Croats clearly pointed that genocide was committed in the six municipalities. In the case of Srebrenica, the Trial Chamber noted in its decision that a large volume of the evidence called by the prosecution showed that there had been genocide in Srebrenica too.

Secondly, the defense's allegation that the Trial Chamber failed to consider the evidence on Mladić's genocidal intent, *mens rea*, has been rejected. The Appeals Chamber recalls that the conclusion on the intent could be based on 'circumstantial evidence' such as the systematic design and the scope of the crimes. The Appeals Chamber's decision emphasizes that the Trial Chamber listed a lot of other evidence called by the prosecution on Mladić's intent to commit genocide in the six municipalities in 1992, including the intercepted conversations and reports from meetings where Mladić made threats about all-out attacks on civilians and the evidence that Mladić was aware that crimes had been perpetrated.

Speaking about Srebrenica, Mladić's genocidal intent could be seen in the video recordings, the Appeals Chamber recalls. There is video footage of Mladić arriving in Srebrenica, saying 'we give this town to the Serb people as a gift' and 'the time has come to take our revenge on Turks'. The decision also refers to the evidence of Momir Nikolić, chief of security in the Bratunac Brigade. In his testimony before the Tribunal Nikolić said that when he asked Mladić what would happen to the Srebrenica prisoners, Mladić made a gesture with his hand showing that they would all be killed.

Having in mind the 'totality of the evidence' on the substantial elements of genocide and the genocidal intent of the accused, the Appeals Chamber concludes that the judges in the Trial Chamber did not err when they rejected the defense's motion on the counts 1 and 2 in the indictment. The Appeals Chamber's decision rejected all the other arguments proffered by the defense. Thus the indictment against Ratko Mladić stands as it is. As the trial continues, Mladić will have to refute the prosecution's evidence on all 11 counts.

2014-08-25

THE HAGUE

DID SERBS ASSIST CROATS FOR HUMANITARIAN OR OPPORTUNISTIC REASONS?

A prosecution witness at the trial of Ratko Mladić has argued that in the fall of 1993 the Bosnian Serb army and police helped Croatian civilians move from Vares to Kiseljak in order to protect them from the BH Army attacks. The prosecution has presented evidence showing that it was done to allow the Serb side to improve its position with a view to carving up BH. The Trial Chamber doesn't like Mladić's 'games'



◀ Goran Sehovac, defence witness at Ratko Mladić trial

Goran Sehovac is Ratko Mladić's first witness after the Tribunal's summer recess. In 1992, Sehovac fought in the war as a member of a counter-terrorist unit from Han Pijesak. He was then transferred to the Ilidza Brigade and remained there until the end of the war. In his statement to the defense, Sehovac makes no mention of the crimes against Sarajevo civilians listed in the indictment against the former VRS Main Staff commander. Indeed, he says that the BH Army used civilians as human shields and 'as weapons': they were forced to approach the Serb positions with explosives strapped around their waists.

Sehovac's testimony focused on the assistance provided by the Serb army and police to Croats when they fled from Vares in the fall of 1993. The witness said that his unit received an order to assist in the evacuation of the Croat civilians from Vares to Kiseljak. Sehovac described how he joined the effort with much enthusiasm, carrying Croat children on his back and helping other civilians. The witness repeatedly stated that he was 'very proud' of the role he played in that operation.

As the defense stated at a hearing before the summer recess, the assistance provided by the Serb army to Croats in BH proved that Mladic didn't intend to commit crimes against the non-Serbs. The prosecution, on the other hand, noted that the Bosnian Serb leadership used the Croat-Muslim conflict in 1993 to further its own interests. The prosecution argues that Serbs did not help only Croat civilians: they helped the HVO soldiers. Their goal, as the prosecution alleges, was to take parts of the Croat territories and to win an ally against Muslims in the effort to carve up BH.

A document from the Sarajevo-Romanija Corps was shown in court to corroborate the allegation. The document indicates that the Croatian Defense Council sent a request for assistance, and that both civilians and Croat soldiers were moved through the Serb-held territory. Mladic's Directive No. 5 from June 1993, also shown in court, instructs the subordinated units to 'exploit' the Croat-Muslim conflict: they should make sure that Croat weapons do not fall into the hands of Muslims, and Croats 'should be forced by reasonable acts to hand over their arms and territories to us'. Furthermore, an entry in Mladic's war diary about a meeting with Slobodan Milosevic in Belgrade quotes Radovan Karadzic as saying that 'Croats should be given assistance in order to force Muslims to agree to the division of Bosnia'. Letters from the Vares municipality president and from Vinko Puljic, the Archbishop of Vrhbosna, to Croatian president Tudjman were also admitted into evidence. In the letters, the two men express their displeasure with the fact that the people of Vares were forced to leave their homes and hand the territory to the 'Chetniks' following the agreement of the top leaders.

The prosecutor thus concluded that it was not a humanitarian effort to evacuate the civilians before the BH Army launched its attack, but an agreement reached by the Serbs and Croats to carve up BH. Sehovac replied that he only spoke in 'the spirit of the rescue'; he knew nothing about high politics and agreements reached by the top brass. Sehovac completed his evidence today, and the defense will call a new witness tomorrow.

The accused Mladic seems to have forgotten the Trial Chamber's strict instructions during the Tribunal's recess. The Trial Chamber has prohibited Mladic from communicating with his defense counsels aloud and to signal to the witnesses in any way. Today Mladic did both. He stopped only after he was warned that he would be removed from the courtroom. 'The Trial Chamber doesn't like your games', the presiding judge said to Mladic after issuing the last warning. The witness was also cautioned not to salute or address the accused in any way.

2014-08-25

THE HAGUE

MLADIC'S DEFENSE: WE DON'T WASTE COURT TIME

Ratko Mladic's defense disagrees with the Trial Chamber's view that it 'has been wasting' court time by calling evidence of 'questionable relevance'. Mladic's defense is against the Trial Chamber's instructions on the more efficient use of time, arguing that the 'rules cannot be changed' at this stage in the proceedings

The trial of Ratko Mladic, former VRS Main Staff commander, continued today after the summer recess. Before calling its new witness, the defense replied to the Trial Chamber's order of July 2014, instructing the parties to use court time more efficiently in future instead of 'wasting' it on calling evidence of 'questionable relevance'. In its order, the Trial Chamber noted that witness testimonies tended to be either 'very general' or pertained to the undisputed facts. The defense has been ordered to refrain from calling such evidence and the prosecution has been instructed to disregard it in the cross-examination. If not, the Trial Chamber stressed it would interrupt such testimony and would not admit exhibits of that nature.

The defense begged to differ, insisting that all the witnesses so far have been credible, and the evidence relevant. According to defense counsel Branko Lukic, there are no 'wrong' witnesses as far as the defense is concerned, because Mladic's indictment 'treats all Serbs who were older than 16 in 1992 as members of the joint criminal enterprise', and the defense is contesting the allegation. Parts of the written witness statements may be general in nature, the defense counsel admitted, but they were indispensable for the understanding of the context of the events or the evaluation of the witnesses' credibility. Besides, in the defense's opinion, the Trial Chamber's order has put it at a disadvantage and 'rules can't be changed' at this stage of the trial.

As prosecutor Camille Bibles noted, the prosecution 'vigorously disagrees' with the defense's views. The prosecution intends to express its objections in a written motion.

According to the latest statistical data on the use of court time at Ratko Mladic's trial, the defense has spent 31 of the total of 207 hours it has at its disposal, or just 15 percent of the allotted time. The prosecution on the other hand has taken 65 hours to cross-examine the defense witnesses. The judges' questions have taken 25 hours and procedural issues have been discussed for about 20 hours. In light of the Trial Chamber's decision, issued today, to have a four-day working week at Mladic's trial, the defense could rest its case in 18 months at the current pace.

2014-08-26

THE HAGUE

DOCUMENTS FULL OF 'ERRORS'

War time president of the Ilijas Crisis Staff Ratko Adzic has testified at the trial of Ratko Mladic that there was no plan to expel Muslims and Croats. According to Adzic, Muslims and Croats left the municipality as 'a result of a difficult and chaotic situation', not under duress. Adzic has also denied that he had any authority over the Ilijas Brigade. Documents contradicting Adzic's claims are full of errors, he has told the judges



◀ Ratko Adzic, defence witness at Ratko Mladic trial

Ratko Adzic testified at the trial of his namesake Ratko Mladic. Adzic is the war-time president of the Serb municipality of Ilijas and its Crisis Staff. He went on to become the interior minister of Republika Srpska. In his statement to the defense Adzic said that 'the SDS implemented a policy designed to defend Serbs against the threats of genocide and ethnic cleansing made by Muslims and Croats' organized by the SDA in the Patriotic League and Green Berets.

In Adzic's words, in the first months of the war in the Ilijas area there was a 'peace agreement' in effect. It lasted until a Muslim offensive launched on 3 May 1992. After the fighting began, he 'tried to ensure the freedom of

movement' for Croat and Muslim civilians, said Adzic. The witness claimed that there was no plan to expel Muslims and Croats. According to Adzic, Muslims and Croats left the municipality as 'a result of a difficult and chaotic situation', not under duress.

Given Adzic's position as the Crisis Staff, presiding judge Orić wanted to know if the Serb military forces in that municipality had been under his command until the formation of the VRS in May 1992. Adzic told him that he only had the Territorial Defense under his command. A while later, in the cross-examination the witness said that he also had the Serb police under his command.

The witness also claimed that he had no authority over the Ilijas Brigade, established in late May 1992 except 'in terms of making arrangements and giving advice to the command'. Prosecutor Bibles then showed Adzic a letter of 12 June 1992, in which Adzic asked for weapons from RS president Radovan Karadžić to 'defend and clean up the terrain'. Adzic signed the letter as the commander of the 'VSN'. When the judge asked Adzic what the acronym stood for, Adzic explained it meant 'military forces', i.e. the Territorial Defense.

The prosecutor confronted Adzic with a document in which several Muslims were granted permission to leave Ilijas. That document, from late June 1992, also bore the Ilijas Brigade seal and Adzic's signature as the 'commander'. The witness claimed that at that time he was just the municipality president and was signed as commander 'by mistake'. Adzic said that the Red Cross issued permits to citizens who wanted to leave. He, Adzic explained, intervened only in 'exceptional situations'.

In the cross-examination, Adzic was confronted with a document of 15 May 1993, which appointed the Prijedor police chief Simo Drljaca a member of the commission set up to investigate genocide against the Serb people. From January to July 1993, Adzic was the RS police minister. According to Adzic, that document too was 'full of errors'. When he was minister, Drljaca was appointed the chief of the MUP Information Department but this was done just on paper: Drljaca never assumed his duty.

The judges noted that Adzic had avoided giving direct answers several times, or gave 'imprecise' answers. If he continued to do so, the judges warned, his entire evidence could be rejected. At the prosecutor's request, the witness was read Rule 90 E, which grants witnesses the right not to answer potentially incriminating questions.

After Ratko Adzic completed his evidence, the trial continued in closed session.

2014-08-27

THE HAGUE

PROSECUTION CALLS FOR OPPORTUNITY TO PRESENT TOMASICA EVIDENCE

The prosecution in the case against Ratko Mladic wants to re-open the case to call evidence on the Tomasica mass grave. The prosecution intends to call 13 witnesses: seven survivors and former employees of the Ljubija mine and six experts, as well as to present 43 yet confidential documents. The three of six experts have already testified.

At Ratko Mladić's trial, the prosecution has asked the Trial Chamber for leave to re-open its case in order to call evidence on the Tomasica mass grave, near Prijedor. The 'new evidence', previously unavailable to the prosecution, is 'directly relevant' to the allegations in the indictment. Mladić is charged with taking part in a joint criminal enterprise aimed at the permanent elimination of Muslims and Croats from the BH territory which was claimed by the Serbs. This was to be achieved by the commission of crimes, including genocide.

The prosecution learned about the mass grave in Tomasica in September 2013 after the local BH authorities began exhumations at the site. By late November 2013, as its case drew to a close, the prosecution informed the Trial Chamber about its intention to re-open the case to present the evidence pertaining to the grave. At that time, the prosecution expected that the first evidence would be available in the first half of 2014.

The prosecution plans to call 13 witnesses – seven survivors and former employees of the Ljubija mine, as well as six experts. Three of the experts have already testified in Mladić's case. Also, the prosecution intends to present 43 documents, which remain classified at the moment. The prosecutor has asked the Trial Chamber for nine hours for the presentation of this evidence. This, the prosecution has stressed, would not cause any unnecessary delays in the proceeding or violate the right of the accused to a fair trial.

The first examinations and DNA analyses of the remains recovered from Tomasica in 2002, 2004 and 2006 link the grave with the secondary grave Jakarina Kosa, discovered in 2001. In late 2013, the exhumations yielded 275 complete bodies, as well as about a hundred of body parts and 24 bags of remains. The Tomasica grave has a surface area of 70 by 120 meters and is approximately the size of a football field. In some places the grave is up to nine meters deep.

The size of the Tomasica mass grave and the OTP's investigation into its origins conducted from January to July 2014 have both showed that the VRS played a major part in the killing, burial and transfer of the victims into new graves in the Prijedor municipality. Entries from Mladić's wartime notebooks corroborate the findings. The number of recovered bodies, the size of the grave and the way in which the victims were buried indicate that the killing in the Prijedor area were 'planned, systematic and carried out on a massive scale'.

The prosecution notes that people were buried in Tomasica in the course of the major operation to forcibly remove the non-Serbs from the Prijedor area, before the local prison camps were closed down. The OTP experts have linked the exhumed bodies with the following incidents listed in the indictment against Mladić: the killing of a large number of persons in Kozarac, in the Hambarine and Ljubija regions, in the villages of Kamicani and Jaskici, in the Brda and Biscani area, in the nearby hamlets of Hegici, Mrkalji, Ravine, Duratovici, Kadici, Lagici and Cemernica, the killing of men in the football field in Ljubija and around it. The remains of the victims of several other incidents listed in the indictment – the killing of 150 persons in the Room 3 in the Keraterm prison camp, the murders of the Omarska prisoners in Omarska and in Hrastova Glavica – were also recovered from the grave.

In its motion, the prosecution notes that the remains of at least 293 persons aged from 15 to 60 have been exhumed so far. Almost all of them were killed by bullets. Some bodies were wrapped in blankets, which tallies with the witness statements. Also, protective rubber gloves, other items used when the bodies were buried and transferred and gas masks provided to the VRS by the JNA were also recovered from the grave. The evidence the prosecution intends to call also shows that in April and May 1992 the Prijedor Crisis Staff took control of the Ljubija mine, including Tomasica, and that the VRS strictly controlled the access to the area.

2014-08-28

THE HAGUE

NO POINTS FOR PRESENTATION

According to former commander of the Igman Brigade Velimir Dunjic, the VRS documents were 'too general' in their assessment of the crimes against the non-Serbs in the Sarajevo area. Dunjic compared those assessments with points awarded for 'presentation' in figure skating. In Dunjic's view, there is nothing controversial about a unit run by the Chetnik warlord Brne being described as a 'criminal group' whose actions were detrimental to the Bosnian Serb Army. Brne's unit operated as part of Dunjic's brigade



◀ Velimir Dunjic, defence witness at Ratko Mladić trial

After a protected witness testified yesterday in closed session, today Ratko Mladić's defense called the former commander of the Igman Brigade Velimir Dunjic. He was appointed to that post in August 1992 and remained in command until he was removed in January 1993. Contrary to the allegations in the indictment about the terror campaign against the Sarajevo citizens, in his statement to the defense Dunjic said that his unit never used artillery to attack civilians. There were no snipers in his unit, Dunjic claimed.

In a brief examination-in-chief Dunjic said he was surprised by the 'platitude' about the VRS holding

'dominant positions' and 'shelling Sarajevo from the hills'. According to Dunjic, the Sarajevo-Romanija Corps was 'tactically in a worse position' than the enemy. The BH Army 'copied the practice from the Second World War': it fired on the Serb positions during religious holidays such as St. Nicholas day, Christmas and the Orthodox New Year, Dunjic explained.

In his statement, the witness didn't mention the crimes Mladić is charged with. Dunjic did say that a unit run by the Chetnik warlord Branislav Gavrilovic Brne acted as part of his unit, but he noted that in 1992 Brne's unit didn't commit any crimes. Although Dunjic mentioned Brne in a single paragraph in the statement, prosecutor Jeremy dedicated most of the cross-examination to the issue.

He showed the witness the minutes from a meeting held on 15 November 1992, when the Corps security officer warned others who were at the meeting, including the witness and the accused, about 'widespread' thefts, robberies, looting and the 'regular and unnecessary abuse and killing of people from other ethnic groups, in particular Muslims'. Members of 'informal groups' were responsible for that, the security officer said. The prosecutor asked the witness whether these included Brne's unit, which was subordinate to Dunjic. 'That is not correct, show me proof that they committed a single crime during the time I was the commander', Dunjic countered.

According to prosecutor, the proof lies in a report written by the Corps commander Stanislav Galic on 18 November 1992. In the report Brne's unit was described as a 'group of criminals whose actions damage the VRS reputation'. As Dunjic said, it was a 'random and generalized assessment' akin to the points awarded for 'presentation in figure skating'. In Dunjic's opinion, Galic's description wasn't controversial at all. Dunjic could not see why describing Brne's unit as 'a group of criminals' necessarily means that they committed any crimes. Their 'improper behavior' might have comprised minor misdemeanors such as fighting in bars, or refusing to cede their seat to an old woman in a bus, not to actual crimes.

Dunjic was removed from the post of the brigade commander after a clash with General Galic on 14 January 1993. The police report about the incident states that Galic and his security detail arrived at Dunjic's place where he was with Brne's men. Alcohol was consumed during the discussion. At the point 'when everybody was already drunk', Dunjic jumped on Galic, 'tore off the general's insignia from his uniform and poured sauce over him'. The witness denied that he had consumed alcohol, and that Brne's men were there as his bodyguards. He did not deny however that he had torn off Galic's insignia because Galic purportedly ordered his men to shoot Dunjic.

In his evidence in Radovan Karadzic's defense, General Galic stated that Dunjic was removed from his duty because he had arrested members of the Bosnian Serb Army on his own authority, and because of 'disproportionate use of artillery' in the attacks on Sarajevo. According to the witness, he shelled only the enemy positions and in fact didn't know what disproportionate use of artillery would comprise. General Galic was sentenced to life for the terror campaign against the citizens of Sarajevo.

At the end of his testimony, Dunjic thanked the Trial Chamber for allowing him to testify as a defense witness of 'the great Serb hero Ratko Mladić'. This prompted presiding judge Orić to say that 'no propaganda is allowed in the courtroom'. The witness's words have been recorded and will be taken into consideration when his testimony is assessed, the presiding judge stressed.

2014-09-01

THE HAGUE

EVIDENCE ON DEPLOYMENT OF BH ARMY TROOPS IN SARAJEVO

Former intelligence officer in the Sarajevo-Romanija Corps Milorad Bukva gave evidence in Ratko Mladić's defense. As Bukva said, the 'Muslim forces' in Sarajevo were between 35,000 and 38,000 strong and they used hospitals, schools and kindergartens as command posts and artillery positions



◀ Milorad Bukva, defence witness at Ratko Mladić trial

During the entire war in BH, Colonel Milorad Bukva was the chief intelligence officer in the Sarajevo-Romanija Corps. He was in charge of collecting information on the enemy forces in Sarajevo, Bukva explained. Through his evidence, Ratko Mladić's defense is trying to corroborate the allegation that the BH Army was dominant in the Sarajevo battlefield. The BH Army, the defense argued, used numerous civilian facilities in the city for military purposes and thus turned them into legitimate military targets.

According to Bukva, there were between 35,000 and 38,000 fighters of the 'Muslim forces' in Sarajevo – primarily in the BH Army 1st Corps and the special police.

Bukva claimed that the BH Army General Staff had its HQ in the BH Presidency building. The HQs of subordinate units were put in civilian buildings, including schools, kindergartens and hospitals. Artillery attacks were launched from those locations. Snipers opened fire from the city, Bukva maintained.

Asked to identify the sources of his information, the witness replied that the information was obtained through the surveillance of the enemy communications. His personnel followed the media reports, questioned the people fleeing Sarajevo through the Serb territory and had observation posts in the field. A map with positions and command posts of the BH Army at the Sarajevo frontline was admitted into evidence. The witness marked the map when he testified in the defense of the former Sarajevo-Romanija Corps commander Stanislav Galic.

Interestingly enough, Bukva said he was present when a telephone conversation between Alija Izetbegovic and Ejup Ganic had been intercepted. The conversation shed light on Izetbegovic and Ganic's role in the attack on a JNA column pulling out in Dobrovoljacka Street. Bukva said the intercept was kept in the Bosnian Serb Army's Banja Luka archive. The document was there until the witness retired from his service in 2007 but the defense hasn't been able to obtain it.

In addition to the attack on the JNA column, in his statement to the defense team the witness said that according to his intelligence Serb civilians were abused in Sarajevo during the war. Serbs were killed and detained in prison camps and women were raped, Bukva specified. At the same time the witness denied that the units of his Corps were responsible for the artillery and sniper attacks on civilians inside the city. Mladic is on trial also for those crimes.

Prosecutor MacGregor asked the witness in great detail about his knowledge of the enemy troop dispositions in Sarajevo. The prosecutor noted small deviations from the map the witness had drawn and the military map the BH Army had used in the war. The witness explained that the differences were caused by the fact that during the war the units changed positions and command posts.

The prosecutor tried hard to understand the difference between military intelligence and military security. Bukva explained that his job in the intelligence service was to gather information about the enemy. His colleagues from the security service were there to prevent the leaks of information on the Bosnian Serb military units.

The cross-examination continues tomorrow when it will be completed.

2014-09-02

THE HAGUE

PROBATIVE VALUE OF DEFENSE EVIDENCE – 'ZERO'

The presiding judge cautioned the prosecutor not to examine Mladic's witness Colonel Milorad Bukva in great detail about his allegation that the Muslims had staged the bread queue massacre. The witness could not corroborate his claim with facts, and it has 'zero' probative value, the presiding judge said



◀ Milorad Bukva, defence witness at Ratko Mladic trial

At the very end of the testimony of Milorad Bukva, former intelligence officer in the Sarajevo-Romanija Corps, the prosecutor referred to his claim that the bread queue massacre in Vase Miskina Street in Sarajevo on 27 May 1992 had been staged. In his statement to Ratko Mladic's defense Bukva said that a man by the name of Mirza Jamakovic had planted an explosive device opposite the shop and activated it. People queuing for the bread were killed in the attack. After he spoke about it publicly after the crime, Jamakovic lost his arm in an attack organized by the 'representatives of the Muslim authorities', Bukva claimed. Soon afterwards, Jamakovic's son was killed by a sniper at a location that purportedly could not be targeted from the Serb positions.

Asked to identify the sources of this information, the witness said that he had learned it from a 'pre-war source' whose name he did not know because the intelligence service used a pseudonym to refer to him.

When prosecutor MacGregor kept on pressing the witness about the details of the Vase Miskina Street massacre and the fate of the two Jamakovics, the father and son, the presiding judge Orié interrupted her. Judge Orié said that the probative value of Bukva's statement about the attack 'was zero' because the facts couldn't be verified. The fact that the defense is not aware of the lack of probative value does not mean that the prosecutor 'should join in' and probe the issue in detail in the cross-examination, the presiding judge noted.

The prosecutor then changed the subject, showing the witness a document from January 1993 which indicates that one of witness's colleagues, Colonel Lugonja, who was the Corps security officer, gave his permission for the use of Muslim prisoners as forced labor. They were sent to dig trenches on the frontline. Bukva noted that according to the document Lugonja 'agreed' to it, but that does not mean he 'allowed' it. Later Bukva admitted that the Corps security officer had to give his approval for the sending of the prisoners to the frontlines. Asked if it was legal, the witness replied that the issue 'hasn't been defined' by law.



◀ Milenko Indjic, defence witness at Ratko Mladic trial

After Bukva completed his evidence, the defense called Milenko Indjic, former liaison officer in the Sarajevo-Romanija Corps. He was in charge of communicating with UNPROFOR and other international organizations. In a paragraph in his statement to the defense Indjic also claimed that the Muslim side had staged the incident in Vase Miskina Street and other attacks on Sarajevo civilians, such as the Markale market massacre. Indjic even used the same phrase as Bukva did in his evidence, referring to the purported saying popular among the Sarajevans: 'Whenever a TV crew appears, run, something will happen'. This was supposed to mean that the incidents were planned in advance and used for propaganda purposes.

In the examination-in-chief, Indjic claimed that during the war the Serb side complied with the ceasefire agreements. The BH Army regularly violated those agreements either by opening fire or by digging trenches in front of their positions. Although it 'is not in the Serbs' nature to complain and seek protection', Indjic explained, it was his duty to inform UNPROFOR about those incidents. In the spring of 1995, UNPROFOR staff he had been talking to were arrested, and Indjic admitted that they were 'put under the control' of the Serb army on the orders issued by Mladic's Main Staff. It was done after UNPROFOR was accused of siding with NATO, which was bombing Serb positions at the time. The witness said the hostages were treated professionally and weren't abused. Indjic will continue his evidence tomorrow.

2014-09-04

THE HAGUE

BOSNIAN SERB 'NEW DEMOGRAPHIC POLICY'

In his evidence in Ratko Mladic's defense, Radovan Glogovac, former member of the Exchange Commission, claimed that the Bosnian Serb leadership's policy was designed to help Serb refugees on the one hand, and on the other hand to help those non-Serbs who wished to leave. The prosecutor told him the non-Serb civilians were exchanged for soldiers, and Serb refugees were settled in the areas that Muslims and Croats had left



◀ Radovan Glogovac, defence witness at Ratko Mladic trial

Former official of the Serbian Democratic Party from Zenica Radovan Glogovac said in his statement to Ratko Mladic's defense that the Serbs from the Zenica municipality were abused, killed and detained during the war. At the same time, Glogovac explained, Serbs were also prohibited from leaving the area in order to 'paint a picture of multi-ethnicity at all costs'. Serbs did leave after all, and as a result, Glogovac said, most of the 22,000 Serbs who had lived in Zenica before the war were now gone.

The witness left Zenica in June 1992 and found a job in the Republika Srpska government. At the beginning of 1993 Glogovac became an advisor to Velibor Ostojic, minister without a portfolio, and a member of the Exchange Commission. According to Glogovac, in this capacity he tried to help the non-Serbs in Republika Srpska to move to other parts of BH. He only did that when they made specific requests to do so.

Glogovac dismissed the suggestion made by prosecutor Traldi that the Serb side exchanged civilians for soldiers. This prompted Traldi in the cross-examination to show the witness a report from the Mrkonjic Grad State Security Service about an exchange in July 1994. According to the report, the BH Army handed over eight soldiers to the Bosnian Serb Army in exchange for ten BH Army fighters and about 200 civilians, in the presence of various witnesses. Glogovac explained that on that occasion soldiers were exchanged for soldiers, and civilians 'left voluntarily'. Their departure had nothing to do with the exchange. According to Glogovac, the report drafted by the Serb intelligence was 'irresponsible'.

The prosecutor showed an order of General Zdravko Tolimir issued in October 1994, where Tolimir asks that the Republika Srpska authorities exchange non-Serb civilians for Serb soldiers. The next document was a report of the Bosnian Exchange Commission showing that the exchange did indeed take place: on 15 October 1994, Serb soldiers were exchanged for Muslim prisoners, who included soldiers, but also women, children and the elderly. Glogovac claimed he knew nothing of such occurrences; as for himself, he never did anything of the sort.

The prosecutor showed several war-time speeches made by Minister Ostojic in the Assembly, when he advocated the settling of Serb refugees into 'sensitive areas' such as the Drina basin, Posavina and the Sana-Una region. The goal was to establish a 'geographic continuity' of the Serb nation as part of the 'new demographic policy'. The witness said that in his view, it was impossible to accomplish this goal because those areas were mostly ravaged by war and could not be used to settle people.

Like many of the previous witnesses, Glogovac claimed that the Croats and Muslims were the first to prepare for the war. Serbs had to respond to their efforts by 'organizing themselves'. This prompted the prosecutor to confront the witness with two documents showing the opposite was the case. In the first document, the minutes from an Assembly session, Jovan Tintor, a SDS official, describes how as early as in 1991 he established military units 'on the president's order'. Glogovac dismissed the claim, adding that it was 'personal aggrandizement' by a man prone to 'tongue-flapping'.

The other document was a report from the JNA 2nd Military District from March 1992, which states that 1,700 weapons were distributed to Serbs in Zenica. The witness dismissed the allegation as highly unlikely.

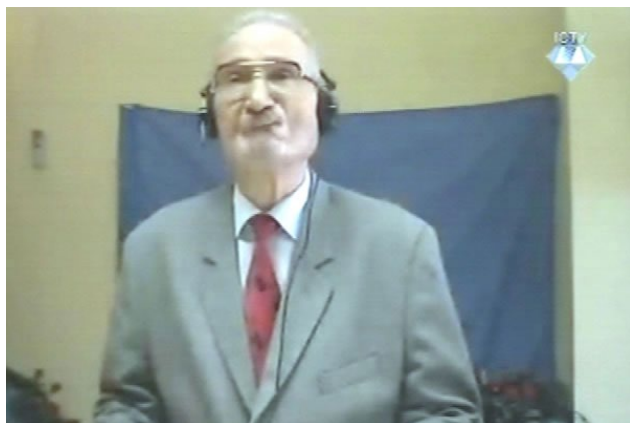
Ratko Mladic's defense case continues on Monday.

2014-09-08

THE HAGUE

HOW TO RAZE 'HALF OF SARAJEVO' TO GROUND WITH 'EMPTY GUN'

Former 4th Corps commander Milosav Gagovic commented on Ratko Mladic's war-time statements about 'razing half of Sarajevo to the ground' if the JNA military barracks came under attack. Gagovic said that the accused 'made a threat with an empty gun' despite the evidence showing that 5,000 to 10,000 shells fell on the city in the days after Mladic made the threat



◀ Milosav Gagovic, defence witness at Ratko Mladic trial

According to Ratko Mladic's defense witness Milosav Gagovic, the war in Sarajevo began with a 'witch hunt': the BH leadership orchestrated the killing of Serbs. The killers were Muslims paramilitaries. From 10 May to 1 June 1992, General Gagovic commanded the JNA 4th Corps. After that, Gagovic personally signed an order renaming the 4th Corps the Sarajevo-Romanija Corps of the Republika Srpska Army. At the trial of the former Corps commander Dragomir Milosevic, Gagovic said that he 'could not rule out the possibility that the signature had been falsified'.

As he answered the questions by defense counsel Ivetic, the witness said that the media reports before the war 'distorted the picture' as to the number of artillery weapons. The media claimed that Serbs had ten times the actual number of artillery pieces, and at the same time, that there was no artillery in the city. The truth was that 54 artillery pieces were deployed in May 1992 in the hills around Sarajevo, and 34 artillery weapons were deployed in the city, Gagovic claimed. For as long as he was there, civilians in the city were not targeted from the Corps positions.

Prosecutor Bibles read out the transcript of an intercepted conversation of 11 May 1992 between Gagovic and Mladic, who were in the military barracks in Lukavica, and General Baros who was in the Marsal Tito military barracks. Mladic says that Sarajevo is 'blocked' and that Muslims 'will cease to exist' if anyone 'hurts as much as a hair on the head' of a JNA soldier. A report from a meeting with UNPROFOR on 20 May states that Mladic threatened to 'raze half of the city to the ground' if the Marsal Tito military barracks came under attack. As Gagovic explained, this was an example of Mladic's penchant to 'threaten with an empty gun' because he 'didn't have the means to destroy a single house let alone half of the city'.

Two intercepted conversations between the witness and a colonel by the name of Vukovic were played in the cross-examination. Gagovic says, 'fire on those guys there, pal, you can't go wrong there' and adds, 'fire everything you have on the densely populated neighborhood of Velesici'. Today Gagovic explained that in the first conversation he ordered the attacks on enemy units in a wooded area to prevent a Muslim breakthrough towards Rajlovac. The purpose of the attack on Velesici was to prevent the attacks from the city. Presiding judge Orić recalled that the Trial Chamber had admitted into evidence exhibits showing that on 14 May 1992, at the approximate time when the conversations were intercepted, 5,000 to 10,000 shells fell on Sarajevo. Gagovic resorted to the same argument he had used at the beginning of his testimony: this was yet another example of the 'distorted' picture of the purported Serb domination.

The witness claimed that he was offered to assume the command of the Sarajevo-Romanija Corps, but he said 'thanks but no thanks' and returned to Serbia, where he soon retired. Gagovic thus avoided the fate of the two former Corps commanders, Stanislav Galic and Dragomir Milosevic: Galic was sentenced to life and Milosevic to 29

years in prison for the artillery and sniper terror campaign against the Sarajevo citizens. This is one of the four joint criminal enterprises Ratko Mladic is charged with.

As the hearing continued, former Bosnian Serb prime minister Vladimir Lukic began his evidence.

2014-09-09

THE HAGUE

PRIME MINISTER KNEW NOTHING ABOUT RAPE

Former Bosnian Serb prime minister Vladimir Lukic claims his government protected all the citizens regardless of their ethnic background. The prosecutor put it to him that the authorities did nothing about the crimes, except in those cases when Serbs, rather than Muslims and Croats, were the victims. The witness knew nothing about the rape of non-Serb girls and women on several locations in BH, 'because he wasn't there'



◀ Vladimir Lukic, defence witness at Ratko Mladic trial

Ratko Mladic's defense tendered into evidence the statement of war-time Republika Srpska prime minister Vladimir Lukic. In the statement Lukic said the Bosnian Serb leadership treated all the citizens equally irrespective of their ethnic background. His government, Lukic claimed, issued orders to the police and the army to use 'all legal means at their disposal' to protect the population. However, it was not possible to control the situation in the field. One of the reasons for that, according to Lukic, was that the local authorities were able to act with such a degree of autonomy during the war that Republika Srpska was in fact a 'confederation of municipalities'.

In December 1992 Lukic was appointed prime minister on Radovan Karadzic's suggestion. Before that Lukic was a delegate of the Serb leadership, in charge of liaising with UNPROFOR. Lukic admitted that during his tenure as a liaison officer he often had to hear the protests of the international community representatives against the attacks on Sarajevo civilians by the Bosnian Serb artillery and snipers. Lukic noted that UNPROFOR was biased; their starting premise was always that the Serbs were responsible for the incidents. Also, UNPROFOR didn't respond to Lukic's complaints about the crimes against the Serb civilians in the city.

Prosecutor Traldi put it to the witness that he was part of the leadership whose goal was to use violence in order to create a pure Serb entity. The prosecutor showed Lukic a statement Nikola Koljevic, member of the Republika Srpska presidency, made at a meeting with Croatian president Tudjman in Zagreb in January 1993. The division of BH was discussed at the meeting. Koljevic advocated the 'homogenization' of the Serb and Croatian territories in BH and proposed to establish an 'agency for the civilized exchange of the population'. In his statement Lukic said that before the war he had 'identical views' as Koljevic. However, Lukic explained that he and Koljevic never spoke about the homogenization of parts of BH.

The prosecutor noted that Lukic contributed to the establishment of a homogenous Serb entity when he authorized ministers Ostojic and Brdjanin to provide care to the Serb refugees. Based on what was said at the government and assembly sessions, they achieved this by settling Serbs into 'sensitive areas' such as the Podrinje, Posavina and Bosnian Krajina. That was in line with the document entitled the *Six strategic goals* in which the Serb leadership defined the borders of its entity in BH. Ostojic's efforts were unrealistic, the witness said; his idea was to build new cities for thousands of refugees, and that was impossible because of the lack of funds, Lukic explained.

In a bid to prove that the regular army troops in Republika Srpska committed crimes against non-Serb civilians, the prosecutor used a letter the witness wrote to Mladic's Main Staff. In the letter, Lukic warns the Main Staff that their soldiers were robbing, killing and raping civilians in Grbavica, a part of Sarajevo, and other places. The witness tried to relativize his wartime claims. He said that there were people who 'latched on' to the army and 'did whatever they wanted'. Lukic called them VRS troops because they wore uniforms.

In his war diary Mladic wrote that in March 1993 Lukic told him that soldiers were raping 'even Serb women'. In another report, the witness noted that 'not even Serbs were safe anymore'. The witness knew that those exhibits were shown to him in order to make him confirm that he had reacted only when Serbs had become targets. He told the prosecutor that he never used the word 'even'. He did not repudiate his wartime statements. As he explained, he wanted to 'highlight' the problem. If Serb women 'who had the protection of their husbands' were attacked, then it was clear that other women fared much worse, Lukic remarked. He was adamant that the Serb police protected all the women.

Despite the purported protection, a large number of non-Serb women in BH were raped, the prosecutor put it to the witness. The prosecutor showed a report drafted by Mario Nobile, Croatia's permanent representative to the UN, in January 1993. In the report Nobile writes that women were raped in the 'first stage of ethnic cleansing' in those

places from which Muslims and Croats were later expelled to the last man, such as Bijeljina, Zvornik, Foca, Visegrad, Doboj, Prijedor, Kozarac and Modrica. 'I don't know anything about it because I wasn't there', Lukic replied. Lukic nevertheless did know that Croats were the first in BH to rape Serb women. Also, Lukic knew that Muslims claimed that their women were raped wherever they fought with Serbs.

2014-09-10

THE HAGUE

WITNESS REFUTES 'BAD SERBS' THEORY

Former Republika Srpska prime minister Vladimir Lukic agrees that during the war Serbs committed some crimes, but he insists that there was a lot of propaganda in this regard: the purpose was to cause the world to 'pity the Muslims'. One of Mladić's wartime bodyguards begins his evidence



◀ Vladimir Lukic, defence witness at Ratko Mladić trial

As the cross-examination of former Republika Srpska prime minister Vladimir Lukic drew to a close, the prosecutor put it to him that the war-time policy implemented by the Bosnian Serb leadership enormously increased the percentage of Serbs in some municipalities. The prosecutor presented the results of the 1993 census that show the Serb population in Prijedor growing from the pre-war 42 per cent to 96 per cent. Lukic didn't deny the figures, but explained that members of all ethnic communities in BH fled from the territories under the control of the other ethnic groups because they were afraid.

The prosecutor brought up the witness's statement from October 1994: Lukic forecast that after the war the percentage of non-Serbs in Republika Srpska would not exceed 10 to 15 per cent. Today Lukic explained that he did not wish that to happen: it was merely his assessment based on the view that many citizens would never return to their homes because they 'found better living conditions' elsewhere.

In the re-examination, the witness was asked questions by Ratko Mladić's defense. Lukic tried to explain why he had warned the accused and his Main Staff during the war about the looting, rapes and murders. At the time, he had told Mladić that the crimes were committed by the army personnel. Today Lukic said that at the beginning of the war in BH there was an 'influx of people of questionable morals' from other republics: they were responsible for the crimes. Asked if anyone had ever asked him to cover up the crimes, Lukic replied 'God forbid!'. Asked to describe Mladić's response to his reports, Lukic said that the army tried to impose order.

Defense counsel Branko Lukic put it to Vladimir Lukic that during the war, there were reports about 50,000 to 60,000 Muslim women who had been raped and 200,000 to 300,000 Muslim men who had been killed. The witness replied that it was war propaganda whose aim was to cause the world to 'pity the Muslims and to condemn the bad Serbs'.

At the very end of Lukic's evidence, the presiding judge asked him if he was willing to agree that the Serb police and army had committed crimes in BH during the war or if it was his position that all the reports about the mass murders such as the execution of about 200 persons at Koricanske Stijene just an exaggeration or propaganda. The witness agreed that the Koricanske Stijene incident did occur. However, Vladimir Lukic noted that all sides committed crimes but only the crimes of the 'Serb side were presented to the public'.

Djordje Marjanovic, Mladić's wartime bodyguard, was called after Lukic completed his evidence. In his statement to the defense, Marjanovic praised his former boss, stating that he always had a 'positive attitude towards civilians and prisoners'. Marjanovic also claimed that during the Srebrenica operation in July 1995 he took a 10-day vacation. According to Marjanovic, this proves that the operation wasn't planned. Had it been planned, he would not have been granted leave. In a brief cross-examination the prosecutor showed a video from late July 1995, showing the witness standing behind Ratko Mladić as he was seeing off the refugees from Zepa with the words, 'I have forgiven all of you, and I have spared your lives, but don't let me see you again at the front lines. Next time there will be no mercy'.

In his testimony, Marjanovic said that during the war there was an attempt on Ratko Mladić's life. Sniper fire was opened from a position held by the French Battalion of UNPROFOR. As Marjanovic recounted, one of the soldier in the escort was killed then, and another was wounded. The latter was Mladić's relative Mladjo Kenjic. The defense has indicated that Kenjic will testify at the Tribunal.

Mladić's trial continues next Tuesday.

2014-09-11

THE HAGUE

MLADIC OPPOSES TOMASICA EVIDENCE

In its response to the prosecution's motion to re-open its case to call evidence on the Tomasica mass grave near Prijedor, Ratko Mladić's defense notes that the accused would be prejudiced if the motion is granted. Mladić's defense recalls the Trial Chamber's decision in the case against Radovan Karadzic where a similar motion filed by the prosecution was denied

Ratko Mladić's defense urged the judges to deny the prosecution's motion to re-open its case in order to call evidence on the Tomasica mass grave near Prijedor. In the response, Mladić's defense notes that if the prosecution is allowed to call new evidence in the middle of the defense case it will prejudice the accused.

In August 2014, the prosecution filed a motion seeking leave to call evidence on Tomasica. The evidence was to be taken in the form of 43 exhibits and the testimony of 13 witnesses. The witnesses include seven survivors and employees of the Ljubija mine and six experts. The grave was discovered in September 2013, in the middle of the prosecution case, and it took until June 2014 to collect all the evidence. The experts linked the exhumed bodies with the crimes committed at several locations listed in the indictment against Mladić: the killings in Kozarac, Hambarine, Brdo, Biscani and in nearby hamlets as well as the executions of prisoners in the prison camps of Keraterm and Omarska in Prijedor.

The defense recalls that almost a year passed from the discovery of the grave to the motion to re-open the case. The prosecution had to conduct its investigation 'without delay'. Furthermore, the defense estimates that the evidence on Tomasica would not extend the trial by two weeks; the prosecution had asked the judges for two weeks for the new evidence. As the defense would have to prepare and to answer the case, the trial would be extended by 14 weeks. Also, the defense lacks funds to pay the experts to respond to the prosecution's case.

According to the defense, the new information on Tomasica is irrelevant for Mladić's trial because it pertains to the counts in indictment for which the evidence has already been called in the prosecution's case. This is not new but 'supplementary' evidence. The defense adds that the accused did mention Tomasica in his war diary but the diary exonerates the army of the responsibility for the killings. In the diary, Mladić notes that the authorized bodies should investigate the matter. The Tomasica evidence may be important for prosecution in other cases, but it is not relevant for the case against Ratko Mladić, the defense concludes.

Consequently, in the defense's view, allowing the prosecution to call the evidence on Tomasica at this stage of the proceedings would be prejudicial to the accused and would cause unnecessary disruption and extension of the trial. The fact that the Trial Chamber hearing the case against Radovan Karadzic denied a similar motion in March 2014 should be an additional argument against granting the prosecution's motion, the defense argues.

2014-09-16

THE HAGUE

MLADIC'S WITNESS TESTIFIES ABOUT BUS MASSACRE

Former deputy commander of the Rajlovac Brigade has admitted that in June 1992 there were 'those who would not take orders', i.e. the paramilitaries, who would beat Muslim prisoners in the Rajlovac military barracks. Nevertheless, the witness denied any knowledge of prisoners being taken out of the military barracks to do forced labor. The witness claimed he did not know that at least 47 prisoners were killed in a bus en route to Pale



◀ Mihajlo Vujasin, defence witness at Ratko Mladić trial

In his statement to Ratko Mladić's defense Mihajlo Vujasin, a Bosnian Serb military officer, corroborated the defense case about the Sarajevo theatre of war. The defense argues that the Serb side blockaded the BH Army 1st Corps in order to prevent their deployment elsewhere along the front lines, that the 'Muslim side' held the dominant hills in the city and that the Serb army never attacked civilian targets in Sarajevo. The witness was a deputy commander of the Rajlovac Brigade. In September 1992, Vujasin was appointed the chief engineer in the Corps command.

In a brief examination-in-chief, Vujasin stated that in June 1992 the accused ordered the handover of the airport to

UNPROFOR despite the resistance of some elements in the military and of the Serb civilians authorities. The witness also claimed that the Serbs from Sarajevo were prevented from leaving the city. The goal of the Muslim authorities

was to create an image of multi-ethnicity and to garner the sympathy of the international community, Vujasin noted. Serbs were allowed to leave only if they paid a lot of money.

The witness said in his statement to the defense that his unit didn't have snipers or any artillery pieces bigger than the 82mm caliber. This prompted the prosecutor to show in the cross-examination a document which indicated that the Rajlovac Brigade had put in a requisition for 9,000 bullets for 7.9mm snipers and 50 105mm shells. The witness admitted that the brigade did have rifles with optical sights which used 7.9 mm bullets. The shells were ordered for the units that had such artillery pieces, the witness explained. Those units then fired on targets set by the witness's command.

In late May 1992, while the witness was temporarily in command of the duty of the Rajlovac Brigade, the unit took part in an attack on the village of Ahatovici. Hundreds of civilians, including women and children, were taken to the Rajlovac military barracks and held there. Vujasin explained that it was an attempt to protect civilians from the Serb paramilitary groups. The witness however did admit that in some cases the prisoners were abused. Earlier, in his testimony at Karadzic's trial, Vujasin said he knew 'about one or two cases when prisoners were beaten up'. Today the witness agreed that there were 'two, three or maybe more' such cases. Vujasin also didn't deny the allegations made in an article by the *France Press* agency (AFP) that a prisoner was beaten to death. However, Vujasin stressed that his soldiers didn't do that; the culprits were 'those who would not obey', i.e. members of the irregular groups.

The same article went on to note that in mid-June some Muslims were taken out of the military barracks and put on a bus. En route to Pale the bus stopped, ostensibly because it had broken down. Fire was opened on the bus and at least 47 persons were killed. Vujasin insisted that he knew nothing about the incident. When the prosecutor put it to him that the French readers knew about the incident, yet he as the deputy commander of the Rajlovac Brigade didn't know about it, the witness would not budge. When the presiding judge asked the witness if he had ever ordered an investigation of the bus massacre, the witness said he did not. The killing of the prisoners in the Rajlovac military barracks and in the bus are listed in the part of the indictment against Ratko Mladic pertaining to the joint criminal enterprise whose aim it was to ethnically cleanse a number of BH municipalities in 1992. Mihajlo Vujasin will end his testimony tomorrow.

2014-09-17

THE HAGUE

AFTERMATH OF ATTACK ON AHATOVICI

Stojan Dzino, former member of the Bosnian Serb Army, took part in the attack on the village of Ahatovici near Sarajevo. Dzino spoke about the allegations in the indictment about the aftermath of the attack: the detention, beating and killing of Muslims and the destruction of the local mosque



◀ Stojan Dzino, defence witness at Ratko Mladic trial

Almost all the witnesses called by Ratko Mladic's defense have claimed that the BH Army outnumbered the Bosnian Serbs, who only defended themselves in the Sarajevo theatre of war. Former member of the Rajlovac Brigade Stojan Dzino also described the fighting in the village of Ahatovici in late May and early June 1992. According to the indictment, several crimes were committed during and after the attack on Ahatovici. Muslim men were detained and beaten up. Some of them were killed. The local mosque was burned down.

According to Dzino, on 29 May 1992 the Muslim forces attacked the Serb positions in the Rajlovac municipality. In the 'counterattack' that ensued the village of Ahatovici

was captured. The witness, who commanded one of the platoons in the Rajlovac Brigade, was able to recall that his soldiers captured 19 BH Army soldiers. The prisoners were treated 'humanely' and were taken to the Rajlovac military barracks.

In the cross-examination, prosecutor Edward Jeremy put it to the witness that not all of the Muslim prisoners were taken there. Many of them were beaten badly in the military barracks, some of them to death. Dzino replied that a month or two later he learned that 'such things happened' in the military barracks. The prosecutor confronted the witness with the allegation in mid-June 1992 that a group of Muslims from Ahatovici was taken out of the military barracks and taken to Pale by bus. The bus stopped en route, ostensibly because it had broken down. Mortar and infantry fire was opened on the bus. It is the prosecution case that at least 47 persons were killed. The witness explained that he didn't learn about the incident immediately; he came to know about the killing of the prisoners a long time after the incident.

As he was re-examined by defense counsel Miodrag Stojanovic, Dzino said that 'no one knew who had attacked the bus'. The incident took place in a forest road in a 'buffer zone' between the Serb and Muslim forces. Presiding judge

Orie interrupted the witness, telling him that he was 'speculating', while the Trial Chamber has already received 'more specific evidence' from other witnesses'. When the judges asked the witness about the source of his information, Dzino said that in 1994 he travelled down that road and saw the remains of the bus. Asked for the exact location the witness said, 'I don't know that, but I did see the bus'.

The destruction of religious buildings and cultural monuments is listed in the indictment against Ratko Mladić as an element of persecution. One such monument is the mosque in Ahatovici. As alleged by the prosecution, the Bosnian Serb army destroyed the mosque on 4 June 1992. Today the witness confirmed that the Serb soldiers were responsible for the destruction of the mosque. He didn't quite know how it happened but he saw the minaret going up in the sky 'like a space ship'.

In his statement to the defense, the witness said that 999 Serbs, 1066 Muslims and about 200 Croats had lived in the local commune of Dobrosevici, which also comprised the village of Ahatovici. However, the witness admitted that during the war the ethnic composition changed drastically. All non-Serbs apart from a single Muslim family and three Croat families left the area. Dzino nevertheless dismissed the prosecutor's suggestion that they left because of a policy aimed at their expulsion. According to Dzino, in a war people had a natural tendency to move to the territory controlled by the same ethnic group.

After Stojan Dzino completed his evidence, a protected defense witness began his testimony in closed session.

2014-09-18

THE HAGUE

WITNESS: 'ENGENDERING CHAOS AND VILIFYING SERBS AS MUCH AS POSSIBLE'

A protected witness testifying in Mladić's defense contends that the BH Army was responsible for the sniper and artillery terror campaign in Sarajevo. Muslims opened fire on their own citizens to 'engender chaos and vilify Serbs as much as possible' and they 'staged' the Markale market incident, the witness claims

In a bid to contest the prosecution evidence on the sniper and artillery terror campaign against Sarajevo and its citizens, Ratko Mladić's defense accused the BH Army of 'staging' the incidents listed in the indictment. According to Mladić's defense, the BH Army did that to shift the blame on the enemy side.

According to the evidence of a protected witness testifying under the pseudonym GRM 246, the Muslim snipers positioned near the National Museum and around the railway station opened fire on their own citizens to cause 'panic' whenever 'important guests', i.e. representatives of the international community, came to Sarajevo. The witness must have been involved in intelligence and security operations during the war. According to him, the Muslims' goal was to 'engender chaos and vilify the Serb side as much as possible'.

Mladić's defense counsel Ivetic brought up a report issued by the Serb authorities: in fact, it was written and signed by the witness's deputy. The report states that the Markale incident was 'staged'. The witness said he stood by every word in that document but didn't specify to which Markale incident the claims pertain. 'It was an event fatal for many, many citizens', the witness noted.

Based on the witness's answers to the judges' questions, the witness was referring to the Markale incident on 5 February 1994, when 66 Sarajevo citizens were killed, and about 140 wounded. The witness talked about the video footage of the aftermath; as he noted, a government counter-sabotage expert could be seen in a shot from the footage. According to the witness, the expert had the know-how necessary to put together the explosive device. Also, the witness added, the recording shows the bodies and people screaming, but 'the broken stalls and blood' are nowhere in sight.

The document produced by the Serb authorities states that before the victims' bodies were placed at the explosion site, they had been collected and put in 'refrigerated facilities'. This prompted the presiding judge Orie to ask the witness about the source of his information. The witness told him that they had learned it from people who had 'defected', or crossed to the Serb side. There was 'no other proof', the witness explained.

The witness continues his evidence tomorrow. His evidence will in all likelihood proceed in closed session, just as it did today.

2014-09-19

THE HAGUE

PROSECUTION REFUSES TO GIVE UP ON TOMASICA

The prosecution has countered the defense's arguments that the Tomasica evidence is irrelevant and would lead to significant delays in the trial, saying that the delays would be reduced if the defense started the preparations now. The evidence is relevant, the prosecution stressed, because it shows the involvement of the Bosnian Serb army under the command of the accused in the Prijedor crimes

Last week, Ratko Mladić's defense opposed the prosecution's motion to re-open its case to call evidence on the Tomasica mass grave near Prijedor. In its response, the prosecution asked the judges to reject the defense arguments, focusing on three sets of those arguments.

First, the defense argued that the prosecution failed to conduct an investigation without delay, as evidenced by the fact that the motion to re-open the case was submitted in August 2014 while the mass grave was discovered in November 2013, almost a year earlier. In the response, the prosecution explains that the exhumation of bodies was completed in December 2013; by January 2014, the first witness gave a statement. All other potential witnesses were interviewed by July 2014. The motion to call the Tomasica evidence was filed as soon as all those steps had been taken. The defense was informed about the prosecution's intention to re-open its case in November 2013.

Second, the prosecution disagrees with the defense about 'significant delays in the trial' that would result if the Tomasica evidence were to be called. Any such claims are 'speculative and uncorroborated', the prosecution argues. In their motion, the defense stressed that the proceedings would have to be delayed in order to allow the defense to prepare for the cross-examination of prosecution witnesses and to present its own Tomasica evidence. Today the prosecution noted that the defense could begin its preparations now and to complete them in the upcoming months.

In their motion seeking to reject the motion to re-open the prosecution case the defense recalled that a similar request had been denied at Radovan Karadzic's trial. In the prosecution's view, this comparison was 'inappropriate and incorrect'. The prosecution recalls that when the motion was submitted in Karadzic's case the Tomasica evidence was not yet available. Karadzic's trial was in the 'late stages', nearing its end, which is not the case with Mladić's trial, the prosecution notes.

Finally, the defense argued that the Tomasica evidence was 'irrelevant and without any probative value'. According to the prosecution, that is not the case. The information pertaining to the mass grave shows the involvement of the Bosnian Serb army under the command of the accused in the operations to 'kill, bury and transfer bodies' in the Prijedor area. The location of the mass grave is mentioned in Mladić's war diaries.

In the August 2014 motion, the prosecution indicated it would present 43 documents and call 13 witnesses on Tomasica. Seven witnesses are survivors and employees of the Ljubija mine, while six witnesses are experts. The exhumed bodies are linked with the crimes committed at several locations mentioned in the indictment against Mladić: the killings in Kozarac, Hambarine, Brdo, Biscani and nearby hamlets, as well as with the executions of prisoners in the Prijedor prison camps of Keraterm and Omarska.

2014-09-22

THE HAGUE

'MY FATHER WAS CONVICTED, BUT HE IS NOT GUILTY'

Former member of the Foca Intervention platoon Bozidar Krnojelac is testifying in Ratko Mladić's defense. The witness, who is the son of the war-time warden of the Foca Correctional and Penal Facility (KPD), admitted that some Muslims from Foca were detained 'without any legal grounds'. However, the witness shifted the blame for the violence against Muslims on the paramilitary groups, insisting his father was innocent



◀ Bozidar Krnojelac, defence witness at Ratko Mladić trial

Former member of the Foca Intervention Platoon Bozidar Krnojelac contested the allegations in the indictment against Ratko Mladić that the Foca Muslims were forcibly expelled from their homes. According to Krnojelac, the Muslims left Foca 'on their own initiative and for the reasons known only to them'. This did not happen because the Bosnian Serb authorities and the army had pressured the Muslims into leaving, Krnojelac claimed. According to Krnojelac, most of the Muslims had already left the town by April 1992 when their forces were defeated in the clashes with local Serbs. In the period that followed, almost all the remaining non-Serbs also fled, the witness recounted.

The first wave of departures from Foca was the result of the pressure exerted by the Muslim media, the witness continued. The reports in the media about the arrival of 5,000 'Serbo-Chetniks' spread fear among the Muslims. The witness estimates that less than 100 members of paramilitary groups Serbian Guard and White Eagles eventually arrived. Responding to Branko Lukic, the witness said that the members of the Serbian Guard brought prisoners to the KPD Foca where they were guarded by the White Eagles unit. Both units were aggressive, 'shouting and opening fire' and Serbs and Muslims alike were scared of them, the witness explained.

The witness's father, Milorad Krnojelac was the warden of the KPD Foca. The Tribunal sentenced Milorad Krnojelac to 15 years in prison for organizing and tolerating the beatings of the Muslims prisoners: some of them died. 'He was

convicted all right, but he was not guilty', the witness said as he was cross-examined by prosecutor Traldi. However, the witness admitted that he and his father had known that 'some prisoners were brought to the KPD 'without any legal grounds'.

From 20 April to 15 May 1992, the witness went to the prison where he remained every day from 7am to 3pm. In his statement to the defense team the witness said that he wanted to prevent violence against Muslims prisoners. At the same time Krnojelac claimed that he didn't go to the sections where Muslim prisoners were detained but spent all that time sitting in his father's office.

On 15 May 1992, the witness was called up and told to report to the intervention platoon for combat duty. On 22 June 1992, he and a group of Serb soldiers were in a vehicle that hit a landmine. The witness lost both legs. Krnojelac spent some time in Belgrade getting medical treatment and was then transferred to Rudo. He finally returned to Foca. The prosecutor noted that in Foca the witness moved into an apartment owned by a local Muslim who had fled the town. Krnojelac explained that it was a municipal apartment that was allocated to him. His brother also obtained an apartment in a similar way, Krnojelac noted. The witness admitted that his apartment was refurbished by a Muslim man who was taken out of the KPD for that purpose.

As alleged in the indictment against Ratko Mladic, at least 200 detainees were killed in the KPD Foca. The crimes in that municipality reached the scale of genocide, the indictment alleges. The defense denies the scope of the crimes, and specifically that the Bosnian Serb army had taken part in them.

In the second part of today's hearing Miodrag Sokolovic began his evidence in Mladic's defense. The former president of the Rogatica crisis staff continues his testimony tomorrow morning.

2014-09-23

THE HAGUE

'VOLUNTARY' DEPARTURE OF MUSLIMS FROM ROGATICA

Former president of the Crisis Staff in the Serb municipality of Rogatica Milorad Sokolovic gave evidence at the trial of Ratko Mladic. Sokolovic stated that 'most' of the Muslims, about 3,000 of them, left the municipality voluntarily. The prosecutor stressed the fact that 13,000 Muslims had lived in Rogatica



◀ Milorad Sokolovic, defence witness at Ratko Mladic trial

Milorad Sokolovic, former president of the Crisis Staff and the Executive Board of the Serb municipality of Rogatica claimed at the trial of Ratko Mladic that the Muslims left the municipality 'voluntarily'. About 2,500 to 3,000 Muslims left for Sarajevo before the conflict broke out on 22 May 1992. That, in Sokolovic's view, 'meant that most of the Muslims decided of their own free will that they would leave Rogatica'. As for the remaining Muslims, 'their leadership organized' the departure for Zepa and Gorazde at a later date.

In the examination-in-chief Sokolovic said that an agreement had been reached about 'a peaceful division' of the municipality into Serb and Muslim parts. However, in the incidents that happened soon afterwards, several Serbs were killed. According to Sokolovic, the tensions culminated with the murder of Drazenko Mihajlovic on 21 May, especially after the Muslims refused to hand over Mihajlovic's body. This was the reason why the conflict broke out.

In the cross-examination prosecutor Arthur Traldi showed the witness the results of the 1991 census. According to the census, more than 13,000 Muslims lived in Rogatica before the beginning of the war. The prosecutor also quoted from the statement of Mile Ujic who said that he had been removed from his post as the Executive Board president because he was 'too soft and permissive in negotiations'. 'A harsher person' had to be appointed to the post, Ujic explained. Sokolovic replied that he was offered the position of the president of the Executive Board only because of his 'good resume'.

Sokolovic denied that the Executive Board and the Crisis Staff had anything to do with organizing the transport of the Muslim civilians towards Sarajevo, Bijeljina, Olovo and Zepa. Sokolovic claimed he didn't know that civilians were detained at several locations in Rogatica where they were abused, raped and tortured. The witness claimed that he only knew that the civilians 'took shelter' from combat operations in the Veljko Vlahovic school. The police and the commander of the Rogatica Brigade Rajko Kusic should be asked about detention, torture and rape, Sokolovic said.

After Milorad Sokolovic completed his evidence, the defense called Desimir Sarenac, former security chief in the 1st Sarajevo Brigade.

2014-09-24

THE HAGUE

FORCED LABOR FOR MUSLIM PRISONERS

Desimir Sarenac, Bosnian Serb military officer, testified in Ratko Mladic's defense today. Sarenac confirmed that non-Serb prisoners were taken to the frontline for forced labor. Some of the prisoners were killed, Sarenac agreed but denied that he was personally responsible for their fate. According to Sarenac, citizens of Sarajevo wanted the war to end but the conflict continued because of the people from Sandzak



◀ Desimir Sarenac, defence witness at Ratko Mladic trial

In his statement to Ratko Mladic's defense, former security officer in the 1st Sarajevo Brigade Desimir Sarenac denied that the Bosnian Serb army was responsible for the crimes against the citizens of Sarajevo. In the summary of his statement, which is for all intents and purposes a copy-paste of the testimony of previous witnesses, Sarenac said that his unit didn't engage in offensive actions. His troops only defended themselves against the attacks from the city.

The BH Army used civilian facilities in the city for military purposes to attack Serb civilian areas, but also parts of Sarajevo under BH control to blame Serbs for those attacks, Sarenac claimed. On the other hand, according

to the witness, the Sarajevo-Romanija Corps didn't intend to terrorize the civilians in the city.

The prosecutor dedicated most of the cross-examination to the unlawful treatment of non-Serb prisoners and the practice of taking them to the front where they did forced labor. The prosecutor presented Sky News report from September 1992 showing a Muslim prisoner who says that digging trenches was the most difficult task for him because it was a 'dangerous job': one of the Muslims died, and two other had been injured recently. The witness admitted that he heard about 'people being used to do certain jobs'. When presiding judge Orié stressed that 'certain jobs' could imply working as a 'baker or a cleaner', the witness admitted that they dug trenches.

The prosecutor went on to present several documents signed by the witness describing the use of prisoners for various tasks on the front lines. Also, the prosecutor showed the daily activity log book from the Penal and Correctional Facility in Kula. The incidents recorded in the logbook show that non-Serb prisoners were in danger of being wounded or killed by snipers and shells as they worked on the front line. Sarenac told the prosecutor he had known about some of the incidents, but the log book was kept by the Kula prison warden Soniboj Skiljevic. Sarenac could thus not know all those things at the time.

According to Skiljevic's notes, the prisoners from Kula were also taken to the Slavisa Vajner Cica military barracks in Lukavica. The witness admitted that he was the commander there. Sarenac confirmed that the prisoners were brought in to perform labor but the jobs were not dangerous as the work on the front line. On 22 June 1992, 280 non-Serb prisoners were brought to the military barracks. The prosecutor presented a statement made to the Bosnian police by a lawyer from Hadzici, who was among those prisoners. The lawyer stated that on their arrival in Lukavica the beatings of prisoners began and that 48 of the prisoners were taken away. Those that remained were taken to the Kula prison some days later. Sarenac replied that he knew about the prisoners being taken to Kula. What he didn't know was that they were beaten up or taken away. The only incident he heard of was when the prisoners were all searched, and some tuna cans were found and seized, Sarenac recounted. According to the witness, the tuna cans were soon returned to the prisoners.

Asked if any women were detained in Kula, the witness replied that he 'didn't know what went on there'. This prompted the prosecutor to show him an excerpt from Skiljevic's logbook. According to the entry, Sarenac brought two women to the prison in October 1993. Sarenac recalled that one woman was from Foca and that she had been 'brought to me to keep watch over her'. When he was ordered to do it, Sarenac took the woman to Kula. When Judge Orié asked Sarenac if she could leave the military barracks freely before she went to the prison, he said he couldn't let her go because he had to 'protect her'.

Replying to defense counsel Branko Lukic in the re-examination the witness said that he was not responsible for the fate of the Kula prisoners or for their transfer to the front line. Sarenac concluded his testimony saying that the 'local population of Sarajevo' wanted the war to end quickly. However, 'the people from Sandzak who held important posts in the state' wanted the conflict to continue.

2014-09-25

THE HAGUE

MLADIC'S STRAIGHT-A STUDENTS

Former VRS officer Stojan Malcic gave evidence at the trial of Ratko Mladic. Malcic claimed that in 1992, Muslims and Croats in the JNA could choose if they wanted to join the VRS or to leave. This was not the case with the Serbs. The prosecutor showed the grades Mladic had given to some of his closest associates, including 'straight A students' Radislav Krstic and Dragomir Milosevic, who have been sentenced to a total of 64 years in prison for the genocide in Srebrenica and the terror campaign in Sarajevo



◀ Stojan Malcic, defence witness at Ratko Mladic trial

Stojan Malcic, former deputy chief of the organization and mobilization sector in the VRS Main Staff, gave evidence at the trial of Ratko Mladic. In the written statement to Mladic's defense Malcic said that after the JNA broke up the non-Serb officers were allowed to choose if they wanted to remain the Republika Srpska Army or go to Belgrade to new posts positions in the Army of the FR Yugoslavia. Malcic contends that this was 'a favor and a privilege' for Muslims and Croats, not available to their Serb colleagues.

In the cross-examination, prosecutor Edward Jeremy highlighted the contradiction between the witness's allegations and the VRS documents. In a report sent

from the 1st Krajina Corps to the VRS Main Staff, there was some concern about the 'cleansing' of non-Serb personnel because it 'weakened' the command staff. 'Officers of Muslim and Croat nationality must be sent on leave immediately. Take action at once in order to resolve their status in the service', Mladic ordered in his response to the report. The documents, the prosecutor suggested, didn't imply there were two options: in fact, the VRS 'cleansed' Muslims and Croats from its ranks.

Malcic replied that the 1st Krajina Corps faced the extremists who insisted on the removal of Muslims and Croats from all command posts. Mladic merely 'expressed his opinion' as to what should be done, Malcic explained. The witness said that he personally also protested against the fact that Muslims and Croats were allowed to take 'vacation' in crucial moments. Mladic purportedly explained to Malcic that he did it because Muslim and Croat officers were facing a watershed. Mladic wanted to give them a chance to think and consult with their families as to what to do. The witness found the explanation 'humane'.

Even if true, the judges noted, this explanation didn't eliminate the contradiction between the witness's statement and the VRS documents. In his order regulating the status in the active military service Mladic ordered that 'all active duty personnel of Muslim and Croat nationality' when they return from leave should be sent to the Personnel Department of the Yugoslav Army. The order didn't make any distinction between those who wanted to stay and those who didn't, contrary to what the witness said.

Malcic was in charge of personnel issues. In that capacity, he gave grades to VRS officers up to and including the rank of colonel. Malcic's superiors graded generals. The prosecutor used the opportunity to present Mladic's grades for generals Radislav Krstic and Dragomir Milosevic. Mladic noted that Krstic 'did a brilliant job implementing' the operations to 'liberate Zepa and Srebrenica despite the direct involvement of NATO in protecting the Muslim formations'. Milosevic proved his worth in the Sarajevo theatre of war where he performed all his duties 'expertly and professionally'. Mladic gave 'grade A' to both Krstic and Milosevic.

The Tribunal sentenced former commander of the Drina Corps Radislav Krstic for aiding and abetting and involvement in the Srebrenica genocide to 35 years in prison. Dragomir Milosevic, commander of the Sarajevo-Romanija Corps, was sentenced to 29 years for the artillery and sniper terror campaign against Sarajevo.

After Stojan Malcic completed his evidence, Ratko Mladic's defense called VRS colonel Vlado Lucic. During the war Lucic commanded one of the brigades in the SRK.

2014-09-25

THE HAGUE

(UN)REASONABLE USE OF AMMUNITION IN SARAJEVO

Colonel Vlade Lucic claimed that the Serb side in the Sarajevo theatre of war used ammunition reasonably and almost entirely for the purpose of the defense. The prosecutor confronted the witness with a document of the Sarajevo-Romanija Corps which warns the subordinated brigades to stop opening unreasonable fire on inhabited parts of the city when there was no fighting



◀ Vlade Lucic, defence witness at Ratko Mladic trial

In the second part of the hearing on Thursday, Ratko Mladic's defense called Vlade Lucic, Bosnian Serb military colonel. At the beginning of the war in BH, Lucic was appointed battalion commander in the 1st Romanija Brigade. From February 1993 to the end of the conflict Lucic held a post in the Brigade command. Lucic's testimony was the same as when he testified at Radovan Karadzic's trial. The statement Lucic gave to the defense of the former Bosnian Serb president was admitted into evidence.

Lucic stated that the goal of the Serb side in the Sarajevo theatre of war was to prevent the BH Army from launching an offensive from the city. The Serbs thus

mainly engaged in defensive actions; they would open fire on military targets and not on civilians. Lucic suggested that the Serb side used the ammunition reasonably, only for the purpose of defending themselves. The witness remembered that the Bosnian Serb military and civilian authorities advocated the demilitarization of Sarajevo and were 'liberal' about civilians going in and out of the city.

In the examination-in-chief the witness was questioned by defense counsel Ivetic. Lucic said that his battalion had six 60mm and six 82mm mortars that were used solely for defensive purposes. The witness admitted that the mortars' range was sufficient to reach targets in the city but was adamant that they were never fired on those targets.

The witness described the measures taken against undisciplined Serb soldiers: they were mostly punished for desertion and unprofessional conduct in combat. Also, Lucic said that a soldier from his unit, whose last name was Pejakovic, was punished for killing a Bosniak who had attacked him and another civilian who had intervened in the quarrel.

In a bid to contest the witness's claim that the 'ammunition was used reasonably and for self-defense', prosecutor MacGregor showed a document from July 1995, in which the Sarajevo-Romanija Corps command warns the subordinated brigades not to waste ammunition. The document also noted that some units used ammunition 'as if they had plenty of it', shelling inhabited parts of the city when there was no fighting at all. The Corps command stressed that 'some brigades spend a lot less ammunition to repulse three or more fierce attacks a day than some others which attack inhabited locations when there is no fighting going on'. The prosecutor didn't ask the witness any questions about the allegations in the document and quickly wrapped up the cross-examination.

The trial of Ratko Mladic on the indictment for double genocide and other crimes in BH continues on Monday.

2014-09-29

THE HAGUE

DEMOCRATIC PROCEDURE IN BATKOVIC PRISON CAMP

Former deputy warden in the Batkovic collection center near Bijeljina Djordjo Krstic contends that the prisoners were never taken out of the camp to do forced labor. According to Krstic, the detainees volunteered for the work knowing that 'time goes by faster when you work' and it would bring them certain benefits. Zoran Durmic, a police officer from Vlasenica, completed his evidence before Krstic took the stand



◀ Zoran Durmic, defence witness at Ratko Mladic trial

Zoran Durmic, a police officer from the Serb municipality of Milici, was the first defense witness of Ratko Mladic's defense to testify this week. At the beginning of the conflict, the municipality split from Vlasenica. Durmic's statement from Radovan Karadzic's trial was admitted into evidence. In the statement, Durmic blames Muslims for the outbreak of the conflict in Vlasenica. Durmic listed a series of incidents in which Muslim paramilitary groups attacked Serbs. Also, in his statement Durmic described the clash in the village of Zaklopaca on 16 May 1992 when, according to him, 'several Muslims' had been killed.

During the Srebrenica operation, Durmic and his police unit were tasked with securing the road leading through Nova Kasaba. Today Durmic said that on 13 July 1995 he saw about 100 Muslim prisoners in the local football field there. As Durmic recounted, he overheard a Serb medical crew and a wounded Muslim talking. The Muslim said that Zulfo Tursunovic, one of the Srebrenica military commanders, had shot him just because he had wanted to surrender. 'Oh, go to Bokcin Potok, thousands have been killed there', the wounded Muslim purportedly said; the implication is that Muslims had killed their compatriots who had wanted to surrender.

Prosecutor McDonald was obviously quite convinced that the prosecution had called enough evidence to prove that the troops under Ratko Mladić's command were responsible for the death of thousands of prisoners from Srebrenica, and that far more than a hundred detainees were held in the Nova Kasaba football field, because he did not ask the witness a single question about those topics. He put it to the witness that about 80 Muslims had been killed in the village of Zaklopaca in May 1992. The survivors - thirty women, children and elderly - then surrendered to the Serb authorities, the prosecutor recounted. They were forced to sign a statement relinquishing their property and were taken towards Kladanj. Durmic replied that 'unfortunately I did hear that 'someone did the thing in Zaklopaca'. However, this was the first time he heard that civilians signed documents ceding their property.



◀ Djordjo Krstic, defence witness at Ratko Mladić trial

After Durmic completed his evidence, the defense called Djordjo Krstic, former deputy warden in the Batkovic collection center near Bijeljina. The indictment alleges that a number of crimes against non-Serbs were committed there. In the statement he gave to the defense, Krstic had only praise for the conditions in the prison. Krstic claimed that the prisoners had three meals a day just like Serb soldiers, drank water from the town water supplies, had heating and beds on wooden pallets.

Contradicting the prosecution's allegations that the prisoners were made to do forced labor on the front lines, Krstic painted an idyllic picture of the events. He admitted that detainees had been taken to work

outside the prison camp. When there was need for seasonal workers, Krstic explained, shift leaders would ask the prisoners' representative for volunteers. According to Krstic, ten times as many people than were needed would volunteer, and the problem was how to decide who would go. The prisoners volunteered because they knew that 'time went by faster' if they worked, but there were also perks such as cigarettes or being able to phone their relatives abroad from the houses where they worked.

In the cross-examination, prosecutor Bibles presented a report of the International Red Cross from April 1993. According to the report, 17 prisoners were killed in an ambush while being transported to the front line. Krstic replied that they had gone there to cut wood. After that, Krstic added, they were no longer taken to the front lines but worked in the town instead. When the judges asked 'if the prisoners also went to the town to cut wood', the witness replied that they went there to load coal.

Due to the busy schedule in the courtrooms, this week Mladić's trial will begin half an hour earlier than before, at 9am instead of 9.30am. This morning, however Mladić refused to leave the Detention Unit early enough, and was warned that if he did that again in the coming days, the first session would proceed without him.

2014-09-30

THE HAGUE

'SHELTERS' FOR DETAINED CIVILIANS

Mladić's witness claimed that Rasadnik and the high school in Rogatica were 'shelters' where civilians felt 'free and safe'. The prosecutor countered the allegation with the Bosnian Serb army lists referring to elderly women as 'prisoners of war' and 'detained civilians'



◀ Novica Andric, defence witness at Ratko Mladić trial

Former military police officer from Rogatica Novica Andric gave evidence in Ratko Mladić's defense. Andric denied the allegations in the indictment about the crimes against the non-Serbs in that municipality, primarily the abuse and killings in the local detention centers: Rasadnik and Veljko Vlahovic high school.

According to Andric, in the spring of 1992 a 'shelter for civilians' was set up in the high school. In September 1992, when the school year began, civilians were transferred to Rasadnik where a military detention unit had previously been set up. In a brief examination-in-chief, the witness said that he would go to Rasadnik from time to time in his capacity as a police officer, but he never noticed that the detainees were abused.

Andric's description of the Veljko Vlahovic school as a shelter where, in his words, people felt 'free and safe' prompted presiding judge Orić to note that the Tribunal's courtroom could also be called a 'shelter', because people – or most

of them at least –felt free and safe in it. The witness said that it was a ‘shelter in war conditions’, a sort of a ‘safe house’ for the civilians. Asked how he knew that the people in there were safe, Andric said it was just his assumption. In Andric’s words, he ‘didn’t hear’ about any provocations in the school.

In the cross-examination, prosecutor Bibles showed the witness lists drafted by the Bosnian Serb army with names of elderly women who were transferred from the school to the Rasadnik prison camp. One of the women was 101 years old. As Andric insisted that the civilians in Rasadnik were ‘free’ and that they had sought shelter there, the prosecutor asked him why the military documents referred to civilians as ‘prisoners of war’ and ‘detained civilians’.

That ‘is not within my purview’, Andric replied tersely. He didn’t know how the bodies of some of those prisoners, including several old women, were found in a mass grave near Rogatica.

Avdo Palic, former BH Army commander from Zepa, was also on the list of prisoners from Rogatica. On 27 July 1995, Palic was arrested during the negotiations with the Bosnian Serb military leadership. Palic was first detained in an apartment in Rogatica, and was then transferred to Vanekov mlin, a prison in Bijeljina. He went missing. His remains were recovered from a mass grave near Rogatica. Andric didn’t deny that he personally drove the men who were guarding Palic in the Rogatica apartment and that he and Zoran Carkic, an officer in the Rogatica Brigade, took Palic to Bijeljina. Andric denied any knowledge of Palic’s fate after that.

In his statement to the defense, the witness denied that four members of the Hurko family were detained and beaten in the garage that belonged to his father, Miodrag Andric, in mid- August 1995. One of the detainees was later taken out and killed. Novica Andric explained that three persons whose last name was Hurko spent 15 minutes in the garage but were treated properly. The detainees were even offered coffee and were later taken to the high school and from there to Rasadnik. Stojan Perkovic’s statements was shown to Andric in the course of the cross-examination. Perkovic pleaded guilty before the BH State Court to beating prisoners in Andric’s garage. The witness replied that he didn’t know ‘under what circumstances’ Perkovic had made the plea and remained adamant that there had been no crimes in the garage.

The trial of Ratko Mladić continued with the testimony of Obrad Bubic, former Bosnian Serb army soldier from Kotor Varos.

2014-10-01

THE HAGUE

KOTOR VAROS: FROM CRIME TO GENOCIDE

Mladić’s defense witness Obrad Bubic from Kotor Varos claimed today that in July 1992, the BH Army members had held him captive for 15 days, and had starved and beaten him. The prosecutor did not contest the allegations, focusing instead on the killings, detention, rape, destruction of religious facilities and other crimes that had, according to the indictment, reached the scale of genocide in that municipality



◀ Obrad Bubic, defence witness at Ratko Mladić trial

Former Bosnian Serb soldier from Kotor Varos Obrad Bubic described in his statement to the defense how on 4 July 1992 he attended the funeral of some Serb fighters killed in an attack on the village of Vecici. On their way back from the funeral, Bubic and three other members of the army and police were ambushed by the BH Army. The witness, the sole survivor of the ambush, was then captured and ‘badly beaten’ by Muslims and Croats he knew from before. As Bubic recounted, he was held captive for 15 days without food and was beaten regularly. After his release and recovery, Bubic joined the 1st Kotor Varos Brigade.

In the cross-examination prosecutor Traldi didn’t contest the witness’s claims about his captivity. Instead, the

prosecutor focused on the violence against the non-Serbs in Kotor Varos. The town is one of the six municipalities where – as alleged in the indictment against Mladić – the crimes reached the scale of genocide.

The prosecutor put it to the witness that a number of crimes were committed close to the location where Bubic was on guard duty before his capture. First, the prosecutor noted, nearby apartments and houses were searched and non-Serbs were taken out. Muslims and Croats were detained in a prison facility set up in a nearby sawmill, and a Catholic church was burned down, the prosecutor said. Bubic admitted that some people were taken out of their houses but denied that it was part of a campaign. According to Bubic, there was a ‘collection center’ in the sawmill for those persons ‘who had expressed their desire’ to leave Kotor Varos. The church was burned down on 2 July 1992, but after the war it was ‘restored to how it previously was’, the witness said.

The prosecutor told the witness that the crimes against non-Serbs continued after Bubic’s 15-day detention. In mid-August 1992, a group of Muslims from the village of Hanifici were detained in a local mosque and shot to death. The

witness replied that he 'unfortunately had heard' about that event but didn't know who ordered and perpetrated the killing.

According to the prosecutor, on 28 June 1992 a girl from the Croatian village of Orahovo was raped in the witness's weekend house in the village of Dabovica. Four perpetrators were indicted in 1993 but they have not yet received a verdict. The case has recently been referred to the BH State Court. In the meantime, one of the suspects has died. Bubic said that the rape 'unfortunately' did happen but he learned about it just three years ago. After he found out about it, Bubic recounted, he met one of the perpetrators – Ostoja Markovic – in the street. 'Lucky for him, he ran away from me, otherwise I would have strangled him', Bubic said. If he ever were to testify in that case, Bubic would urge the court to hand down the harshest sentences.

The prosecutor tendered into evidence a document from the Banja Luka Public Security Center, dating from May 1993. The document reports that out of 10,640 Croats who lived in Kotor Varos municipality before the war, only about a thousand Croats remained. About 4,500 Muslims from the pre-war population of approximately 11,160 remained. By mid-1994 the number of Muslims was further reduced to 3,700, according to another police document. Like many Mladić's defense witnesses, Bubic suggested that during the war everybody feared for their safety and fled to the territories under the control of their compatriots.

In the second part of today's hearing, Branko Davidovic from Sanski Most began his evidence. Davidovic was a battalion commander in the 6th Krajina Brigade. He was later promoted to the post of the deputy commander.

2014-10-02

THE HAGUE

CONTRADICTIONARY VIEWS OF SANSKI MOST CONFLICT

Contradicting the prosecution case, Branko Davidovic, a Bosnian Serb military officer, argued that his brigade calmed inter-ethnic tensions in Sanski Most. According to Davidovic, the brigade was impartial and the operations it carried out in Muslim villages were legal. The prosecutor countered those claims by saying that Davidovic's brigade was very partial indeed and that the soldiers killed non-Serb civilians



◀ Branko Davidovic, defence witness at Ratko Mladić trial

Branko Davidovic, former deputy commander for morale in the 6th Krajina Brigade, gave evidence in Ratko Mladić's defense today. The witness blamed Muslims and Croats, saying they were the first to get weapons and to start preparing for the war. His unit, Davidovic explained, attempted to defuse the tensions and prevent the conflicts by conducting operations in the Muslim villages, where they seized the weapons. Those operations were legal. Defense counsel Branko Lukic read out just a brief summary of Davidovic's statement and didn't have any additional questions for him.

In the cross-examination prosecutor Edward Jeremy argued that the brigade had been partial indeed. He showed the brigade report for 1992. The document

states that the arrival of the unit in Sanski Most sparked enthusiasm among Serbs. Muslims on the other hand were 'suspicious and hostile'. Davidovic replied that Serbs were afraid that the Second World War crimes would be reprised; this was why they were happy to see the troops. The same document reports that the Sanski Most police purportedly found materials showing that Muslims had been prepared for 'genocide against Serbs'. The plans involved the gravest crimes: hanging eminent members of the Serb ethnic community in parks, establishing brothels with Serb women where Mujahideen children would be born and maiming male children. The prosecutor noted that such allegations did nothing to the tensions - in fact, they stoked the tensions up. Davidovic replied that the document only conveyed the intelligence obtained by the police. When the officers addressed soldiers, they never talked that way, Davidovic explained.

According to the witness, legitimate mop-up operations, which were in effect attacks to disarm the local Muslim population, were carried out in the villages of Vrhpolje and Hrustovo on 31 May 1992. The indictment against Mladić alleges that on those occasions Serb soldiers arrested and beat a group of Muslims. They then took the Muslims to a nearby bridge, forced the prisoners to jump into the river and opened fire on them. Twenty-eight persons were killed. That same day, as alleged by the prosecution, a group of civilians, including children and a pregnant woman, were executed in the village of Hrustovac. 'This may have happened', Davidovic said, but he did not have any knowledge of the crimes. It was a while later that he heard about a 'group of bearded men wearing different clothes' killing some men on the bridge in Vrhpolje.



◀ Svetozar Petkovic, defence witness at Ratko Mladic trial

After Davidovic completed his evidence, the defense called Svetozar Petkovic from Foca, a physical education teacher, who served as a soldier in the Bosnian Serb army from Foca. In his statement to the defense Petkovic said that in the first few months of the war there was anarchy in his municipality. Paramilitary units looted property and persecuted people, Petkovic claimed. The witness recounted that a Serb military brigade and a tactical unit in Foca were not established until late June 1992, but it took until the end of 1992 to put numerous paramilitary groups under control.

In a brief examination-in-chief the witness said that he was present when a Serb businessman came to see

Marko Kovac, the commander of the Foca tactical unit. The businessman complained that a local commander, Pero Elez, had taken away his truck loaded with household appliances. Elez demanded DEM 5,000 to return the truck to the businessman. In a bid to show just how weak the military command was, Petkovic said that Kovac advised the businessman not to bring any money. Elez would take the money and kill him, Kovac told the man.

In the cross-examination prosecutor MacGregor showed a certificate issued by the Foca municipal authorities, based on the Bosnian Serb armed forces logbooks. The document shows that, contrary to the witness's claims, Pero Elez was a member of the army from the very beginning of the conflict in Foca on 6 April 1992 until he was killed in December 1992. Petkovic was not surprised to hear that because all Serb fighters were issued certificates of military service from the beginning of the war.

There will be no hearings at the Mladic trial next week. The trial is expected to resume on Monday, 13 October 2014.

2014-10-13

THE HAGUE

ROGATICA TEEMING WITH MUSLIM 'VOLUNTEERS'

The prosecutor put it to Mladic's defense witness Milenko Jankovic that non-Serbs from Rogatica were expelled, detained and made to perform forced labor at the front lines. Jankovic claimed Muslims left the municipality of their own free will, came to collection centers and even volunteered to help the Serb units, right at the demarcation line



◀ Milenko Jankovic, defence witness at Ratko Mladic trial

The working week at the trial of Ratko Mladic began with the evidence of defense witness Miladin Gagovic. The witness was a unit commander in the Foca Brigade, which was part of the Bosnian Serb army. In his statement to the defense, Gagovic said that the brigade was established only in late June 1992. Until that time, Serbs had been 'organizing themselves', by setting up Territorial Defense units.

The Territorial Defense was under the command of the Foca Crisis Staff, not the VRS, Gagovic explained. That, in the defense's view, should exonerate Mladic of the responsibility for the crimes in Foca, at least for the period until late June 1992. In the brief examination-in-

chief, the witness confirmed another defense's argument: that the Muslim population left Foca voluntarily. Some Muslims left before and during the fighting in the town in mid-April 1992, and others fled afterwards.

When the defense completed the examination of their witness, the prosecutor announced that he didn't intend to question the witness. The defense had indicated that in his statement and in the examination-in chief the witness would speak in more detail about the military structure in the Foca area, the prosecutor noted. Since the witness didn't do it, the prosecutor too decided not to cross-examine him.

Thus, Milenko Jankovic was called as a witness earlier than expected. Jankovic was a unit commander in the Rogatica Brigade. Like Gagovic, in his statement to the defense team Jankovic said that at the beginning of the conflict Serbs in Rogatica 'organized themselves'. According to the witness, Serbs later joined the Bosnian Serb army. Also, Jankovic claimed that non-Serbs left the municipality 'voluntarily', just as they voluntarily came to the 'collection centers' in the Veljko Vlahovic high school and the Rasadnik farm.

It is the prosecution case, corroborated by many of its witnesses, that these two locations were prison facilities where non-Serb prisoners and civilians were held in inhumane conditions, beaten up and raped. The indictment

alleges that 15 prisoners were taken out of Rasadnik on 15 August 1992 and killed. The same fate befell a number of people taken out of the high school. According to Jankovic, Muslims and Serb civilians alike went to those two places to seek shelter during the fighting in the Rogatica area. Many of them could go out freely but didn't want to do it because they knew it was not safe for them to be outside of the centers, Jankovic explained. In the centers, the civilians were given the same food as the Serb army, and there was tap water.



◀ Miladin Gagovic, defence witness at Ratko Mladic trial

In the cross-examination prosecutor Jonathan MacDonald asked the witness if he ever had gone to those locations. Jankovic never visited the Veljko Vlahovic high school, but he did visit the Rasadnik center from time to time, but only to go to the manager's office. Jankovic contradicted the prosecution's claim that prisoners were taken out to do forced labor, sometimes even at the front line. He claimed they did this kind of work 'voluntary'. The witness agreed that the prisoners cut trees next to his unit's positions, 200 meters from the demarcation line. The prisoners volunteered for the job because they would say 'time goes by faster if you work', the witness noted, adding that prisoners did other jobs gladly too, especially if they worked for 'Serb hosts'

because the food there was better than in the collection centers.

In his evidence Jankovic confirmed the allegation in the indictment that both mosques in Rogatica were destroyed in the war. Jankovic didn't know who was responsible for that. He denied the claims made by a prosecution witness that the Serb authorities in Rogatica had planned to kill a third of the local Muslims, to expel a third, and to convert the remaining third to Christianity.

2014-10-14

THE HAGUE

PRISONERS WERE KILLED IN LINE WITH GENEVA CONVENTIONS

Mladić's defense witness claimed that during the war the Serb fighters in Rogatica observed the Geneva Conventions. The prosecutor was prompted to contest the claim with a report by the Rogatica Brigade commander, which states that in the summer of 1995 after the fall of Zepa 'five Balijas were arrested and killed'. According to the document, an unarmed 'Ustasha from Srebrenica' was also killed



◀ Milenko Jankovic, defence witness at Ratko Mladic trial

Continuing the cross-examination of Milenko Jankovic, who commanded a unit in the Rogatica Brigade during the war, the prosecutor referred to the statement the witness gave to the defense. During the war, the witness claimed in the statement, the Bosnian Serb army observed the Geneva Conventions and respected the rights of prisoners. Prosecutor MacDonald showed a report by Rajko Kusic, the Rogatica Brigade commander, where he states that on 7 August 1995, five 'remaining **Balijas**' were captured as they moved along the Praca river canyon and were then killed.

According to the document, an 'unarmed Ustasha born in Srebrenica was also killed' that day. The man was 24 years old; 'before he died, he said that he had stayed back and that he had been looking for food'. The prosecutor suggested that killing prisoners 'is not in line' with the Geneva Conventions. 'That's right', the witness replied briefly.

In the re-examination, defense counsel Lukic noted that the document never specified that the 24-year old from Srebrenica – described as 'an unarmed Ustasha' – had been captured at all. The victim may have been an unarmed soldier in a group of armed fellow fighters who had opened fire at the Serb soldiers and had been killed in the cross-fire, the defense alleged. Lukic put it to Jankovic that the Geneva Conventions do not require the captors to check which of the prisoners are armed and which are not, and Jankovic agreed.

At the end of Jankovic's evidence, the defense complained about the English translation of Kusic's report. A translator's note was added next to the term **balija**, explaining that it was a 'derogatory term for Muslims'. When presiding judge Orić asked if Lukic called into question the claim that 'balija' was a derogatory term from Bosnian Muslims, Lukic said that it didn't have to be the only interpretation. 'I am from Bosnia and I need to say that different people have different interpretations of the term, and even Muslims call each other that', the defense counsel explained. The presiding judge then noted that this issue had been raised at the trial before, adding that the Trial Chamber would verify earlier interpretations.

After Jankovic completed his evidence, Mladić defense called a protected witness from Foca, who testified under the pseudonym GRM 277. During the war the witness was a nurse in the Bosnian Serb army. Her special task was to treat members of the Intervention Squad also known as the **Dragan Nikolic**. According to the witness, the infamous Foca rapists convicted in The Hague Radomir Kovac, Zoran Vukovic and Dragan Zelenovic fought in that unit.

In the cross-examination, prosecutor Bibles tried to get the witness to confirm that the unit was part of the Bosnian Serb military structure. The witness replied that until July 1992 in Foca the army wasn't organized. She was also evasive as to who issued orders to the **Dragan Nikolic** unit after that time.

As the hearing today drew to a close, the defense called Ratomir Maksimovic. He was an officer in the Sarajevo-Romanija Corps command during the war. In his evidence tomorrow, Maksimovic will speak about his war time meetings with the accused general Mladić.

2014-10-15

THE HAGUE

PROSECUTOR IGNORES WITNESS'S EULOGIES ABOUT MLADIĆ

In the cross-examination of Ratomir Maksimovic, former officer in the Sarajevo-Romanija Corps, the prosecutor paid no attention to the witness's claims that the accused was 'a capable, energetic and modest' soldier, devoted to 'the tradition and chivalry' of the Serb army. Instead, the prosecutor focused on interrogating the witness about the structure and role of the Bosnian Serb army in the Sarajevo theatre of war



← Ratomir Maksimovic, defence witness at Ratko Mladić trial

During the war in BH, naval officer Ratomir Maksimovic had to take up duties that had nothing to do with his specialty several times: he served in the department for moral guidance in the Sarajevo-Romanija Corps command and held other posts in the Corps area of responsibility. In his testimony in Ratko Mladić's defense, Maksimovic repeated the claims he had made when he testified in Radovan Karadzic's defense. The claims are less than original: the Corps only fought defensive actions, the Serb army was poorly trained and small, and the enemy held the upper hand in the Sarajevo theatre of war.

In his evidence at Mladić's trial, the witness supplemented those stock tales with his recollections of the wartime encounters with the accused. As Maksimovic said, he met Mladić at least five times in the VRS Main Staff in Han Pijesak and in the area of responsibility of the Sarajevo-Romanija Corps. Maksimovic got the impression that Mladić was an officer dedicated to 'the tradition and chivalry' of the Serb army. He never spoke offensively about the enemy. 'I believe that Mladić found the war difficult, but he had to stand at the head of the Serb army so that history wouldn't repeat itself', Maksimovic noted.

Speaking about the character of the accused, the witness said that the accused was 'a capable, energetic and modest' officer who visited his soldiers whenever he could and gave them 'fatherly advice'. According to the witness, it would never occur to Mladić to order attacks on the Muslim civilian areas. In fact, Mladić refused to even entertain any proposals for offensive operations against the enemy army which had strategic objectives.

Maksimovic's eulogies of the accused obviously failed to impress prosecutor Weber, who dedicated the cross-examination to the Sarajevo-Romanija Corps structure and its wartime activities. Confronted with the evidence about the strength and training of the Serb soldiers in the Sarajevo theatre, the witness was often evasive in his answers. This prompted presiding judge Orić to repeatedly warn the witness not to 'try to leave the subject'. The witness should bear in mind, the presiding judge stressed, that he was called to give evidence before the Tribunal, not to give lectures.

In his statement, the witness accused the 'Muslim side' of spreading disinformation about random Serb attacks on Sarajevo. This prompted the prosecutor to show a document produced by the department for moral guidance, which was headed by the witness. The document states that the Corps should 'mask its own intentions and instigate conflict in the enemy ranks' by 'enacting plans to disseminate disinformation'. Maksimovic rejected the allegation, saying he was 'beginning to suspect the credibility of the document'.

The prosecutor also noted that extremist Chetnik volunteers run by the Serbian Radical Party, including the groups led by warlords Slavko Aleksic and Jovo Ostojic, fought side by side with the units of the Sarajevo-Romanija Corps. The witness tried to play down their role, but didn't deny that those units were part of the Corps.

As today's hearing drew to a close, Mladić's next defense witness Mile Ujic began his testimony. Ujic is a local politician and a Bosnian Serb army soldier from Rogatica.

2014-10-16

THE HAGUE

CRIME COMMITTED BY 'DERANGED PERSON' OUT OF MLADIC'S CONTROL

Former local official Mile Ujic denied there was intent to expel Muslims from Rogatica through the systematic commission of crimes. Ujic also claimed that the Serb authorities protected Muslim civilians by putting them up in 'safe houses', which are labelled prison centers by the prosecution. Ujic admitted that 25 persons were taken out from one of the 'safe houses' and killed. In Ujic's opinion, this was an act of a 'deranged person, who was not acting on anyone's orders, and was not under anyone's command'



◀ Mile Ujic, defence witness at Ratko Mladic trial

Ratko Mladic's defense is trying to contest the prosecution's allegation that the Bosnian Serb political and military leadership intended to cause conflict in which a territory the Serbs wanted for themselves would be ethnically cleansed. To that end, they argue that the war broke out spontaneously and that the 'other side' was more responsible for that. Former president of the Rogatica Executive Board Mile Ujic argued that in the spring of 1992 there was an agreement to split the municipality into Serb and Muslim part. The agreement wasn't implemented because of constant Muslim provocations, Ujic explained.

In the second half of May 1992, the two sides clashed. The Muslim units captured the town center. In July 1992, the Muslims were expelled and the municipality has been in the Serb hands ever since. The witness contested the allegation in the indictment that systematic crimes were committed against local Muslims with a view to ethnically cleansing the municipality.

The witness denied that the Veljko Vlahovic high school and the Rasadnik farm were prison camps. He called them 'safe houses' for civilians. This was not the first time that the term has been used in Mladic's defense case. The presiding judge Orić asked the witness if the visitors left the 'safe houses' alive and in good health. The witness recalled that 25 Muslims were taken out of the school and brought to Rasadnik, and then 'met their fate': they were killed. A Bosnian Serb soldier was indicted and convicted by a BH court for the killing. In the witness's view, a 'deranged person who was not acting on anyone's orders, and was not under anyone's command' did this.

Proving that the Serb conquest of Rogatica wasn't spontaneous at all, in the cross-examination the prosecutor quoted from the witness's letter to Radovan Karadzic, where Ujic informed Karadzic that the municipality had been captured 'as per your instructions'. The witness confirmed the prosecutor's suggestion that the Serbian Democratic Party Main Board had issued the instructions. The document is known as the Variant A and B and contains instructions for the take-over of power in the municipalities. The document specified two different ways of achieving that, depending on whether the Serbs had the majority. The party's top body adopted the document in December 1991.

The prosecutor confronted the witness with documents showing that even before the conflict in Rogatica the Serb side had been gearing up for the attack. According to the documents, the goal was to capture the whole municipality and not to divide it fairly with Muslims. The division was an option in peacetime, but when Muslims began with provocations, the agreement fell through and Serbs decided to 'try and take the whole municipality', the witness explained.

According to the prosecutor, an entry in Mladic's war diary for 17 May 1992 is yet another indicator that the Bosnian Serbs prepared in advance to capture Rogatica by military means, regardless of the purported agreement to carve the municipality up. According to his diary, Mladic issued tasks to the municipality representatives – including Ujic – to 'collect as much information as possible about the enemy' and to 'carry out the mobilization' in preparation for the attack. The witness denied that he had received those instructions in writing. On the other hand, Ujic admitted that the Muslim villages around Rogatica had been reconnoitered. Also, the witness confirmed that several days after Mladic's instruction, mobilization was indeed carried out. Ujic continues his evidence on Monday.

2014-10-20

THE HAGUE

RESPONSIBILITY OF THE ARMY FOR EXECUTION OF PRISONERS IN RASADNIK FARM

Mladić's defense witness claims that a 'deranged person not acting under anyone's command' killed about 25 persons taken out from the Rasadnik prison camp in Rogatica in mid-August 1992. The prosecutor contradicts the claim, alleging that the crime was in fact committed by a unit commander in the Rogatica Brigade, who was sentenced to 20 years in prison for the crime before the State Court in Sarajevo



◀ Mile Ujic, defence witness at Ratko Mladic trial

In his evidence last week in Ratko Mladic's defense, Mile Ujic, former president of the Rogatica municipality Executive Board, tried to present the crimes against local non-Serbs as local incidents. In mid-August 1992, 25 prisoners were taken from the Rasadnik prison camp and executed by a 'deranged person, not acting under anyone's command', Ujic stated. In the cross-examination today, the prosecutor suggested that the 'deranged person' was in fact Dragoje Paunovic Spiro. It cannot be said that he was not acting under anyone's command because he was the commander of one of the units in the Rogatica Brigade.

In 1992, Ujic also served as the chief of staff and the deputy commander of the Rogatica Brigade, in addition to his political function. He agreed with the prosecutor that Paunovic ordered the execution of the prisoners from Rasadnik, and that Radislav Ljubinac took them out of the prison camp. As the witness explained, he heard about the incident immediately after it had happened. Initially, there were only speculations that Paunovic was responsible, Ujic said, and those speculations were later confirmed by an investigation.

Since the perpetrator was a commander in the Bosnian Serb military structure headed at the time by the accused Ratko Mladic, prosecutor Traldi asked the witness if Paunovic had been punished. Ujic admitted that no sanctions were taken against Paunovic. Both the brigade commander and the witness as the deputy commander failed to punish Paunovic, the witness agreed.

In fact, Ujic testified before the BH State Court in Sarajevo as Paunovic's defense witness, the prosecutor put it to Ujic. The indictment against Paunovic charged him with one of the gravest crimes in the Rogatica area. In his evidence, Ujic forgot to mention that Paunovic had indeed committed the crime. Today Ujic said that no one in the courtroom had asked him a direct question.

Presiding judge Orić noted that in the judgment sentencing Paunovic to 20 years Ujic said that 'some extremists' had committed the crime, not the accused. The witness tried to explain that the term 'extremists' as he had used it 'did not exclude Paunovic'. Furthermore, Paunovic was only a suspect, Ujic told Judge Orić. Ujic was then confronted with his own claim that the investigation carried out by the security officers in the Brigade established that Paunovic had ordered the crimes. Ujic was evasive in his answers and finally, the presiding judge gave up.

The indictment alleges that the Rasadnik Farm in Rogatica and the Veljko Vlahovic high school were prison facilities where non-Serb civilians were held in inhumane conditions. The witness claimed that they were 'safe houses' where the non-Serbs were held to protect them against possible attacks. In the prosecutor's view, the incident when the prisoners were taken out and executed showed how 'safe' the Rasadnik Farm was. The prosecutor also suggested that the police officers guarding the high school raped women who were held there. Ujic admitted that he had known about it and that he had informed the Rogatica police commander. However, he didn't press the issue when the Rogatica police commander told him 'not to meddle, because human heads cost less onions these days'.

Ratko Mladic's trial continues tomorrow with the evidence of another defense witness.

2014-10-21

THE HAGUE

HOW FOCA BECAME SRBINJE

Former president of the Foca municipal executive board Radojica Mladjenovic denied that Muslims had been expelled from Foca. He did admit that the town that before the war had the same percentage of Serbs and Muslims turned into a 'Serb municipality' with a 99 per cent Serb majority. The witness contested the allegation that the town's name was changed to Srbinje to reflect that. There was a need to make the name rhyme with the names of the neighboring municipalities of Trebinje, Ljubinje, etc.



◀ Radojica Mladjenovic, defence witness at Ratko Mladic trial

In his evidence in Ratko Mladic's defense Radojica Mladjenovic, the wartime president of the Foca Executive Board, claimed that the conflict in the town broke out because the Muslim side was not amenable to agreements. According to Mladjenovic, the agreement to split the municipality between the local boards run by the Serbian Democratic Party and the Party of Democratic Action was reached on 8 April 1992. That same day, Muslims pulled out of the agreement and launched an attack. The Serbs could only fight back and capture the whole territory of the municipality.

In the cross-examination, prosecutor Bibles put it to the witness that the Serb municipality of Foca was formed as early as in December 1991, in line with the instructions of the SDS Main Board. The document, known as the Variant A and B, provided a blueprint for the seizure of the municipalities with a Serb majority, and those where the Serbs were a minority. The witness claimed that he never received any instructions. He did not rule out the possibility that other municipal officials knew about them. The prosecutor alleges that the parts of BH that were to belong to Serbs were captured in line with the plan drafted by the Bosnian Serb leadership and that afterwards the territory was ethnically cleansed from Muslims and Croats.

Today in the evidence and in his statement to the defense team, the witness said that Muslims left Foca on their own: 'Serbs did not expel them'. They followed their leaders and soldiers once it became clear they would be defeated. The witness didn't deny that there were some crimes in Foca, but exonerated the army which was under the command of the accused. Mladjenovic blamed the paramilitary groups from Serbia that had come to Foca to rob and loot. The witness heard some rumors about beatings in the Foca Correctional and Penal Facility, but in his view, the army was not responsible for that. The witness denied that baseball bats were used to maltreat the prisoners. It was 'absolutely impossible' for such sports equipment to be found in Foca.

Noting that the ethnic cleansing plan yielded extraordinary results in Foca, the prosecutor showed a speech made by Petko Cancar, a deputy, in the Bosnian Serb Assembly in April 1993. Cancar said that there was now 'only one nation and only one religion' in the town. The prosecutor also showed an entry from Mladic's war diary. The entry is about a meeting on 17 September 1992, and Mladic notes that the president of the Foca Crisis Staff Miroslav Stanic said there were 42,000 inhabitants in Foca before the war: 51 per cent Muslims and 49 per cent Serbs. The percentage of Serbs then increased to 99 per cent. The witness agreed with the claim that in the course of the war Foca became a 'pure Serb municipality'.

Because of the drastic change in the ethnic composition of the town, the prosecutor put it to the witness, an idea mooted to change the name of the town from Foca to Srbinje. Mladjenovic agreed that it was an 'unprincipled and unnecessary' move on the part of the municipal authorities. He personally was against it. The witness didn't agree that the new name was adopted to reflect the new ethnic reality in the town. There was a need for the name to rhyme with the names of neighboring municipalities – Trebinje and Ljubinje. Veselinko Simovic, a member of the Foca Intervention Platoon, who also testified in Mladic's defense, offered the same 'poetic' explanation. He added the town of Nevesinje to the rhyme.

As today's hearing drew to a close, Mladic's defense called a new witness, the war-time president of the Milici municipality, Tomislav Savkic.

2014-10-22

THE HAGUE

DNA ANALYSIS CONTRADICTS SREBRENICA GENOCIDE DENIAL

Mladic's defense witness Tomislav Savkic argued that the bodies of the Srebrenica inhabitants who had been killed in combat were buried in a mass grave by the road from Konjevic Polje to Nova Kasaba. The prosecutor contested the claim with photos showing that the victims had their hands tied with wire. This prompted Savkic to suggest that they might be Serbs. The DNA analysis showed that all the exhumed victims were Muslims, the prosecutor retorted

At the beginning of the war Tomislav Savkic joined the Bosnian Serb army. By November 1992, he was the commander of the 1st Infantry Battalion in Milici, and a year later he was appointed the president of the Serb municipality of Milici. The municipality had been carved out of the original municipality of Vlasenica. Prior to his testimony at Mladic's trial, Savkic has already appeared as a defense witness at the trials of Momcilo Krajisnik and Radovan Karadzic.

Savkic blamed Muslims for starting the war. In Savkic's view, the Muslims didn't accept the peaceful division of the town, opting instead for armed conflicts with Serbs. The Serb leadership got the information that a general Muslim attack on Vlasenica was being prepared, Savkic claimed. The JNA units and the local Serbs in the Territorial Defense ranks prevented the conflict by entering into and capturing the town without fighting.

The defense counsel asked the witness about the source of the information that the Muslims had been preparing an all-out attack on the town. Savkic said that a cleaning lady gave the local Serb leadership a notebook she had taken from the office of Izet Redzic, the pre-war president of the municipal executive board. The notebook was shown in court. When the presiding judge asked the witness to show him the reference to an all-out attack, the witness gave him a quote about the 'organization of the defense'. 'I find it hard to understand how the organization of defense was a clear indication of an impending attack', judge Orié noted.



◀ Tomislav Savkic, defence witness at Ratko Mladic trial

The phrase 'cattle to be slaughtered' is used in the same document. According to Savkic, this was the reference to a list of distinguished Serbs who were to be killed. The list was not presented, because an army colonel by the name of Radovan Tacic took it with him to Serbia, the witness explained. According to the prosecutor, the list does not exist and the words 'cattle to be slaughtered' were added to Redzic's notebook later. Savkic rejected the suggestion admitting nevertheless that he had no direct knowledge about the notebook from that time. He explained that he heard about the document at a later stage from his Serb acquaintances in Vlasenica. As the prosecutor remarked, this would explain why the witness didn't mention it at the trial of Momcilo Krajisnik in 2006.

In the cross-examination, the prosecutor also focused on the claim in the witness's statement to the defense that many of the Muslims whose bodies were buried along the road from Konjevic Polje to Nova Kasaba in July 1995 had in fact been killed in the attempt to break through to the BH-held territory. The victims were not executed, Savkic said, contradicting the prosecution case. Based on what Savkic said to Mladic's defense team, it could be concluded that the victims had been killed fighting Serbs. At the trial of Radovan Karadzic Savkic stated that the victims died as they fired at each other in the night unwittingly.

Prosecutor Traldi dismissed both scenarios, stressing that most of the bodies recovered from the grave had their hands tied. This is proof that the victims were detained and executed. To corroborate the suggestion the prosecutor presented a photo showing several bodies with hand ligatures. Savkic replied that those might in fact be the bodies of the two Serb fighters who had gone missing in that area in July 1995. Asked by the presiding judge whether the bodies recovered there were subjected to DNA tests, the prosecutor said they had been, noting that the remains were those of Muslims.

As today's hearing drew to a close the defense called Trivko Pljevaljic from Foca, who served in the Bosnian Serb army during the war.

2014-10-23

THE HAGUE

PROSECUTION MOTION TO CALL EVIDENCE ON TOMASICA GRANTED

Judge Orié's Trial Chamber has granted the prosecution motion seeking leave to reopen its case in order to call evidence on the Tomasica mass grave. The judges ruled that 'new evidence' was relevant for the indictment with respect to the crimes in the municipalities



◀ Ratko Mladic in the courtroom

The Trial Chamber hearing the case against Ratko Mladic has granted the prosecution's request to reopen its case in order to call evidence on the mass grave in Tomasica near Prijedor. The prosecution will thus be able to present and tender into evidence the testimony of six experts, seven fact witnesses and some additional materials. The Trial Chamber will decide later about the exact date for the reopening of the prosecution case.

As indicated in the decision, the judges feel that the new evidence in the prosecution's possession that pertains to the Tomasica mass grave is 'relevant' for Mladic's case and has 'probative value' as regards the allegations about the crimes in the municipalities. The judges have given

particular weight to the prosecution's allegations that the new evidence sheds light on the organized, systematic and mass nature of the murders in Prijedor and the role of the VRS in the killing, burial and digging up of the graves.

The Trial Chamber, the document notes, is aware that the reopening of the prosecution case would prolong the trial but not 'excessively'. The judges also stress that the prosecution filed the motion to reopen the case in the early

stages of the defense case. Only 60 of about 300 planned witnesses have testified so far. The defense will thus have 'many opportunities to contest the prosecution's allegations'.

The prosecution filed the motion seeking leave to reopen its case in August 2014, indicating that it would tender 43 documents and call 13 witnesses. Seven witnesses are survivors or workers in the Ljubija mine, and six are experts. The exhumed bodies are linked with the crimes in several locations listed in the indictment against Mladić. Among them are the murders in Kozarac, Hambarine, Brdo, Biscani and neighboring hamlets as well as the executions of prisoners in the Keraterm and Omarska prison camps in Prijedor.

2014-10-23

THE HAGUE

RHYME DID NOT WORK FOR EVERYONE

Three of Mladić's defense witnesses have insisted that Foca was not renamed Srbinje in order to highlight the absolute Serb majority in the town but in order to make it rhyme with the neighboring municipalities of Nevesinje, Ljubinje and Trebinje. This prompted the presiding judge to ask why after the war the old name was reinstated at the Muslim request. 'Should not a good rhyme work for everyone?', the presiding judge asked



◀ Trivko Pljevaljic, defence witness at Ratko Mladic trial

The first fighter killed in Foca was a Serb, the first woman who was raped was a Serb, and the first building that was destroyed was the Serb Orthodox church. That is what former Bosnian Serb soldier Trivko Pljevaljic claims in his statement to Ratko Mladić's defense. As the Serb troops responded to the Muslim attack, they captured the town, the witness recounted. According to Pljevaljic, from then on, the Serb army only defended itself.

The witness denied that Muslims were expelled. On the contrary, Muslims left 'on their own', and the Serb authorities merely 'facilitated their departure'. Before Muslims left, the witness explained, they were provided

with temporary accommodation in several locations such as the Partizan sports hall and the Correctional and Penal Facility (KPD). The witness claimed he didn't know anything about the abuse and killing of Muslims in those prison facilities despite the fact that at one point he worked in the KPD. The Tribunal's judgment in the case against the prison warden Milorad Krnojelac established that the witness's brother beat the prisoners.

Mladić's defense witnesses from Foca for the most part have tried to shift the blame for the crimes against Muslims on paramilitary groups. This prompted prosecutor Jeremy to present several documents today, showing that Radovan Stankovic, Radomir Kovac, Zoran Vukovic and Dragoljub Kunarac – rapists from Foca who were convicted by the Tribunal in The Hague and the State Court in Sarajevo – were members of the Republika Srpska regular military units. At first the witness agreed fully with the suggestion. In the re-examination, he tried to correct his testimony and told the defense counsel they 'wandered' from unit to unit 'searching for their identity'.

Pljevaljic is the third Mladić's defense witness from Foca to claim that during the war the name of the town was changed to Srbinje to make it rhyme with the neighboring Herzegovina municipalities of Trebinje, Nevesinje and Ljubinje. The town was not renamed to highlight the Serb majority and domination, the witnesses have all argued. After the war, the old name was reinstated at the initiative of the Muslims, who considered Srbinje a show of Serb national feeling. 'Why should it bother them if it was only done to achieve the rhyme; a good rhyme should work for everyone, shouldn't it?', Judge Orić asked rhetorically. The presiding judge asked the witness if he really thought the renaming was done for reasons of 'poetry' rather than ethnicity. 'That's right, that's right', Pljevaljic replied in a bid to convince the judge.



◀ Miladin Mladjenovic, defence witness at Ratko Mladic trial

After Pljevaljic completed his evidence, the defense called Miladin Mladjenovic, former driver in Vihor, a company in Bratunac. In July 1995, Mladjenovic participated in the transportation of the Srebrenica Muslims. On 12 July 1995, the witness said in his statement to the defense, he drove a 'batch' of women, children and the elderly to a place called Tisce. From there, the group traveled on foot to Kladanj. The witness estimated that the next day he drove about 10 batches or about 450 to 500 male detainees from the facility known as the White House in Potocari to the school in Bratunac. As alleged by the prosecution, those prisoners were later executed together with thousands of other captives at

the execution sites near Zvornik. The witness claimed that he was unaware of the prisoners' fate. According to the witness, he could not be bothered to check what had happened to his colleague, a Muslim, whom he had also driven from Potocari to Bratunac. The transports were escorted by two military police officers, and they were met by the civilian police in Bratunac.

At the very end of today's hearing, Milenko Rajak began his evidence. Rajak was a soldier in the Rogatica Brigade and is the incumbent chairman of the war veterans' association in Rogatica.

2014-10-27

THE HAGUE

WAR-TIME ASSISTANT DEFENDS MLADIC

Speaking about the character of the accused Ratko Mladic, his war-time assistant Rajko Banduka praised Mladic's education, humanism and professionalism. The witness claimed that he had spent the entire war with Mladic in Crna Rijeka in 'very modest circumstances'. The 'humble abode' was in fact a one-storey villa called Javor located near the entrance to an underground bunker, the prosecutor said



◀ Rajko Banduka, defence witness at Ratko Mladic trial

Ratko Mladic's defense case continued with the first witness to appear this week, his war assistant Rajko Banduka. This is the first time Banduka is testifying at the Tribunal in The Hague. In his statement to the defense, Banduka said that the VRS Main Staff HQ was located in Crna Rijeka near Han Pijesak. Mladic and the witness were billeted in a building a kilometer and a half from there.

As Banduka recounted, during the war the accused, as the commander of the Main Staff, used encrypted radio communications with all corps commanders. Mladic also had at his disposal other communications equipment, including two telephone lines. Mladic had access to the

Main Staff Operations Center where all the written reports from the field poured in. According to the witness, in the course of years he spent with the accused, he came to 'know Mladic's character and personality'. Mladic is an 'educated man', loyal to his nation and profession; he adhered strictly to the rules, never took revenge on anyone and was against looting and destruction. According to the witness, the accused thought that all those who wanted to live together with Serbs should remain in Republika Srpska. During the war Mladic lived in 'very modest circumstances', Banduka said.

In the cross-examination, prosecutor McCloskey showed the witness a photo of the facility in Crna Rijeka where Mladic and Banduka had spent the war. The prosecutor noted that it was in fact a one-storey villa called Javor. The entrance to an underground bunker was located near the villa. When the prosecutor asked if those were the modest circumstances the witness had described, Banduka confirmed it. As the cross-examination continued, the prosecutor contested Banduka's claim that he had been following the events in Srebrenica and Zepa from the media reports in his apartment in Bijeljina, as he was recovering from an illness. Banduka was confronted with several intercepted conversations that he had allegedly taken part in in mid-July 1995, but he remained adamant that he was not the man recorded on tape, claiming he was not in Crna Rijeka at all at the time.



◀ Milenko Rajak, defence witness at Ratko Mladic trial

After Banduka completed his evidence, the defense called Milenko Rajak, who had begun his testimony last Friday. During the war the witness served in the Rogatica Brigade. Later Rajak became the chairman of the war veterans' association in Rogatica. In the examination-in-chief, defense counsel Lukic tendered into evidence lists of Serb civilians and soldiers from Rogatica who had been killed, in a bid to contest the prosecution case that Muslims in the region were not armed and that there were no clashes with Serbs.

Like most of Mladic's witnesses from Rogatica, in his statement to the defense Rajak said that 'there had been no system targeting Muslims' in the municipality. Civilians

were not detained in the Veljko Vlahovic school or in the Rasadnik farm, the witness claimed: those were prisoners of war. Later, the prisoners were exchanged for Serbs. According to prosecution exhibits, there were women among the prisoners, including a woman who was a hundred years old. Rajak said he knew nothing about it, although he admitted that during the war he never went to the school and Rasadnik.

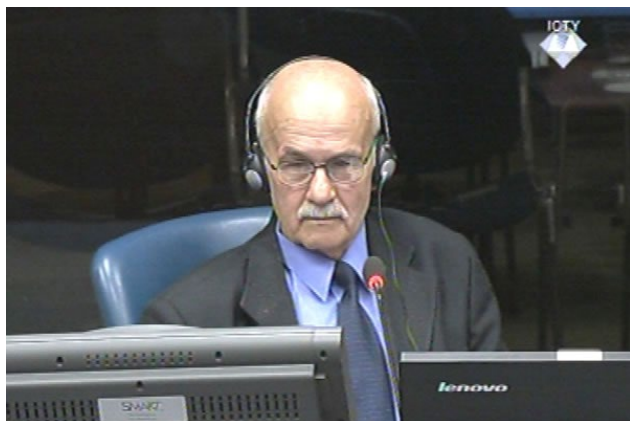
As today's hearing drew to a close, Slavko Kralj began his testimony in Mladić's defense. Kralj was a liaison officer in the 1st Krajina Corps and later in the VRS Main Staff.

2014-10-28

THE HAGUE

LETING HUMANITARIAN CONVOYS THROUGH

In his evidence in Mladić's defense, Colonel Slavko Kralj said that during the war the Bosnian Serb army regularly let the convoys with humanitarian aid for the Muslim and Croat enclaves in BH pass through their territory. The prosecutor confronted Kralj with a letter from the Main Staff in which Karadzic's Directive 7 is invoked. The troops are ordered to "reduce and limit [the logistic support of UNPROFOR to the enclaves and] the supply of material resources to the Muslim population... through planned and unobtrusively restrictive issuing of permits"



◀ Slavko Kralj, defence witness at Ratko Mladić trial

As alleged in the indictment against Ratko Mladić, the joint criminal enterprise aimed at achieving the permanent elimination of Muslims and Croats from Serb territories in BH was implemented, among other methods, through imposing restrictions on the passage of humanitarian aid convoys to the non-Serb enclaves. In a bid to contest the claim, the defense called Colonel Slavko Kralj. During the war Kralj was a liaison officer with UNPROFOR and international organizations, first in the 1st Krajina Corps and then in the VRS Main Staff. This is the fourth time Kralj is testifying at the Tribunal: he has already testified in two Srebrenica cases and at the trial of Radovan Karadzic.

In his statement to the defense and in examination-in-chief Kralj claimed that for the most part humanitarian convoys travelled through the Republika Srpska territory without any hindrance. Kralj explained that the convoys would be stopped only when there was fighting in an area or when the agreement was violated, i.e. when convoys carried weapons instead of food and other civilian necessities.

Convoys travelled regularly from Zagreb to Sarajevo, Gorazde, Zepa, Srebrenica, Kiseljak and other endangered locations. At times there were so many humanitarian convoys that they caused traffic problems. The Bosnian Serb army tried to facilitate the movement of the convoys. To do that, a rule was introduced not to search the humanitarian aid convoys moving in columns at more than one check point. If weapons were found, the convoy wouldn't be let through. The free movement of convoys was suspended as a temporary measure when there were other irregularities.

Defense counsel Lukic tendered into evidence a series of documents from the Main Staff and other Bosnian Serb military bodies; they authorized and regulated the passage of convoys. Among them are Ratko Mladić's orders. According to the witness, Mladić's orders were 'sacrosanct'. Lukic also tendered into evidence BH Army documents showing that at times, large quantities of food would be delivered to civilians, but in other cases, some of the aid would be funneled to the army. This, according to the witness, constituted abuse.

Prosecutor McCloskey confronted the witness in the cross-examination with a letter written by General Manojlo Milovanovic, chief of the VRS Main Staff, in May 1995. In the letter Milovanovic provided an interpretation of Directive 7, issued by the Army supreme commander Radovan Karadzic. The letter was addressed to the military bodies in charge of communicating with UNPROFOR and humanitarian organizations. It stated the following: "Through planned and unobtrusively restrictive issuing of permits, reduce and limit [the logistic support of UNPROFOR to the enclaves and] the supply of material resources to the Muslim population making them dependent on our goodwill while at the same time avoiding condemnation by the international community and international public opinion'.

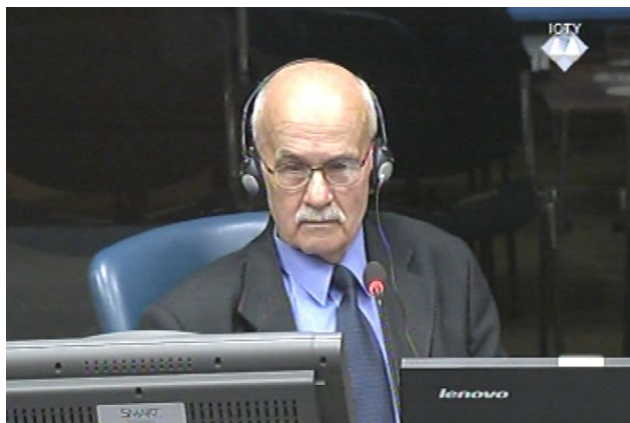
The prosecutor suggested that Mladić was responsible for the implementation of Karadzic's Directive 7 in the field. After a lot of toing and froing, the witness agreed. The civilian affairs chief in the Main Staff Milos Djurdjic was also Mladić's assistant for humanitarian affairs. Witness Kralj was Djurdjic's deputy and closest associate. Slavko Kralj will conclude his evidence tomorrow.

2014-10-29

THE HAGUE

MLADIC'S WITNESS: 'NO ONE STARVED TO DEATH IN WAR IN BH'

The prosecutor showed evidence of the critical humanitarian situation in Srebrenica in the first half of 1995. There were reports that people were starving to death in the enclave because humanitarian convoys were denied passage through the Bosnian Serb territory. Mladic's defense witness Slavko Kralj replied that it was all 'propaganda'



◀ Slavko Kralj, defence witness at Ratko Mladic trial

Slavko Kralj, former liaison officer with UNPROFOR in the VRS Main Staff, claimed that during the war a large number of humanitarian convoys entered the Muslim enclaves in BH with the permission of the Serb side. In a bid to contest the allegation in the cross-examination, the prosecutor highlighted the critical situation in Srebrenica in the first half of 1995. The prosecutor suggested that there was famine in the enclave primarily because the Bosnian Serb army was preventing the international humanitarian convoys from reaching Srebrenica.

To corroborate the claim, prosecutor McCloskey noted that there was an audio recording of General Mladic saying, 'I did not let anything through. I would not have

captured Srebrenica and Zepa if I had not starved them throughout winter, I only let one or two convoys through from February onward'. Asked if that was indeed General Mladic's attitude, the witness explained that he didn't know. He added that he had never heard Mladic make any such statements. The prosecutor then showed a report sent in June 1995 by the UN special envoy Yasushi Akashi to the UN headquarters in New York. In the report, Akashi says that the Bosnian Serb army was preventing the aid from entering to the enclaves, demanding that half the goods be handed over to them. Once again the witness pleaded ignorance.

A photo taken in early 1995 in Srebrenica by Dutch officer Johannes Rutten shows a group of Muslim civilians from Srebrenica rummaging through the trash dumped by UNPROFOR garbage trucks. The prosecutor suggested that it was an indication of the desperate situation in the enclave. Kralj replied that 'maybe the photo was faked'.

The prosecutor then highlighted two documents produced on 6 July 1995 – another letter from Akashi and a report from the BH Army 28th Division from Srebrenica. In his letter, Akashi states that 13 persons died of hunger in Srebrenica. The Bosnian Army report speaks about the first victims of hunger. The witness replied that during the war 'no one starved to death' during the war in BH. According to the witness, those reports were 'propaganda'.

In the re-examination, defense counsel Lukic noted that 13 persons died of hunger during the week preceding 6 July 1995. The BH Army stated that the 'first deaths' occurred on that very day (6 July 1995). The defense counsel asked the witness if the two pieces of information were contradictory. Presiding judge Orie stopped the witness from answering, saying that it was not up to the witness to speculate. According to Judge Orie, only the Trial Chamber could evaluate evidence. Asked if he knew that people died of hunger in Srebrenica in the first weeks of July 1995, Kralj replied that he didn't have such information. In Kralj's view, it was the 'usual propaganda' disseminated by the Muslims to 'get as much humanitarian aid as possible'.

In the re-examination, the defense counsel referred to the suggestion put forth yesterday by the prosecutor that Mladic had been in charge of implementing Karadzic's Directive 7, issued in March 1995. The witness confirmed it. The document called for a 'planned and unobtrusive' restriction of relief supplies deliveries to the enclaves in Srebrenica and Zepa to make the 'Muslim population dependent on our goodwill'. The defense stressed that a little bit later Mladic wrote Directive 7.1, which did not refer to any restrictions of humanitarian aid. The witness said that the army had acted in line with Mladic's order, not Karadzic's document.

Veljko Maric, a doctor from Foca, began his evidence as today's hearing drew to a close.

2014-10-30

THE HAGUE

WAR STORIES FROM FOCA HOSPITAL

Veljko Maric, a medical doctor and war-time director of the Foca Hospital, has claimed that the hospital didn't discriminate against people on the basis of their ethnicity. He also claimed that Muslims left the municipality voluntarily. The prosecutor noted that civilians: women, children, the elderly, and indeed some of the witness's colleagues, were detained, abused and killed. Civilians were thus forced to abandon their homes, the prosecutor stressed



◀ Veljko Maric, defence witness at Ratko Mladic trial

During the war, Dr. Veljko Maric worked as a surgeon. In 1993, he was appointed the director of the Foca Hospital. Today, in his evidence in Ratko Mladic's defense, Maric claimed that all patients, regardless of their ethnicity, were treated in the hospital. The witness's argument was to convince the Trial Chamber that the Muslims didn't leave Foca because of discrimination and pressure. On the contrary, according to Maric, the Muslims fled because they feared for their safety. Serbs shared their fears.

According to Dr. Maric's, from April to the end of 1992 more than 1,900 patients were treated in the hospital. This figure included 300 Muslims: the wounded, the

detainees from the Correctional and Penal Facility (KPD) in Foca who needed medical treatment, and a group of children who were left homeless but were otherwise healthy. After several months in the hospital, the children were sent to Igalo, a summer resort in Montenegro, and were later reunited with their families, Maric explained.

In the cross-examination, prosecutor Grace Harbour presented various lists showing that there were Muslim women, children and elderly with gunshot wounds among the hospital patients. In his statement to the defense, Maric claimed that the conflict 'forced people to go where other members of their ethnic community lived'. The prosecutor put it to the witness that the attacks in which Muslim civilians were wounded in fact caused them to flee Foca. Maric agreed with the suggestion. However, the witness recalled that there were also Serb victims. During the war a total of 2,500 Serb civilians and soldiers were treated in the hospital, the witness stressed.

In his statement to the defense, Maric said that by mid-July 1992 Muslim doctors had left the hospital of their own free will, 'not because someone had expelled them'. This prompted the prosecutor to remind the witness that Foca Hospital doctors like Amir Berberkic, Aziz Torlak and many doctors from health care centers had been detained in the Correctional and Penal Facility (KPD) in Foca. They suffered the same fate as the other detainees: they were beaten and tortured. Dr. Torlak died there. Maric agreed that his colleagues had been detained in the KPD Foca, but both Serbs and Muslims were in fear for their safety. 'Were Serb doctors detained in the KPD?', asked Judge Moloto. The witness replied that they were not.

Invoking a part of Maric's statement about the Muslim children who were put up in the hospital, the prosecutor stressed that those were boys and girls whose parents had been killed and whose homes had been destroyed. That was why the children didn't have a place to stay. Also, the prosecutor mentioned several examples, such as seven-year old Selma Tafro and her eight-year old brother Jasko, whose fate was described in a newspaper article: Serb soldiers headed by Janko Janjic Tuta broke into the children's home, raped their mother and killed both her and her husband in front of the children.

Dr. Maric said that at the time he didn't know who had been brought to the hospital and for what reason. In Maric's view, that was in fact 'a beautiful thing'. The hospital accepted the children although they were not ill and despite the fact that the primary function of a medical institution was to take care of the sick, not of the healthy people.

After Maric completed his evidence, the defense called Mane Djuric, former chief of the Vlasenica police. Djuric claimed that Muslims from Vlasenica had left the municipality voluntarily in fear of revenge and out of concerns for their personal safety. In Djuric's view, Susica was not a prison camp but a 'collection center for persons seeking safe accommodation'. The witness confirmed that he had heard about Dragan Nikolic Jenki's guilty plea at the Tribunal for crimes against prisoners in Susica. Djuric explained that Jenki was a police officer who was later transferred to the Bosnian Serb army. Neither Jenki nor any other Serb from Vlasenica has ever been tried before domestic courts for crimes against Muslims, the witness conceded.

Ratko Mladic's trial continues on Monday.

2014-11-03

THE HAGUE

CIVILIANS WARNED TO KEEP AWAY AS VLASENICA MOSQUE WAS BLOWN UP

As war-time chief of the Vlasenica police Mane Djuric recounted in his evidence, he learned a couple of hours in advance that the army was about to destroy the town mosque. In Djuric's words, he did nothing to prevent the crime but he warned the local residents to leave the area where the explosion was to occur. 'If the army had announced it would execute three civilians in the town market, would you have contented yourself with telling the people to keep away in order not to be hit by stray bullets', the presiding judge asked



◀ Mane Djuric, defence witness at Ratko Mladic trial

Former chief of the Vlasenica police Mane Djuric spoke in his statement to Ratko Mladic's defense about the crimes in Vlasenica. Djuric said that members of the Serb paramilitary units were responsible for the abuse of Muslims. Muslims didn't flee Vlasenica because of the pressure exerted by the Serb authorities, Djuric claimed. According to the witness, the Muslims left because they feared for their safety just like everybody else during the war.

In the first part of today's cross-examination, prosecutor Traldi reminded the witness that the Vlasenica mosque was blown up in August 1992. Djuric didn't deny it; in fact, he confirmed that the army destroyed it. Some hours

before the mosque was destroyed, the army informed the police about it. The police then 'exercised their powers' and alarmed the people living in the neighborhood to evacuate to avoid civilian casualties.

This prompted presiding judge Orić to join the discussion. He asked the witness if it had ever occurred to him, as the police chief, to protest against the crime - the destruction of a religious building - that had been announced in this manner. Djuric replied that he had just enough time to notify the local population to leave the area around the mosque. 'But surely a better way to protect the people would have been to prevent the destruction of the mosque', the presiding judge said. 'It was impossible to prevent it then', the witness replied, because the police didn't have access to the mosque. The presiding judge pressed the issue, asking the witness how the police could have access to the perimeter but not to the mosque itself. Djuric then replied that in fact he had wanted to avoid the 'conflict of authorities'. In other words, the police didn't want to interfere in the military affairs.

'If the army had announced that three civilians would be executed in the town, would you have contented yourself with telling the people to keep away in order to avoid stray bullets', the presiding judge asked in his last attempt to get the witness to see his point. The witness avoided giving a straight answer noting that the 'question was too hypothetical'. Djuric admitted that the crime had not been investigated properly at all. The police report referred to unidentified perpetrators.

Another incident that was not investigated was the mass murder in May 1992 in the village of Zaklopaca near Milici. About 60 or 80 Muslim civilians were executed. The killing of 25 civilians near Nova Kasabawa wasn't investigated either. The same goes for the incident in the village Drum near Vlasenica, where 20 Muslims were executed. Djuric knew about the incidents but he blamed them on the paramilitary formations. The witness allowed the possibility that the army was responsible for the killings in the village of Drum.

In his statement to the defense, Djuric said that Susica was established as a 'reception center' for persons who wanted 'safe accommodation'. According to the prosecution, Susica was a prison camp. In today's cross-examination the witness admitted that the 'reception center' became a prison camp for Muslim civilians and prisoners of war in line with a military decision issued in May 1992. Initially, the Territorial Defense ran the camp, and later the army came to be in charge, the witness claimed.

In his statement to the defense team, in his testimony and particularly in his previous interviews with the investigators as a suspect, the witness shifted the blame from the police onto the army. The witness in fact alleged that police officers and members of the paramilitary groups who committed war crimes in the first few months of the war had been attached to the army in line with an agreement between the MUP leadership and the VRS Main Staff from July 1992.

As today's hearing drew to a close, Nedjo Vlaski began his evidence in Ratko Mladic's defense. Before the war, Vlaski worked in the BH State Security Service.

2014-11-04

THE HAGUE

SERBS SECEDED FROM BH BECAUSE THEY WERE 'HUMILIATED AND OUTVOTED'

Former BH State Security Service employee Nedjo Vlaski claims that the Bosnian Serbs were 'humiliated and outvoted' by Muslim and Croat politicians. As a consequence, they established their separate institutions in Bosnia. On the other hand, the prosecutor noted that the Bosnian Serb leadership had devised a plan to conquer and ethnically cleanse large parts of the BH territory, no matter what happened

In his statement to Ratko Mladic's defense, former employee of the BH State Security Service Nedjo Vlaski described the events that, in his view, led to the war. Vlaski accused the Bosnian Muslim and Croat politicians for starting the war: they 'humiliated and outvoted' Serbs in government institutions. As a consequence, the Serb leadership was forced to establish its own institutions and to secede from the rest of BH.



◀ Nedjo Vlaski, defence witness at Ratko Mladić trial

According to Vlaski, before the war the BH State Security monitored the activities of the **Young Muslims** organization; it was the Service's task to monitor all forms of nationalism. Alija Izetbegovic, who would later become the BH president, was a member of the organization. The witness explained that members of the Young Muslims were religious extremists, who received long prison sentences in a Yugoslav court.

When he got out of the prison, Izetbegovic became a Muslim political leader, Vlaski recounted. Izetbegovic established control over 'almost all segments of the police force', and in Sarajevo there was a 'symbiosis' of non-Serb politicians and criminals. That, in Vlaski's

opinion, resulted in armed attacks on Serbs in the city. The first to be killed was Nikola Gradovic, a Serb who was a guest at a wedding. Police officer Pera Petrovic was the next victim. Thus the 'hunt on Serbs' began, Vlaski said, adding that the Serb leadership organized various bodies to defend Serbs.

In the cross-examination, prosecutor Weber presented evidence that, as he alleged, showed that even before the war the Bosnian Serb leadership had devised a plan to set up their own authorities, to capture the BH territory they claimed their own, and to ethnically cleanse it. The prosecutor showed several intercepted conversations from September 1991. In the conversations Radovan Karadzic said that the Serbs would organize their own government bodies and become the 'opposition'. After that the prosecutor showed minutes from a meeting of the Serb police staff in February 1992. Those present included Momcilo Mandic, Mico Stanisic, Stojan Zupljanin and the witness. Steps necessary to establish the Bosnian Serb MUP were discussed at the meeting.

Finally, the prosecutor presented a video recorded 30 March 1992, showing a review of the newly established police force of the Serb republic in BH. The footage also contains the speech delivered by Mico Stanisic, the first Bosnian Serb police minister. Stanisic said that the Serbian MUP had already been established and that it would operate in line with the Serb constitution and the law on internal affairs. This legislation was adopted a month before. Vlaski didn't deny that the new bodies were formed, but explained that it was a necessary step because the Serbs had to defend themselves against the attacks by the two other ethnic groups.

Before the war began, Vlaski accidentally shot himself with a pistol. He spent the first few months of the conflict in his native Trnovo recovering from the wound. The prosecutor noted that in Trnovo Vlaski worked in the local authorities. At the meetings, the local authorities planned attacks on Muslim villages, the prosecutor alleged. According to a State Security Service report, at a meeting in late May 1992, the local leaders made the plan for the attack on several villages; the goal was to 'kill and expel the Muslim population and thus create an ethnically clean Serb territory'. The witness replied that it was impossible to do such a thing. Only 30 per cent of the population in the Trnovo region were ethnic Serbs. As a minority, Serbs preferred a peaceful solution to launching an attack on the 70 per cent Muslim majority, Vlaski explained.

Before and during the war the witness was Radovan Karadzic's bodyguard. In the second half of 1992, the witness lived in Belgrade. In that period, as he explained, Karadzic regularly met with Jovica Stanisic, chief of the Serbian State Security Service, but Vlaski didn't know where or when they met. Nedjo Vlaski will complete his evidence tomorrow.

2014-11-05

THE HAGUE

WITNESS KNOWS NOTHING ABOUT CRIMES OF HIS FELLOW FIGHTERS

Ranko Kolar, former officer in the VRS 6th Sana Brigade, described in detail the crimes against Serbs in the village of Kravica region in Eastern Bosnia regardless of the fact that he was there only for a short time, to support the local units. On the other hand, the witness didn't know anything about the crimes against Muslim civilians in Sanski Most where he spent almost the entire war

After a former employee of the BH State Security Service Nedjo Vlaski completed his evidence, Ratko Mladić's defense called Ranko Kolar to the witness stand. During the war in BH Kolar held several command posts in the 6th Sana Brigade. He was a company commander until November 1992, when he was promoted to the post of a battalion commander. When the war ended, he was chief of staff in the brigade.

In the statement to the defense team the witness said that his unit was engaged in various combat operations in the Sanski Most region with occasional excursions to the Bihac battlefield and Eastern Bosnia. According to the witness, he was there in January 1993 and he witnessed an attack launched by Naser Oric's units on Serb villages, including Kravica. Kolar saw the 'first echelon' troops enter the villages. They were followed by the 'second echelon'. As the witness recounted, the second echelon seemed somewhat disorganized, and those people focused on stealing food from houses that were later burned down.



◀ Ranko Kolar, defence witness at Ratko Mladić trial

In the cross-examination, prosecutor Jeremy once again probed the issue of the crimes in Sanski Most where the witness had spent most of the war. The prosecutor asked the witness if he knew that Serb soldiers had killed 25 civilians in the village of Hrustovo on 31 May 1992. A pregnant woman and several children were among the victims. Kolar said he had arrived in the Hrustovo region with his unit two days after the incident. According to Kolar, he didn't learn about the crime then and there, but later, from the media.

The prosecutor showed a Sanski Most police report from August 1992. The document stated that three 'collection and investigation centers' had already been set up in the

municipality. One was located in the sports hall, another in Betonirka hall, and the third in the Krings Factory. Kolar heard that captured Muslim and Croat soldiers were taken there, but he never heard about any civilians being put in those camps.

The prosecutor pressed the issue, noting that a Serb soldier by the name of Danilusko Kajtaz was sentenced to a long prison sentence by the BH State Court for a crime he committed on 7 July 1992, when 19 Muslim civilians suffocated in a truck as they were being transported from Betonirka to the Manjaca prison camp. In the meantime Kajtaz changed his name to Nikola Kovacevic. Kolar didn't know much about the crime either, apart from the fact that he heard Kajtaz was convicted of something. Although they were members of the same brigade in Sanski Most, Kolar claimed that he never heard about Kajtaz until after the war.

Finally, the prosecutor noted that in 1992 the witness's unit was stationed in the area of the village of Krkojevci near the confluence of the Dabar and Sava rivers. After the war, a mass grave containing 19 bodies was discovered there. On 7 July 1992, the victims suffocated at that site en route to Manjaca. The witness said he had not heard about the mass grave before. The mouth of the Dabar river was two whole kilometers away from the position of his unit in Krkojevci, the witness added.

As today's hearing drew to a close, Savo Bojanovic began his testimony in Mladić's defense. During the war Bojanovic was a judge in the military court in Bijeljina.

2014-11-06

THE HAGUE

HOW MILITARY COURT PROSECUTED SERBS IN BIJELJINA

Savo Bojanovic, former judge in the Bijeljina military court, claims that during the war Serb soldiers were put on trial for crimes against Croats and Muslims. The prosecutor shows that those were isolated cases. No one was ever convicted of the gravest crimes such as murders and as for robbery and looting, the culprits would get probation, the prosecutor notes



◀ Savo Bojanovic, defence witness at Ratko Mladić trial

Savo Bojanovic, former judge in the Bijeljina military court, explained in his statement to Ratko Mladić's defense that the military court was established in mid-July 1992. The court's territorial jurisdiction coincided with the area of responsibility of the Eastern Bosnia Corps and Drina Corps. The witness was adamant that the court was impartial: the judges were not in the Serbian Democratic Party. The law was applied consistently regardless of the ethnic background of the perpetrators and victims.

To corroborate the claim, the witness listed several investigations against Serb soldiers for various crimes against Muslims like murder, rape and looting. Bojanovic said that as a judge he was never put under pressure,

but was allowed to do his job in accordance with the law.

In the cross-examination, prosecutor Traldi noted that the proceedings against Serbs for the gravest crimes such as killing of non-Serb civilians and prisoners in most cases did not result in convictions. For example, a case was referred to a civilian court because it had been established that the suspects were not soldiers. In several cases the perpetrators were released pending the trial, even though they were charged with murder, and then they fled.



◀ Dusan Kukobat, defence witness at Ratko Mladic trial

The witness remained adamant that Serbs soldiers had been prosecuted. He described the murder in Vanekov Mlin in Bijeljina in February 1993. The witness was the duty investigative judge when he received a report that some soldiers of the 2nd Krajina Brigade returning from the frontline had killed two prisoners from the Batkovic prison camp there. The victims had been sent to work in the mill. In the course of the crime scene investigation, the witness established that one victim was shot, and that the other had his head cut off. He ordered the investigation to continue, issued an arrest warrant for unknown perpetrators and handed over the case to the permanent investigative judge and the public prosecutor's office. In the cross-examination he

admitted that the case never proceeded beyond that point: when the war ended, the perpetrators were still at large.

Some of the cases Bojanovic mentioned never proceeded to trial, and some were later referred to civilian courts – including the BH State Court – after the war.

According to the prosecutor, Serb perpetrators were convicted before the Bijeljina military court only for looting Muslim and Croat houses; almost all of them got probation. The witness admitted that this was the policy, agreed upon and implemented in order not to 'weaken the military strength of the VRS. Prison sentences were passed occasionally for the gravest crimes, the witness added.

The examination of Dusan Kukobat was completed in the final half-hour of the hearing today. Kukobat is the former chief of staff of the 17th Light Infantry Brigade from Kljuc. In his statement, Kukobat described his unit's combat activities and his war-time encounters with Mladic. The witness said that the accused always stressed that soldiers were not allowed to commit crimes against non-Serb civilians and prisoners of war.

In the cross-examination the prosecutor noted that several officers from the witness's brigade – including the unit commander Drago Samardzija – were charged by the State Court in Sarajevo with crimes against Muslims and Croats in Kljuc. Kukobat replied that he didn't know anything about the crimes. During the war he was on the front line, and did not spend time in the inhabited parts of the Kljuc municipality, the witness explained. The trial of Ratko Mladic continues on Monday.

2014-11-10

THE HAGUE

BLAMING THE 'OTHER SIDE'

Former employee of the State Security Service, first of BH and later of Republika Srpska, blames Croats and Muslims, their paramilitary formations and criminals for starting the war and for the crimes against civilians. In fact, the witness blames everyone but the accused Ratko Mladic and his armed forces



◀ Tomislav Puhac, defence witness at Ratko Mladic trial

Before the war Tomislav Puhac worked in the BH State Security Service. In 1992, Puhac switched to the same job, in the newly established Republika Srpska State Security Service. In his statement to Mladic's defense, Puhac mostly focused on the events that had led to the conflict. In Puhac's view, Croats and Muslims were to blame for the war. As he explained, Croat and Muslim politicians did everything to 'discriminate against' Serb representatives in the government and to stop them from participating in the decision making process.

The Muslim-Croat coalition called up the police reserve force and turned them into paramilitary formations, the witness claimed. As Puhac noted, at that time

'notorious criminals were issued MUP credentials'. Those persons harassed Serbs, for example, by stopping them at check points. The witness was stopped at a check point, his service pistol was seized. The men at the checkpoint threatened they would kill him. Soon afterwards, the witness was sacked and forced to leave Sarajevo. According to the witness, his flat was burgled and looted as were the apartments of other Serb police officers. Serbs who didn't leave the city were imprisoned and killed, Puhac claimed.

In the cross-examination, prosecutor MacGregor noted that the witness left Sarajevo on 4 April 1992. The allegations in his statement about the events in the city after that date were not based on his personal knowledge but on

hearsay, the prosecutor stressed. The witness agreed in part, saying that as an employee of the secret service he received reports about the developments in Sarajevo throughout the war from Serbs who were leaving the city and from intercepted enemy communications.

The prosecutor asked him if he heard from his sources that in the spring of 1992, the Bosnian Serb army had placed Sarajevo under siege. Puhalic told him that the BH Army was the first to encircle as it tightened its positions. The Serb side then responded by doing the same thing. As a consequence, during the war Sarajevo was encircled by both sides, the witness explained.

In the second part of today's hearing, Trifko Komad began his evidence. Komad is a former member of both the main and executive boards of the Serbian Democratic Party. At the beginning of 1993, Komad moved to the Republika Srpska Government Office in Belgrade. Komad's statement from the trial of Radovan Karadzic was admitted into evidence. At Karadzic's trial, Komad described the functioning of the Bosnian Serb government. Komad's statement to Mladić's defense was also admitted into evidence. In this statement, Komad described his wartime encounters with the accused. Today in court the witness described it in more detail.

Komad met Mladić for the first time in Pale in May 1992 at a meeting between the Serb military and political officials. The efforts to organize the defense of the Serbs in BH was discussed at the meeting. The witness and the accused met the second time in July 1993: Komad and a group of Orthodox priests from the US brought humanitarian aid for the army to the VRS Main Staff. When they met the third time, it was only in passing, after work in Belgrade. Komad could not remember when exactly that encounter took place. The witness didn't offer any detailed observations from those encounters.

Prosecutor Bibles used Komad's appearance in court to confirm her argument that there was a strict hierarchy in the Bosnian Serb government. The orders from the top were implemented at a local level through the chain of command. The witness didn't oppose the claim, but refused to confirm it. Sometimes, the groups and individuals at municipal level acted 'contrary to the principles', he said. According to Komad, the multiparty system was in its infancy. Those days were marked by 'meandering' and unrealistic aspirations of some politicians. Trifko Komad will complete his evidence tomorrow.

2014-11-11

THE HAGUE

'SERB' OR 'INDEPENDENT' AUTONOMOUS REGIONS?

Mladić's defense witness has insisted that local authorities were independent from the Bosnian Serb leadership. The acronym 'SAO' stood for 'independent [samostalna]' rather than for 'Serb' autonomous regions, the witness argued. Even when the judges noted that it was rather unusual for an entity to be both independent and autonomous, the witness stuck to his claim. Eventually, the defense gave up on that part of the witness's testimony



◀ Trifko Komad, defence witness at Ratko Mladić trial

In his statement to the defense and in his evidence at the trial of Ratko Mladić, his witness Trifko Komad strove to convince the Trial Chamber that during the war the links between the Bosnian Serb leadership and local authorities were 'disrupted'. Komad was a member of the Serbian Democratic Party Main Board. In other words, Komad claimed that the leadership headed by Karadzic and Mladić was not responsible for the occasional crimes perpetrated by groups acting at local level.

As the witness strove to convince the judges that the authorities at lower levels were independent, the witness went as far as to claim that before and during the war the acronym SAO stood for 'independent autonomous

regions'. This didn't meet with much approval from the judges, as they have heard numerous testimonies about 'Serb autonomous regions' in BH and Croatia; no one has spoken about 'independent autonomous regions'.

That prompted the judges to tell the witness to get a grip and say what the acronym stood for. The witness remained firm. Judge Moloto asked how an entity could be both independent and autonomous. Komad replied that the regions were completely independent yet at the same time autonomous, i.e., linked with the central authorities.

The witness went on to note that all citizens of the Serb entity in BH were treated equally. Today Komad made another allegation completely unknown to the judges. The witness said that ballot papers in the Serb plebiscite to remain in Yugoslavia organized in November 1991 were of different colors for Serb and non-Serb voters. That had happened for 'purely technical reasons' because they couldn't have all been printed in the same color.



◀ Cedo Sipovac, defence witness at Ratko Mladic trial

Komad was so convincing in his evidence that after consultations with the prosecution, the defense decided not to rely on that part of his testimony. The parties agreed that the acronym SAO stood for 'Serb autonomous regions' and that ballot papers used in the plebiscite were different colored, and in fact contained different questions, depending on the voters' ethnicity.

After Nomad completed his evidence, the defense called Cedo Sipovac, former employee of the Secretariat for National Defense, a body in charge of mobilization. Sipovac claimed that in 1991 and 1992 Serbs overwhelmingly responded to the call up. Some Muslims and Croats did join the JNA but then they were transferred to the Bosnian Serb army together with

the others. In his statement, admitted into evidence, the witness denied that there were prison camps in Prijedor. According to the witness, Keraterm and Omarska were 'investigation centers' and Trnopolje was a 'collection center'.

In the cross-examination, the prosecutor confronted Sipovac with the allegation that one of Sipovac's colleagues, Becir Medunjanin, was tortured and killed in Omarska. Medunjanin's wife Sadeta was also killed after she was taken out from that 'collection center', the prosecutor put it to the witness. In January 2014, when Sipovac testified at the trial of Radovan Karadzic he made a great show of his surprise at finally learning about the news. Today, Sipovac only confirmed that he hadn't known about the Medunjanin's fate until Karadzic's trial. Also, Sipovac claimed that he heard about the Koricanske Stijene crime after the war. More than 200 unarmed Muslims taken out of the Trnopolje prison camp were executed at Koricanske Stijene. 'It is in my nature not to go round asking questions, and that is why I heard about it at a later date', the witness justified himself today. Cedo Sipovac will complete his testimony tomorrow.

2014-11-12

THE HAGUE

NO MUSLIMS IN ROGATICA BY THE END OF WAR

Former member of the Rogatica Crisis Staff Sveto Veselinovic described the period when Muslims had military control over the municipality. Asked about the crimes perpetrated by Serbs while he was a local official, Veselinovic either denied any knowledge or claimed that he learned about those incidents only after the war. The witness however did remember that there were 'almost no Muslims left' in the town by the end of the war



◀ Sveto Veselinovic, defence witness at Ratko Mladic trial

Sveto Veselinovic, war-time member of the Crisis Staff in the Serb municipality of Rogatica gave evidence in Ratko Mladic's defense. Veselinovic blamed the Rogatica Muslims for starting the conflict and denied that he knew about the crimes committed by the Serbs.

In his statement, admitted into evidence, the witness said that the local crisis staff was established to divide the municipality on ethnic lines to 'avoid conflict'. The negotiations failed when Serb police officer Drazenko Mihajlovic was killed in Rogatica. As Veselinovic explained, in the fighting that ensued the Muslims first took over the center of the town, but they soon retreated in the face of the Serb attacks. According to Veselinovic, the Muslims left the town in ruins.

A video recording the witness took with his own camera was admitted into evidence. Veselinovic made the footage when he arrived in Rogatica after the Muslim units withdrew. The footage shows destroyed shops with shattered windows, burned houses and buildings in the center of the town. He recorded the ruins of a mosque and a nearby machine gun nest, which 'might indicate' why the mosque was shelled, the witness explained.

In the cross-examination, the prosecutor noted that from the time the Serb administration was established in Rogatica a number of crimes were committed against Muslims. For example, according to the prosecution evidence, people were tortured, sexually abused, taken away and killed in the Rasadnik prison camp. The witness admitted that the prison camp was located next to the road running from his home to the Crisis Staff. Despite that, he never went there, Veselinovic insisted. When the prosecutor suggested that Veselinovic avoided Rasadnik in order not to see the crimes against the detainees, Veselinovic smiled and said that it was not true. Veselinovic claimed that at the time he didn't know about the crimes. Veselinovic's brother, a soldier, told him that Serb deserters and Muslim prisoners of war were detained there.

The witness likewise had no knowledge of the crimes against the people detained in the Veljko Vlahovic high school. The only thing that Veselinovic heard was that 'loyal Muslim civilians' were invited to go there in order to be sheltered from the war operations. The witness did know that a group of Muslims had been taken out of Rogatica and executed on the border between the Sokolac and Han Pijesak municipalities. The witness explained that he heard about the incident after the war. Veselinovic also heard that some Serbs were convicted of that crime.

Finally, the prosecutor asked Veselinovic if it was true that after the war there were 'almost no Muslims' left in Rogatica. 'That is true', the witness replied briefly.

A good part of today's examination-in-chief went on in closed session. Before Veselinovic took the stand, Trifko Komad completed his evidence in Ratko Mladić's defense. Komad is a former member of the Serbian Democratic Party Main Board.

2014-11-13

THE HAGUE

'IGNORANT TYPIST' MADE A MISTAKE

In a bid to explain why the call to surrender was issued to all Muslims in Gorazde, not just the enemy soldiers, in June 1993, VRS officer Spiro Pereula blamed it on an 'ignorant typist' who made a mistake as they typed the document. The document bore his signature because of the urgency of the situation, typical for war



◀ Spiro Pereula, defence witness at Ratko Mladić trial

Spiro Pereula, an officer in the Bosnian Serb army, appeared as Ratko Mladić's defense witness. In his military career Pereula held various posts. Before the war, he served in the BH Territorial Defense. After the war began, the witness was appointed security officer in the VRS Main Staff and later worked in the RS Defense Ministry. In his statement to Mladić's defense, Pereula said that inter-ethnic tensions in BH escalated after the 1990 multi-party elections. In April 1992, the witness left Sarajevo and first joined the JNA and then the Serb Territorial Defense in Dobrinja. Pereula's brother remained in Sarajevo. Sometime afterwards, the witness's brother was arrested and tortured in the basement of the Sunce coffee bar. Pereula claimed that there was a prison camp for Serbs in the bar.

While he worked in the Main Staff the witness had an opportunity to get to know Mladić's character and actions. Pereula had nothing but praise for Mladić. The witness stressed that Mladić was a 'capable officer' and his 'humanism, fairness, discipline and work ethic' were exceptional. Mladić ordered all his superior officers to act professionally in combat and to treat prisoners in line with international conventions, the witness said.

After the summary of the witness's statement was read out in court, the defense lawyers did not have any additional questions for Pereula. The witness was handed over to the prosecution for cross-examination. The prosecutor reminded the witness that during the war he was a member of the Republika Srpska Government's Commission for Exchange. The documents the prosecutor presented show that civilians were detained in Serb prisoner centers – such as the Kula prison in Sarajevo. According to those documents, some detainees died in the prison.

The witness said that as a soldier he was sidelined in the Commission. As far as he could remember, Pereula didn't attend any meetings and no one was exchanged during his tenure. Pereula didn't receive any information at all and didn't convey any to anybody else. In other words, Pereula was a member of the Commission 'for no reason', as the presiding judge put it.

Stressing that Mladić's army targeted civilians, the prosecutor showed an order issued by the witness, who was at the Drina Corps forward command post in Cajnice, in June 1993. The troops were instructed to call on 'the Gorazde Muslims' to surrender to the Serb army. The call was to be made using megaphones from armored vehicles and broadcast by Serb radio stations. After surrendering, they would be granted permission to 'go wherever they want'.

The prosecutor noted that the call 'seems not to make any difference' between civilians and soldiers. In other words, everyone was urged to leave Gorazde, the prosecutor explained. According to the prosecutor, the objective of the exercise was to expel Muslims from the town. The witness begged to differ. When the witness was putting together the document, he specified that the enemy soldiers were to be called to surrender. However, due to a 'mistake made by an ignorant typist', his words were not recorded correctly and all Muslims were urged to surrender. Pereula said that the document bore his signature because of the urgency of the situation, typical for war.

At the beginning of hearing it was announced that the prosecution team would be reinforced by a new member, who is an old hand. Alan Tieger has completed his work in the case against Radovan Karadzic and is now free to focus on Mladić.

2014-11-17

THE HAGUE

KARADZIC'S 'BIOLOGICAL ANALOGIES'

Former president of the Srbac municipality Milos Milincic testified in Ratko Mladic's defense today. Milincic claims that before the war Radovan Karadzic advocated multi-ethnicity. 'A garden is most beautiful when it has many colors and flowers', Karadzic said. To counter those claims, the prosecutor highlighted some of the Bosnian Serb president's speeches in the Assembly. For example, the prosecutor noted, Karadzic likened the interethnic co-existence to a garden saying 'there are also plants that can't grow side by side', adding, 'just like a dog and a cat can't be in the same box'



◀ Milos Milincic, defence witness at Ratko Mladic trial

War-time president of the Srbac municipality Milos Milincic said in his statement to Ratko Mladic's defense that there was no discrimination of the non-Serbs or ethnic cleansing in the Northern BH town. 'We were a positive exception and amid the evils of war, we were the least evil', said the witness. Before the war, he taught Serbo-Croatian in school.

In his statement, the witness stressed that the Serb authorities in Srbac were on good terms with those in Davor, a village across the border in Croatia, despite the artillery harassment. As Milincic recounted, he met Mladic in August 1992 in Banja Luka. Mladic supported Milincic in his decision not to enter into conflict with Croats.

However, the cross-examination focused mostly not on General Mladic but on President Karadzic. The prosecutor referred to Milincic's statement to the defense where he described a rally in Srbac in 1990. Karadzic addressed the crowd and expressed his support for multi-ethnicity in BH, saying, 'Protect those people and your citizens. A garden is the most beautiful if you have a mix of different colors and flowers'. The prosecutor contested the witness's testimony by quoting Karadzic's words from two speeches he made in the Assembly.

In March 1992, Karadzic said that separating the ethnic communities was not a peculiarity of the Balkans region. There are examples of it in Europe, he said, adding that in nature there were plants that cannot grow side by side. Such plants 'have to move away' to be able to develop'. This 'plant analogy' served to prove that there could be no co-existence in BH, the prosecutor argued. The witness replied that he didn't know anything about that speech.

Next, the prosecutor played a video of a speech Karadzic made in the Assembly at a later date. Karadzic again uses biology, presenting what the presiding judge called a 'biological example': before the war the Serb nation was 'forced' to remain in an 'artificial entity, BH' with two other ethnic groups. Karadzic likened it to an experiment in which 'a dog and a cat are put into a box together'. The witness admitted that the statements Karadzic made later deviated from his views about a multi-ethnic 'multi-colored garden'. According to the witness, Karadzic changed his attitude because of the many brutal clashes during the 'breakdown of BH'.

Karadzic's idea to separate the ethnic communities resulted in the expulsion of Croats and Muslims from Srbac in the period from 1992 to 1995. Before the war, Croats and Muslims made up 10 per cent of the municipality's population. In the statement, the witness said that only 60 non-Serbs left Srbac during the war 'for economic reasons'. The witness was shown a document of Banja Luka State Security Service which states that 600 of the 940 Muslims and 100 of the 145 Croats left Srbac. The witness agreed that the data were valid, noting that he should have explained in the statement that 60 non-Serb families had left the town, not 60 individuals.

As today's hearing drew to a close, the defense called Dusko Corokalo, who was a soldier in the VRS 6th Sana Brigade during the war.

2014-11-18

THE HAGUE

ARKAN AND 'ARKAN'S MEN' ARE RESPONSIBLE

Dusko Corokalo, security officer in the Sana Brigade, says in his statement to Mladic's defense that Arkan and his men arrived in Sanski Most in September 1995. According to the witness, Arkan and his men were responsible 'for all the bad things' that happened to the non-Serb civilians. The prosecutor noted that Muslims and Croats had been killed and detained before the arrival of 'Arkan's men'. By 1995, most of the Muslims and Croats had already fled the town, the prosecutor stressed



◀ Dusko Corokalo, defence witness at Ratko Mladic trial

Dusko Corokalo, former security officer in the 6th Sana Brigade, gave evidence in Ratko Mladic's defense today. According to Corokalo, the conflict in Sanski Most broke out because Muslims violated the agreement on the carve-up of the municipality. The Muslims attacked and captured the town. The Serbs then launched a counter-attack, recaptured Sanski Most without any casualties and took over power. The witness wasn't personally involved in the fighting, but was in town when the Serb army attacked the villages of Hrustovo and Vrhpolje. As alleged in the indictment, the Serb troops committed crimes against the local civilians in those attacks.

In the summer of 1992, Corokalo was sent to the frontline and he returned to Sanski Most in September 1995. There he saw Zeljko Raznatovic Arkan and members of his Serb Volunteer Guard. At that time, over 1,000 Muslims and Croats still lived in several villages in the municipality, the witness explained. In his statement Corokalo said that 'Arkan and his men did all the bad things to those people'. The witness thus exonerated the Bosnian Serb army, which was under the command of the accused.

In the cross-examination, prosecutor Jeremy noted that numerous crimes against non-Serbs in Sanski Most occurred long before the arrival of 'Arkan's men'. For example, in the attack on the village of Hrustovo on 31 May 1992, Serb soldiers killed 27 women, children and elderly people. Corokalo claimed that he didn't know anything about the crime despite the fact that he was the brigade security officer. Hrustovo and Vrhpolje were located in a 'vast region' and it was not easy to get information, the witness explained.

However, the witness did admit that a few days later he heard about the crime committed on 31 May 1992 at a bridge near Vrhpolje. Captured Muslim villagers were brought there and forced to jump into the river, where many were shot to death. The witness was informed about the crime, but, as he explained, 'I didn't dig any deeper into that' and he didn't obtain any detailed information. In the re-examination, defense counsel Ivetic read out an excerpt from the evidence of a survivor of the incident. A man dressed in black with dark glasses and hair tied in a ponytail headed the group that committed the crime. The witness replied that there were no 'such dandies' in his brigade.

The witness agreed with the prosecutor's suggestion that non-Serb civilians in Sanski Most were detained in the Betonirka hall, the sports hall and in the Krings Factory. From there, the prosecutor put it to Corokalo, they were taken to the Manjaca military prison camp. The witness agreed. Until the arrival of 'Arkan's men' in Sanski Most, 'tens of thousands' of Muslims and Croats had left the town, the prosecutor went on to note. Corokalo agreed with the claim.

Mladic's memo of 23 September 1995 was the next document showed in the hearing. The document was sent to several recipients, including the Bosnian Serb president and MUP. The memo notes that Arkan and his men killed and arrested Muslims, and even abused Serb officers and soldiers. Therefore, Mladic urged President Karadzic to 'rescind Arkan's authorization'. According to the prosecutor, Mladic's wartime diary shows how the events unfolded. Mladic wrote that he spoke with chief of the VJ General Staff Momcilo Perisic and chief of the Serb Secret Security Service Jovica Stanisic about the presence of 'Arkan's men'. As shown by a police document, Arkan and his men were not arrested or expelled from Republika Srpska. On the contrary, they were moved to Prijedor to 'arrest Serb deserters'. According to the witness, such decisions were issued at the highest level. He didn't know anything about that, Corokalo emphasized.

As today's hearing drew to a close, Rajko Sarenac, a colonel in the Bosnian Serb Army, began his evidence.

2014-11-19

THE HAGUE

MAKING MUSLIMS FEEL LIKE THEY LIVED 'IN A GHETTO'

In his evidence in Ratko Mladic's defense, Colonel Rajko Sarenac claimed that his 1st Guards Brigade was engaged in combat but that it did not attack civilians. Sarenac's claim prompted the prosecutor to show documents produced by the VRS Mains Staff which order the subordinate units to make the Muslim population feel like they 'live in a ghetto' and to 'make it possible for them to move out'

Colonel Rajko Sarenac was an assistant for moral guidance to the commander of the 1st Guards Brigade. The unit was directly subordinated to the Bosnian Serb Army Main Staff and its commander, the accused Ratko Mladic. The brigade didn't have a permanent place of deployment; it was dispatched to various parts of the front line as needed, mostly around Sarajevo and in Podrinje in Eastern Bosnia.

In his statement to the defense and in the examination-in-chief, the emphasis was on the deployment of the witness's unit in the Nisici plateau in late 1993. In a clash with the BH Army, the unit allowed the Croat soldiers and civilians to withdraw from Vares to Kiseljak. In July 1993, the witness noted, he entered Trnovo side by side with General Mladic.

According to the witness, the accused ordered his troops to make sure that nothing bad happened to the local police commander because he had saved Mladić's uncle and aunt from Trnovo.

In the cross-examination, prosecutor Weber mostly dealt with the deployment of the witness's brigade in the clashes in Eastern Bosnia in the spring of 1993, in a bid to prove that the goal of the Bosnian Serb army – apart from attacking the BH Army positions – was to expel civilians from Cerska, Zepa, Gorazde and other places in Podrinje. Asked about that, the witness replied that his unit fought against the enemy. If any civilians got in the way, 'it was their problem', the witness explained.



◀ [Rajko Sarenac, defence witness at Ratko Mladić trial](#)

Vinko Pandurevic, commander of the Zvornik Brigade, said in a combat report in March 1993 that 'all available means' were used against the column of Muslim civilians and soldiers moving from Konjevic Polje. Though he admitted that his unit operated together with the Zvornik Brigade, the witness distanced himself from the report, saying that the two brigades had separate areas of responsibility.

Two orders were issued to all units participating in the operation to seize Podrinje in May 1993. One was to attack Zepa and the other was to attack Gorazde. Both orders state that when the Serb army enter the enclaves, Muslims civilians should be 'allowed to evacuate' to

Central Bosnia. Sarenac admitted that those orders did arrive in his brigade's command. However, the attacks on Zepa and Gorazde were repelled, and it was a moot point how the civilians would have been treated had the Serb troops managed to enter those areas.

The prosecutor stressed that a report of the VRS Main Staff dated 30 May 1993 states that the fighting in the Drina River Valley instilled fear in 'the Muslim troops and population'. The operations should be stopped because of the public pressure, while at the same time the 'Muslims should be prevented from returning to the villages and towns they had abandoned'. As for those who remained in the enclaves, they should be made to feel as if they lived 'in a ghetto' with their fate 'depending on the Republika Srpska Army'. According to an analysis put forth by the Main Staff, this should lead to further 'gradual evacuation of the Muslim population'. Those who had already left should be prevented from returning.

The witness replied that everyone was afraid of war. It was normal for the civilians to be afraid because of the fighting, the witness explained. However, the witness denied that the goal of the Bosnian Serb army was to expel Muslim population. Also, the witness claimed that he knew nothing about the claim made in the Main Staff report that the combat operations in Eastern Bosnia were part of the effort to implement one of the six strategic goals of the Bosnian Serbs to abolish the border with Serbia on the Drina River.

2014-11-19

THE HAGUE

'SELF-ORGANIZED' SERB GUARDS IN ROGATICA

Mladić's defense witness claims that the 'Serb guards' in the villages around Rogatica were 'self-organized'. Up until mid-1992 the guards had no contacts with the VRS. The prosecution evidence paints a completely different picture



◀ [Zoran Djerić, defence witness at Ratko Mladić trial](#)

Today, Ratko Mladić's defense called Zoran Djerić, former soldier in the VRS Rogatica Brigade. In his written statement Djerić said that in April 1992 he left Rogatica with his family and went to the nearby village where he was born. There Djerić joined the 'self-organized Serb guards'. Until mid-1992 the guards didn't have 'any contact' with the VRS, the witness explained in his statement.

Responding to defense counsel Miodrag Stojanovic the witness noted that he left Rogatica 'for preventive reasons'. The witness lived in the part of town which was mostly inhabited by Muslims. As Djerić explained, he felt that if the fighting broke out, and it was 'in the air', he

would not have been able to evacuate his family. His decision to leave the town was 'good, correct and useful'.

Prosecutor Jonathan MacDonald noted in the cross-examination that the 'Serb guards' functioned as part of a Territorial Defense battalion under the command of Rajko Kusic. Also, the prosecutor stressed that by April 1992, Kusic was regularly sending reports to his superior command about the combat readiness of the Territorial Defense. On 30 April 1992, the witness was transferred to the Borik forward command post, prosecutor MacDonald said.

Confronted with the prosecutor's evidence Djeric said that when he gave his statement to the defense he 'had skipped bits', and obviously he 'did not put everything together' well. Presiding judge Orić noted that the fact that the witness forgot to mention some facts made the judges 'get a wrong picture of the real situation'. The fact that the forward command post existed at all, and that the witness was sent there to secure it, pointed to the conclusion that the guards were not a self-organized unit but 'part of a wider and organized force'.

The prosecutor then played a video showing Rajko Kusic who spoke about the formation of the VRS Rogatica Brigade. In the footage, Kusic says that the 'brigade's core' was put together on 6 March 1992. He and 50 volunteers expressed their wish to 'join the defense of the state' and placed themselves under the command of the JNA 216th Brigade, the witness explained. Djeric said that he was in Rogatica at the time, and that he had 'only partial knowledge' of some sort of a unit that had been established. Djeric confirmed that his unit was under the JNA command until 19 May 1992 when the VRS was formed.

2014-11-20

THE HAGUE

MLADIĆ'S WITNESS: MASSACRE IN VELAGICI 'REVENGE FOR WORLD WAR II'

Nikola Vracar, former reserve policeman in Ključ, was able to recall at the trial of Ratko Mladić that he had heard about the massacre in Biljani a day or two after the incident. This contradicted the witness's claim in his statement to Mladić's defense that he had heard about the incident years later, during evidence in the Radoslav Brđjanin case



◀ Nikola Vracar, defence witness at Ratko Mladić trial

Nikola Vracar testified at the trial of Ratko Mladić. The former reserve policeman in the Ključ Public Security Station described in the statement to the defense the attack of the Muslim forces on a Serb patrol in Krasulje on 27 May 1992. According to the witness, the attack marked the beginning of the war in Ključ. Muslims and Croats left Ključ 'voluntarily', the witness claimed in his statement to Mladić's defense, and 'because they feared war'. Ključ is one of the six BH municipalities where, as alleged by the prosecution, the crimes against the non-Serbs reached the scale of genocide.

In the examination-in-chief, Vracar spoke about the massacre in Velagici on 1 June 1992 when 77 Muslim detainees were killed. The witness knew about the crime because 'everybody was talking about it'. He was on sick leave and as a consequence, he didn't learn any additional details. As he was questioned by defense counsel Branko Lukic, Vracar said that he 'heard rumors' about some Serbs in Velagici taking revenge on the Muslims for the Serb casualties in World War II.

In his statement to Mladić's defense the witness said that he learned about the murder of 140 Muslims in the village of Biljani near Ključ only when he testified in the case against Radoslav Brđjanin in 2003.

However, according to the transcript of his evidence in the Brđjanin case, Vracar said that he had learned about the killings a day or two after the incident, prosecutor Carolyn Edgerton reminded him. Vracar confirmed it. When the judges asked the witness why he didn't mention it in his statement to Mladić's defense, Vracar replied that it had probably slipped his mind. When he signed the statement, he simply didn't pay attention to that 'detail', the witness explained.

In his written statement the witness said that non-Serbs had left Ključ 'voluntarily'. This prompted presiding judge Orić to ask why those who wanted to leave the municipality were first asked to cede all their property. Vracar replied that it was because 'property was to be registered and placed at the disposal of the Serb refugees', to prevent 'various gangs' from looting 'the property that belonged to the people'.

After Nikola Vracar completed his evidence, the defense called Ostoja Barasin, who used to work in the Information Service of the VRS 1st Krajina Corps. Barasin is also the author of films *Rat Lines* and *Genocide Again*. His evidence will continue on Monday, 24 November 2014.

2014-11-24

THE HAGUE

WITNESS: THERE WERE NO CRIMES IN SUSICA

Momir Deuric, former warehouse guard in the Susica prison camp, gave evidence in Ratko Mladić's defense. Deuric claimed that he knew nothing about the abuse, murders and forced labor in the camp. The witness went so far as to claim that he didn't remember saving the life of his pre-war Muslim friend



◀ Momir Deuric, defence witness at Ratko Mladić trial

In his statement to Radovan Karadzic's defense Momir Deuric stated that as a member of the Territorial Defense, he worked as a warehouse guard in the Susica prison camp until 26 September 1992. Deuric's statement was admitted into evidence as Ratko Mladić's defense exhibit. According to Deuric, the warehouse was 20 meters from the place where the prisoners were detained. Deuric made sure to go there as rarely as possible and to learn as little as possible about what went on there.

In the statement Deuric said that at the beginning of the conflict Susica was a reception center for Serb and Muslim civilians who had left their homes. In late May 1992, the army took over the facility and started bringing

in Muslims from Vlasenica. As he was questioned by defense counsel Stojanovic, Deuric said that prisoners were given the same rations as the troops. That was more or less all the witness could recall about the months he spent working in Susica. He didn't know anything about the crimes listed in the indictment against Mladić, including the abuse and murder of detainees.

The prosecutor contested the witness's claim that the prisoners received the same rations as the troops with a report made by the OSCE delegation after a visit to the prison camp. The report notes that the delegation saw the prisoners were 'exhausted, pale and thin'. Deuric replied that some prisoners were 'naturally lean'; they were thin when they arrived in Susica. The witness denied the prosecutor's allegation that the Muslims from Susica were taken to do forced labor, insisting that everything they did was voluntary. When the presiding judge asked him if the prisoners received compensation for their work, the witness replied that he didn't know anything about that.

The prosecutor asked Deuric if Muslims in the prison camp were abused by guards. The witness replied that there 'were all sorts of stories about that', but that he 'didn't personally witness any violence'. The indictment against Mladić alleges that at least nine men were killed in Susica from June to August 1992. In late September 1992, the prison camp was closed down and all remaining prisoners – about 140 of them – were executed, the indictment alleges. The witness didn't know anything about that either. The prosecutor put it to him that the mass killing happened 'after a speech made by Radovan Karadzic'.

Dragan Nikolic Jenki, the prison camp commander, pleaded guilty to the crimes in Susica. The Tribunal sentenced Nikolic to 20 years in prison for the murder, rape and torture of Muslim prisoners. Nikolic kicked prisoners, punched them, hit them with wooden bats, iron rods and batons, brass knuckles, rifle butts and other things. Nine prisoners died of their wounds. Nikolic regularly took out female prisoners and brought them back after they were raped.

Today the prosecutor showed a statement made by a former Susica detainee whose identity remained undisclosed. The former Susica prisoner claimed that Jenki abused him on one occasion and that he put a rifle into his mouth. His pre-war friend Momir Deuric walked into the room at that moment and saved his life, the prisoner said. Deuric was so intent on denying the crimes in Susica that he denied helping his friend. In Deuric's words, he may have entered the room by chance at that point, but he certainly didn't see Nikolic abuse anyone. 'Maybe they saw me, but I didn't see them', Deuric insisted.

In the second part of today's hearing Ostoja Barasin continued his evidence. Barasin, who used to work in the Information department in the VRS 1st Krajina Corps, began testifying last week.

2014-11-24

THE HAGUE

'SILK ROPE FOR ALIJA'

Through witness Ostoja Barasin, Ratko Mladić's defense tendered into evidence two documentaries Barasin directed. In the cross-examination, the prosecutor was more eager to learn what the witness knew about the crimes against non-Serbs. He also questioned Barasin about the contents of the documents the VRS had distributed to the soldiers, including Milan Gvero's article entitled *Silk Rope for Alija*



◀ Ostoja Barasin, defence witness at Ratko Mladic trial

After Momir Deuric completed his evidence in the morning, the trial of Ratko Mladic continued with the testimony of Ostoja Barasin, former chief of the Information Department in the VRS 1st Krajina Corps. The department's task was to keep the public informed about the events in the Corps area of responsibility, and to receive domestic and foreign journalists who were covering the conflict.

Barasin made two documentaries that were admitted into evidence as defense exhibits, without being showed in the courtroom. The film *Rat Line* is about the action to prevent the Berbir, a Muslim group, from setting up a beach on the Sava River which would have allowed the

troops to infiltrate BH from Croatia. The other movie, *Genocide Again*, was dedicated to the Serb victims in Kupres, Derventa, Brod, the village of Serdari and other places in Northern BH in 1992.

In the cross-examination, prosecutor Arthur Thraldi wanted to learn if the witness knew about the crimes of the Serb forces in his area of responsibility. He asked Barasin about his knowledge of the incident in which 25 Muslim detainees were killed in Vrhpolje near Sanski Most. The witness replied that he learned about the crime from the media. Asked about the prison camps run by the Serb army, the witness said that the term 'prison camp' was 'used too facetly, with the exception of Manjaca', to describe any site where 'several people were held in detention for a few of days'.

When the witness was warned to refrain from making 'general statements', he explained that he knew nothing about what had happened in Betonirka, one of the prison facilities in Sanski Most. In July or August 1992, the witness explained, he went to Trnopolje with a group of journalists and saw that people were 'free to come in and go out'. Also, the witness confirmed that both the army and the police secured the Trnopolje prison camp. They were there, the witness explained, to protect non-Serbs against attacks by Serb individuals.

Prosecutor Traldi confronted the witness with the texts published in the VRS bulletins, *The Krajina Soldier* and the *Serb Army*. The articles were used to raise the awareness and combat morale of the Serb fighters by invoking 'remembrance' of Serb suffering at the hands of Croats and Muslims. The prosecutor quoted parts of an article written by Milan Gvero, Mladic's assistant for moral education, legal and religious issues. Gvero warned of the dangers the Serbs faced from 'Ustasha knives and pits', from the 'Turkish oppression' and 'converts to Islam'. In the article Gvero stressed that Serbs should 'fight or disappear'. In the prosecutor's view, the very title of the article – *Silk Rope for Alija* – 'called for the use of assassination methods common in the Middle Ages'. The witness insisted that Gvero merely warned that 'Alija's policies will lead to such consequences'.

2014-11-25

THE HAGUE

EVACUATION ALLOWED, RETURN PROHIBITED

War-time president of the Commission for the Allocation of Property in the Ilidza municipality claimed that the houses and apartments of non-Serb refugees were taken away only temporarily without intent to prevent them to return. The prosecutor invoked the decisions of the municipal authorities from May 1992 'allowing the evacuation' of Muslims and Croats. In April 1993, the municipal authorities issued documents 'prohibiting the refugees from returning'. The court did not hear the evidence about Mladic's 'pulling out his hair' after the events in Srebrenica



◀ Slavko Mijanovic, defence witness at Ratko Mladic trial

Today, Ratko Mladic's defense called Slavko Mijanovic, war-time president of the Commission for the Allocation of Property in the Ilidza municipality. The prosecutor alleges that such municipal bodies were instruments used for the implementation of ethnic cleansing as they handed over to the Serbs the property of non-Serb refugees, in a bid to prevent them from coming back. The defense argued that it was an expedient whose goal was to provide accommodation for the refugees from other regions in the abandoned houses. There was no discriminatory intent.

In his statement to Mladic's defense, Mijanovic said that in July 1992 the Ilidza war commission adopted an ordinance on the allocation of abandoned property. Based on the ordinance, the commission allocated apartments

and houses. The witness stressed that it was only temporary possession. The new lodgers were not allowed to acquire the property, and the old owners could not lose what they owned. By 1993, the Commission issued 3,000 such decisions, the witness said. In a brief examination-in-chief the witness said that after the war the property was returned to the rightful owners.

In the cross-examination, the prosecutor noted that the ordinance the witness's commission had implemented states that persons who didn't return to their apartments and houses by 20 May 1992 lost their right to health and pension insurance and to tenancy. Mijanovic didn't deny that the ordinance put it that way. However, that article 'was never implemented', the witness explained.



◀ Dusan Todic, defence witness at Ratko Mladic trial

Furthermore, the ordinance states that property is to be allocated to the families of the Bosnian Serb army and police members. According to the prosecutor, that meant only Serbs could get such property. The witness explained some non-Serbs received property only because they were members of the Serb army and police. The witness recalled a Croat who moved into an abandoned house, and that 15 or 20 persons from mixed marriages were granted the same right. It was 'statistically insignificant', the witness admitted, because thousands of Serbs were provided accommodation in the refugee apartments. One such 'lucky winner' was Tomislav Kovac, former Bosnian Serb police minister. Kovac was given a three-room apartment in Ilidza in line with the decision signed by the witness.

The prosecutor put it to the witness that the property allocation was done in order to further ethnic cleansing. To prove the allegation, the prosecutor invoked two decisions of the municipal authorities, dated 19 May 1992 and 2 April 1993. In the first document the Crisis Staff concludes that 'Croats and Muslims were allowed to evacuate from the territory of Ilidza'. The second document, drafted by the War Presidency, 'prohibits the return for Muslims and Croats for security reasons'. Mijanovic said that everybody was allowed to evacuate, including the non-Serbs. The witness noted that he couldn't fathom why Muslims and Croats would return to the territory under the Serb control in 1993.

Dusan Todic testified in the first part of today's hearing. During the war, Todic was assistant to Mladic's deputy and chief of the VRS Main Staff Manojlo Milovanovic. In his statement to the defense team, Todic spoke about the reaction of the accused to the Srebrenica crimes in the summer of 1995. When Todic accompanied Milovanovic some time between 18 and 20 July 1995, he saw Mladic in the Main Staff headquarters in Crna Rijeka. Mladic was 'visibly concerned and agitated', the witness noted. According to Todic, Mladic 'was pulling out his hair' and told Milovanovic that 'something terrible' had happened. Those who did it were 'crazy', Mladic purportedly said. A brief summary of the witness's statement was read out in court. The defense counsel didn't have any questions for the witness. When he realized that there was no additional information about Mladic's 'bad state' after the Srebrenica operation, the prosecutor didn't cross-examine the witness. Todic's evidence was thus much shorter than usual. It took Todic only about 10 minutes to complete his testimony.

2014-11-26

THE HAGUE

NO NEED TO LIST CRIMES AGAINST NON-SERBS BECAUSE THEY WERE 'GENERAL KNOWLEDGE'

There were many discrepancies between Bosko Mandic's written statement and his evidence in court at the trials of Karadzic and Mladic. Mandic was thus forced to 'think about' his statements and decide which ones were true. The only explanation the witness could offer 'off the top of my head' was that he thought there was no need to speak about 'things which were general knowledge, such as the crimes against non-Serbs'. The 'Tribunal already has information about that', Mandic noted

The trial of Ratko Mladic, former VRS Main Staff commander, continued today with the evidence of Bosko Mandic, former vice-president of the Executive Board and a member of Crisis Staff in Prijedor.

When Mandic confirmed that his written statement to the defense was true, defense counsel Branko Lukic read out the summary. The witness described the 'peaceful takeover' of Prijedor, the attacks of Muslim forces on Serbs and the JNA, and the influx of Serb refugees from war-torn areas. Mandic also argued that the Serb authorities assisted the voluntary evacuation of those who were not involved in the fighting. The others, according to the witness, were taken to Omarska.



◀ Bosko Mandic, defence witness at Ratko Mladic trial

In the cross-examination, the prosecutor highlighted numerous inconsistencies between Mandic's written statement and his evidence in court, and also some discrepancies between Mandic's testimony in January 2014 at the Karadzic trial, and what he said today in the case against Mladic. This prompted presiding judge Orić to intervene several times, asking the witness to clarify what was actually true: the claims he made in his written statement, or those he made in court today. Mandic confirmed that his statement was correct. In the written statement, Mandic claims that the Serbs decided to take over power in Prijedor after they intercepted the cables exchanged by Alija Delimustafic and Jerko Doko. The former was the police minister and the latter the defense

minister. In the cables, Delimustafic and Doko ordered attacks on Serbs and the JNA. This January at Karadzic's trial, Mandic stated that the plan to take over Prijedor had been put together before those events. Today the witness told the prosecutor that the plans were made when a Serb wedding guest was killed in Sarajevo in March 1992.

The prosecutor asked Mandic about the instructions issued by the SDS Main Board for the takeover of municipalities where Serbs were either in the majority or in the minority. The instructions are known as Variant A and B. Mandic replied that he 'didn't know' whether the authorities in Prijedor had received the instructions. Finally, the witness did admit that he was 'definitely told' that Karadzic wanted to step up the efforts to implement the two variants of the plan. The claim was corroborated by the minutes from a meeting of the Prijedor SDS in February 1992. The witness also attended that meeting.

Speaking about the attacks on the villages of Hambarine and Kozarac in late May 1992, the witness said that he didn't know that 'hundreds of Muslims' were killed in the operations. Mandic added that 'it was not my job', but if 'there are reports', then it is 'logical to accept' that version of events.

As he answered the prosecutor's questions, Mandic concluded that he 'can only accept' that 'non-Serbs who had nothing to do with combat operations were detained' in Omarska and Keraterm. Also, he heard that 'non-Serbs were tortured' in the Prijedor prison camps, the witness admitted. Mandic however 'personally didn't see anything'.

Numerous inconsistencies between Mandic's testimonies prompted the presiding judge to urge him to 'think about' them during the break to decide whether he wanted to stick to the claims he made in the written statement to Mladic's defense. After the break, the witness said the only explanation 'off the top of my head' he could offer was that he thought it was 'not necessary to talk about facts which are general knowledge'. The 'Tribunal certainly knows' about the killings in Keraterm or during the mop-up operations, Mandic noted. According to Mandic, he had no information about the crimes against the non-Serbs. Tomorrow in the re-examination Mandic will be asked questions by the defense counsel.

2014-11-27

THE HAGUE

PRAISE FOR 'COURAGEOUS AND FAIR' GENERAL MLADIC

Former doctor in the Sokolac Military Hospital Simo Bilbija and a protected witness who commanded one of the units in the VRS Main Staff testified in Ratko Mladic's defense today, praising the accused profusely. According to the witnesses, he was courageous and fair, an expert in 'warfare and strategy' and when he talked to the soldiers, they felt like 'sick men hooked up to an IV feed'



◀ Ratko Mladic in the courtroom

After Bosko Mandic, former member of the Prijedor Crisis Staff, completed his evidence, Ratko Mladic's defense called a witness who testified under the pseudonym GRM-130 with image and voice distortion. Much care was taken to keep any information that might identify him from the public. The only information provided was that he was 'a career officer' who commanded one of the units in Mladic's Main Staff from 1993.

At the beginning of the testimony, the witness spoke about his service in the JNA in Croatia. The defense counsel then moved on to 26 June 1995 when, as the witness alleges, the Muslim forces from Srebrenica and Zepa attacked the Serb troops, reaching a point 300

meters from the Main Staff HQ in Crna Rijeka. The attack was repelled 'thanks to luck and ruses of war', the witness said, but he was seriously wounded in it.

In his capacity as an officer close to the accused, the witness said that Mladic was 'an officer that followed the service manual', always neat with a military bearing. He was an expert in 'warfare, strategy and tactics'. He demanded from his subordinate officers to know everything about their soldiers, and he wanted to see hard work and order in the units. He toured the front lines to talk to soldiers. As the witness said, this meant the world to them: 'it was like hooking up a sick man to an IV feed'.

At the beginning of the cross-examination, prosecutor Hasan showed a document dated 13 July 1995 in which General Mladic demands that reporters and other 'uninvited persons' be prevented from entering the Srebrenica and Zepa areas. In the same order, Mladic prohibits the spreading of information about the course of the fighting, and in particular about prisoners of war who were executed in the days that followed. The witness said that officers at his level were not apprised of this order. The rest of the cross-examination was conducted in closed session.

Before the hearing ended, Simo Bilbija began his evidence. He was a doctor of the military hospital in Sokolac during the war and later worked in the Banja Luka medical center. In his statement to the defense Bilbija states that Mladic insisted that the enemy soldiers be given medical treatment without any discrimination. As Bilbija says, on Mladic's orders he took part in a joint medical commission that carried out the evacuation of civilians from Srebrenica in 1993. The witness describes the accused as an honorable, fair and courageous soldier who wanted the witness to act in line with the medical ethics.

Simo Bilbija's evidence will continue on Monday.

2014-12-01

THE HAGUE

SITUATION IN SREBRENICA BEFORE 1995

Two of Mladic's defense witnesses claim that the accused was a humane and gentle man who helped Srebrenica civilians in the period before 1995. To contest those claims, the prosecutor presented Mladic's orders prohibiting the passage of humanitarian aid convoys, and ordering his troops to attack the enclave and 'kill anyone carrying arms'. Mladic was annoyed when the Trial Chamber decided to remove him from the courtroom because he was making loud comments. Mladic ended up shouting at the presiding judge



◀ [Simo Bilbija, defence witness at Ratko Mladic trial](#)

Simo Bilbija was the first of the three witnesses called by Ratko Mladic's defense today. The witness is a medical doctor who worked in the military hospital in Sokolac. In his statement to the defense and in the examination-in-chief Bilbija described the accused general as a good soldier and a humane person. According to Bilbija, Mladic ordered Serb doctors to treat all patients regardless of their ethnicity.

To stress just how humane Mladic was Bilbija told the judges that in April 1993 he was ordered by Mladic to help evacuate the wounded from Srebrenica to Tuzla by helicopter. About 160 Muslims were evacuated in a one-day operation; some of them were men of military age.

In the cross-examination, prosecutor Amir Zec put it to the witness that the evacuation had to be carried out because of the unbearable conditions in Srebrenica. The witness admitted that he had seen just how crowded the town was in the one day he had spent in Srebrenica. However, Bilbija didn't know if the people were forced to live rough in the streets as the prosecutor alleged.



◀ [Zarko Cvijic, defence witness at Ratko Mladic trial](#)

Bilbija admitted that the conditions in the Health Center he visited were bad. But, the situation was the same in medical facilities in the Serb-held territories. Asked if he knew that the Srebrenica civilians were being killed by the Serb artillery in those days, the witness replied that he saw a single shell impact site. To counter the claims that Mladic was humane, the prosecutor noted that one month before the evacuation, he prohibited the passage of convoys organized by the UN, the Red Cross and other humanitarian organization to Srebrenica. Bilbija claimed he had not seen the order before.

At the end of today's examination prosecutor Zec showed a letter sent by the witness to Mladic in September 1996.

At the time Mladic was a fugitive from international justice. The letter begins with the words 'Dear boss'. Bilbija goes

on to praise Mladic, adding that he was glad to see Mladic's 'spirit remains strong despite all the problems'. The prosecutor asked the witness if he still felt the same 'love and support' today. 'I am sitting here because I do', Bilbija replied.

Mladic followed that part of the cross-examination via video link from his cell because he was removed from court at the end of the first session. He had been talking loudly and mentioning the prosecutor's name. Defense counsel Lukic explained that Mladic had asked about prosecutor Amir Zec's origin. Presiding judge Orić announced the Trial Chamber's decision to remove the accused from the courtroom. Mladic commented on the presiding judge's decision, shouting out, 'OK, Orić, just you go on playing the prosecutor'.

Mladic returned to the courtroom just as the next witness began his evidence. Zarko Cvijic served as Mladic's close protection for a year, from September 1992. In his statement to the defense Cvijic said that the accused was a 'particularly mild man but his appearance was coarse'. According to Cvijic, Mladic was kind to his subordinated soldiers and to non-Serb civilians. Today the witness described in court how a Muslim man of military age was taken out of the refugee column moving from Srebrenica towards Tuzla, at a check point in Konjevic Polje. The man was brought before Mladic. As Cvijic recounted, Mladic told the man not to be afraid and to move on to Tuzla together with the others.

Prosecutor Edgerton put it to the witness in the cross-examination that the people had fled Srebrenica because the Serb Army had shelled them and held them under siege without any food. The witness agreed with the allegation to an extent. The prosecutor also showed an intercepted conversation between two Drina Corps officers who say that Mladic ordered them to attack Srebrenica and to 'kill anyone bearing arms' in the town. The witness replied that he had never seen such an order.

As the hearing drew to a close, the defense called former soldier in the Prijedor Brigade, Ratko Milošević.

2014-12-02

THE HAGUE

TWO VERSIONS OF MURDER OF PRIEST

Ratko Mladic's defense witness tried hard to play down his role in the murder of Ivan Grgic, a priest from Prijedor. The witness recanted the statement he had given to a Banja Luka investigative judge. On that occasion, the witness described how he and three accomplices took the victim from his house and brought him to the Ljubija mine, where the priest was executed. Today the witness was adamant that he had helped a man by the name of Ivica Pavlovic detain Grgic, when Pavlovic suddenly took Grgic out of the car and killed him.



← Ratko Milošević, defence witness at Ratko Mladic trial

The statement Ratko Milošević, who served in the VRS Prijedor Brigade during the war, gave to Radovan Karadžić's defense was admitted into evidence at the trial of Ratko Mladic. In the statement, Milošević described in detail the incident that took place on 22 May 1992 in the village of Hambarine near Prijedor. That day, the witness and five other Serb soldiers were in a vehicle when the Muslim guards opened fire at them from a check point in Hambarine. The witness and three passengers were wounded, while two persons were killed. It is the defense case that the incident ignited the conflict. The prosecution alleges that the Serb leadership in BH planned in advance the takeover of power in the municipality and the ethnic cleansing that followed. The

Hambarine incident was used as a pretext for retaliation against the non-Serbs.

Milošević recounted how he and five other persons headed home to the village of Tisova near Ljubija. They were stopped at a check point in Hambarine. The guards manning the check point asked them to surrender their arms and they complied, Milošević said. As they were waiting there, they suddenly came under fire from automatic weapons, the witness said. In the cross-examination, prosecutor Amir Zec presented the statement made by a Muslim guard to the Prijedor police in June 1992. In the statement, the Muslim guard said that the witness and other soldiers had refused to surrender their weapons. Milošević insisted that the statement was 'one million percent not true', adding that 'everyone has their own version of the story'.

The prosecutor mostly focused on an incident the witness did not mention in his statement. A Catholic priest by the name of Ivan Grgic was killed in the night of 7 November 1992. In October 1993, the witness gave a statement to an investigative judge in Banja Luka and signed it. According to the statement, Milošević, his cousin Boro Milošević and a friend 'had a drink or two'. The three of them decided to go visit Grgic in the village of Gornja Ravska to ask him about his purported role in the arming of Croats, the witness recounted. En route they picked up another man, Ivica Pavlovic. All of them entered the priest's house; they didn't find any arms but they did find money. Then, 'intending to scare the priest' they took him to the Ljubija mine where Ivica Pavlovic killed him.

Just like he did at Karadzic's trial, the witness again denied that his statement was true. He was adamant that the only true fact was that Ivica Pavlovic killed the priest. As Milojica explained, Pavlovic later committed suicide. Milojica claimed that everything else in the statement was just an interpretation of the facts that was there to frame him. In the new version, Pavlovic had been ordered by the command to detain Grgic. The witness, his relative and a friend helped Pavlovic to do that. The events took a different course when Pavlovic took the priest out of the car near the Ljubija mine and killed him. The witness claimed Pavlovic was acting on his own.

Milojica also described how he ended up signing a false statement. He was forced to do it, Milojica explained, because there was a police officer in the room where the investigative judge was questioning him in the presence of his defense counsel. The policeman threatened him, saying he would receive the death sentence and would be beaten if he refused to sign the paper he was given. Summing up Milojica's testimony, presiding judge Orić noted that if his version of the events were to be accepted, the Trial Chamber would have to accept that three persons – the investigative judge, the recording clerk and the defense lawyer – all lied and that the witness was their victim. 'Yes, today I maintain that was not my statement', Milojica retorted calmly.

As today's hearing drew to a close, Mladić's defense called a new witness who began his testimony. Milorad Sajić is the former vice-president of the Crisis Staff in the Autonomous Region of Krajina.

2014-12-03

THE HAGUE

CLEANSING 'UNCLEAN' KRAJINA

Former member of the ARK Crisis Staff Milorad Sajić has denied that the local authorities geared their policies towards forcing out non-Serbs. According to the prosecution evidence, Croats and Muslims were dismissed from public posts, detained in prison camps, forced to leave and prevented from returning...



◀ Milorad Sajić, defence witness at Ratko Mladić trial

Milorad Sajić has already testified at the trials of Radislav Brdjanin and Radovan Karadzic. Now Milorad Sajić stands before the Tribunal for the last time as Ratko Mladić's defense witness. At the beginning of the war in BH, Sajić was appointed secretary for national defense in the so-called Autonomous Region of Krajina (ARK). Sajić was also a member of the ARK Crisis Staff. As alleged by the prosecution, the Bosnian Serb leadership used the ARK Crisis Staff to implement ethnic cleansing of Serb territories in northwestern BH. The Tribunal in The Hague sentenced Radoslav Brdjanin, president of the ARK Crisis Staff, to 30 years. Brdjanin is serving the sentence in Denmark.

In his statement to Karadzic's defense, which is now being used by Mladić's defense, Sajić denied that the Crisis Staff had had a role in the ethnic cleansing of the non-Serbs in Krajina. Just in case, the witness also denied that the Krajina leadership had been in touch with the leadership in Pale. In the summary of the witness's statement, defense counsel Stojanović highlighted that, according to the witness, the 'military structure never was under the control of the Krajina civil authorities'.

Stressing that the Krajina Muslims and Croats were pressured to leave, the prosecutor presented two Crisis Staff decisions from May and June 1992. The decisions state that only personnel 'loyal to the Serb nation and republic' could hold leading posts in public companies. Those were only Serbs, the prosecutor noted. The witness told him that the Serb Democratic Party did not do anything out of the ordinary when it prohibited non-Serbs from holding such posts when it assumed power. Sajić remarked that even today, the ruling parties appointed only their personnel to top positions. As for the Muslims and Croats who were dismissed from their posts, not all of them were automatically fired, the witness explained.

According to the prosecutor, non-Serbs fled Krajina en masse when the Serb authorities began implementing the systematic crime campaign by detaining, abusing and killing non-Serbs in Omarska, Keraterm and Trnopolje prison camps. In his statement to the defense the witness described a visit of the ARK delegation to the Omarska prison camp. Predrag Radic, Banja Luka mayor, told the witness 'that he was shocked' with what he had seen there. Sajić confirmed it today, adding that he learned about the crimes perpetrated there at a later stage.

According to the ARK Crisis Staff documents the witness referred to today, Muslims and Croats would be granted permission to leave Krajina when the 'other side' allowed Serbs to leave the territory which was not under the Serb military control. The documents also stated that Serbs would be settled into abandoned houses in Krajina, and that the return of non-Serbs should be prevented. Sajić explained that 'all sorts of things' were written down in those decisions but not all of them were implemented. Nevertheless, the prosecution documents showed that the municipalities had implemented a plan to evacuate, or 'swap populations'. The prosecutor was also trying to prove

that the Pale leadership and the ARK leaders were in constant touch. To corroborate his allegation, the prosecutor played an intercepted conversation between Karadzic and Brdjanin from November 1991. In the conversation, Karadzic told Brdjanin not to 'call me so often, because I am not your nanny'. Also, the prosecutor presented evidence that Karadzic and Mladic arrived in Banja Luka during the war. There, Karadzic and Mladic met with Brdjanin and other Krajina leaders, the prosecutor claimed.

Radoslav Brdjanin's infamous speech at a rally in Banja Luka in 1994 showed the true nature of the ARK Crisis Staff's attitude towards the non-Serbs, the prosecutor noted. Brdjanin said that the Serbs were under an obligation 'for the next one hundred years to wipe off their shoes the non-Christian scum who have sullied this country of ours'. Brdjanin proposed to put up a barbed wire fence around the main square in Banja Luka to prevent the 'Serb enemies' from entering it ever. The witness replied that the speech 'is not clear', in a bid to relativize Brdjanin's words. For example, the witness explained that the words 'non-Christian scum' didn't necessarily refer to an entire nation; it could refer to political representatives only. Also, when Brdjanin spoke about putting up a barbed wire fence, he may have meant putting it up around just one square in Banja Luka, not the entire Krajina.

2014-12-04

THE HAGUE

WERE MLADIC'S TROOPS RESPONSIBLE FOR CRIME IN GRABOVICA?

Vojislav Krsic, an officer in the Kotor Varos brigade, claims that Serb civilians killed 150 Muslims in the village of Grabovica in November 1992, although he admits that the army, which held the prisoners, was 'in a way' responsible for their fate



◀ Vojislav Krsic, defence witness at Ratko Mladic trial

Kotor Varos is one of the six municipalities in BH where the persecution of Muslims and Croats reached the scale of genocide, according to the indictment against Ratko Mladic. One of the many crimes in the area happened in early November 1992 when about 150 men were killed in the village of Grabovica. The first witness called by the prosecution, Elvedin Pasic, testified about the incident. His father and uncle had been killed in Grabovica. An insider who had been a soldier in the Bosnian Serb army also testified about the incident as a prosecution witness. His identity remained protected. Both witnesses claimed that before the Muslim men were killed, they were held by the Serb troops in the local elementary school. This claim was corroborated by former officer in the Kotor

Varos Light Infantry Brigade, Vojislav Krsic, who testified in Ratko Mladic's defense today. He did not provide any further insights.

Krsic denied that the troops killed the men, shifting the blame on Serb civilians seeking out for revenge. In his statement to the defense and his evidence today he claimed that in early November 1992 the Grabovica company captured a large group of Muslims from the village of Vecici. The brigade officers, including its commander Dusan Novakovic and the witness who was Novakovic's assistant for operations, headed for Grabovica to help 'bring in the column'.

The group of men, women and children was taken to the football field where commander Novakovic was waiting for them. They were all transferred to the local elementary school where the women and children were put in the rooms on the ground floor, while men were taken upstairs. As Krsic said, in the school, he first made a list of women and children - there were about 40 of them, in his estimate - and then he made a list of the men, about 150 of them, all told. Contrary to what the prosecution witnesses had said, Krsic claimed that no one was beaten in the school and that the prisoners' hands were not tied with wire. The next day, the women and children were transported to Travnik, he recounted. The only incident he is aware of occurred at that time. In his statement, he says that a local Serb killed a Muslim.

The witness was ordered to go back to Kotor Varos and he thus has no firsthand knowledge of the fate of the Muslim men in the Grabovica school. He soon heard that 'there were scenes of chaos there'. The brigade security officer Mirko Kotic came to see him and told him, 'Vojkan, fuck it, there has been a problem, the population of Grabovica fucked up and those people got killed.' Krsic was, as he said today, 'taken aback and in a state of shock'. He was allegedly asked to produce a statement and to submit it to the 1st Krajina Corps Command, and he complied. Neither the prosecution nor the defense has been able to trace the document. When the judges asked him if the Bosnian Serb army had ever conducted a proper investigation of the crime in Grabovica, the witness said he had 'no knowledge of that'.

In a bid to point the finger of blame at the army for the crime in Grabovica, prosecutor Bibles showed the witness the minutes from the meeting in the Kotor Varos war presidency on 4 November 1992. The minutes state that

'150 fighters and civilians' surrendered and that their fate would be decided by the commander of the Koto Varos brigade, Dusan Novakovic, among other people. When the witness was asked if Novakovic was in charge of the prisoners in Grabovica, he confirmed it, but only for as long as the army personnel remained there. This prompted the prosecutor to ask a direct question, 'Was the Kotor Varos brigade responsible for the Muslims in Grabovica?' When Krsic admitted that 'in a way it was', the prosecutor had no further questions for him.

In the re-examination, defense counsel Lukic asked Krsic if it was easy to find information about the crime in Grabovica. The witness told him that it was 'a taboo topic'; people were unwilling to talk about it at the time and are unwilling to discuss it even today.

2014-12-08

THE HAGUE

WHO ORDERED ATTACK ON POFALICI?

Commenting on the attack of Pofalici in May 1992, a protected prosecution witness claimed that Ratko Mladic may not have been the person who actually ordered it. It could have been a man called Milenko or Milanko Mladic, the witness explained. According to an intercepted conversation, parts of Sarajevo 'where there were not many Serbs' were to be attacked. As the witness explained, that was not an attack on the non-Serb civilians but on the soldiers who had expelled Serbs



◀ Ratko Mladic in the courtroom

In a bid to prove that the artillery and sniper terror campaign against the Sarajevo citizens was implemented in line with Ratko Mladic's orders, the prosecution has already tendered into evidence the recording and transcript of a radio conversation that took place on 28 May 1992. In the intercept, the accused is heard ordering an attack on the neighborhoods of Velesici and Pofalici, 'where there are not many Serbs'. A former Bosnian Serb soldier testified today for the defense via video link with measures to protect his identity: image and voice distortion and the pseudonym, GRM 010. In his statement to the defense, the witness offered an original theory in an effort to exonerate the general for the attack.

At one point in time, the witness explained in the summary of his statement, a member of his unit by the name of Milenko or Milanko Mladic 'informed me crying' that Serb houses in Pofalici had been set on fire. This caused Serbs to flee the territory, the witness recounted. That same day, the witness claims, he heard a radio conversation in which the participants discussed the possibility of an attack on Pofalici because 'there are not many Serbs' there.

The witness explained that the order to 'attack Velesici and Pofalici because there are not many Serbs there' didn't imply that fire would be opened on the non-Serb civilians. The artillery was to target the enemy soldiers who had expelled Serbs from Pofalici; this is why there 'were not many Serbs there'. Furthermore, the witness explained that before the order for the artillery attack came, a man by the name of Milenko or Milanko Mladic informed him about the situation in Pofalici. The witness thus implied that the order to attack the area was issued by this Mladic, rather than the accused general.

Most of the cross-examination was conducted in closed session. We thus do not know if prosecutor McCloskey probed the issue of Pofalici at all. In a brief part open to the public, Operation Lukavac 93 was discussed. The objective of the operation was to link up the Herzegovina and Sarajevo Corps and to force the enemy to sit down at the negotiating table in order to achieve a 'fair peace', the witness noted.

As today's hearing drew to a close, the defense called Colonel Bosko Amidzic. From the time the Bosnian Serb Army was established in May 1992, Amidzic served as the chief quartermaster in the 1st Krajina Corps. In February 1993, the witness was appointed assistant commander for logistics in the Corps. In his statement to the defense, Amidzic stated that the VRS faced 'extreme shortages' of fuel, medicines, food and other necessities as it fought in the war. The Serb civilians faced the same problems, the witness explained.

In the English version of his statement from June 2014 the witness said there were several POW camps in the area of responsibility of the 1st Krajina Corps. Today the witness corrected the statement saying there was only one such prison camp – Manjaca near Banja Luka. According to the statement, the witness was in charge of accommodation and food for prisoners in Manjaca; everything was done in line with the international laws of war.

The witness mentioned in the statement that during the war he met the accused Mladic. According to the witness, Mladic was 'a cordial, direct, honorable, energetic, decisive and reliable officer' who 'never let him down'. The cross-examination and re-examination of the witness will take place tomorrow.

2014-12-09

THE HAGUE

CRIMES IN 'GOOD CONDITIONS' IN MANJACA

Through Bosko Amidzic, Ratko Mladic's defense wants to prove that the conditions in the Manjaca military prison camp were good. The prosecutor contests the claim with documents from two humanitarian organizations, Merhamet and the International Red Cross, which speak about prisoners being beaten. The 1st Krajina Corps command knew about the crimes, including murders, the prosecutor argues



◀ Bosko Amidzic, defence witness at Ratko Mladic trial

In a bid to describe the situation in the Manjaca military prison camp near Banja Luka in as positive terms as possible, Colonel Bosko Amidzic noted that the Muslims and Croat prisoners were given the same food as the Serb soldiers. Also, the prisoners could prepare their own food and share it between them, Amidzic explained. According to the witness, those prisoners who were waiters in their civilian lives were tasked with distributing food for the most part. The information about the pre-war jobs held by the prisoners was obtained during the 'detailed interrogations' carried out when they first came to Manjaca, Amidzic explained. The witness claimed that the prosecutor's evidence showing that those detailed interrogations included heavy beating were 'lies'.

In his statement to the defense, Amidzic claimed that in the second half of 1992, while the Manjaca military prison camp was operational, he was in charge providing for the prisoners' day-to-day needs. Amidzic was the chief of the quartermaster service in the 1st Krajina Corps.

Before his arrival in The Hague, Colonel Amidzic was told about the statement made by Osman Selak to the OTP prosecutors and his testimony before the Tribunal. Selak is a retired JNA officer who served for some time in the VRS 1st Krajina Corps. Selak claimed that in June 1992 he visited the Manjaca prison camp; there he saw prisoners who had been beaten. Members of the Merhamet humanitarian organization told him that they had received about 40 bodies of Muslims who had been killed in the camp. Amidzic was adamant that the allegations were untrue. He wondered why Selak failed to provide the exact figure although he claimed he had 'reliable information'.

In the cross-examination, prosecutor Traldi noted that Selak's evidence about bad conditions in Manjaca and crimes against the prisoners was not the only source available to the prosecution. The staff working for Merhamet and the International Red Cross visited the prison camp and reported about those incidents. So did the Bosnian Serb military officers in their reports. Prosecutor Traldi showed a daily report sent from the Manjaca prison camp staff to the 1st Krajina Corps command in 18 June 1992. The report notes that when the Merhamet staff visited the prison camp, prisoners complained about the food and bad living conditions. More specifically, the prisoners complained about leaking roofs on the buildings where they were accommodated. The witness replied that he never saw any roofs leaking anywhere. From time to time the food was bad, but the humanitarian organizations were allowed to provide aid, the witness explained.

A report drafted by Merhamet on 22 June 1992 notes that the members of the delegation thanked General Talic, the Corps commander, for granting them permission to visit. According to the report, at a meeting, the delegation informed General Talic about what they had seen in the camp. Most of the prisoners weren't soldiers but peaceful citizens who had been brought there under false pretenses or arrested in their homes. They were 'treated horribly' during their detention: they were starved and beaten. About a third of the prisoners had serious injuries: broken ribs, jaws or arms. The witness replied that he didn't know anything about that, suggesting that the prisoners had been abused before their arrival in Manjaca. Also, Amidzic claimed that in military reports he read that the Merhamet staff were satisfied with the conditions in Manjaca. According to the witness, the Merhamet delegation complained to Talic about the conditions in other prison camps under the control of the Bosnian Serb civil police. Asked to identify those prison camps, Amidzic was not able to do it.

In a letter sent on 7 August 1992 to President Karadzic, the International Red Cross stressed that on their visit in Manjaca they noticed 'signs of recent and often brutal beatings' – such as 'fresh bruises' – on prisoners. The witness replied that he had never seen any prisoner with bruises. Confronted with the claim that even the 1st Krajina Corps Command had received reports about prisoners being beaten and killed, Amidzic replied that he didn't know anything about it. The reports were sent through the security service chain of command and he was not part of it, the witness claimed.

Today General Mladic was cautioned only once for standing up in the dock. His trial continues tomorrow.

2014-12-10

THE HAGUE

MUSLIMS FLED IN FEAR OF MUSLIMS

VRS officer Milovan Lelek claims that Muslims were leaving Rogatica in fear of their extremist compatriots, who did not like the fact that the two ethnic groups were able to live side by side in good terms. The prosecutor countered his claim with the evidence on the expulsions of civilians by the Serb authorities from those villages where the residents were loyal to them.



◀ Milovan Lelek, defence witness at Ratko Mladic trial

Former officer in the Rogatica Brigade Milovan Lelek gave evidence in the defense of General Ratko Mladic. Lelek claimed that during the war Muslims were fleeing Rogatica in fear of Muslim extremists. According to the witness, the residents in about 10 Muslim villages were loyal to the new Serb authorities. Those villages received regular supplies of food for people and livestock and other necessities, such as fuel for agricultural machinery. Lelek's evidence paints an idyllic picture of wartime Rogatica, marred only by the Muslim extremists.

Lelek explained that near Satorovici, which was one of the 'loyal' villages, the extremists attacked a Serb civilian vehicle. Radenko and Sonja Bjelakovic, a father and his

daughter, were killed. The incident caused inter-ethnic tensions in Rogatica, but did not cause a rift. The Muslims nevertheless decided to leave the municipality. They were afraid, Lelek noted, of the threats issued by their extremist compatriots: the extremists criticized the villagers for living side by side with Serbs. This was why the villagers in several Muslim villages wanted to move out to the territory under the BH Army control and the Serb authorities met their requests.

To counter the witness's allegations, in the cross-examination prosecutor MacDonald showed evidence on the expulsion of Muslims from Rogatica and the neighboring villages. The very same villages had, according to the witness, pledged their loyalty to the Serb authorities at the beginning of the conflict. The prosecutor also showed the judgment handed down by the BH State Court convicting Bosnian Serb Radislav Ljubicinac of forcible transfer of women and children in Seljani, a part of Rogatica, in 1993. The prosecutor also showed an article published in the New York Times in 1994, which quotes statements made by the villagers from Satorovici and Burati. The villagers say that the Serb authorities and the army ordered them to leave their homes. Lelek nevertheless remained adamant that the Muslims had left voluntarily, only because they were afraid of Muslim extremists.

The prosecutor alleged that the 'voluntary departure' consisted of non-Serb civilians being taken to one of the four prison facilities in Rogatica – Rasadnik, Sladara, the parish house and the High School. From there, they were either 'exchanged' for Serb soldiers or were simply expelled. The witness argued that the civilians were put up in those facilities at their own request. Those were reception centers, not prison facilities. They spent some time there before leaving for the territory under the BH Army control. This prompted the prosecutor to show a list drafted by the Drina Corps which contains names of women who are classified as prisoners of war in the Rasadnik prison camp. One such prisoner of war was Hanka Kustura, a 101-year old woman.

According to Lelek, civilians were not detained. They were temporarily put in reception centers before 'leaving the area voluntarily'. In an attempt to explain why the Drina Corps documents list women, including a 101-year old woman, among the prisoners, the witness came up with a theory. In all likelihood, the Serb authorities allowed the civilians to move out of Rogatica to the territory under the BH Army control. However, the civilians were not welcome there because they were criticized for living side by side with the Serbs. In a bid to help the Muslim civilians to leave voluntarily, the Serbs from Rogatica classified them in documents as prisoners of war. Those civilians could then be exchanged, and the Muslim authorities couldn't refuse it.

Ratko Mladic's trial continues tomorrow. Vojislav Kupresanin, former president of the ARK Assembly, is slated to give evidence tomorrow.

2014-12-11

THE HAGUE

KRAJINA PEOPLE FIGHTING FOR THEIR MONEY

In his testimony in Ratko Mladic's defense, former president of the Autonomous Region Krajina has said that the entity was established for economic reasons, to stop the cash from flowing to Sarajevo. The prosecutor put it to him that the creation of Serb regions and their consequent unification into a republic – from which Muslims and Croats were expelled – was a political process



◀ Vojo Kupresanin, defence witness at Ratko Mladic trial

In his statement to Ratko Mladic's defense, former president of the Autonomous Region of Krajina (ARK) Vojo Kupresanin described how that region in BH was established before the war. The region comprised 17 municipalities and their unification had in no way been ethnically motivated, the witness argued. The reasons were economic, Kupresanin explained. According to the Krajina Constitution of 1991, all ethnic communities in the autonomous region were equal.

In a brief examination-in-chief Kupresanin clarified that the Autonomous Region of Krajina was established to provide a 'better life' for the local citizens by preventing cash from flowing out to Sarajevo. Until then Krajina had

been neglected and impoverished in a centralized system that, in the witness's view, economically favored Sarajevo. The intention was to put an end to that.

The prosecutor's view of the events is completely different. He put it to the witness that the autonomous region was established in coordination with the Bosnian Serb leadership in Pale as part of a wider process of establishing the Serb autonomous regions. There were minor misunderstandings along the way, as the prosecutor noted; the Krajina leadership was impatient to secede from BH, bucking against the plan designed by the Serbian Democratic Party leadership.

Prosecutor Traldi noted that Radovan Karadzic disclosed the tactic behind the secession of the Serb parts of BH in an interview to the *Srpsko Oslobodjenje*, when he said that his leadership had prepared 'an action list' in advance. As he stressed in the interview, they then 'waited for the Muslims to make a wrong move' and then to respond. The Serb municipal communities and autonomous regions –later unified into a Serb republic –were formed in that way.

Kupresanin replied that he didn't know anything about the influence Karadzic and his associates had had on the establishment of the ARK. Moreover, Kupresanin remained adamant that everything was done on the initiative of the Krajina politicians. The witness did not budge even when the prosecutor confronted him with documents that show the ARK and the SAO Herzegovina were established in line with a decision passed in September 1991 at a council that brought together the SDS bodies at municipal, regional and republican levels in Pale. The witness said there was genuine disagreement between the Krajina and Pale authorities. Karadzic was against a daring 'economic' initiative to annex the Bosnian Krajina to the so-called Republic of Serbian Krajina, Kupresanin claimed. 'The president fought for the BH as it had been defined by AVNOJ, in World War II, he always insisted on that', Kupresanin said.

The establishment of the Serb part of BH and the bid to secede from the state are not among the charges in the indictment against Ratko Mladic. However, the prosecutor highlighted those actions as an indicator of the intent to commit the crimes that are at the very core of the indictment –the ethnic cleansing of the parts of BH that were claimed by Serbs. For the prosecutor, Kupresanin's speech in the Bosnian Serb assembly was important in this respect. On 25 February 1992, Kupresanin said that 'Muslims and Croats are our natural enemies' and that 'we can never ever live together with them'.

Kupresanin replied that he didn't recall that speech. 'What are natural enemies? We all know that a dog and cat are guided by instinct, and we humans are guided by reason', the witness added. On Monday, the prosecution will have the opportunity to confront the witness with additional evidence that the Bosnian Serb leadership was guided by reason when it carved up and ethnically cleansed parts of BH that the Serbs claimed as their own during the war in BH.

2014-12-15

THE HAGUE

'FULL PICTURE OF THE TRUTH' IN MLADIC'S DEFENSE

In 2001, Vojislav Kupresanin was interviewed by the OTP investigators. In his statement, he offered a completely different story than the one he told last year at the Karadzic trial and today in his evidence in the case against Mladic. Confronted with this claim, former Bosnian Serb official explained that in the meantime he had learned new facts and was 'able to put together a full picture of the truth'. The witness did not stint on praise for the accused. Mladic, in turn, applauded his witness loudly and was removed from court.

In 2001, Vojislav Kupresanin, former speaker of the Autonomous Region of Krajina Assembly, was interviewed by OTP investigators. Since then, his account of the war has changed significantly. The prosecutor put it to the witness that he had in the meantime conveniently 'forgot' the facts that could harm Ratko Mladic and Radovan Karadzic. On the other hand, Kupresanin 'brought to his mind' only the things that could work in Mladic's and Karadzic's favor, the prosecutor noted. The witness replied that in both cases he had told the truth. However, the witness explained, in 2001 he didn't have all the information about the events and only now was he able to offer the 'full picture of the truth'.

In 2001, when Mladic and Karadzic were far away from The Hague, Kupresanin explained in his statement to the investigators that he 'got the impression' that the Prijedor prison camps were established on the orders of 'someone from the top'. The witness also admitted that crimes were committed in prison camps in Prijedor. Contrary to that, in his evidence at Karadzic's trial, Kupresanin stated that the prison camps were established 'by the local authorities on their own initiative'. Today, the witness explained that he had heard from Karadzic that 'some fools did that on their own'. The prosecutor then put it to the witness that he had drastically changed his evidence. 'What you say isn't true, what I say is true, you don't want my truth. What am I to do now?', the witness replied.

Again in 2001, the witness said that the army had massacred unarmed Croat civilians in the village of Brisevo near Prijedor. As alleged in the indictment against Mladic, at least 68 persons were killed there in July 1992. As far as the witness knew, he 'probably informed General Mladic' about that. Today, Kupresanin recounted a completely different story: he claimed he had in fact told General Momir Talic, commander of the VRS 1st Krajina Corps, about the crimes, not Mladic.

The prosecutor recalled that the witness was interviewed for the Talic trial. In his statement, he said he had informed Mladic about the crimes. Today, in his evidence in Mladic's defense, the witness argued that he had informed Talic, not Mladic. The prosecutor was convinced the witness amended his evidence to favor the accused.

The prosecutor tendered into evidence a letter sent by the bishop of Banja Luka, Franjo Komarica, to Kupresanin. In the letter Komarica claims that large-scale crimes were committed against Croat civilians in Krajina. Catholic churches were burned down and destroyed causing the Croats' 'exodus', Komarica wrote. According to the witness, it was not really an exodus; people 'did flee' the territories where crimes had been committed. Kupresanin said Komarica may have sent the letter to Karadzic too, but wasn't sure if the letter was also sent to Mladic.

In addition to protecting Karadzic and Mladic, the witness today tried to protect Radoslav Brdjanin, former president of the ARK Crisis Staff. However, after a few of the prosecutor's questions, Kupresanin gave up. In his statement in 2001, the witness didn't hesitate to blame Brdjanin for the expulsion of non-Serbs from Krajina and the implementation of a 'radical solution for the national issue' in favor of Serbs. Today, Kupresanin said that Brdjanin was not an 'extreme nationalist, he was possibly not a nationalist at all'. The witness was then confronted with parts of his interview with the investigators when he called Brdjanin 'one of the most radical men in Krajina', who threatened to reduce the number of Croats and Muslims to an insignificant percentage. Kupresanin admitted that Brdjanin's claims had spread fear among the non-Serbs and contributed to their departure.

When the prosecutor brought up the evidence on Brdjanin's close connections with Karadzic and with Bosnian Serb generals headed by Mladic, the witness, somewhat unexpectedly started praising the accused. As he said, the accused was the only person who stood firm to defend the Serb nation while all other JNA generals had fled. Had it not been for Mladic, Kupresanin noted, Serbs would have disappeared without a trace. The people will remain thankful to Mladic for that fact 'forever and ever' and Mladic 'will go down in history as a positive figure'. Obviously Mladic liked Kupresanin's emotional outburst because he started clapping loudly in court. The Trial Chamber in turn didn't like his action, and had him removed from court until the end of the witness's testimony. Kupresanin will complete his evidence tomorrow morning.

2014-12-16

THE HAGUE

WITNESSES ROLL OFF ASSEMBLY LINE

Marjan Jestic, former driver in the Prijedor Territorial Defense, has testified about the attack of Muslim forces on the town on 30 May 1992. In his evidence Jestic recounted how he was wounded in the incident and how his extended family members were killed in the Ustasha prison camp in Jasenovac



◀ [Marjan Jestic, defence witness at Ratko Mladic trial](#)

After Vojo Kupresanin's re-examination and the evidence of Snjezan Lalovic, Ratko Mladic's defense managed to complete the examination of the third witness and to begin the examination of the fourth. In 1992, Marjan Jestic was mobilized into the Territorial Defense and was tasked with distributing food to the units stationed in Prijedor and nearby. The fourth witness, Rato Runjevac, was appointed senior public prosecutor in Sarajevo before the war.

At the beginning of his evidence, Jestic read out the names of the members of his immediate and extended family who were killed in the Jasenovac camp in the World War II. According to the summary of the statement, Jestic's unit was stationed in the rear, at the Urije sports airport. From that location Jestic drove a truck to distribute food for the troops of the 43rd Motorized Brigade in Prijedor. When the Muslim troops attacked Prijedor on 30 May 1992, Jestic explained, he was driving along his usual route.

In Jasic's words, he was wounded when a soldier with a green bandana over his head opened fire at the truck. Jasic was thrown out the vehicle and the soldier dragged him off to the nearby school. That same soldier took the witness and two other prisoners to the old part of the town which was inhabited mostly by Muslims. When they passed under the bridge on the Berek canal, the soldier shot Jasic in the face. When the Serb forces rescued Jasic, he was first taken to a hospital in Banja Luka, and then to Belgrade. Jasic spent about two years in treatment in Belgrade. Asked to clarify paragraphs pertaining to Jasenovac, Jasic said that the prison camp was about 40 km from Prijedor. The 'war was about to break out and Serbs were afraid that the World War II scenario would be repeated', the witness explained.

In the cross-examination, Jasic said he didn't know that on the day when he was wounded the Serb forces attacked a part of Prijedor and took the local Muslims to Trnopolje. Also, he 'didn't notice' that the number of the Muslim population in Prijedor dropped by 50,000 in 1994 and 1995. Jasic didn't know how many Muslims there were, or where they had gone. Since 'no one moved around Prijedor, not even Serbs', he couldn't see that some of the people were missing, Jasic said. Replying to Judge Moloto, Jasic said that after 1995 there were 'rumors' that the Muslims had left.

After Jasic completed his evidence, Rato Runjevac began his testimony. Runjevac was a senior military prosecutor. Defense counsel Miodrag Stojanovic will read out the summary of the witness's statement tomorrow morning. The prosecution will then cross-examine Runjevac.

2014-12-16

THE HAGUE

WHO NEEDED WAR IN BH?

Vojislav Kupresanin, former Autonomous Region of Krajina official, stated in the re-examination that the Bosnian Serb army was the 'third or fourth or possibly the fifth strongest army in the world'. As he said, during the war, he was in favor of capturing the entire territory of BH and annexing it to Serbia, but Pale leadership was only interested in protecting the Serb people. As a result, his idea was not taken up, Kupresanin explained. Kupresanin blamed the international community and Western Europe for the disintegration of Yugoslavia. As far as Kupresanin could remember, he didn't say that the war 'was necessary for the Serb nation'



◀ Vojo Kupresanin, defence witness at Ratko Mladic trial

Defense counsel Branko Lukic used up all the time he had been given for Vojislav Kupresanin's re-examination in a bid to rehabilitate Kupresanin and correct the answers he had given in the cross-examination that, in Lukic's view, didn't favor the defense. At the time relevant for the indictment against Ratko Mladic, Kupresanin was the speaker of the assembly of the so-called Autonomous Region of Krajina.

Speaking about the strength of the Bosnian Serb army, the witness said that it was the 'third or fourth or possibly the fifth strongest army in the world' capable of capturing the entire BH easily. According to the witness, such an army could 'cut through [BH] like cheese'. As Kupresanin

told the court, he publicly advocated that course of action, saying the whole of BH should be annexed to Serbia and then normal life and business could resume. However, the only goal of the Pale leadership was to 'defend the Serb people', as the witness was purportedly told.

Although he was in favor of capturing the entire BH, the witness, who was an ARK official himself, claimed at the same time that the ARK was not designed to be part of a Serb republic within BH. Kupresanin would not budge from the claim he made at the beginning of his evidence: the ARK was established solely for economic reasons. The witness stressed that care was taken not to use the adjective 'Serb' in the name, in order to make sure that the other ethnic groups would feel 'untroubled'.

As the prosecutor noted yesterday, the crimes in the Prijedor prison camps and in the Krajina towns and villages did cause trouble. According to the prosecutor, Croats and Muslims were killed en masse while their property and churches were destroyed. The prosecutor stressed that the Bosnian Serb top leadership headed by President Karadzic and General Mladic, was to blame. In his interview with the OTP investigators in 2001, Kupresanin said that the prison camps in Prijedor were established on the 'orders from above', the prosecutor noted, while today he argued that the local authorities –the Prijedor Crisis Staff –established the prison camps 'on their own initiative'.

Kupresanin blamed the international community, or, more specifically, 'Western Europe' for the war in BH. As far as Kupresanin knew, 'one day in Rome a decision was made that Yugoslavia should die'. At the end of his evidence, the prosecutor asked the witness a few additional questions. As the prosecutor recalled, at an assembly session in January 1993 the witness said that the war 'was necessary for the Serb nation' to establish its supremacy in BH. It was

Kupresanin's opinion, the prosecutor noted, that a conflict would be welcome in Serbia too, to stop Albanians and Muslims from 'seizing power' in Belgrade 'with the help of the Serb opposition'. Kupresanin listened carefully to the transcript of his words and tersely replied that he could not remember any of it. He was adamant that he had not seen the text before.

At the end of his testimony, the witness thanked the court for giving him the opportunity to tell the truth once again before the Tribunal. As Kupresanin said, 'the truth I spoke is sufficient'; this made him quite 'happy'. Kupresanin could not take his leave of the accused Mladic. Yesterday, after he applauded Kupresanin who had sung his praises, Mladic was removed from the courtroom until the end of Kupresanin's evidence.

2014-12-16

THE HAGUE

'TRICK' TO PREVENT NATO STRIKES

Snjezan Lalovic, a journalist of the former Serb Radio Television, claims that his editor, not Ratko Mladic, ordered him to interview detained UN staff in May 1995. Lalovic confirmed nevertheless that the UN staff were interviewed to prevent further NATO strikes



◀ Snjezan Lalovic, defence witness at Ratko Mladic trial

Snjezan Lalovic, a journalist who worked for the Serb Radio Television, gave evidence at the trial of Ratko Mladic. In late May 1995, Lalovic interviewed the UN staff held hostage by the Serb forces in Pale and Jahorina. The Serbs used the hostages as 'a human shield' to prevent NATO air strikes. 'Their lives depend on whether NATO will act', Lalovic concluded one of his reports.

Lalovic gave his statement to Mladic's defense 19 years after the 'hostage crisis' explaining that he had interviewed the UN members on the orders of his editor after the 'alarming news' about the NATO strikes. That day, Lalovic claimed, he had no contacts with Mladic at all and his name was never mentioned. In Lalovic's view,

to say that the UN staff were filmed on Mladic's orders would be an 'elementary untruth'.

On 26 May 1995, he first went to the bridge in Pale, Lalovic recounted. There he interviewed two UN soldiers who were handcuffed to a fence. Two unidentified VRS soldiers were guarding the prisoners. Lalovic and his cameraman were then given a Jeep. Two other detained UN soldiers were inside the vehicle. Lalovic and the cameraman did what the soldiers told them: they took the hostages to Mount Jahorina and interviewed them next to a radar installation.

Prosecutor Camille Bibles reminded Lalovic in the cross-examination of what General Rupert Smith had said in his testimony. General Smith said that on 26 May 1995 Mladic told him twice to withdraw the order to attack Serb military targets. As Smith explained, Mladic told him that if he refused to comply, he would watch UN staff being killed on live TV, Mladic noted. In his replies to the prosecutor, Lalovic confirmed that the footage taken in Pale was a 'trick' whose purpose was to prevent NATO strikes.

In his statement to the defense Lalovic noted that no one abused the UN staff. When presiding judge Orić asked Lalovic how he would call the fact that the UN soldiers were handcuffed and chained to the Serb forces' military targets, Lalovic replied that he in fact wanted to say that there was no 'physical abuse'.

Judge Moloto noted that Lalovic 'went beyond' his job as a journalist, to say the least, when he acted on the orders of the two soldiers to take the detained UN staff to the top of the Jahorina mountain and film them next to the radar installation.

2014-12-17

THE HAGUE

NEW WITNESS, OLD CLAIMS

In his evidence in Ratko Mladic's defense, former Sarajevo public prosecutor Rato Runjevac repeated the defense allegations that the court has heard before: the other side was to blame for the war in Bosnia and Herzegovina. Runjevac also confirmed the defense case that the independence referendum was unconstitutional, that a Serb wedding guest was murdered, that there were armed criminals in Sarajevo. After receiving threats, Runjevac went to Trebinje on 30 April 1992



◀ Rato Runjevaca, defence witness at Ratko Mladic trial

The trial of Ratko Mladic, former commander of the VRS Main Staff, continued with the testimony of Rato Runjevaca. Before the war Runjevaca was the public prosecutor in Sarajevo.

Through Runjevaca's evidence the defense is trying to bolster its case that the Muslim side was to blame for the conflict in Bosnia and Herzegovina. Defense counsel Miodrag Stojanovic read out the summary of the witness's statement. In it Runjevaca describes the ratcheting up of the tensions in the town and trouble caused by criminal groups headed by Juka Prazina and Celo Bajramovic in Sarajevo as well as the Sabanovic brothers in Visegrad.

In his statement, Runjevaca also mentioned that the tensions reached a 'maximum level' when 'a rump Bosnia and Herzegovina parliament' passed the 'unconstitutional' decision to hold an independence referendum. The witness then decided to take his family out of the town. In early April 1992, Runjevaca saw armed men in Sarajevo. The first victims fell, and the witness received threats from his neighbor, who told him he would be killed 'for no reason'. This prompted the witness to join his family in Trebinje in late April 1992. Because of this development, the witness couldn't resume his job as the public prosecutor. On 21 May 1992, the witness was dismissed from his post.

In the brief cross-examination the prosecutor presented a document showing that Runjevaca was fired after he failed to show up at work for a whole month. The witness replied that he didn't know the reasons for his dismissal. He 'intended to return after the 1st of May holiday'. His plans were thwarted, Runjevaca explained, on 2 May 1992 when an 'all-out attack' was launched on Sarajevo.

The trial of Ratko Mladic continued with the evidence of Boro Tadic, former battalion commander in the VRS 6th Sana Brigade.

2014-12-17

THE HAGUE

THIN LINE IN MLADIC WITNESS'S HEART

Boro Tadic, former head of the Sanski Most Military District, admitted that during the war he 'assigned for use' non-Serb civilians. They were used to dig trenches at the front lines. In Tadic's view, that was in line with the Geneva conventions because the commanders made sure the civilians were safe. Asked to define the 'thin line' between hazardous and safe work at the front lines, the witness replied that he made that distinction 'in his heart'



◀ Boro Tadic, defence witness at Ratko Mladic trial

In his statement to Mladic's defense team, former head of the Sanski Most Military District Boro Tadic tried to paint as positive a picture as possible of the situation in the municipality. During the war, the municipality was under the Bosnian Serb control. In Tadic's view, the Serb leadership 'was looking for a long time for a formula that would make it possible for everyone to live together', but the war broke out eventually, thanks to Muslims and Croats. According to Tadic, they established paramilitary units and withdrew from the JNA. This course of events was a 'blessing from God' because the Yugoslav army was thus transformed into the Serb army.

In his statement, the witness explained that he didn't know anything about the policy of persecution, killing or discrimination aimed against non-Serbs. In Tadic's view, all the residents in the municipality enjoyed equal rights. Tadic didn't deny that Muslims and Croats left Sanski Most but it happened as part of the 'population exchange'.

The prosecution alleges that the crimes in Sanski Most were systematic and reached the scale of genocide. The execution of civilians in the village of Skrljevita in November 1992 is one of five mass murders listed in the indictment. Military documents showing that the perpetrators were identified in the immediate aftermath of the crime were admitted into evidence. Danilusko Kajtez headed the group of killers. All four perpetrators –two of whom were minors –were prosecuted in Banja Luka. That didn't prevent one of the perpetrators, Goran Vukojevic, from joining the Bosnian Serb army as soon as he came of age. The prosecutor presented the certificate of military service signed by the witness. Vukojevic used the certificate to justify his absence from the trial. Tadic remarked that everyone was presumed innocent until proven guilty. The certificate he had signed was legal, Tadic added.

The prosecutor put it to the witness that all 18 mosques in Sanski Most were destroyed. The witness confirmed the allegation. Tadic didn't deny that the Executive Board considered digging up the two Muslim cemeteries in the town in February 1993. According to the prosecutor, that was done to 'eliminate all trace of Muslims from Sanski Most. Tadic begged to differ, explaining that he didn't know why it had been considered. He also noted that he didn't take part in any such discussions. The prosecutor showed the witness a document of the Prijedor State Security Service from March 1994, demanding that mass graves containing the remains of non-Serbs killed in the he villages around Sanski Most be destroyed. Tadic admitted that it 'can be interpreted as a bid to hide the bodies' of the victims, but didn't want to speculate on the reasons.

The prosecutor put it to Tadic that he knew about the illegal treatment of male non-Serbs in Sanski Most. As the military district chief, the witness was responsible for drafting them into work units which were used to dig trenches at the front lines and to clear minefields. Tadic admitted that he drafted the civilians; nevertheless, the witness argued that the military commanders in the units where the men were 'assigned for use' were responsible for the civilians' fate. To justify the commanders and himself, Tadic explained that they cared about the safety of the people who did the digging. According to the witness, the civilians in work units had it easier than the Serbs in combat units. Asked if he knew that hundreds of non-Serbs he had drafted into work units were killed while digging trenches, Tadic replied that he didn't remember such 'details'.

Presiding judge Orić joined the discussion, reminding the witness that in his statement he claimed that the Serb side had insisted on observing the Geneva Conventions. The presiding judge asked Tadic if sending civilians to dig trenches was in line with the document. Tadic replied that it was, as long as the commanders made sure civilians were safe. 'You have drawn a very thin line between digging trenches in life-threatening and in safe conditions, but where in the Geneva Conventions do you find the basis to do that', the presiding judge asked Tadic. 'I make this distinction in my heart', the witness replied readily.

Milovan Milutinovic, head of the Information Service in the VRS Main Staff, will give evidence tomorrow.

2014-12-18

THE HAGUE

HEAD OF MLADIĆ'S INFORMATION SERVICE CLAIMS HE DID NOT RECEIVE INFORMATION

VRS colonel Milovan Milutinovic said at Mladić's trial, 'I have not heard until today' that the Srebrenica men, who had been separated from women and children in Potocari, were killed. According to him, the report produced by NIOD, a Dutch institute, found that there 'was no plan' to commit the crime in Srebrenica. As he told the court, he did not misinterpret the words of a British journalist who had purportedly said that Muslims in Sarajevo were shooting at their own people: it was in fact the TANJUG agency. Ratko Mladić's trial will be adjourned until 19 January 2014



◀ Milovan Milutinovic, defence witness at Ratko Mladić trial

Mladić's defense counsel Ivetic read out the summary of the statement given by Milovan Milutinovic to Ratko Mladić's defense. Judging by the summary, the head of the Information Service in the VRS Main Staff denied a wide range of crimes against non-Serb civilians in BH, primarily the crimes in Sarajevo and Srebrenica. Like many previous defense witnesses, Milutinovic also blamed the 'other side', mainly Muslims, for the war in BH. To corroborate his argument, Milutinovic claimed that Alija Izetbegovic and grand mufti Cerić had issued a fatwa for jihad. That, Milutinovic claimed, attracted many Mujahideen to come to the Balkans.

Denying that the Bosnian Serb army terrorized the Sarajevo citizens, the witness shifted the blame on the 'Muslim authorities', accusing them of 'sacrificing their compatriots' when they opened fire at the civilians in a bread queue in 1992 and later twice in the Markale market. According to Milutinovic, he was informed that the Russian investigators who were part of an UNPROFOR team had established that 'old dead bodies' that had been brought from other sites were among the victims of the second Markale massacre. Presiding judge Orić wanted to know if the 'fake victims' from Markale had been identified and if the Russian investigators' report the witness mentioned existed at all. The witness wasn't able to assist him beyond claiming that in his view, Biljana Plavšić and IFOR had removed the documents from the VRS Main Staff archives.

To support his allegation that the Muslims were shooting at their own people, Milutinovic quoted a report by British journalist Martin Bell published in the *Independent* on 3 July 1994. Bell, who appeared as a witness at several trials in The Hague, reported that the Muslim command in Sarajevo 'went crazy and is terrorizing its own people'. The prosecutor presented the article to prove that it did not contain the words. Martin Bell, the prosecutor explained, wrote, 'I feel like a member of an army whose supreme command has lost its mind'. Bell in fact criticized his own

government for its lack of empathy for the people suffering in BH. 'How on earth could you do this to Martin Bell's quote', prosecutor McCloskey asked the witness. Milutinovic replied that he didn't read Bell's text in the original. He read the TANJUG's report about Bell's report. As Milutinovic explained, he thought that the Belgrade news agency was 'trustworthy'.

In a bid to deny the Srebrenica genocide, the witness noted in his statement that the Dutch institute NIOD concluded in its comprehensive report that there 'were no plans to commit crimes against Muslims' in July 1995. According to the report, the witness added, the crimes were 'isolated' and 'stemmed from the extremism of various groups'. On the contrary, the prosecutor stressed, the Dutch institute found that Srebrenica detainees were 'executed on a large scale'. The executions included the transportation, burial and later exhumation of the bodies to cover up the crime. The NIOD report notes that this 'would be impossible without a plan' by a 'well-organized' Bosnian Serb army. Once again, Milutinovic replied that he didn't read the original but a report by the France Presse agency.

The witness went on to deny that the accused was responsible for the crimes in Srebrenica. In his statement to the defense Milutinovic said that he 'as a superior officer and a human being', could never have issued an order that would have violated the Geneva Conventions. Milutinovic claimed that the UNPROFOR commander Rupert Smith praised Mladić for his treatment of the people of Srebrenica. Also, Milutinovic said that Mladić 'gave his word as a general' that all those who had gathered in Potocari could choose if they wanted to leave or stay.

The prosecutor argued that the general didn't keep his word and that most of the men gathered in Potocari were separated from the rest of the people and later summarily executed. The former head of the Main Staff Information Service replied, 'I hear that for the first time' today, despite the fact that, according to the indictment, the soldiers from the same army he served took part in the executions.

Soon afterwards, the foreign media learned of the mass executions of the Srebrenica men who had been separated from the rest of the people in Potocari or captured in other locations, the prosecutor recalled. He showed several texts by journalist Robert Block from the second half of 1995. The articles, also published in the British newspaper the *Independent*, describe the capture of those people and report the mass killings. In one of the texts Block said he had seen Zoran Petrovic Pirocanac's report broadcast by a Belgrade TV channel, showing bodies of Muslims executed in Kravica. Milutinovic did admit that the Main Staff had known about the footage. However, since the bodies could be seen 'only for a second', the recording 'cannot be relevant'. Milutinovic argued. Also, the witness admitted that he had taken measures to get hold of the footage, but he managed to do it only a year later.

Colonel Milutinovic was Mladić's last defense witness this year. After the winter recess, the trial will resume on 19 January 2015.

2015-01-19

THE HAGUE

WHY AND WHEN DID MUSLIMS LEAVE PRIJEDOR?

Zdravka Karlica, the president of the organization of Serb victims of war from Prijedor, gave evidence in Ratko Mladić's defense. Karlica admitted that crimes had been perpetrated against non-Serb civilians. However, according to Karlica, not all villages were attacked and most of the Muslims fled the town before the conflict broke out



◀ Zdravka Karlica, defence witness at Ratko Mladić trial

After a one-month break, Ratko Mladić's defense continues its case with the evidence of Zdravka Karlica. The witness is the president of the Organization of the Families of Killed Fighters and Missing Civilians in the Prijedor municipality. The organization, as Karlica explained, deals only with Serb victims. In her statement to the defense, the witness mostly presented hear-say evidence, things that she had learned from her late husband or his fellow fighters from the Prijedor Brigade.

The witness's husband Zoran Karlica took part in the negotiations that resulted in the Muslims in Kozarac surrendering their arms in May 1992. As the witness said, her husband told her that an agreement had been

negotiated. Some days later, Muslim extremists decided not to lay down their arms and on 24 May 1992, they attacked the Serb military column. As a result of the ensuing conflict Muslim refugees from Kozarac started arriving in the town. The witness's husband took part in the fighting in the village of Hambarine on 22 May 1992 as well as in the defense of the Serb municipality of Prijedor against an attack led by a Croat, Slavko Ecimovic, on 30 May 1992. Zoran Karlica was wounded in the attack and passed away a week later in hospital in Belgrade. Zoran Karlica was posthumously decorated and a square in Prijedor was named after him.

Prosecutor Amir Zec noted in the cross-examination that before the war that square bore Lenin's name. Many other streets were renamed after 1995 and were given names of Serb heroes from the last war and from earlier history, the prosecutor said. The witness didn't contest the claim but the presiding judge Orić reacted to it. 'Since the beginning of the testimony we have heard a lot of irrelevant evidence. Now it happens in the cross-examination, and the Trial Chamber doesn't encourage it', the presiding judge explained, calling into question the relevance of the evidence on the streets being renamed.

The relevant parts of the witness's evidence pertained to the departure of the non-Serbs from Prijedor. Today in court, the witness confirmed the claim she had made in her written statement: most of the Muslims left the town before the conflict. Nobody touched non-Serbs in the villages where there were no attacks on Serb units, the villages of Cela and Puharska being cases in point, the witness argued. In those villages, non-Serbs were able to stay and to live peacefully until the end of the war. According to the witness, the exodus of civilians from those two villages started in the summer of 1995, when Serb refugees from Krajina arrived in the Prijedor territory 'in search of a place to stay'.

Judge Orić asked if Muslim and Croat civilians were killed in the villages where there were attacks. The witness replied that at a meeting with the victims' representatives she learned that 256 Muslim women and 10 girls were killed in Prijedor. That 'came as a shock' to the witness. Last year when the arrests of those who committed the crime in the village of Zecovi began, she learned that Muslim women and children had been killed there, Karlica explained. The witness admitted that she knew about non-Serb civilians being detained in the Prijedor prison camps in Keraterm, Omarska and Trnopolje. In the cross-examination, the prosecutor stressed that in the village of Puharska the non-Serbs were attacked while the mosque and Catholic church were razed to the ground. The witness didn't know anything about that.

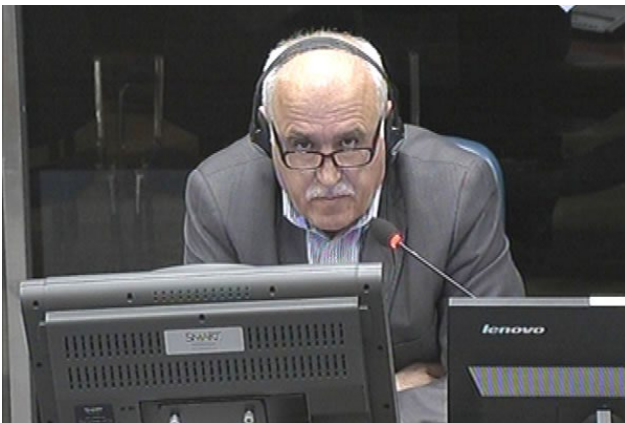
After Zdravka Karlica completed her testimony, the defense called Rajko Kalabić. During the war Kalabić was a member of the Crisis Staff in the Ključ municipality.

2015-01-20

THE HAGUE

WAR CRIMES COMMITTED BY 'OUT OF CONTROL INDIVIDUALS'

President of the Ključ Crisis Staff Rajko Kalabić admitted at Ratko Mladić's trial that war crimes had happened in the village of Velagici. According to Kalabić, the crimes in Velagici 'were not planned'. The crimes were committed by 'individuals who were out of control and not acting on anyone's orders', as were many other crimes against the non-Serbs. There was no forcible removal of the non-Serbs from the Ključ municipality, the witness argued, despite the fact that only 1,000 Muslims remained there. Before the war, 17,500 Muslims lived in the municipality



← Rajko Kalabić, defence witness at Ratko Mladić trial

Rajko Kalabić, member of the Serb Crisis Staff in Ključ, testified at the trial of Ratko Mladić. In the examination-in-chief the witness introduced himself as the former head of the Sip forestry company. As the witness explained, all of the posts he held during the war were 'volunteer work'. He was the president of the Crisis Staff and held a seat first in the BH Assembly and then in the assemblies of Republika Srpska and of the Autonomous Region of Krajina. In his written statement, Kalabić claimed that the SDA was to blame for the war because it 'planned' the attacks on the police patrol and the column of soldiers returning from military service on 27 May 1992.

In the examination-in-chief Kalabić said that he had been told about the incident in Velagici the very same day at a Crisis Staff meeting. On 1 June 1992, more than 100 Muslim detainees were killed in the village. At the request of Colonel Stanislav Galić, two buses were dispatched to Velagici to transfer the prisoners to Manjaca. However, a half an hour later the bus drivers came back and reported that the prisoners had been killed. Kalabić also noted that the perpetrators were arrested and prosecuted on Galić's orders.

Prosecutor Arthur Traldi said in the cross-examination that the bodies of the victims killed in the Velagici school were recovered after the war from the mass grave in Laniste. The Velagici school had been blown up, the prosecutor noted. As the prosecutor put it, the Velagici example was just one of the many 'horrible war crimes' showing that the Muslim civilians were not treated 'in line with the law', contrary to what the witness claimed in his statement to the defense. Muslims from Ključ were detained and abused in the local police station and in the Nikola Macković school. The school was just a few meters away from the Crisis Staff headquarters. In the attack of the Serb army on the village of Prhovo in June 1992, the victims included the women, children and the elderly.

Kalabić agreed with the prosecutor that a war crime had happened in Velagici. However, the witness stressed that it had not been planned. It was committed by individuals who were not acting on anyone's orders and who were duly 'prosecuted'. Kalabić claimed he didn't know that the perpetrators of the massacre were released soon after

their arrest and that no-one was actually convicted of the crime. Kalabic likewise argued that the prisoners had suffered abuse at the hands of individuals and that the municipal officials tried to put a stop to the abuse. When the prosecutor confronted Kalabic with his evidence in the Radoslav Brdjanin case, Kalabic confirmed that such incidents 'were frequent'.

In his answers, Kalabic avoided saying that the Serb troops committed the crime in Prhovo on 1 June 1992. The prosecutor asked the witness if he knew that women, children and the elderly were killed in Prhovo. Kalabic replied that he 'learned what had happened in Prhovo'. When Judge Orić asked the witness the same question, Kalabic replied, 'what happened in Prhovo is that a number of women and children were killed'. The witness went on to describe how an unidentified officer entered the Crisis Staff office. He was crying as he reported to Galić that he had lost control of other members of the unit after a military policeman was killed during a search in Prhovo. The members of the unit 'did what they did', Kalabic noted. When the judges asked Kalabic if anyone was punished for the Prhovo massacre, he responded that he didn't know and that he didn't deal with that.

In his statement Kalabic mentioned that the non-Serbs left Ključ voluntarily. This prompted the prosecutor to confront Kalabic with a Crisis Staff decision issued on 4 June 1992. The decision states that the municipal authorities will allow those who agree to depart 'for good' to leave. Kalabic tried to explain that the term 'for good' was 'in fact used to persuade people to stay'. Just how successful that ploy of the Crisis Staff was, was best reflected in the fact that by the end of the war, about 1,000 Muslims remained in the Ključ municipality of the 17,500 pre-war population.

2015-01-22

THE HAGUE

'NO ONE TOUCHED MUSLIMS IN KLJUC'

In his evidence in Ratko Mladić's defense, Bosnian Serb military officer Velimir Kevac claimed that the Serb authorities protected Muslims in Ključ during the war. According to Kevac, Muslims were able to live in peace, and were not exposed to any pressure. Military action was taken only against those Muslims who had refused to surrender their weapons, Kevac explained



◀ Velimir Kevac, defence witness at Ratko Mladić trial

According to the indictment against Ratko Mladić, Ključ is one of the municipalities where genocide was committed against non-Serbs. A wide range of crimes were committed in Ključ, including mass murder, unlawful detention and destruction of religious buildings. Today's defense witness Velimir Kevac contested those allegations. From May 1992 to October 1993, Kevac served as the assistant to the commander of the VRS 30th Division. He was later appointed commander of the Ključ Brigade. According to the witness's statement and his examination-in-chief, the situation in Ključ during the war was peaceful with occasional incidents caused by the Muslim side.

Kevac claimed that in late May 1992, a JNA brigade was attacked as it was pulling out. The incident happened near Ključ and 'prompted an action' against 'Muslim extremists'. They were headed by Omer Filipović. After 'several warning shots' from the Serb positions, Filipović agreed to surrender arms. Some of the men from Filipović's Territorial Defense refused to do so and a 'search and mop-up' operation was launched to deal with them.

In his statement, the witness claimed that the non-Serbs enjoyed protection and that 'no one expelled them'. There were 49 per cent of Muslims in the town and they 'were able to live in peace'. No one touched them and their safety was guaranteed as long as they agreed to hand over their weapons, Kevac noted. Military action was taken against those who refused to do so.

As alleged in the indictment against Mladić, in early June 1992, seventy-seven Muslims from the Ključ area were killed in the school in Velagici. As he was questioned by defense counsel Ivetic, the witness said that he had heard about the incident. After the crime, the military police carried out the crime scene investigation and the perpetrators were arrested, Kevac explained. However, the witness failed to specify if the perpetrators were prosecuted.

In the first part of the cross-examination, prosecutor Edgerton put it to the witness that in late May 1992, after the attack on the JNA column, there was a retaliatory attack on the Muslim villages. About 900 Muslims were detained. Kevac responded that he didn't know the exact number of the Muslims who ended up in detention, but he was sure that all those who had surrendered or had been captured in combat remained under the jurisdiction of the civilian police, not the army. Thus the witness shifted the blame for the victims' eventual fate from the units subordinated to the accused on the Serb civilian authorities. Kevac likewise dismissed the suggestion that the army had handed over the prisoners to the police. When the prosecutor put it to him that the police were often subordinated to the military units, Kevac explained that the higher command would make those decisions.

Mladić's defense counsel Ivetic was cautioned for raising frequent objections during the cross-examination, as the judges considered them to be groundless. Velimir Kevac will complete his evidence tomorrow.

2015-01-23

THE HAGUE

'PROTECTION' OF MUSLIMS IN KLJUC

In his evidence in Ratko Mladić's defense, VRS officer Velimir Kevac claims that the Serb army and police protected the Muslim civilians in Kljuc. The prosecutor put it to him that the 'protection' in fact consisted of people being killed, arrested and expelled, houses being burned and other crimes that reached the scale of genocide

In his examination-in-chief yesterday, Bosnian Serb military officer Velimir Kevac admitted that a few Serb soldiers had killed at least 77 Muslim men in early June 1992. The Muslims were detained in the primary school in the village of Velagici near Kljuc. Kevac claimed that the military police investigated the incident and arrested the suspects. As the cross-examination continued, the prosecutor put it to the witness that no one was prosecuted for that or for any other crimes in Kljuc. The witness replied that he didn't know anything about that because trials 'were not under my jurisdiction'.

As alleged in the indictment against Ratko Mladić, the crimes in the territory of Kljuc municipality reached the scale of genocide. The witness claimed that the Serb authorities targeted only the armed Muslims. During the war, non-Serbs were fully protected, Kevac noted. According to him, the only incident happened on 27 May 1992 when a JNA column was attacked as it was pulling out. The Muslim members of the Territorial Defense were issued an ultimatum to surrender. They first refused to do so, but when Serbs fired a 'warning volley', the Muslims changed their mind and laid down their arms. Some of them fled into the woods, Kevac said.

Prosecutor Edgerton didn't accept this scenario and put it to Kevac that it had in fact been a well-organized ethnic cleansing operation implemented jointly by the Serb police and the army. One of the units that took part was the VRS 30th Division where the witness was the assistant to the commander, Colonel Stanislav Galic. Galic was later promoted to the rank of general and appointed the commander of the Sarajevo Romanija Corps. He was finally convicted in The Hague of the terror campaign against the citizens of Sarajevo and was sentenced to life in prison.

The prosecutor put it to the witness that Pudín Han, Velagici and other villages near Kljuc were shelled in late May 1992. In those attacks, a number of civilians were killed, houses were burned and looted, while the Muslim population was arrested en masse. In the beginning Kevac claimed that he didn't know anything about it, but eventually he confirmed that 'probably' there were some murders. He also agreed that he heard about 'isolated incidents' in which houses were burned down. There were mass arrests, he admitted. The witness blamed the Serb MUP for the fate of the Muslim detainees from the Kljuc area. According to Kevac, the police officers 'took over the detainees and transported them according to the schedule'.

The prosecutor noted that instead of protecting Muslim civilians, the Serb army and police pursued a campaign of crimes against them. The situation was in fact the exact opposite of the picture painted by the witness, who claimed that the non-Serbs in Kljuc enjoyed protection and were able to live in peace. Kevac repeated that he was aware only 'of isolated crimes' that were not part of a plan implemented by the military and police.

According to the prosecution, the events in May and June 1992 resulted in the exodus of non-Serbs from Kljuc. 'More than 50 per cent' of Muslims left, Kevac admitted. When the presiding judge asked him if 'more than 50 could mean that 95 per cent of them left', the witness replied that he 'could not be sure', but he believed the percentage was 'probably much lower'. Since Kevac claimed that they had left because they were afraid of war, which was a widespread phenomenon, he was asked whether more than 50 per cent of Serbs had also fled from Kljuc. Kevac said that the Serbs also left the municipality, but the percentage was lower.

2015-01-23

THE HAGUE

GENERAL MLADIĆ'S 'FLOWER GARDEN'

When General Mladić talked to his subordinates in the summer of 1991 (he recorded his communications himself), he told them 'Zadar is in a noose'. Mladić also noted that Kijevo would look like a 'flower garden' compared to what was in store for Zadar, Sibenik and Split. 'I started dealing with Dubrovnik' Mladić added in a conversation the prosecutor showed to Mladić's defense witness Slavisa Sabljic

Slavisa Sabljic, a journalist from Banja Luka, testified at the trial of Ratko Mladić today. In 1991, Sabljic covered the outbreak of the war in Croatia for the *Oslobo enje* newspaper. In his written statement to the defense Sabljic said that he first met Mladić in Kijevo in August 1991, when the JNA troops entered the village in the Knin Krajina.

The JNA attack on Kijevo – described as 'liberation' by Sabljic – was the main topic of the cross-examination. Prosecutor Carolyn Edgerton showed the witness the judgment of a Croatian court convicting Mladić in absentia for the destruction of Kijevo, among other crimes. The judgment found that 1,600 shells had been fired in the attack on Kijevo, including 16 cluster bombs.



◀ Slavisa Sabljic, defence witness at Ratko Mladic trial

Sabljić said that he was in Kijevo when the Serb forces entered the village. Sabljić saw general Mladić greet and kiss Milan Martić. There was massive destruction in Kijevo but 'not as much as a month later', when he came to Kijevo again and saw that the village had been razed to the ground and looted in the meantime.

Prosecutor Edgerton then showed the witness three audio recordings from a collection seized in Mladić's house in Belgrade. When he talked to his subordinates (he recorded the conversations himself), Mladić said that 'Zadar is in a noose' after two days of JNA fire from sea, air and land. Mladić also remarked that Kijevo would look like a 'flower garden' compared to what was in store for Zadar, Sibenik and Split. 'I started dealing

with Dubrovnik', Mladić mentioned in a conversation. 'I hear this now for the first time', the witness said about the recordings.

The witness was then confronted with Mladić's speech at the 16th session of the RS Assembly on 12 May 1992. Mladić said, 'I don't need an applause' for the VRS operations in the Sarajevo battlefield. 'I am doing it to avenge the bones of my dead comrades', Mladić said, adding that if the Serbs wanted to win the war in Sarajevo they should 'position 300 barrels' – meaning various artillery arms – and 'stud' them around the city. All that, prosecutor Edgerton argued, is proof that Mladić used identical methods to achieve his conquests in war.

The witness replied that those were Mladić's views, opinions and attitudes. 'Well now, I cannot tell you whether it is proper to deploy the artillery around a city. I am a journalist, I know how to write', Sabljić concluded.

Milorad Zoric began his evidence at the very end of the hearing. During the war, Zoric served in the information section in the VRS 2nd Krajina Corps and occasionally he worked as a cameraman for the Serb TV network and Reuters. Zoric will continue his evidence on Monday, 26 January 2015.

2015-01-26

THE HAGUE

AUTHENTICITY OF INTERCEPTED CONVERSATIONS CONTESTED

With the evidence of Nedo Blagojević, Ratko Mladić's defense is trying to contest the authenticity of intercepted conversations involving VRS officers. The intercepts were recorded in July 1995 at the time of the Srebrenica operation. Blagojević was the chief of communications in the VRS Drina Corps



◀ Nedo Blagojevic, defence witness at Ratko Mladic trial

At the trial of Ratko Mladić, his defense called Nedo Blagojević, who testified via video link. Blagojević was the chief of communications in the VRS Drina Corps. Through his testimony, Mladić's defense is trying to contest the authenticity of intercepted conversations involving VRS officers. The conversations were intercepted by the BH Army surveillance service in July 1995, at the time of the Srebrenica operation.

In his statement to the defense and in the examination-in-chief, Blagojević claimed that it was 'impossible' to intercept the Drina Corps communications. According to him, he personally installed anti-surveillance devices in the radio relay station in the VRS Drina Corps forward command post in Pribicevac. In Blagojević's opinion, the

site was additionally protected from surveillance by a very steep slope which was 100 to 150 meters long.

Prosecutor Peter McCloskey put it to the witness in the cross-examination that it was indeed possible to intercept radio communications. He showed Blagojević documents in which Ratko Mladić, Drago Nikolić and Vujadin Popović warn their subordinates that the enemy was taking advantage of the recklessness of the Serb communications officers to mount large-scale surveillance operations. Blagojević replied that such things 'did happen from time to time'. According to the witness, there were some exceptions and he 'in part agree[s] with the prosecutor'. He did dismiss the suggestion that his statement to the defense was not true.

Blagojević also noted that the jamming devices prevented the enemy from listening to both speakers at the same time. The prosecutor told the witness that a prosecution witness had testified that sometimes both speakers could be intercepted even when the communications were protected by jamming devices. It was possible, the prosecution witness claimed, when both speakers spoke loud enough so that the voice of one speaker would be audible from the headphones of the other.

The trial of Ratko Mladić continues on Tuesday, 27 January 2015.

2015-01-27

THE HAGUE

MLADIC 'SENSITIVE' TO SUFFERING OF CIVILIANS

Former cameraman in the 2nd Krajina Corps press center Milorad Zoric claims in his statement to the defense that the accused Ratko Mladic protected civilians during the war. Mladic was 'particularly sensitive' to the plight of the elderly and children. The prosecutor suggested that Mladic showed no sensitivity when he attacked the non-Serb population in the Bihac protected zone



◀ Milorad Zoric, defence witness at Ratko Mladic trial

Ratko Mladic's defense case continued today with the evidence of Milorad Zoric, war-time cameraman in the VRS 2nd Krajina Corps press center. In his statement to the defense Zoric says that in this capacity he produced about 500 'exclusive reports' chronicling the events at the front lines, assembly sessions and meetings between the accused and UNPROFOR representatives. Yet, none of those reports were shown in court.

Before the war Zoric was a teacher in Bihac. In late May 1992, he fled the town when the situation began to escalate. In just one month Zoric went from being a rank-and-file soldier in the Bihac Brigadeto the Corps press center where he remained until the end of the war. Zoric

recounted how for four years he had tried to break through the 'media blockade' and to push the stories from 'our' (i.e. Serb) side to the world media. According to Zoric, his efforts yielded some results, because he sent the footage he had made first to the Republika Srpska TV network, and then to Reuters. As he explained, the major global media outlets picked up his stories from Reuters.

The witness said he often met Mladic. According to Zoric, the accused general wanted 'as much material as possible from our territories to be broadcast to the world'. Mladic expected his soldiers to treat prisoners of war in line with the regulations and was particularly keen to protect the civilians. 'He was particularly sensitive to the plight of the elderly and children', Zoric said in his statement.

In the cross-examination, prosecutor Jeremy noted that the accused did not show much sensitivity to the civilians' ordeals when he attacked Bihac during the war. This happened despite the fact that the UN Security Council had declared Bihac a protected area. The witness pointed out that he had not taken part in the planning and implementation of combat operations; he merely tried to produce 'footage that was as attractive as possible' and to depict in his reports the real situation in the field. In the Serb positions around Bihac Zoric taped cows grazing around cannons, which was supposed to show that the artillery had not been active for some time.

In the re-examination, defense counsel Stojanovic raised the issue of the attacks the BH Army 5th Corps launched on the Serb positions from the Bihac enclave. Zoric waxed eloquent as he recounted that in late October 1994 an offensive was launched by the Muslim side. The BH Army managed to penetrate into the Serb-held territory to a depth of 25 kilometers. Presiding judge Orié intervened, remarking that the witness seemed to have little or no knowledge at all of the Bosnian Serb military operations despite the fact that he had frequently been to their positions, yet he was far more knowledgeable when it came to BH Army activities. Zoric replied that during the war he was 'more interested in the enemy attacks' because he 'feared them more'.

During Zoric's testimony the Trial Chamber gave Mladic 'the last warning before you are removed from court' because he had been making loud comments and communicating inappropriately with the visitors in the public gallery.

At the beginning of the hearing, the defense announced that its witness list had been reduced by 30 names, in order to cut down the time needed for the presentation of the defense case.

2015-01-28

THE HAGUE

INTELLIGENCE OFFICER HAD NO ACCESS TO INTELLIGENCE

Dragan Karac, intelligence officer in the VRS Sana Brigade, blamed Muslims for starting the conflict and capturing the municipal building in April 1992. Karac didn't know that the SDS had made plans to seize power and to attack the municipal building. Karac was not aware of the Serb crimes in the territory of the Sanski Most municipality. That, as the prosecutor remarked, showed that Karac was a 'poor intelligence officer'



◀ Dragan Karac, defence witness at Ratko Mladic trial

Dragan Karac, former assistant to the chief of intelligence in the VRS 6th Sana Brigade, gave evidence at the trial of Ratko Mladic. In his statement to the defense Karac said that in April 1992, Muslims, who were 'angered by the election results', stormed the Sanski Most municipal building. At the time Karac's unit was part of the JNA. Karac explained that the unit 'had' to re-take the municipal building and to 'disarm Muslim extremists for security reasons'.

In the cross-examination, prosecutor Carolyn Edgerton confronted the witness with an article published in the SDS party bulletin *Informator* published on 12 July 1992, on the Serbian Orthodox feast of St. Peter's Day. According to the article, the witness's brigade took part

in the 'liberation' and 'cleansing' of Bosanska Krupa, Hambarine, Kozarusa and Kozarac near Prijedor. The unit was also involved in creating the conditions for the takeover of power in Kljuc, in disarming and fighting back Muslim extremists in Vrhpolje and Hrustovo, cleaning up the territories on the left bank of the River Una, in Sanica, Krasulja and Vrhpolje.

Karac claimed that the 6th Sana Brigade didn't participate in the 'liberation' of Bosanska Krupa. According to Karac, the unit was only involved 'in creating the conditions for the takeover of power in that municipality'. Also, the witness confirmed that the brigade was involved in the action in which Hambarine and Kozarac near Prijedor were captured in 'creating the conditions for the takeover of power in Kljuc' and in 'disarming Muslim extremists in Vrhpolje and Hrustovo'. Karac claimed that he had 'no knowledge' of any other purported conquests his brigade had achieved.

The prosecutor asked the witness if he really claimed that the Muslims had taken the Sanski Most municipal building by force because they were unhappy with the 1990 election results. Contradicting his own words in the statement to the defense, Karac now said he actually 'didn't know the motives' behind their action. He was unaware that the SDS had made plans to seize power and to launch an attack even before the Muslims captured the municipal building, as evidenced by some prosecution exhibits. 'Then you must have been a very poor intelligence officer', the prosecutor noted. The remark prompted the defense counsel to object. The witness, the defense counsel suggested, dealt only with the enemy activities.

Karac also denied that the VRS was responsible for the crimes the Serb forces committed in the villages of Mahala and Hrustovo. If there were crimes, the witness stressed, those were 'isolated cases'. Karac didn't know that when the Serb troops attacked Mahala, they arrested about 2,000 men. He likewise knew nothing about the murder of women and children in a garage in Hrustovo. He 'couldn't rule out the possibility that it had indeed happened', Karac noted. When Judge Orić asked the witness if he learned about the killings in Hrustovo later, the witness replied that he didn't and that he 'didn't have any interest in that incident'.

Karac agreed with the prosecutor that by the end of May 1992 most of the non-Serbs fled the villages of Mahala and Hrustovo. Replying to the judges Karac said that they left because they feared for their safety. Serbs were also scared, Karac explained, but a 'little bit less so' and that was the reason why many of them stayed.

2015-01-28

THE HAGUE

THOSE WHO KILLED CIVILIANS PUNISHED BY RETURNING TO THEIR UNITS

Mladić's defense witness Branko Predojević claims that in Sanski Most the Bosnian Serb Army was under strict orders to protect civilians and prisoners of war. The prosecutor tenders into evidence a series of documents showing that soldiers in the witness's unit, 6th Sana Brigade, and indeed in the battalion under his command, committed mass killings of Muslim and Croat civilians

In his testimony in Ratko Mladić's defense, war-time commander of the 3rd Battalion in the 6th Sana Brigade Branko Predojević tried to absolve the Bosnian Serb Army of the blame for the crimes in Sanski Most and the area around it. The witness claimed that his unit had been under strict orders to treat prisoners of war 'in line with the laws and customs of war'. No orders were directed against the non-Serb civilians, Predojević argued.

The witness explained that any instances of unlawful treatment on the part of Serb soldiers were strictly punished. The defense tendered into evidence a criminal report filed in December 1992 against several soldiers in Predojević's brigade. At least one of them served in the 3rd Battalion. The case involved several members of the Gvozden family who were suspected of killing seven Croat civilians, including three women, in the village of Sasina near Sanski Most.

When the presiding judge asked if the perpetrators had been convicted, Predojević replied that he didn't know the outcome of the trial. What Predojević did know was that soon after their arrest the perpetrators were released and returned to their unit. It was usual to allow soldiers who had committed crimes to return to their units and then to prosecute them after the war. 'Sending them to the front line was a harsher sentence than letting them remain in prison', the witness explained.



◀ Branko Predojević, defence witness at Ratko Mladić trial

In the cross-examination, prosecutor Edward Jeremy presented documents from the Banja Luka military court. According to the documents, in their interview with the investigative judge the accused men stated they 'want to return to the unit'. They "suggested to the court to release them from detention". The motion was granted in record time. Another document that shows that by 1999, long after the end of the war, the accused had not yet stood trial, was also admitted into evidence, as was a combat report from the 1st Krajina Corps, dated 6 December 1992, in which Mladić's Main Staff is informed about the crime against Croats in Sasina.

The prosecutor noted that the members of the Gvozden family were not the only war criminals fighting in the witness's battalion in the 6th Sana Brigade. Two of Predojević's soldiers took part in the mass murder on the Vrhpolje Bridge on 31 May 1992. The perpetrators – Zeljko Ilic and Jadranko Palija – forced a group of Muslims from several villages near Sanski Most to jump into the river and then fired shots at them. The witness didn't deny that during the war Ilic and Palija had served in his unit. Predojević claimed he didn't know the details of the crime because he arrived in Sanski Most some 20 days later. The prosecutor reminded him that Jadranko Palija was sentenced to 28 years in prison for the Vrhpolje Bridge crime before the State Court in Sarajevo.

In his statement to the defense team Predojević said that the Bosnian Serb army wasn't involved in the expulsions of non-Serbs from Sanski Most. Also, according to Predojević, the jurisdiction of the local Crisis Staff and the army in Sanski Most didn't overlap. However, in the cross-examination the witness admitted that he actually didn't know much about that because he had spent most of the war on the frontlines outside of the town.

Mladić's defense continues its case tomorrow.

2015-01-29

THE HAGUE

AUTONOMOUS REGION OF BIRAC: DID IT PROTECT SERB INTERESTS ONLY?

At Ratko Mladić's trial, Milenko Stanic from Vlasenica persisted that the Birac SAO was not there to protect Serb interests only, as the prosecution alleges. The term 'Serb' in the name of the region was put in the documents he was shown by the prosecution by 'ignorant recording clerks with three years of secondary education'



Milenko Stanic, defence witness at Ratko Mladić trial

Milenko Stanic was the president of the Vlasenica municipality and crisis staff. Later he was appointed the president of the SAO Birac Assembly. In his statement to Ratko Mladić's defense, he said that the problems in the municipality in eastern Bosnia were caused by the efforts of the SDA to break up Yugoslavia and declare an independent BH. In April 1992, the non-Serbs started leaving the municipality en masse, and there was an influx of Serb refugees into Vlasenica. As the authorities were unable to find accommodation for the refugees, Stanic said, some of them evicted Muslims from their homes to move in.

The statement describes the two meetings Stanic had with the accused Mladić, in Vlasenica and Zvornik in 1992. In line with the Tribunal's Rules, defense counsel Stojanovic had to examine the witness about those meetings in court. Stanic first mentioned those meetings when he was proofed by Radovan Karadzic's defense ahead of his testimony at Karadzic's trial in February 2013. According to Stanic, at both meetings Mladić insisted on the problems caused by the Serb paramilitaries in Zvornik, indicating that the VRS would deal with them. The witness claims he had never heard Mladić issue orders for Muslims to be expelled or for crimes against them to be committed.

Prosecutor Alan Tieger used documents to show that Serbs seized power in Vlasenica in line with the conclusions adopted by the SDS Main Board in December 1991, known as Variants A and B. This is what led to the establishment of the Serb Autonomous Region (SAO) of Birac, whose purpose was to foster Serb interests and Serb interests alone. Stanic insisted that it was not 'a Serb region'. He refused to comment on the suggestion that some people obviously considered it to be Serb. As he said, he could not make any assumptions to that effect because he felt it was a philosophical issue, and 'as an economist, I always act in a rational manner in any given situation'. According to him, the term 'Serb' was put into official documents by 'ignorant recording clerks with three years of secondary education'.

The prosecutor showed an article published in the SDS bulletin *Javnost* which refers to 'moving Muslims safely elsewhere' in line with the decision of the SAO Birac government. He also brought up an order issued by Major Svetozar Andric, in which the major demands that 'the head of the SAO Birac government' be contacted urgently regarding a prisoner exchange. According to the prosecutor, the witness was the head of the government at that time. Stanic persisted in denying that this was a reference to him. As he explained, the SAO Birac ceased to exist at one point. After repeated attempts to elicit an answer to the question who headed the SAO Birac government, if he did not, the judges decided that the witness was refusing to answer.

As prosecutor Tieger said, on 25 June 1992, Stanic informed Mladic about an increase in the number of non-Serb civilians in detention in Vlasenica. According to the prosecutor, the situation was the result of the decision of the SAO Birac and Major Andric's order in late May 1992 to 'safely move' Muslims from the villages around the town elsewhere. 'This was just one of the reasons', Stanic said. A while later he added that it 'probably' was the result of Andric's orders. Eventually he claimed that the departure of Muslims from Birac 'transpired in completely different circumstances'.

Ratko Mladic's trial continues on Monday, 2 February.

2015-02-02

THE HAGUE

CIVILIANS STRONGER THAN ARMY

Slobodan Zupljanin, a VRS officer from Kotor Varos, gave evidence in Ratko Mladic's defense. The witness admitted that in early November 1992 the Bosnian Serb army was responsible for the safety of 150 Muslim men who were detained in a school in Grabovica but was not able to protect them from vengeful Serb civilians



◀ Slobodan Zupljanin, defence witness at Ratko Mladic trial

Ratko Mladic's defense continued its case with the evidence of Slobodan Zupljanin, former commander of the 2nd Battalion in the 22nd Infantry Brigade. During the war Zupljanin's unit was deployed in the Kotor Varos area. In his statement to the defense the witness insisted on the humanitarian efforts undertaken by his brigade and didn't say anything about the crimes. The indictment alleges that the crimes in Kotor Varos reached the scale of genocide.

Zupljanin claims that the brigade soldiers played a 'positive role' when they helped several Muslim civilians from Prijedor –survivors of the Koricanske Stijene massacre –in August 1992. The positive approach was

also evident when an entire Muslim-Croat brigade from Kotor Varos surrendered. The soldiers were escorted safely from the municipality and 'no one harmed a hair on anyone's head'. Furthermore, when 5,000 Croat civilians and 1,500 Croat soldiers withdrawing after clashes with the Muslim forces came to the Kotor Varos area, the brigade helped provide them with accommodation and food. Later, they were taken to Kiseljak and Split, the witness explained.

One of the gravest crimes in the Kotor Varos area happened in early November 1992: about 150 detained Muslim men were taken to a school in Grabovica and executed. In the statement to the defense the witness didn't mention the crime. In the cross-examination, this was practically the only topic the prosecutor probed.

The prosecutor presented excerpts from the minutes of the Kotor Varos war presidency meetings. The documents showed that the municipal leaders talked about the detention of 150 Muslims from the village of Vecici in the presence of the witness and other army personnel in early November 1992. At one of the meetings it was noted that four VRS officers –Zupljanin, Pejic, Balaban and Novakovic –would decide the fate of the detainees. The witness admitted that this conclusion 'follows from the sentence structure'. However, Zupljanin claimed that it didn't actually happen. Zupljanin claimed that he didn't have anything to do with the prisoners and shifted the blame on the 1st Kotor Varos Brigade and its commander, Colonel Novakovic. The Muslim detainees from the Grabovica school were under the jurisdiction of Novakovic's unit.

After 4 November 1992, the Vecici prisoners were no longer mentioned at the War Presidency meetings. The prosecutor put it to the witness that it was because they were executed the day before. According to the minutes,

the War Presidency considered establishing a commission to deal with the war booty: collecting the money and valuables taken from the victims. The document also speaks about the 'clean-up' of the terrain and the school in Grabovica. The witness admitted that he learned about the crime immediately after it happened. He informed the brigade commander about everything, Zupljanin explained. 'I told him that the idiots from up there had committed a massacre', and that the army was not able to prevent it. Zupljanin didn't know if the army had launched any kind of investigation. Asked if he could say what happened with the bodies of the victims, the witness replied that there were rumors that they were buried 'somewhere near the village of Plitska'. The bodies have never been found.

An interview Zupljanin gave on 5 November 1992 was also shown in court today. In the interview Zupljanin said that Muslim extremists from Vecici 'met the fate they deserved'. Judge Moloto asked the witness if he had wanted to say that the prisoners deserved to be executed. Zupljanin told him that the extremists deserved to be detained, and the only killing he condoned was that done in combat.

2015-02-03

THE HAGUE

CROATS HAD TO PAY THEIR WAY THROUGH SERB TERRITORY

Through the evidence of Davor Kolenda, Ratko Mladic's defense tried to prove that the VRS observed international humanitarian law when it allowed about 6,000 Croats to pass through its territory in the summer of 1993. The prosecution noted that Mladic didn't let the Croats from Travnik to pass out of the kindness of his heart. He did it because he stood to gain, in military, strategic, propaganda and financial terms



◀ Davor Kolenda, defence witness at Ratko Mladic trial

Former HVO secretary-general in Travnik Davor Kolenda described in his statement to Mladic's defense how about 6,000 Croats from Travnik were able to leave the area and pass through the Serb-held territory on 7 June 1993. About 5,000 women, children and the elderly were taken to Croatia in buses. About 800 men of military age were detained several days in the Manjaca prison camp. There, Kolenda recounted, they were given 'accommodation on humanitarian grounds; there was no criminal intent'.

Kolenda's statement to Mladic's defense is almost identical to what he told to the Croatian SIS in 1993. Only a couple of paragraphs are missing in Kolenda's statement to Mladic's defense. In one of those paragraphs,

prosecutor Roeland Bos noted, the witness said that when he was in Manjaca he was asked to give an interview to a Serb TV network. Serbs wanted to use the situation for propaganda purposes, Kolenda explained. Replying to the prosecutor Kolenda said that the Serbs had thus wanted to 'show the world' that they 'were observing every single element of international humanitarian law'.

In his statement to Mladic's defense Kolenda claimed that the Serb army treated him and other Croats in Manjaca 'properly'. This prompted the prosecutor to remind the witness of yet another part of his statement to the SIS. In it Kolenda described how the Serb troops in Manjaca forced him and the others to chant 'Bosnia is Serbian, like Moscow is Russian' the whole day long, in 30-degree heat. Kolenda agreed that the Serb army treated him and other Croats 'in a humiliating manner'.

The prosecutor went on to show a document which indicates that Mladic personally allowed the Travnik Croats to pass through the Serb territory. Mladic didn't do it because he was 'altruistic' but because he wanted to improve the position of the Serb troops in the battlefield. Also, the prosecutor brought up several documents that show there was close cooperation between the VRS and HVO in the war against the BH Army. The VRS provided artillery support to the HVO when necessary. Also, the VRS supplied arms in exchange for oil and money and Croats paid dearly for their assistance. Mladic's cable from June 1993 is particularly interesting in that context. The cable notes that the 'HVO should give the Serb side 1.5 million German marks for the transportation of Croats from Travnik, for food, cigarettes...'.

Kolenda said he was aware that the VRS and HVO worked together during the war. 'Serbs needed oil, and Croats did not have enough weapons and ammunition and it was easy for the two sides to come to an agreement', the witness explained. Kolenda claimed he didn't know anything about any payments made to secure the departure of Croats from Travnik in the summer of 1993.

2015-02-04

THE HAGUE

MUSLIMS LEFT BOSANSKI NOVI 'VOLUNTARILY'

Former Crisis Staff president Radomir Pasic claimed that Muslims left Bosanski Novi 'voluntarily'; the local authorities merely provided assistance. The prosecutor put it to him they had no other choice but to 'leave voluntarily'



◀ Radomir Pasic, defence witness at Ratko Mladic trial

Radomir Pasic, war-time president of the Bosanski Novi Crisis Staff, has testified at two trials before the Tribunal: that of Momcilo Krajsnik and later, of Radovan Karadzic. The indictments against the two accused included the crimes committed in that municipality. Before the trial began, the charges pertaining to Bosanski Novi were dropped from Ratko Mladic's indictment to streamline the proceedings. Mladic's defense nevertheless decided to call Pasic as a witness.

Mladic's defense counsels decided to use the statement Pasic had given to Karadzic's defense team. In it, the witness explained that the municipal authorities couldn't guarantee Muslims their safety. This, coupled with the dismal economic and political situation, made the

Muslims want to leave Bosanski Brod. The Crisis Staff only 'provided them assistance' to leave the territory controlled by the Bosnian Serbs.

The prosecutor, on the other hand, put it to the witness that the Muslims' departure was the result of ethnic cleansing and that the ethnic Muslim had no other choice but to leave because of the crimes committed against them. The attacks by the Serb police and Territorial Defense threatened the Muslims' safety. The witness claimed only the paramilitaries were to blame.

A Crisis Staff proclamation of 8 June 1992 was admitted into evidence; it urged the Muslim population from the Blagaj and Dolina Japre area to evacuate. If the Muslims refused to do so, their safety could no longer be guaranteed. Pasic replied that no one in Bosanski Novi, and this obviously included Muslims, could be granted their safety. The prosecutor asked him if any similar proclamations had ever been addressed to Serbs. Despite several interventions of the Trial Chamber, the witness refused to answer.

A few days after the announcement, about 4,000 Muslims from Bosanski Novi were put on a train, in 22 sealed cars, and the train set off for Zenica. Pasic confirmed it, although he was not able to tell the exact number of the evacuees. According to the prosecution evidence, the train was stopped in Dobojski. Several hundred men were taken off the train and returned to Bosanski Novi. The men were detained in Mlakve, a local stadium, and held there until 22 or 23 July 1992. Then they were transported to Croatia.

The witness also mentioned in his statement that UNPROFOR was involved in the evacuation of Muslims from the Mlakve Stadium. The prosecutor recalled the statements made by the UN representatives to foreign media in July 1992: they didn't want to take part in the ethnic cleansing, but the local Serb authorities had blackmailed them into doing that. When the UN representatives were told that 'something bad will happen' to Muslims who were refusing to leave, the UN decided to provide support to the evacuation. Pasic noted that the UN members agreed to help when they realized that the Muslims were insistent about their departure. 'They wanted to leave, it was their plan', the witness concluded.

Ratko Mladic's trial continued with the evidence of Vojin Ubiparip, former commander of the Bosnian Serb Army Kotor Varos Brigade.

2015-02-05

THE HAGUE

WAS KOTOR VAROS BRIGADE 'MULTI-CULTURAL'?

Vojin Ubiparip from Kotor Varos claimed at Ratko Mladic's trial that the VRS Kotor Varos Brigade was multi-cultural, yet was able to recall the names of just one Muslim and one Croat. He also claimed that Muslims from the village of Siprage left because of the 'SDA threats'

Vojin Ubiparip, former commander of the VRS Kotor Varos Brigade, gave evidence at the trial of Ratko Mladic. The witness stressed there was 'good cooperation' with Muslims in Kotor Varos and alleged that his brigade was 'multi-cultural'. According to Ubiparip, the Muslims left because they were under the pressure of the Party of Democratic Action (SDA). Ubiparip was adamant that prisoners of war were treated in line with the Geneva Conventions because Mladic insisted that the VRS observe laws and customs of war.



◀ Vojin Ubiparip, defence witness at Ratko Mladic trial

How multi-cultural the Kotor Varos Brigade actually was became clear after first few questions by the judges. Ubiparip was able to recall only one Muslim and one Croat among the officers in his brigade.

In the cross-examination, the prosecutor noted that the Muslims in the village of Siprage near Kotor Varos voluntarily surrendered their arms and pledged their loyalty to the Serb authorities and were nevertheless expelled from the village. The local mosque was destroyed like all the other Muslim mosques in the Kotor Varos municipality. Ubiparip told the prosecutor that he had opposed the destruction of the mosques. Asked why he failed to take any steps to investigate and identify

those who had destroyed the mosque, Ubiparip said it was the job of the civilian police.

The prosecutor noted that the Muslims from Siprage were asked to hand over their livestock, vehicles and household appliances before moving out. The goods were then distributed to Serbs. The witness claims he knew anything about those events, although his brigade's headquarters was located in the village. The Muslims 'had to move out' because the SDA told them that otherwise they would be destroyed, the witness explained. When the judges questioned him a bit later, Ubiparip said that he in fact didn't know if that threat had come from the Muslim military or civilian authorities.

Ubiparip was appointed commander of the Kotor Varos Brigade in June 1993. At that time, as he said, there were no expulsions, adding that he 'can't make any claims' about the previous period. The prosecutor asked the witness if upon his arrival in the village of Siprage he noticed there were no Muslims left there. Ubiparip replied that he saw 'the indigenous population' there and that 'everyone was there'. Apparently, he forgot that a few moments earlier he had said the Muslims had to leave.

After Vojin Ubiparip completed his evidence, the defense called Vinko Nikolic, a member of the Sanski Most Crisis Staff.

2015-02-05

THE HAGUE

NON-SERBS WERE GIVEN 'ASSISTANCE' TO LEAVE SANSKI MOST

Mladic's defense witness Vinko Nikolic testified that Muslims and Croats left Sanski Most 'at their own request; it was their own decision' while the municipal authorities only 'assisted' them. The prosecutor noted that the assistance in fact consisted of a series of coercive measures that left the non-Serbs with no other choice but to leave



◀ Vinko Nikolic, defence witness at Ratko Mladic trial

During the war Vinko Nikolic was a member of the Crisis Staff in Sanski Most. He was the representative of the Serb Defense Forces (SOS). This was a paramilitary group that became part of the Bosnian Serb Army at the beginning of the conflict as a special unit of the 6th Sana Brigade. Nikolic has already testified before the Tribunal in Radovan Karadzic's defense. Nikolic's statement from the Karadzic trial was admitted into evidence at the trial of Ratko Mladic.

Defense counsel Branko Lukic read out the summary of the witness's statement. In it, Nikolic claims that the Sanski Most authorities didn't plan the expulsion of non-Serbs from the municipality. Also, 8,000 Muslims were

able to remain in their homes until the end of the war, Nikolic noted. According to the witness, loyal non-Serbs were not removed from their jobs and worked as teachers or cadastre clerks. The witness didn't deny that a large number of non-Serbs left the municipality, but they did so 'at their own request; it was their decision'. The authorities merely provided 'assistance', Nikolic explained.

Prosecutor Amir Zec put it to the witness that the authorities assisted by putting pressure on non-Serbs: they were fired from their jobs, detained at several locations in Sanski Most and transferred to the Manjaca prison camp near Banja Luka. According to the minutes from the Crisis Staff meetings, the witness was among those in charge of firing non-Serbs. Also, the minutes showed that people were transported to Manjaca in trucks that the witness was in charge of, for the municipal authorities. Nedžad Muhic, one of the judges who had lost their job in Sanski Most, and

19 other detainees suffocated on a truck en route to Manjaca. The witness claimed that he was only involved in the firing of the court president and the director of the Health Center. Nikolic also said the civilian police was responsible for the transportation of detainees to Manjaca.

Nikolic claimed that at the end of the war about 8,000 Muslims still lived in the municipality. The prosecutor contested the claim with a document from the Banja Luka State Security Service which states that in February 1995 there were about 3,350 Muslims and about 1,000 Croats living in Sanski Most, out of the pre-war population of more than 30,000. The prosecutor put it to the witness that all those people had been expelled. To corroborate his allegation the prosecutor showed the minutes from a session of the municipal executive board held in late July 1992. According to the document, the departure of non-Serbs should 'continue because the army and the Serb people demand it' and Sanski Most should be a 'Serb' town. Furthermore, the *Informator* magazine, published by the Serb Democratic Party municipal board, reported in June 1992 that the 'most efficient way to deal with the ethnic conflict is to transfer Muslims and Croats to Central Bosnia'. The witness responded that he was not a member of the municipal board and the party. At the time, Nikolic explained, he was on the front lines and didn't know anything about expulsions.

In the re-examination defense counsel Lukic revisited the issue of the municipal board meeting. He highlighted the fact that the minutes state the evacuation should proceed 'in a peaceful manner' and that those who were 'interested in leaving' should be provided with transportation. Nikolic retorted that at its meetings, the Crisis Staff discussed only the departure of civilians who 'expressed their desire to leave'. In Nikolic's words, the municipal authorities wanted to 'protect lives even if it meant that people had to move out'. Judge Flugge asked the witness if the goal of that process was to make Sanski Most a 'Serb town'. 'Probably', the witness replied.

Vinko Nikolic was the last witness scheduled for this week. The defense case continues on Monday.

2015-02-09

THE HAGUE

CONTESTING SREBRENICA PENITENT'S 'ABSOLUTE UNTRUTHS'

Mile Petrovic, former police officer from Bratunac, contested the 'absolute untruths' presented by Momir Nikolic before the Tribunal. Momir Nikolic claimed that on 13 July 1995 Petrovic had killed six Srebrenica men to avenge his brother and that they had met Ratko Mladic in Konjevic Polje, who had made a hand gesture indicating that all the prisoners would be executed



◀ Mile Petrovic, defence witness at Ratko Mladic trial

Mile Petrovic was a deputy commander of a military police platoon in Bratunac in July 1995. Today he testified at Ratko Mladic's trial. In his testimony Petrovic contested the credibility of Momir Nikolic, former security chief in the VRS Bratunac Brigade, who had pleaded guilty at the Tribunal for the crimes committed in Srebrenica in the summer of 1995 and was later sentenced to 20 years.

In his plea agreement and in his evidence before the Tribunal, Nikolic claimed that on 13 July 1995 he, Petrovic and his commander Mirko Jankovic took a ride from Bratunac to Konjevic Polje in a stolen UN armored personnel carrier. Six Muslims surrendered to them en route; when they arrived in Konjevic Polje, Petrovic killed

the captives, telling Nikolic that he executed them to 'avenge' his brother, who had been killed in a BH Army attack.

Petrovic insisted that Nikolic 'absolutely didn't tell the truth'. In his statement to Mladic's defense Petrovic confirmed that he had been in a UN APC with Nikolic and Jankovic, but he denied that six Muslims had surrendered to them en route to Konjevic Polje. According to Petrovic, they had just two prisoners in their vehicle: they took the pair to Konjevic Polje. On arrival, Petrovic first interrogated them and then handed them over to a Serb soldier.

According to Petrovic, one of Nikolic's 'numerous untruths' was his claim that on 13 July 1995 he met Mladic at a crossroads in Konjevic Polje. Mladic stood there and addressed the prisoners from Srebrenica, promising them they would be transferred to Kladanj, to the territory under the BH control. Nikolic claimed that as he and Mladic walked towards the car, he asked Mladic what would happen to those men. As Nikolic recounted, Mladic smiled, and made a sharp hand gesture, moving his palm from left to right, indicating that the prisoner would be killed.

The witness contested the testimony of two UN soldiers, quoted by prosecutor Melissa Pack. The two peace-keepers said in their statements that Petrovic and Jankovic had put them into a UN APC. Petrovic and Jankovic gave them flak jackets and weapons and ordered them to stand up in the hatch. Petrovic and Jankovic drove the APC with the UN soldiers through the woods where Muslims from Srebrenica were hiding.

The prosecutor put it to the witness that Serbs thus wanted to create the impression that those who surrendered would be under UN protection. Petrovic disabused her of the notion, telling her that he merely carried out Nikolic's

order to 'take the UN soldiers wherever they wanted to go'. According to Petrovic, he and Jankovic drove two UN soldiers towards Bratunac. After about two kilometers, 'at their [UN soldiers'] request', they brought them back to Konjevic Polje. Petrovic was adamant that he could not hear the Serbs urging the Muslims to surrender using loudhailers because of the noise that the APC's engine made.

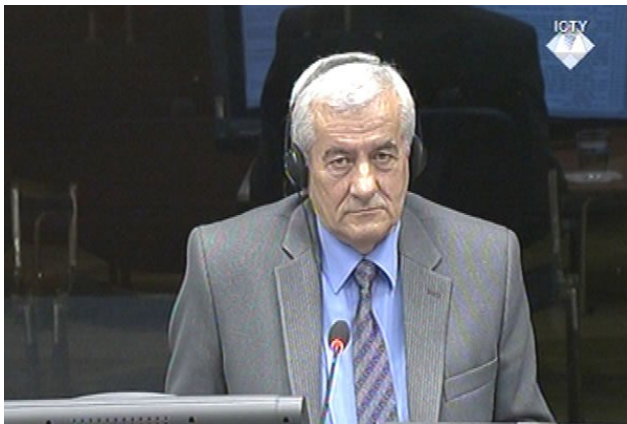
The presiding judge asked the witness to list the rest of the 'numerous untruths' presented by Momir Nikolic, but the witness was unable to recall any of them.

2015-02-10

THE HAGUE

'VOLUNTARY' PRISONERS IN PRIJEDOR PRISON CAMPS

Rade Javoric, former commander of the Prijedor Territorial Defense, argues that Muslims and Croats went to the investigation and collection centers in Keraterm, Omarska and Trnopolje voluntarily. At the same time the witness admits that some prisoners were killed and raped there. This prompted the judges to ask him if they volunteered to go to places where they were victims of crimes



◀ Rade Javoric, defence witness at Ratko Mladic trial

Rade Javoric, former commander of the Territorial Defense in Prijedor, gave evidence in Ratko Mladic's defense. The witness stated that there were some Muslims and Croats who fought in the Bosnian Serb Army. During the war in Croatia, there was a call-up in the Prijedor area and many non-Serb conscripts responded. Some of them left the units when the JNA was transformed into the VRS, some reported to compulsory work service, while some remained in the Serb army until the end of the war.

In his statement to the defense, the witness blamed the Muslim paramilitary units for starting the conflict in Prijedor: they attacked the Serb army at the check points in the villages of Hambarine and Kozarac. These

attacks led to actions against Muslim paramilitaries. The witness also mentioned in his statement that there were 'investigation and collection centers' in Prijedor and that the police – not the army – were in charge of them.

In the cross-examination, prosecutor Traldi put it to Javoric that Muslim and Croat prisoners were detained in Prijedor prison camps, Keraterm, Omarska and Trnopolje, in terrible conditions. The prisoners were killed and raped, the prosecutor noted. 'I don't know about it, but I have heard there were such incidents', Javoric replied, stressing that he never visited any of the investigation centers. According to Javoric, he heard about those events from other people.

Javoric rejected the suggestion that in late May 1992, after the Bosnian Serb army and police attacked Hambarine, Kozarac and other villages near Prijedor, as many as 7,000 non-Serbs were arrested and transferred to the Prijedor prison camps. The witness claimed that the non-Serbs went there voluntarily because they didn't feel safe outside any more. The army helped the non-Serbs by escorting them safely to Keraterm, Omarska and Trnopolje, Javoric explained.

'You have just said', Judge Orić remarked, 'that you know people were killed and raped in those three centers. Should we then understand that they went voluntarily to places where they would be victims of crimes?' Javoric told him that those who went there voluntarily weren't killed. Only those of the prisoners who had been arrested because they had refused to lay down their arms ended up being killed, Javoric explained. Asked if killing a prisoner was a crime, the witness confirmed it was.

The prosecutor put it to the witness that it was general knowledge in Prijedor that the prisoners were detained in the prison camps in terrible conditions. Javoric said that in 1992 when the prison camps were open, he spent most of his time in the battlefield. There probably were some individuals who entered the investigation centers and 'committed inappropriate acts'. But, as the witness insisted, they will be punished for those deeds, 'thank God'. Asked if anyone was punished during the war for the crimes in the Prijedor prison camps, Javoric said he didn't know much about that. 'If they weren't punished, it's a pity', the witness added.

In his statement Javoric noted that the 'army didn't provide security in the collection and investigation centers in Prijedor'. The prosecutor noted that at Mladic's trial so far, the judges have heard evidence showing that the military units secured the prison camps. Also, some military officers took part in prisoner interrogations, the prosecutor said. Javoric agreed in part with the allegations.

Ratko Mladic's trial continues tomorrow with the evidence of a new defense witness.

2015-02-11

THE HAGUE

DR. DAVIDOVIC'S DIARY: 'EXPULSED FOREVER'

Nenad Davidovic, a medical doctor from Sanski Most, testifies at the trial of Ratko Mladic. As he sat at a Crisis Staff meeting in late May 1992, Dr. Davidovic jotted down in his war diary, 'Expel forever'. Today the witness was not able to explain what he had meant at the time



◀ Nenad Davidovic, defence witness at Ratko Mladic trial

The trial of the Ratko Mladic, former VRS Main Staff commander, continued with the evidence of Nenad Davidovic. The witness, a medical doctor, was a member of the Crisis Staff in Sanski Most and the chief medical officer in the VRS Sana Brigade. In his statement to the defense Davidovic said that the SDA (Party of Democratic Action) had armed and organized Muslims in Sanski Most and the neighboring villages of Vrhpolje, Trnovo, Hrustovo and Kamengrad.

Davidovic also mentioned the incidents in the villages of Vrhpolje and Skrljevita. As alleged in the indictment, in Vrhpolje the Serb troops forced a group of captured Muslims to jump into the river and then fired at them.

The witness said this was done to avenge the killing of 13 Serbs by a Muslim extremist. According to Davidovic, Danilusko Kajtez was responsible for the murder in the village of Skrljevita. Kajtez, the witness claimed, was not under the control of the VRS. Asked by the judges if there was any evidence to support his claim, the witness replied that 'there were rumors in the town'.

In the cross-examination, Davidovic said he was aware of only one case when a prisoner was beaten up in Betonirka. The prosecutor asked Davidovic if there were any rumors about the beatings being more frequent. 'I cannot make any claims about things I didn't see', the witness responded. Davidovic agreed he had erroneously claimed in his statement to the defense that medical doctors made daily rounds in the collection centers in Sanski Most. In fact, a doctor visited the sports hall while a medical technician went to Betonirka. The witness didn't know anything about the Krinks prison facility.

As he was questioned by prosecutor Edward Jeremy, Davidovic noted that about 3,000 'loyal' Muslims remained in Sanski Most after the conflict broke out. According to the witness, the Serb authorities 'protected them as much as possible' until Arkan and his unit, 'the Tigers', arrived in the area in 1995. Those who were 'not loyal' were expelled together with their families. The people who were 'not loyal' were mostly those that voted for the BH secession from Yugoslavia at the referendum.

The witness explained that the people who were 'not loyal' were 'extremists', eager to take up arms and fight, as well as those who opposed the policies of the Serb authorities. Judge Orić asked the witness why political opponents who had a democratic right to a different opinion were also expelled. Davidovic replied that it was a 'state of war' and that he personally would not have expelled them. The witness didn't know whose decision it was.

The prosecutor noted that Davidovic was involved in the decision making process, because he attended the Crisis Staff meetings when plans were drawn to expel the non-Serbs. The judges didn't fail to note that in his war diary from late May 1992, the witness made the following entry: 'expel forever'. Dr. Davidovic wasn't able to tell what he had meant. 'I wouldn't know', the witness told Judge Moloto.

2015-02-12

THE HAGUE

HOW TO DRESS UP BODIES

Nenad Davidovic, former chief medical officer in the 6th Sana Brigade, recounted at the trial of Ratko Mladic that he had proposed at a Crisis Staff meeting to dress the bodies of murdered civilians in military uniforms to give them a 'dignified' burial. The prosecutor claimed it was an attempt to cover up the crime and create an impression that the victims were soldiers killed in combat

Nenad Davidovic, former chief medical officer in the VRS 6th Sana Brigade, mentioned in his statement to Mladic's defense that he had taken part in the clean-up operation in late May and early June 1992, following the actions in which weapons were taken from the non-Serbs in the area.

As the cross-examination continued, the prosecutor referred to the evidence showing that the Muslims killed in the operations to seize weapons were thrown in mass graves; there were no proper burials and their families were not

present. The prosecutor put it to the witness that family members couldn't attend the funerals because the Serb authorities had arrested and detained them. According to the witness's diary, men were held in the Narodni Front primary school, while women and children were detained in the Sports Hall. 'It was a long time ago', the witness replied, adding that he couldn't remember everything.

The prosecutor stressed that at the Crisis Staff meeting on 30 May 1992 the witness wrote down in his diary that 'the bodies might be dressed up in uniforms'. This, the prosecutor argued, was an attempt to cover up the fact that the victims were civilians and to create an impression that the victims were soldiers. The witness dismissed the allegation, saying that the entry referred to the Muslims from the village of Hrustovo. Their bodies had been out in the open for several days and were 'dressed scantily'. As Davidovic explained, he wanted to put them in uniforms to give them a 'dignified burial'. The prosecutor stressed that the witness wrote down his entry before the events in Hrustovo. Davidovic eventually agreed with Judge Moloto that the bodies had been buried in an 'inhumane way'.

The witness argued that the non-Serbs left Sanski Most 'voluntarily'. The allegation prompted the prosecutor to quote an ultimatum issued by the Serb authorities to the inhabitants of the village of Pobrizezje: the village would be shelled if they refused to hand over their weapons. The prosecutor also showed a list of distinguished Muslims in the witness's diary. The list included medical doctor Mehmed Alagic and jeweler Faik Biscevic. A few days after the meeting, Alagic was killed while Biscevic was put in detention together with his three sons.

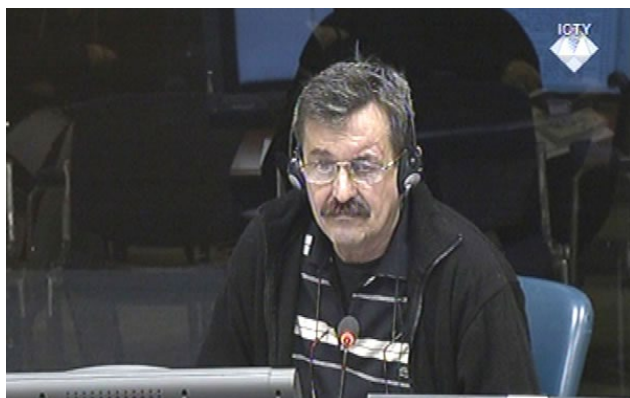
Davidovic couldn't remember what the purpose of the list of Muslims in his diary was. The witness said that he heard about Alagic being found dead. Faik Biscevic's property was looted, one of his sons suffocated as the prisoners were moved from Betonirka to Manjaca and another son survived the transfer to Manjaca but did not come out of the camp alive: Davidovic knew nothing about any of those facts. He told the prosecutor that the VRS didn't provide security during the transfer of prisoners from Betonirka to Manjaca. The Health Center was in charge of that, Davidovic explained.

2015-02-12

THE HAGUE

TRNOPOLJE – JOURNALISTS BEHIND FENCES, PRISONERS ROAM FREE

In a bid to prove that Trnopolje was not a prison camp but a collection center for civilians, Mladić's defense witness Slavko Puhalic claimed that the wire seen in the footage made by the British TV network ITN crew in the summer of 1992 was there to fence in the journalists who were filming the camp. All of the persons tried for the Prijedor prison camps at the Tribunal in The Hague used the same argument in their defense, to no avail. Mladić left the courtroom before the end of the hearing because he was unwell



◀ Slavko Puhalic, defence witness at Ratko Mladić trial

As alleged in the indictment against Ratko Mladić, Trnopolje was one of the prison camps where civilians from the Prijedor area were detained, starved, beaten, raped and killed. The defense, on the other side, argues that Trnopolje was a collection center where Muslim civilians were put in order to be kept safe from any attacks by out-of-control Serb groups. This is what Slavko Puhalic, Mladić's defense witness, claimed too. During the war, the witness worked in Trnopolje as a driver, a logistics officer in charge of food and a 'liaison between the people and the center warden', Major Slobodan Kuruzovic.

In his statement to the defense, the witness said that no one was brought to Trnopolje by force. The people came in voluntarily; in fact, most of them drove in in their own cars, the witness explained. The goal of the exercise was to remove the people from combat zones and protect them. Puhalic argued that the Muslims could leave the center temporarily and go back to their homes provided they handed in their IDs to the guards. That, Puhalic noted, meant that Trnopolje was an 'open-type' center.

Defense counsel Branko Lukic played a well-known video made in the summer of 1992 by the British TV network ITN, led by journalist Penny Marshall. The footage shows Muslim men standing on one side of the barbed wire and fence. The journalists stood on the other side of the fence, asking questions.

The witness told the defense counsel that he remembered the location shown in the footage. Puhalic explained that the journalists stood in the yard of a shop selling agricultural tools, which was fenced off. The men from Trnopolje were free. The witness thus implied that the viewers were misled: the men from the collective center were not kept behind a wire fence, but were in fact completely free. This argument has already been used to no avail by various people from the Bosnian Serb political and police structures who have been tried for the crimes in the Prijedor prison camps.

The defense then played a recording of the Serb TV network taken that same day. In the footage, a journalist talks to the men standing behind (or in front of) a fence while guards in military uniforms can be seen inside the Trnopolje perimeter. Asked about the relationship between the guards and the people inside the collection center, Puhalic replied that the guards would mingle with the refugees and talk to them. Sometimes they would even share a glass of brandy, the witness noted. 'There were no ugly scenes, there were some incidents from time to time, but mostly everything was quiet', the witness described the situation in Trnopolje.

In the second part of the hearing, prosecutor Arthur Traldi began his cross-examination of Slavko Puhalic.

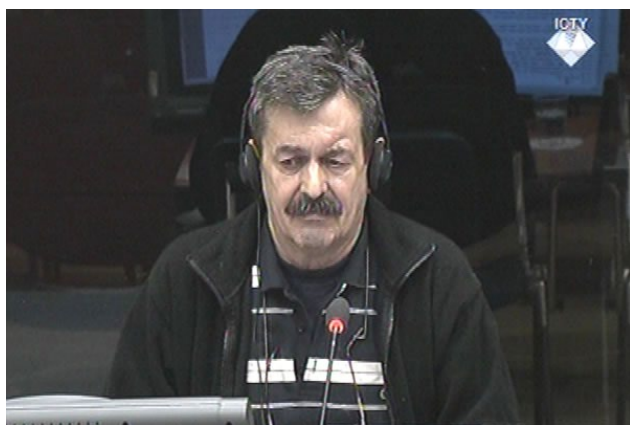
The accused Mladic was taken back to the Detention Unit today before the hearing ended because he was unwell. Mladic had previously given permission to his defense lawyers to proceed in his absence. During the final break today, Mladic complained he was not feeling well. The details were given to the judges in closed session. The trial continues on Monday.

2015-02-16

THE HAGUE

WERE PEOPLE BEATEN OR JUST PUSHED AROUND IN TRNOPOLJE?

Ratko Mladic's defense witness denies that he beat up Trnopolje prisoners. Some prisoners may have called him 'Chetnik', the witness said, and this may have caused him to push them. The judges asked the witness if such pushing could inflict injuries. 'I'd say that it could not', the witness replied



◀ Slavko Puhalic, defence witness at Ratko Mladic trial

In the cross-examination of Slavko Puhalic it became clear why the Trial Chamber had cautioned him at the beginning of his evidence last Thursday in line with Rule 90E. The rule allows the witness not to answer any potentially incriminating questions. If the judges insist on his answering those questions, the answers cannot be used against the witness. The rule is applied when there are indications that a witness was involved in crimes. Today the prosecutor confronted the witness with such allegations.

Prosecutor Traldi went on to note that non-Serb detainees at other trials in The Hague had identified Puhalic as the deputy of Major Slobodan Kuruzovic, who

commanded the Trnopolje prison camp. Puhalic denied it, saying that he was a 'rank-and-file soldier'. The fact that he served as an intermediary between Kuruzovic and the people held in Trnopolje was misinterpreted and those people thought he was the deputy commander.

At the trial of Dusko Tadic in The Hague two persons who were detained in Trnopolje identified Puhalic as one of the soldiers who took part in the abuse of prisoners. Witness Gutic said that Puhalic had interviewed prisoners in his office and that some of the prisoners were beaten up. Mustafa Mujkanovic, another Trnopolje detainee, testified that a group of Serbs beat him up heavily with bats and cables. One of the Serbs was 'captain Slavko, a butcher from Prijedor'; his last name may have been Puhovski. Puhalic denied that it was him, noting that there were several other butchers called Slavko in Prijedor. Also, the witness stressed that, according to Mujkanovic, those who beat him up wore the Chetnik insignia on their caps. As Puhalic explained, he came from a 'Partisan family'.

Puhalic nevertheless agreed that he 'may have pushed someone off' if that person made him angry by calling him 'Chetnik'. This prompted Judge Orić to ask Puhalic if such a push could cause injuries. Puhalic 'thought' that it couldn't. 'Do you think it could not or is it a fact that it could not', the presiding judge insisted. 'I'd say that it could not', the witness replied.

During the war Puhalic drove a Mercedes Benz 300D that used to belong to a local Muslim. Puhalic claimed that the man had handed the vehicle to the army 'voluntarily'. Soon afterwards, the Muslim ceded the car to Puhalic, again 'voluntarily'.

2015-02-17

THE HAGUE

UNDER 'UMBRELLA' OF MANJACA

Radomir Radinkovic, former security officer in the VRS 1st Krajina Corps, described the Manjaca prison camp as the only place where the detainees could hope to survive. As the witness put it, Manjaca was an 'umbrella', keeping the prisoners 'safe from harm' regardless of whether they were brought in as civilians or prisoners of war.



◀ Radomir Radinkovic, defence witness at Ratko Mladic trial

Radomir Radinkovic, former security officer in the VRS 1st Krajina Corps, gave evidence at the trial of Ratko Mladic. From May to November 1992, Radinkovic was in charge of security in the Manjaca prison camp. The witness was also a member of the Commission for the Admission of prisoners. The Commission identified persons brought in to the prison camp. In his statement to the defense Radinkovic said that his main job was to interrogate prisoners, to provide security in the prison camp, to recommend security measures and to report to the superior command.

As he was questioned by prosecutor Edgerton, the witness confirmed that his team had ascertained that many of the people detained in Manjaca had not been

taken part in armed combat. When judge Orić asked why those men hadn't been released, the witness said that his service 'didn't have the mandate' to set the detainees free. Radinkovic stressed that they could recommend to the superior command to release the elderly, the minors and the sick 'but only in an organized way, if they went to third countries'. They could not let the prisoners 'go where they will' because of the war, Radinkovic explained: the prisoners could be killed. 'That was our motto and it was humane', Radinkovic said.

The judges were particularly interested to hear the witness speak about 1,400 detainees who were brought to the prison camp gate in 11 buses in the early morning of 6 August 1992. The prison camp management refused to accept them until the civilian police escorting the buses made a list of the prisoners' names. In the meantime, many of the detainees were beaten in front of the prison camp gate, and some were killed. When he heard what was going on, Radinkovic informed the chief of security, Stevan Bogojevic, and called in a military police platoon to help. When the military police arrived, the beatings and killings stopped.

Radinkovic claimed that the military police were only in charge of the security inside the prison camp; that was why the military police didn't go out of the prison camp to intervene when prisoners transferred from Omarska were killed. 'Why did you not go to the fence and say, hey guys, stop it', Judge Orić asked the witness. 'If I see someone being killed, I don't need any authorization to at least tell the killers to stop', the judge added. 'It was not my job to go to the gates, and especially not to bring up the issue of human moral values', the witness told the judge.

Radinkovic described Manjaca as the only place where prisoners could hope to survive. According to the witness, Manjaca was an umbrella that kept the prisoners 'safe from harm' regardless of whether they were brought in as civilians or prisoners of war. The witness repeatedly stressed that he and his colleagues had made a 'superhuman effort' to fully comply with the Geneva Conventions. This prompted Judge Orić to express his doubt if the witness interpreted the Geneva Conventions correctly.

2015-02-18

THE HAGUE

ON THE EVE OF ATTACKS ON SREBRENICA AND ZEPA

In his evidence in Mladic's defense Milenko Jevdjevic, a lieutenant colonel in the signals service, described how in 1994 and 1995 the Drina Corps was under constant commando attacks from the Podrinje enclaves. This is why Serb soldiers couldn't be redeployed to other parts of the front



◀ Milenko Jevdjevic, defence witness at Ratko Mladic trial

Lieutenant colonel Milenko Jevdjevic began his evidence in Ratko Mladic's defense. The witness spent most of the war as the commander of the signals battalion in the VRS Drina Corps. In the examination-in-chief today, which has yet to be completed, Jevdjevic talked about the situation in the Drina Corps area of responsibility in Eastern BH in the summer of 1995, on the eve the attacks on Srebrenica and Zepa. Unlike previous defense witnesses whose written statements have been admitted into evidence, Jevdjevic is testifying live in the courtroom.

According to the assessments of the Drina Corps, the strength of the BH Army in Srebrenica and Zepa was equivalent to one division and five brigades:

approximately 12,000 to 15,000 men. The command of the 28th Division headed by Naser Orić was located in Srebrenica. The brigade was subordinated to the BH Army's 2nd Tuzla Corps. Muslim fighters from Srebrenica and Zepa would set up ambushes and incursions, the witness explained, and many Serb soldiers and civilians were killed in those attacks.

The situation didn't change after Srebrenica, Zepa and Gorazde were declared UN protected zones in the spring of 1993. As a consequence, the Drina Corps was on constant alert and its units couldn't be redeployed to fronts.

The prosecutor didn't contest those allegations, as it transpired today. However, defense counsel Ivetic insisted on Jevdjević's evidence because the defense wants the judges to know about the 'timeline and picture of the events' in Podrinje before the Bosnian Serb army attacked Srebrenica and Zepa. The defense counsel showed several documents drafted by the Drina Corps in 1994 which describe the movements of the enemy commando groups and the BH Army's intent to launch an attack from the direction of Tuzla and to link up with the 28th Division in Srebrenica. An order of the Drina Corps refers to the BH Army troops as 'Turks', but according to the witness, there was nothing controversial about that. 'They called us Chetniks, we called them Turks and no one got particularly angry', the witness explained.

A Drina Corps document of 3 June 1995 reports that Serb soldiers 'forced back' the UNPROFOR personnel from the check point in Zeleni Jadar. That caused the Muslim population to 'withdraw in panic' from that village. The witness's name was typed at the bottom of the document but he claimed that he wasn't the author. Someone else wrote it, in a bid to fascinate other officers. To this end, this person used 'hyperbole and exaggerations'. The implication is that the content of the document is inaccurate. Jevdjević's main suspect is Milenko Zivanovic, Drina Corps commander, who purportedly wanted to fascinate his chief of staff. For 'moral reasons', as a senior officer Zivanovic couldn't sign his name on the report and decided to type Jevdjević's name, the witness said. In fact, Jevdjević recounted, the corps units had merely made a minor move, without firing a single round, in order to secure the rear of the road at Zeleni Jadar. There was no panicked evacuation of the people because there were no civilians living in the village.

The witness was asked questions about his specialty – the communications systems in the Drina Corps. Jevdjević explained that the Corps used mostly radio relays and directional radio relay communications. The witness was shown a BH Army map with marks showing Drina Corps radio relay communications with the Main Staff, the Republika Srpska Presidency and subordinated units. The map was based on intercepted conversations of the VRS officers. Jevdjević claimed that most of the information on the map was incorrect. The witness will speak about it tomorrow as his examination-in-chief continues.

2015-02-19

THE HAGUE

SREBRENICA TIMELINE: WITNESS AND PROSECUTION AT ODDS

In a bid to show that he left Srebrenica immediately after the Bosnian Serb troops took it, Mladić's defense witness Milenko Jevdjević claimed that on 11 July 1995 he left the Drina Corps forward command post to attend a meeting of commanders with General Mladić in Bratunac, and the next day he established a communications center for the attack on Zepa. The prosecution didn't contest this timeline, but argued that the events took place one day later



◀ Milenko Jevdjević, defence witness at Ratko Mladić trial

In the final part of his examination-in-chief at Ratko Mladić's trial, Milenko Jevdjević described his role in Operation Krivaja 95, which was launched by the VRS to capture Srebrenica in June 1995. During the attack, the former commander of a Drina Corps signals battalion was in Pribicevac at the Drina Corps forward command post, where he set up a communications center. When the Serb army entered Srebrenica, he followed the troops.

The witness claimed that in the evening of 11 July 1995 he dismantled the communications center, left Pribicevac and went to Bratunac via Srebrenica and Potocari. As the witness recounted, a meeting was held in the

Bratunac Brigade barracks around 10pm. General Mladić chaired the meeting, which was attended by the Drina corps commander, General Zivanovic, and General Krstic, the Drina Corps chief of staff, and the commanders of all the brigades that were part of the Corps. The witness was at the meeting as the commander of a signals battalion. According to Jevdjević, the officers analyzed the situation after the arrival of the Bosnian Serb army in Srebrenica. Mladić 'expressed his idea' for all the Corps units to launch Operation Stupcanica 95, whose goal was to capture Zepa.

The witness claimed that Mladić had ordered him to leave Bratunac that same night, to establish a communications center in the new Drina Corps forward command post in Krivaca and to wait for the officers that would lead the attack on Zepa. The witness explained that he set up the communications center in the early afternoon of 12 July 1995.

The prosecutor didn't contest the timeline presented by Jevdjevic but claimed that all those events happened one day later. The meeting in Bratunac was held in the evening of 12 July 1995, and the forward command post in Krivaca was established on 13 July 1995. In a bid to convince the judges that he went to Zepa immediately after the capture of Srebrenica and that he was not present when the men were arrested in Srebrenica and separated from the women and children in Potocari, the witness stuck to his version of events. He would not budge even when he was confronted with evidence confirming the prosecutor's allegations.

Prosecutor Hasan showed the war diary which states that the meeting was held in the evening of 12 July 1995 and that Mladic arrived about 10pm. Jevdjevic replied that he was 'absolutely sure' that everything happened the evening before and that Trivic was wrong. Jevdjevic was then shown an order issued by the Drina Corps command to set up the Krivaca forward command post on 13 July 1995. The witness responded that he had established the communications center the day before the Corps officers arrived at Krivaca.

In his report, special police commander Ljubomir Borovcanin stated that full control over Potocari was not established until 12 July 1995 at 1pm. That would mean that the truck with the witness and the signalmen couldn't have passed that way the previous evening. Jevdjevic explained that he had received intelligence that the road to Bratunac was clear. The witness refused to budge in the face of a report by a UN member who stated that no Bosnian Serb military vehicles passed through the UN check point in Zuti Most in Potocari in the evening of 11 July 1995. The Tribunal's judgment in the Srebrenica Seven case dismissed Jevdjevic's evidence. The judges in that case concluded that the meeting in Bratunac was held on 12 July 1995.

Since he happened to be in the midst of the military attack on Srebrenica, the prosecutor asked the witness if the chain of command from the accused Mladic down to the Drina Corps command and the units subordinated to them remained 'intact' during the entire operation. Jevdjevic said that 'everything functioned normally'. The witness will continue his evidence on Monday.

2015-02-23

THE HAGUE

WITNESS 'TRIES TO WEASEL OUT' OF SREBRENICA EVENTS

Milenko Jevdjevic, former commander of a signals battalion in the Drina Corps, claims that he left the Srebrenica-Bratunac area on 11, not 12 July 1995. The prosecution argues he is not telling the truth because he 'is desperately trying to weasel out' in a bid to show he didn't know about the separation of the Muslim men from women and children in Potocari and their detention in Bratunac



◀ Milenko Jevdjevic, defence witness at Ratko Mladic trial

Prosecutor Hasan continued today the cross-examination of former Drina Corps signals battalion commander Milenko Jevdjevic. The prosecutor called additional evidence to contest the witness's claim that he attended the meeting of the ranking Corps officers with Ratko Mladic in the late evening of 11 July, not on 12 July 1995. The witness alleged that he left the Drina Corps forward command post in Pribicevac in the evening of 11 July 1995 after Srebrenica was captured. Then, the witness claimed, he passed through Potocari, attended the meeting in Bratunac, and continued to Vlasenica. The next day Jevdjevic set up a communications center for the attack on Zepa.

The prosecutor presented a transcript of the conversation intercepted by the BH Army surveillance service. According to the document Jevdjevic reports at 6:50pm that he disconnected the communications center in the Pribicevac forward command post and moved to the Bratunac military barracks, where a meeting with Mladic was held. The witness contends that those events took place on 11 July 1995. His claim was contradicted by another conversation of two Bosnian Serb servicemen, intercepted that same day at 10pm. The two VRS servicemen ask each other 'have you seen the boss [Mladic] on TV among all those *bulas* [Muslim women] in Potocari?'. Jevdjevic didn't contest the fact that Mladic was filmed talking to Muslim women in Potocari on 12 July 1995, but he nevertheless stuck to his claim that he left the Srebrenica area the day before.

'You are desperately trying to weasel out', the prosecutor put it to the witness, 'to show that you went to Zepa on 11 July 1995 and to thus deny that on your way through Potocari on 12 July 1995 you saw men being separated from women and children there, and a large number of detainees in Bratunac'. Jevdjevic dismissed the suggestion saying 'I am as certain that I went towards Vlasenica and Zepa on 11 July 1995 as I am certain that I walked through this door to testify in this courtroom'.

In the examination-in-chief, the witness argued that the BH Army soldiers did not have accurate information about the communications between the Drina Corps and its superior commands and subordinated units. Jevdjevic thus

suggested that the intercepts, primarily those pertaining to the Srebrenica operation, admitted into evidence at Mladić's trial weren't authentic. This prompted the prosecutor to show several intercepted conversations from that period, noting that they corresponded with the actual events on the ground.

The Drina Corps commander Radislav Krstic and the Zvornik Brigade chief of staff Dragan Obrenovic took part in an intercepted conversation on 2 August 1995.

The prosecutor quoted portions of the conversation.

KRSTIC: Are you working down there?

OBRENOVIC: Of course we're working.

KRSTIC: Good.

OBRENOVIC: We've managed to catch a few more, either at gunpoint or in the minefields.

KRSTIC: Kill them all. God damn it.

OBRENOVIC: Everything, everything is going according to plan. Yes.

KRSTIC: Don't leave a single one alive.

OBRENOVIĆ: What?

KRSTIC: Don't leave a single one alive!

OBRENOVIĆ: Everything is going to plan.

KRSTIC: Way to go, Chief. The Turks are probably listening to us. Let them eavesdrop all they want, motherfuckers.

Interestingly, Obrenovic asked Krstic if he could speak to Jevdjevic and Krstic told him he could. Asked if that was him, the witness said at the end of the cross-examination today, 'Yes, I am Jevdjevic'. The witness will complete his evidence tomorrow.

2015-02-24

THE HAGUE

FISH ON ST. PETER'S DAY?

Witness Milenko Jevdjevic claimed that after the fall of Srebrenica the accused Mladić met with the Drina Corps officers in Bratunac on 11 July 1995, not on 12 July 1995. Jevdjevic corroborated his argument with the fact that fish was served for dinner: according to him, that could only mean that it was 11 July 1995, the last day of the apostles' fast. Confronted with other evidence, the witness finally admitted that fish could have been served the next day, on St. Peter's day. Yet Jevdjevic seemed unaware that his admission changed the substance of his evidence, corroborating the prosecution case, that Mladić and his officers were in Bratunac when the first transports with captured Muslims started arriving in the town. In the days that followed, the detainees were executed

At the beginning of the fourth and last day of evidence of Lieutenant Colonel Milenko Jevdjevic, the focus continued to be on the intercepted conversation between the then Drina Corps commander Radislav Krstic and the chief of staff of the Zvornik Brigade, Dragan Obrenovic on 2 August 1995. A person with the same last name as the witness, Jevdjevic, joined the conversation at some point. At the beginning of the conversation, Krstic tells Obrenovic to continue hunting down the Muslim men who were hiding in the woods. 'Don't leave anyone alive', Krstic says. Obrenovic then asked for Jevdjevic and talked to him about herding the cattle left in the Srebrenica area after the Muslim population had left the town.

'I was never involved in herding the cattle, my job was to set up the communications system', the witness, who was a signals battalion commander in the Drina Corps, explained. Furthermore, as the witness noted, Obrenovic could be heard saying a word that sounded like 'Vitoje', and that was not Jevdjevic's nickname. Asked if he recognized the other two participants in the conversation, the witness replied that he couldn't tell because the 'voice modulation' was high. The prosecutor stressed that Obrenovic was not hindered by the modulation; in his statement to the investigators in The Hague Obrenovic confirmed that the conversation was authentic. Obrenovic said that he recognized his own voice and the voice of General Krstic.

Today, the examination again focused on the same issue as in the previous three days of Jevdjevic's testimony: whether General Mladić met the Drina Corps commanders in Bratunac on 11 or on 12 July 1995. The prosecutor alleges that the event took place in the evening of 12 July 1995. The witness on the other hand was categorical that he attended the meeting in Bratunac the previous evening. Jevdjevic, the prosecutor suggested, 'is lying' because he wants to prove that he, Mladić and other VRS officers were not in Srebrenica when the crucial events took place. In other words, the prosecutor explained, Jevdjevic wants to avoid questions about what happened to the captured Muslims who were detained on 12 July 1995 at several locations in Bratunac.

As he was questioned by the defense counsel Ivetic in the re-examination, the witness said that Zvonko Bajagic, a

local Serb who was 'very religious' had brought carp to the meeting and carp was served for dinner. That, Jevdjevic argued, meant that it was 11 July 1995, the last day of the Saint Peter's fast. Had the meeting been held the next day, on the Saint Peter's day, grilled lamb or pork would be served as was the custom. Fish would not have been on the menu, Jevdjevic stressed.

However, prosecutor McCloskey presented a video recording showing the St. Peter's feast in Bajagic's house in 1995. The highest ranking military and religious officials headed by General Zivanovic and bishop Kacavenda were in attendance. The footage showed a table with fish dishes. The prosecution contends that this is fish', the prosecutor noted. 'It looks like fish, although I can't be sure, but it looks like it', the witness responded. The fact that fish was served for lunch on 12 July 1995 means, according to the prosecution, that fish may well have been served for dinner, as it would not be against Orthodox custom.

The witness eventually admitted that fish could be on the menu St. Peter's day only if it fell on a Wednesday or Friday, because the Orthodox Church requires its followers to fast on those days of the week, regardless of any other circumstances. The presiding judge first noted that 12 July 1995 was a Wednesday and asked the witness if he was aware that he had just changed his evidence. Jevdjevic had initially been quite adamant that it was 11 July 1995, the last day of the fast, then allowed that fish may have been served on 12 July 1995, too, thus contradicting his previous assertion that only lamb or pork could be served on Saint Peter's day, never fish. 'I am not aware that I changed my evidence', the witness responded.

Mladić's defense continues tomorrow.

2015-02-25

THE HAGUE

WHAT WITNESSES TALK ABOUT AS THEY WAIT TO TESTIFY

After Milenko Jevdjevic completed his evidence, the defense called a new witness, Miodrag Dragutinovic. He also claimed that Mladić met the Drina Corps commanders in Bratunac on the day when Srebrenica fell, on 11 July 1995. The prosecution alleges that the meeting took place a day later, on 12 July 1995. In the cross-examination, Dragutinovic confirmed that he had seen Jevdjevic in the past few days and discussed the events in Srebrenica with him. He also discussed the 'atmosphere in the courtroom' with Jevdjevic



◀ Miodrag Dragutinovic, defence witness at Ratko Mladić trial

The trial of the former VRS Main Staff commander Ratko Mladić continued with the evidence of Miodrag Dragutinovic, former assistant to the Zvornik Brigade chief of staff. Although the witness provided a written statement, at the last minute the defense decided to examine Dragutinovic in court about his involvement in the VRS Srebrenica operation in July 1995.

In the examination-in-chief, Dragutinovic said that the Zvornik Brigade participated in Operation Krivaja 95, as the attack on Srebrenica was codenamed, with a tactical group consisting of about 400 men. The group was established specifically for that operation. At the beginning of July 1995, the group broke through towards Srebrenica to reach the Zeleni Jadar region on 11

July 1995. In the morning of 12 July, the witness headed towards Srebrenica together with Vinko Pandurevic, the Zvornik Brigade commander. According to Dragutinovic, Pandurevic then told him that he had attended 'a briefing in Bratunac' the previous night.

This was the same meeting discussed in the course of the testimony of Milenko Jevdjevic, the defense's previous witness. Jevdjevic too claimed that Mladić's meeting with the brigade commanders was held in Bratunac on 11 July 1995. On the other hand, the prosecution alleges that the meeting was held on 12 July 1995; by that time, the first buses with Muslim captives had already arrived in Bratunac. The detainees were temporarily held in the Vuk Karadzic school. The next day, the prisoners were transferred to execution sites.

In the cross-examination, prosecutor Peter McCloskey wanted to know if Jevdjevic and Dragutinovic had had any contact with each other in The Hague and if they had discussed the events from July 1995. Dragutinovic confirmed that he knew Jevdjevic. The two of them stayed in the same hotel, Dragutinovic said, and they 'naturally' saw each other every day at breakfast, lunch or on some other occasions. They did talk about the events in Srebrenica, Dragutinovic noted. However, as a 'signalman' Jevdjevic wanted to talk about the details of the communications systems and the 'unpleasantness' he experienced in court. Dragutinovic didn't want to discuss those topics: they 'wore him out' because he 'had nothing to do with that'.

As he answered some questions put to him by Judge Orić, Dragutinovic said that it was 'logical' for him and Jevdjevic to discuss the 'atmosphere in court'. Since Miodrag Dragutinovic hasn't yet completed his evidence, the presiding judge warned him at the end of the hearing that in the meantime he shouldn't discuss his evidence with anyone, not even to talk about the 'atmosphere' or impressions in the courtroom.

2015-02-26

THE HAGUE

ARE MUJAHIDEEN CRIMES RELEVANT FOR MLADIC'S TRIAL?

In the final part of Miodrag Dragutinovic's testimony, the prosecutor highlighted the evidence that Ratko Mladic had returned to the VRS Main Staff from Belgrade in the evening of 16 July 1995. The defense alleges that Mladic came back on 17 July 1995. In the first part of Goran Krcmar's evidence the defense played excerpts from a movie *Ljubi brata* about the crimes of the El Mujaheed unit against captured Serb soldiers



◀ Goran Krcmar, defence witness at Ratko Mladic trial

The cross-examination of Mladic's defense witness Miodrag Dragutinovic, former assistant to the chief of staff of the Zvornik Brigade, continued today. The prosecutor presented several documents showing that on 16 July 1995, the units in the areas of responsibility of the Birac and Zvornik Brigade were prohibited from firing on aircraft in their airspace until 2200 hours.

As the prosecutor alleged, this shows that Mladic returned by helicopter in the evening of 16 July 1995 from Belgrade. Mladic had gone to Belgrade on 14 July 1995 to meet Slobodan Milosevic, to visit the Military Medical Academy and to attend a wedding. The defense contends that Mladic returned to the Main Staff the next

day, on 17 July 1995. UNPROFOR helicopters often flew over that area and that was the reason why units were prohibited from firing on aircraft on 16 July 1995, the defense argued.

Goran Krcmar, a member of the Commission for Exchange of Prisoners in the VRS 1st Krajina Corps, was the next defense witness. In the statement to the defense Krcmar said that during the war they didn't have enough prisoners of war to exchange because the 'VRS conducted defensive operations and didn't have the opportunity to capture enough enemy soldiers'. Krcmar made a series of accusations against the 'Muslim side'. According to him, the Muslims exaggerated the number of victims.

Defense counsel Branko Lukic played excerpts from the movie *Ljubi brata* about the crimes of the El Mujaheed unit against captured Serb soldiers. Several former prisoners held by the Mujahideen appeared in the film, as well as witness Goran Krcmar. In the movie Krcmar spoke about the exchanged and missing Serb soldiers. As of today, 460 Serb soldiers remain on the missing list.

After a few segments, the judges asked about the relevance of the evidence on the Mujahideen crimes for the case against Ratko Mladic. The prosecution does not contest the fact that all sides in the Bosnian war committed grave crimes and atrocities, the judges added. If that is not controversial, the judges could not understand why the defense should spend valuable court time to call evidence that does not pertain to the substance of the case against Mladic.

As defense counsel Lukic said, the defense intends to show that the 'Bosniak side' is refusing to cooperate with the Serbs in the efforts to find the missing Serbs and is 'exaggerating' the figures for the missing and killed Muslim victims. Lukic noted that the prosecution has shifted the burden of proof as to the number of persons killed in Srebrenica in July 1995 on the defense.

The judges are not interested in the issue of the cooperation between the institutions in Republika Srpska and the Federation because it is irrelevant for Mladic's case. As Judge Orić stressed, it is not true that the burden of proof about the number of Srebrenica victims was shifted on the defense. The Trial Chamber relies solely on the reports on the number of identified victims exhumed from the mass graves and on witness testimonies. The defense's only burden is to refute the evidence called by the prosecutor.

Goran Krcmar will continue his evidence on Monday, 2 March 2015.

2015-03-02

THE HAGUE

WITNESS: THERE WERE CRIMES, BUT I CAN'T SAY WHICH ONES

Goran Krcmar has claimed at Ratko Mladic's trial that the special unit of the Banja Luka Public Security Service didn't commit any crimes against non-Serbs in June 1992 in Kotor Varos. Krcmar, a former member of the unit, admitted that he had been in Kotor Varos at the time. In Krcmar's words, 'doubtless' members of the Burce unit committed some crimes...but he actually 'can't say what those crimes are'



◀ Goran Krcmar, defence witness at Ratko Mladic trial

Goran Krcmar, who worked in the Commission for the Exchange of Prisoners of War in the VRS 1st Krajina Corps, continued his evidence at the trial of Ratko Mladic.

Continuing the examination-in-chief defense counsel Branko Lukic showed a map of 1,400 locations in Bosnia and Herzegovina where – according to the witness – the remains of 4,100 Serbs reported missing have been discovered. As the witness said, the remains of 471 persons of Serb ethnicity have been exhumed in Sarajevo alone. The witness claimed that ‘no one has been held responsible yet’ for those crimes, except in one case, but, as Krcmar noted, that person was found to have ‘diminished capacity’.

Today the defense counsel once again played an excerpt from the movie *Ljubi brata* showing the exhumation of a Serb soldier who had been beheaded. The victim is believed to have been killed by the members of the El Mujaheed detachment. The witness said that the conduct of the BH Army’s Mujahideen unit made the Serb people become ‘full of hate and vengeance’.

In the first part of the cross-examination prosecutor Arthur Traldi noted that before he became a member of the exchange commission the witness served in the special unit of the Banja Luka Security Services Center. In June 1992, the witness took part in combat operations in Kotor Varos, at the time when mass crimes were committed against non-Serbs.

The prosecutor went on to show several video excerpts in which the witness was able to identify three members of the Security Services Center special unit. One of the recordings showed members of the special unit forcing a captured civilian to raise his hand and hold it up against the wall with three fingers held up. ‘Serbs greet each other with three fingers, but I don’t see anything controversial here’, the witness remarked.

Also, the prosecutor showed Krcmar the minutes from a meeting of the Kotor Varos Crisis Staff held on 26 June 1993. The minutes make mention of the crimes committed by the special unit adding that Stojan Zupljanin, chief of the Banja Luka Security Services Center, would be informed about everything. Krcmar replied that he didn’t know about this or any other meeting or about the crimes. He is certain that the police did not commit any crimes.

This prompted Judge Orić to ask the witness what his conviction was based on. Krcmar told him that while he worked on the exhumations in the field he learned from the Zenica investigation authorities that a group called Burce had committed the crimes. He did not question the fact that the crimes had been committed, but he for one didn’t know what those crimes were. In Judge Orić’s opinion, an ‘analysis of the logic’ underpinning the witness’s replies cast doubt on the credibility of his allegation that the special police unit did not commit any crimes in Kotor Varos.

Goran Krcmar continues his evidence tomorrow.

2015-03-03

THE HAGUE

EXCHANGES WERE PART OF ETHNIC CLEANSING MACHINERY

Goran Krcmar, a member of the Commission for the Exchange of Prisoners in the 1st Krajina Corps, completed his evidence. In the final part of his testimony, the prosecutor insisted that the VRS actively participated in the exchanges of civilians. These exchanges were part of the ‘ethnic cleansing machinery’, the prosecutor explained. Milivoj Simic, the war-time commander of the Doboj Garrison, began his testimony

Goran Krcmar completed his evidence at the trial of Ratko Mladic. The witness was a member of the Commission for the Exchange of Prisoners in the VRS 1st Krajina Corps. In the cross-examination, the prosecutor put it to him that the exchanges were part of the ‘ethnic cleansing machinery’. Prosecutor Traldi presented evidence showing that in addition to the exchanges of prisoners of war, the VRS was involved in the exchanges of civilians, including women, children and the elderly.

As he was questioned by the prosecutor, Krcmar said that civilians ‘were not exchanged’; they ‘voluntarily’ left Republika Srpska and went to the BH Army-controlled areas or to third countries. A Republika Srpska agency ‘organized’ those evacuation, and the VRS ‘helped’ because ‘border points’ located in combat zones had to be secured, the witness explained.

The prosecutor reminded the witness of the mass evacuation of Croats from Central Bosnia through the territory controlled by the VRS control in June 1993. On 8 June 1993, Mladic signed a Main Staff document in which he instructed his troops to demand from the HVO, in return for the safe passage of Bosnian Croats, to hand over all Serb prisoners and to allow Serbs from Tomislavgrad and Livno municipalities to cross into the Serb territory, the prosecutor noted.

Krcmar claimed that there were no conditions at all: it was done in a bid to 'save the Croat population' from the Lasva valley. 'The least you can do is not to consider this humane act as some kind of an exchange and not make it into something dishonorable', Krcmar noted. The fact that the VRS documents the prosecutor showed consistently use the term 'exchanges' to mean demarcation line crossings was in Krcmar's view 'a terminological mistake'.

The prosecutor went on to confront the witness with a similar document in which UNPROFOR officials raised their concerns about 'civilian exchanges' between the warring factions in Bosnia and Herzegovina. According to the UNPROFOR officials, the exchanges were 'poorly disguised ethnic cleansing'. Krcmar replied that the prosecutor was once again trying to 'establish a link between the extremely honorable transactions and the realm of a purported ethnic cleansing machinery'. 'This is not fair', the witness complained.

After Goran Krcmar completed his evidence, the defense called Milivoj Simic. During the war, Simic commanded the Doboj Garrison.

2015-03-04

THE HAGUE

WHAT IS AND WHAT ISN'T CREDIBLE?

Former commander of the Doboj Garrison Milivoje Simic said in his evidence that he found 'incredible' the allegations in the media about '8,000 or more persons' killed in Srebrenica in July 1995. Yet, the witness found it 'credible' that 2,000 prisoners were executed without Mladic's knowledge and permission



◀ Milivoj Simic, defence witness at Ratko Mladic trial

Former commander of the Doboj Garrison Milivoje Simic completed his evidence at the trial of Ratko Mladic. In his statement to the defense Simic recounted that the last time he saw General Mladic was in August 1995 in Doboj at a meeting with Momir Talic and Milan Martić. According to the witness, as Mladic walked in through the door he said that 2,000 people had been killed in Srebrenica. 'Brothers, something terrible has happened, it should never have happened, without my knowledge and permission', Simic quoted Mladic as saying.

In the cross-examination, prosecutor Arthur Traldi contested the credibility of Simic's testimony given that in the past 20 years the witness has never thought it

might be a good idea to speak out about the mass crimes in Srebrenica and his knowledge of those events. Simic has not testified at any of the numerous Srebrenica trials of his fellow officers from the VRS. That, the prosecutor stressed, showed that Simic's evidence was 'not true'.

Simic was nevertheless adamant that his description of the events was accurate. The witness remained firm as he was peppered with questions both by the prosecutor and the judges, even when he mixed up years and events at one point. Simic thus recounted that after Mladic's statement about 2,000 Muslims who had been killed in Srebrenica, the meeting continued with Talic's report on the latest developments in Operation Koridor, which was in fact launched in 1992.

Responding to questions asked by Judge Orić, Simic said that he 'clearly understood that Mladic was referring to the killings, not to people who were killed in combat'. Also, Simic said that Mladic didn't make any further comments about the murders in Srebrenica because he 'probably didn't feel like it'. Besides, there 'was no need' for any additional explanations because they were told firsthand 'what had happened and why'. In those days, the witness said, the Muslim and Croat media published 'exaggerated' numbers: they spoke about '8,000 or more' victims in Srebrenica.

Simic said that it was 'incredible' that so many people, '8,000 or more', could have been killed without General Mladic's knowledge and permission. Yet at the same time, the witness told Judge Orić he found Mladic's claim that 2,000 persons were killed without Mladic's knowledge 'credible'. This was the result of organized covert efforts by someone, aimed against the VRS and the Serb nation', the witness concluded adding that he still believed that.

Prosecutor Traldi used the opportunity in Simic's cross-examination to point to numerous crimes in the territory of Doboj, Odzak and Teslic perpetrated by VRS troops and other units, such as the Wolves from Vucijak, which were under the command of Veljko Milanović. A recording of a rally was played showing Momčilo Krajišnik saying that the Wolves from Vucijak were a 'unit that would make any army in the world proud'.

After Milivoje Simic completed his evidence, the defense called Mladen Blagojević. Blagojević was in the military police in the VRS Bratunac Brigade.

2015-03-05

THE HAGUE

WHAT DID MLADIC SAY AND DO IN KONJEVIC POLJE ON 13 JULY 1995?

Mladić's defense has called a former military police officer in the VRS Bratunac Brigade to the witness stand in a bid to contest Momir Nikolic's testimony. Nikolic testified that on 13 July 1995 he saw the Main Staff commander make a hand gesture that implied the captured Muslims would be executed. Why the witness was deported from the USA and convicted in Sarajevo of crimes against humanity



◀ **Mladen Blagojevic, defence witness at Ratko Mladic trial**

Mladen Blagojevic testified today in Ratko Mladić's defense. On 13 July 1995 Blagojevic, a military police officer in the Bratunac Brigade, accompanied General Mladic from Bratunac to the VRS Main Staff in Han Pijesak. According to the prosecution witnesses, Mladic stopped en route at several locations where the VRS troops held the Muslims they had captured in and around Srebrenica.

In his statement to the defense, Blagojevic contested the testimony of Momir Nikolic, former chief of security in the Bratunac Brigade. Nikolic, who pleaded guilty to the Srebrenica crimes, was sentenced to 20 years in prison. According to Nikolic, he spoke to the VRS Main Staff

commander on 13 July 1995 in Konjevic Polje. Asked about what would happen with the prisoners gathered by the side of the road, Mladic replied with a hand gesture which meant that the prisoners would be executed.

Blagojevic denied that he had seen Momir Nikolic that day. Also, according to Blagojevic, Mladic didn't talk to the prisoners in Konjevic Polje as Nikolic had alleged. Mladic only told the RS soldiers manning the check point 'not to laze about', in passing.

In the examination-in-chief, Blagojevic confirmed to the defense that he had lived eight years in the USA. In 2006, Blagojevic was deported to Bosnia and Herzegovina when it turned out that he had failed to declare his participation in the war. The witness claimed that the people from the International Organization for Migration had suggested to him to leave out the fact that he had fought in the war to speed up the immigration procedure.

In the cross-examination, the prosecutor played a video recording of Blagojevic's interview with American investigators. In the interview Blagojevic said that he didn't mention his war years at the suggestion of his friends and relatives who had already moved to the US. In the same interview Blagojevic told the US authorities that on 14 July 1995, as he stood guard in front of the Vuk Karadzic school in Bratunac, where the prisoners from Srebrenica were held, he saw several Muslims taken off a bus and killed. Replying to the prosecutor today, Blagojevic insisted that he 'didn't see the murders' but only 'heard shots from behind the school' where the prisoners had been taken.

The judges repeatedly intervened in the cross-examination to clarify the discrepancies in the witness's testimony about the same events. However, Blagojevic was not able to explain how that occurred.

Upon his return to BH, Blagojevic was arrested and indicted. Blagojevic was tried for opening fire from a heavy machine gun at the detainees in the Vuk Karadzic school in Bratunac in the night of 13 July 1995. Blagojevic was found guilty by a BH court and sentenced to seven years. After serving five years and 11 months, Blagojevic was granted early release. Blagojevic was adamant that he didn't commit the crime and that he was not guilty.

Mladić's trial continued with the evidence of new defense witness, Branko Volas from Kljuc.

2015-03-05

THE HAGUE

WITNESS KNOWS NOTHING ABOUT UNIDENTIFIED INCIDENTS

In his statement to the defense, Bosnian Serb military officer Branko Volas said he knew nothing about the incidents listed in the indictment against Ratko Mladic. Volas could not even say what incidents he meant

In the indictment against Ratko Mladic, Kljuc is listed among the six BH municipalities where the campaign of persecution against the non-Serbs had reached the scale of genocide. Defense witness Branko Volas argued that Muslims and Croats had voluntarily left the municipality of Kljuc. The witness had no knowledge of any crimes against non-Serb civilians, including several mass murders listed in the indictment.



◀ Branko Volas, defence witness at Ratko Mladic trial

In early 1992, the witness was drafted into the JNA. In June 1992, the witness was appointed assistant for intelligence and security to the commander of the 3rd Battalion in the 17th Kljuc Brigade. Later, during the summer of 1995, the witness was appointed the battalion commander. Volas blamed Muslim extremists for starting the conflict in Kljuc. In May 1992, as the witness explained, the extremists ambushed a JNA bus convoy and a MUP patrol. Dusan Stojkovic, deputy commander of the Kljuc police station, was killed in the incident. The witness admitted that he had heard about those incidents from others and that he had no first-hand knowledge.

Volas's written statement was admitted into evidence. In Paragraph 14 of his statement, the witness states, 'At

the time when the incidents listed in the indictment occurred, I was in the Kupres battlefield. I don't know anything about the number of victims and the event itself'. Presiding judge Orić wanted to know what specific event the witness didn't know anything about. Volas replied that he couldn't remember exactly what that part of the statement referred to. 'So you said that you don't know anything about something you are not able to identify', the presiding judge noted. Volas said that he only heard rumors about the crimes in Kljuc. He didn't know if those rumors were true or not.

At the beginning of the cross-examination, prosecutor Jeremy noted that in early June 1992, when at least 77 Muslim prisoners were killed in a school in Velagici, the witness was indeed in the battlefield in Kupres. However, at the time of the second mass murder, the witness was in Kljuc. Volas returned from the frontline in late June 1992, and about 144 Muslim civilians were massacred in the village of Biljani on 10 July 1992. The witness said that in the relevant period he was with his battalion command in the village of Donja Previja. The village is located some 12 to 13 km from Kljuc, at the opposite end of the municipality.

In his statement to the defense, the witness recounted that the conditions in Kljuc during the war were difficult for everyone. As a consequence, people from all ethnic communities 'voluntarily' left the area; the witness could understand their motives. In a report to Ratko Mladic in November 1992, Vinko Kondic, the Kljuc police chief, said that only 2,000 Muslims remained in the municipality. Before the war there were 17,500 Muslims there. The witness did realize that Muslims were leaving in ever greater numbers, but he insisted they left the municipality voluntarily to go to 'third countries'.

The prosecutor showed the witness a conclusion of the local War Presidency of 30 July 1992. According to the document, 'the residents are allowed to move out permanently only if they exchange their real estate with another party'. If not, the real estate would be confiscated by the Serb municipality of Kljuc. The prosecutor suggested that it was in fact a guarantee that the non-Serb population would not return. It also shows that the non-Serbs did not leave voluntarily. Apart from remarking that the measures looked 'funny' to him, Volas refrained from further comments. As he said, he didn't know much about 'legal principles'.

2015-03-09

THE HAGUE

PREPARATIONS IN TRNOPOLJE FOR 'PROPAGANDA VISIT'

Former officer in the VRS 1st Krajina Corps Milos Solaja has claimed at the trial of Ratko Mladic that there was no barbed wire fence in Trnopolje. The prosecution has insisted that there was a fence, which was removed from 5 and 7 August 1992 as the camp was prepared for a 'propaganda visit' of foreign journalists. The visit was arranged in order to mitigate the shocking effect of the footage taken on 5 August 1992 which showed starving prisoners behind the barbed wire



◀ Milos Solaja, defence witness at Ratko Mladic trial

Milos Solaja, former officer in the VRS 1st Krajina Corps, testified at the trial of Ratko Mladic today. On 7 August 1992, Solaja escorted a group of about 40 foreign journalists on a visit to the prison camps in Trnopolje, Omarska and Keraterm. In his statement to Mladic's defense Solaja said that there were no machine gun nests and barbed wire around Trnopolje.

As alleged by the prosecution, Trnopolje was one of the prison camps where civilians from the Prijedor area were detained, starved, beaten, raped and killed. The defense, on the other hand, maintains that it was a collection center where Muslim civilians sought shelter from attacks by out-of-control Serb groups.

In the cross-examination, prosecutor Arthur Traldi noted that the first small group of foreign journalists was able to enter Trnopolje on 5 August 1992. In the first footage from Trnopolje which was broadcast all over the world, a barbed wire fence could be seen. However, when another, larger, group of journalists visited the camp on 7 August 1992, the barbed wire was removed for propaganda purposes, in order to create a rosy picture of Trnopolje, Traldi said. Solaja repeated that he didn't see any barbed wire fence in Trnopolje on 7 August 1992. 'In the area where I live, the farmers put up such a fence to prevent people from jumping over it', the witness added.

Solaja claims he did not know that 1,000 prisoners had been moved from Omarska to Manjaca on 6 August in order to hide them from the journalists. This is contradicted by the documents in the possession of the prosecution which clearly show that his command had been notified of the transfer. As he explained, he learned from the media that on 7 August, the Republika Srpska government had reacted to the TV reports about the situation in Omarska by staging a press conference where officials admitted the conditions in the camp were bad and that it was overcrowded. The witness also claims he knew nothing about the massacre of prisoners in Keraterm which took place two weeks before the journalists' visit.

After Milos Solaja completed his evidence, the defense called Bojan Subotic. The witness, who was in the military police in the VRS 65th Motorized protection regiment, took part in the VRS Srebrenica operation in the summer of 1995.

2015-03-09

THE HAGUE

VOLUNTARY SURRENDER AND KILLING AROUND SREBRENICA

Bojan Subotic, Mladić's defense witness, claims that on 13 July 1995 he and several soldiers managed to survive three ambushes mounted by thousands of Muslim fighters. As Subotic claimed, he was able to capture a couple of hundred Muslims. In between two ambushes, the witness saw over 500 dead Muslims in the woods near Nova Kasaba. The Muslims had killed each other, Subotic explained, when one group of Muslims had tried to prevent others from surrendering



◀ Bojan Subotic, defence witness at Ratko Mladić trial

The evidence of Bojan Subotic, former military police officer in the VRS 65th Motorized detachment didn't help much Ljubisa Beara, chief of security in the Main Staff. The Appeals Chamber has recently confirmed Beara's life sentence for his involvement in the Srebrenica genocide. However, that didn't deter Mladić's defense to present the same argument before the Trial Chamber in a bid to contest the prosecution's allegations about mass executions of the Srebrenica Muslims and the involvement of the Bosnian Serb Army in the crime.

In the statement to the defense and in his testimony today, the witness described the events that took place in the course of a single day in July 1995 in Nova Kasaba

and its environs. Subotic didn't mention the exact date but it was most probably 13 July 1995, because he mentioned Mladić address to the prisoners in the football stadium in Nova Kasaba.

That morning, Subotic recounted, a Serb woman from the neighborhood arrived in his HQ. The woman said that her house was 'full of Turks', which meant Muslims. This prompted the witness and another soldier to go and check the situation. They were ambushed by about 1,000 Muslim soldiers who had about 30 to 40 machine guns. The witness and his fellow soldier returned fire and fled. After that, the witness and several soldiers went in a combat vehicle to Konjevic Polje. There was gunfire coming from that direction. When they crossed the bridge in Nova Kasaba the witness and his companions were once again ambushed. One of the witness's soldiers was wounded and the vehicle was damaged. After that the witness ordered his soldiers to fire tear gas canisters at the attackers although he didn't know who they were, and thus succeeded in repelling the attack and driving the enemy into the woods.

The shooting stopped but before the witness and his soldiers could pull themselves together, a group of about 15 Muslims came from 'behind our backs'. They said they wanted to surrender. As they told the witness, Muslim commanders, headed by Zulfo Tursunovic, were killing all those Muslims who wanted to surrender. The witness and the captured Muslims headed into the woods and there they saw what the witness described as a 'chilling scene'. In a meadow, there were more than 500 dead people. As far as the witness could tell, the victims had been killed when 'those who did not want to surrender' threw hand grenades at them. Some victims were hanged, the witness noted, but there were also several injured persons. The witness and his soldiers took the wounded with them.

They were told that about 200 Muslims had surrendered to Serb soldiers at a location where they had parked their combat vehicle. As Subotic recounted, he and his escort were ambushed on their way back. That was their third ambush that day. About 200 BH Army soldiers attacked the witness and his escort and disarmed them. This is when

things took a strange turn: the witness told the attackers who had captured him and his fellow soldiers to surrender. Much to their surprise, the Muslims agreed. 'To this day I can't understand how that happened', Subotic said.

Hundreds of Muslims were taken to the football stadium in Nova Kasaba, where there were already a number of other detainees. General Mladic addressed the prisoners, Subotic recounted. Mladic said that the prisoners would be provided with 'accommodation, food and will then be exchanged'. The prisoners purportedly responded to Mladic's statement with

applause. The witness categorically denied that the Serb soldiers killed any captured Muslims in the football stadium that day; they certainly did not kill anyone while the accused general was there. People were taken to Bratunac in buses, the witness recounted, adding that he had escorted the convoy to the Vuk Karadzic primary school in Bratunac, where the civilian police took over the prisoners. As alleged by the prosecution, the prisoners were then transported to the Zvornik area where they were executed.

Bojan Subotic will most probably be cross-examined on Monday because several defense witnesses are expected to give evidence via video link before the end of the week.

2015-03-10

THE HAGUE

THE HYATT HOTEL IN TRNOPOLJE

In a bid to paint the conditions in the Trnopolje 'reception centre' in the rosiest light, Mladic's defense witness Branko Beric claims that non-Serb civilians ate better food than their Serb guards. In fact, he said, they could roast meat. They could prepare lamb to celebrate Eid. He went as far as to compare the camp with a Hyatt hotel. Milenko Djuric from Kotor Varos completed his evidence before Beric took the stand. Djuric blamed the 'mothers of Serb boys who had been killed' and other civilians bent on revenge for the massacre of about 150 Muslims in the village of Grabovica



◀ Branko Beric, defence witness at Ratko Mladic trial

Ratko Mladic's defense will call a string of witnesses who will all testify via video link this week. The first was a former member of the Serb Territorial Defense from Kotor Varos, Milenko Djuric. His testimony broke a record: it was over in nine minutes. He confirmed the accuracy of the statement he had given to the defense. Mladic's lawyers read out the summary of the statement in court, and that was it.

In May 1992, the witness was drafted and assigned to the Territorial Defense. His task was to guard his village, Rastik. In late June, he was captured by the BH Army soldiers from a neighboring village, Vecici. He and the other Serb captives were held in a basement. They were

beaten and abused. Some were killed. In his statement, Djuric notes that his tormentors were convicted at the BH State Court and sentenced to long prison sentences.



◀ Milenko Djuric, defence witness at Ratko Mladic trial

He was released after 105 days in captivity. Later he learned that the local Serbs retaliated for the losses they had suffered by killing Muslim prisoners in Grabovica. He heard that the Bosnian Serb troops had been unable to prevent the revenge. As he noted, the 'mothers of Serb boys who had been killed' were the most aggressive. The defense had no questions for the witness and the prosecution decided not to cross-examine him, apparently because the prosecution felt that hear-say could not refute the evidence that Mladic's soldiers were to blame for the massacre of about 150 prisoners in Grabovica.

After Djuric completed his evidence, the defense called Branko Beric, who had been brought to the same place to testify via video link. Beric served in the logistics base of the Prijedor Territorial Defense. The commander of the logistics base was also in charge of the Trnopolje camp. The prosecution alleges that it was one of the three camps that existed in Prijedor, while the defense contends it was 'a reception centre' where non-Serb civilians could seek shelter. The witness was in Trnopolje day in day out from late May to late July 1992.

As he praised the conditions in Trnopolje, the witness noted that non-Serb civilians had better food than their Serb guards because they received daily supplies from the International Red Cross. They also had an infirmary and were allowed to spend their days at home and go back to the camp at night. He reiterated the argument aired many times by the defense, that Trnopolje was not fenced in. The reason why there is a fence in the footage made by the foreign journalists in the summer of 1992 is because the journalists were put inside a fenced-in area. The footage shows malnourished young men. The witness claims one of them was emaciated because he had had tuberculosis before the war. According to him, 'no one as much as gave a flick to an inmate' in Trnopolje, let alone killed any civilians. Compared to Omarska and Keraterm, the conditions in Trnopolje were like 'in a Hyatt hotel', the witness said. He did not dispute the claim that Omarska and Keraterm were prison camps.

Why then did the Muslims who were in Trnopolje call it a camp? Beric says that after the war he was told by them that they would get various privileges in third countries if they stated they had been detained in camps, which is why they mislabeled the reception centre a camp.

In the cross-examination, prosecutor Traldi put it to the witness that civilians were taken out of Trnopolje to be killed in other locations. The witness told him he knew that the police would take some people out, but he did not know whether they ended up in Omarska, Keraterm or execution sites. In his statement to the defense, Beric was 'categorical' that the camp warden Slobodan Kuruzovic 'never raped anyone'. The prosecutor told Beric he actually had no idea what the warden did by night, but Beric was adamant that 'a charming gentleman who used to be a teacher before the war', such as Kuruzovic, had no need to rape anyone, especially not 'ladies whose hygiene was poor due to their circumstances'.

Since Beric claimed that Trnopolje was guarded by the Territorial Defense, not by Mladić's troops, the prosecutor showed several exhibits that speak to the contrary, including a report by the Prijedor police chief Simo Drljaca who states that 'the open-type reception center in Trnopolje is secured by the VRS', and the testimony of Major Kuruzovic from the trial of Milomir Stakic, head of the Prijedor Crisis Staff, who claimed that after the first few days, the Territorial Defense handed over the security in Trnopolje to the military.

2015-03-11

THE HAGUE

'SICK PEOPLE' COMMITTED CRIMES

Tomislav Delic testified today in Mladić's defense. According to him, Danilusko Kajtez, one of those who killed Croats in the village of Skrljevita, was a 'sick man'. Kajtez did not commit those crimes on anyone's orders, Delic explained. The prosecutor called evidence showing that Kajtez served in the Bosnian Serb Army and that he committed the killings on Delic's orders



◀ Tomislav Delic, defence witness at Ratko Mladić trial

Former member of the 6th Sana Brigade Tomislav Delic gave evidence in Ratko Mladić's defense via video link. Delic claimed that 'people who came from somewhere else' and 'rogue individuals' committed all the crimes. In his statement, Delic insisted that no one from his battalion was involved in the crimes. Delic said that he saw looting of abandoned Muslim houses in the Mahala neighborhood. According to Delic, 'criminals from Banja Luka' were responsible for that. The perpetrators wore uniforms of the Serb Defense Forces (SOS) from Sanski Most.

In the indictment against Mladić, Sanski Most is listed among the municipalities where the persecution in 1992 reached the scale of genocide. Five mass murders of non-Serb civilians are mentioned among the crimes. The witness claimed that he participated in the 'disarming' of the villages of Vrhpolje and Hrustovo, but he knew little about dozens of people who had been killed in those locations. As the witness noted, after he 'gave some thought to the matter', he concluded that the crimes were committed to avenge the killings of Serbs in World War II.

Most of the cross-examination focused on the murder of seven Croat civilians in the village of Skrljevita near Sanski Most. The incident is listed in the indictment. The prosecution had already called Grgo Stojic, the only survivor, as its witness to testify about the crime. Stojic identified four perpetrators, including Danilusko Kajtez, former member of the SOS unit. Kajtez was also the witness's next door neighbor in the village of Kruhari.

Today, Delic was very critical of Kajtez, saying that Kajtez was a 'sick man' and that he was a member of the Serb Defense Forces on paper. The unit initially operated independently, and later became part of the 6th Sana Brigade. The witness's name is listed among the unit members but the witness insisted that someone 'had put my name on the list as a formality'.



◀ Bojan Subotic, defence witness at Ratko Mladic trial

The prosecutor showed a letter Danilusko Kajtez sent from the detention unit in Banja Luka to Vlado Vrkas, an SDS official from Sanski Most, and 'other gentlemen'. Kajtez was in custody pending trial for the crime in Skrljevita. In the letter, Kajtez urged Vrkas to advocate his release because his 'colleagues who have been killing the Balijas and Ustasas' had been set free too. If not, Kajtez threatened he would disclose on whose orders he had committed the crimes. Kajtez also said that he would tell the world that he had killed people in the village of Skrljevita 'on Tomo Delic's and Vlado Vrkas's orders'.

In response, Delic said 'it doesn't work out that way'; he meant that the allegations in the letter were not true.

'Your Honor, he would have used your name in a bid to get out of prison if he had known you', the witness said to the presiding judge. The prosecutor stressed that after writing the threatening letter, Kajtez was released from custody in March 1995. As the prosecutor noted, Kajtez was never prosecuted for the Skrljevita crime. Many years later the State Court in Sarajevo sentenced Kajtez to 12 years for the crime against prisoners who had suffocated in a truck en route from Sanski Most to Manjaca.

In the second part of today's hearing Bojan Subotic completed his evidence. The former military police officer from the VRS 65th Protection Regiment began his evidence on Monday. In the cross-examination, Subotic denied that his unit had played a part in the Srebrenica genocide. Subotic claimed that on 13 July 1995 he and other military police officers were escorting a convoy of prisoners from Nova Kasaba to Bratunac. In Bratunac, the prisoners were handed over to the civilian police, the witness noted. En route they didn't notice anything out of ordinary, the witness explained, least of all the aftermath of the execution of about 1,000 men in the Kravica warehouse. According to Subotic, they were focused on escorting the convoy and didn't pay much attention to the buildings they passed by.

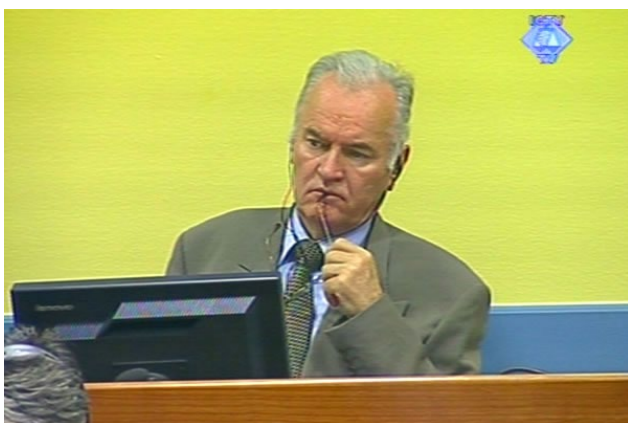
Ratko Mladic's trial continues tomorrow.

2015-03-12

THE HAGUE

MLADIC'S DEFENSE: MORE TIME AND MONEY FOR TOMASICA INVESTIGATION

Ratko Mladic's defense has opposed the judges' proposal that the prosecution begin calling evidence on the Tomasica mass grave near Prijedor in May 2015. The defense wants the case to be reopened later, and not before mid-August 2015. Mladic's lawyers have also called for more money for their investigations



◀ Ratko Mladic in the courtroom

Ratko Mladic's defense has today responded to the Trial Chamber's invitation to state its view on the possible re-opening of the prosecution's case in May or June 2015. The prosecution wants to call new evidence on the Tomasica mass grave near Prijedor. The defense has asked for more time and money for the investigation and preparations to be able to contest the prosecution's evidence on Tomasica.

In October 2014, the Trial Chamber allowed the prosecution to re-open its case to call evidence on the Tomasica mass grave near Prijedor because new evidence came to light after the end of the trial. The grave with hundreds of non-Serb victims was discovered in the

Tomasica mine in November 2013. In the course of the mini-case, the prosecution will call seven fact witnesses and six experts. The Trial Chamber has announced that the case could begin in May or June 2015.

The defense wants the date to be pushed back in order to be able to prepare adequately. The defense case of the accused general would continue until 1 May 2015, when the trial would be adjourned until the end of the Tribunal's summer recess, 16 August 2015. The prosecution would begin its Tomasica case then, the defense has suggested.

Also, the defense wants the Tribunal to provide more money to finance the investigation. The defense's motion states that all the money the Tribunal has allotted to General Mladic has been spent; the defense expects to receive additional funds that would allow it to prepare an adequate response to the prosecution's evidence on Tomasica. Most of the money will be spent on expert reports.

Ratko Mladic is charged with four joint criminal enterprises in BH. The evidence on Tomasica may be relevant for the parts of the indictment pertaining to Prijedor as one of the six municipalities where genocide against the non-Serbs was committed in 1992.

2015-03-12

THE HAGUE

IMPUNITY POLICY IN REPUBLIKA SRPSKA ARMY

Through the evidence of Miso Rodic, former intelligence officer in the 43rd Prijedor Brigade, the defense tried to show the multi-ethnic nature of the Republika Srpska Army. The prosecutor on the other hand highlighted the impunity policy pursued by the army vis-à-vis those who committed crimes against the non-Serbs



◀ Miso Rodic, defence witness at Ratko Mladic trial

Although Miso Rodic's statement remained under seal, according to the summary read out by Ratko Mladic's defense counsel in court, the witness participated in the war in Croatia from November 1991, and then in May 1992, he was transferred to the intelligence and security sector in the VRS 43rd Prijedor Brigade.

On 30 May 1992, when the town was attacked, Rodic was not in Prijedor. He later took part in the interrogation of the Green Berets that were captured. In the course of interviewing the prisoners, the witness realized that the Green Berets were against a peaceful solution for the conflict. The Serb forces, on the other hand, wanted to put off using force, the witness stressed, to 'create a

window of opportunity' for the Crisis Staff set up by the Muslims in the Prijedor area to 'accept the reality, which was Republika Srpska and the VRS'. Under those circumstances, all ethnic communities in Prijedor have their safety guaranteed, the witness explained.

Defense counsel Branko Lukic went on to stress the multi-ethnic nature of the army, asking the witness questions about the list of about 380 non-Serbs who were purportedly first in the JNA and later joined the VRS, about the officers' lists and about the information from documents about non-commissioned officers. In the cross-examination, Rodic explained that an 'authorized clerk' had drafted the list of non-Serb military conscripts. The list, which also comprised persons who were drafted after the fighting ended in Prijedor, was submitted at the defense's request.

As he was questioned by prosecutor Arthur Traldi, Rodic confirmed that in June 1992, the security section of the 43rd Prijedor Brigade moved to the building of the Kozarac Putevi company, opposite the Keraterm prison camp. As prosecutor pointed out, Rodic was nevertheless able 'to remain ignorant' of the fact that Keraterm was a 'prison camp for prisoners of war'. Rodic told the prosecutor that he had been in charge of the intelligence segment, not security, in the intelligence and security section.

Rodic also claimed that 'before today' he had never heard about Room 3 in Keraterm. In the night of 24 June 1992, more than 150 persons brought in after the 'clean-up' operation in the Brda and Biscani area were killed in the room. The region was inhabited by Muslims. Rodic said that he heard 'rumors' about the 'execution', adding that the security officers received much more information than the intelligence officers. Based on what the witness was able to learn, the people were killed to 'avenge a police officer who had been killed earlier'. However, the witness stressed that he himself had not conducted an investigation and didn't know who the perpetrators were.

According to the prosecutor, the same impunity policy was pursued in the case of reserve police officer Zoran Zigic. He was sentenced by the Tribunal to 25 years for his involvement in the crimes against humanity in the Prijedor prison camps. In 1992, Zigic was 'arrested for looting' but was soon returned to the unit because he was 'capable and knew much about explosives'.

The defense case of the former Republika Srpska Army Main Staff commander continues on Monday, 16 March 2015.

2015-03-16

THE HAGUE

WERE BOSNIAN SERBS FORCED TO SPLIT FROM BH INTERIOR MINISTRY OR WAS IT ALL PART OF A PLAN

As he testified in Ratko Mladic's defense, police general Milenko Karisik claimed that the Muslim side turned the BH Interior Ministry into 'an instrument for the intimidation of Serbs'. As a result, the ministry was split in two. The prosecutor showed him evidence that the division had been planned well ahead of the events by the Bosnian Serb leadership.



◀ Milenko Karisik, defence witness at Ratko Mladic trial

Former high-ranking officer in the Bosnian Serb police corroborated Ratko Mladic's defense case that the 'Muslim side' was to blame for the war in BH. He accused the pre-war police minister in BH, Alija Delimustafic, and the Democratic Action Party of pursuing their party policies through the Interior Ministry, disregarding the agreements reached with the Serb side. This is why the ministry eventually split into two separate entities.

Karisik claims that on the eve of the war, the SDA had for all intents and purposes taken over the Interior Ministry, appointing its personnel to key posts and calling up a large number of Muslim reserve policemen, mostly from Sandzak. The BH police had thus, according to the

witness, become 'an instrument for the intimidation of Serbs'. In the spring of 1992, things came to a head, and an agreement was purportedly reached to divide the police force into Serb and Muslim-Croat components.

At that point, the witness was promoted to the post of the Bosnian Serb special police; until that time, he was the deputy commander of the special unit in the BH Interior Ministry. He held that post until 1995, when he was appointed chief of the Public Security Department. Prosecutor Melissa Pack put it to the witness in the cross-examination that the Serb MUP broke away in a unilateral move, without any previous arrangements with the other side. She showed documents which indicate that the Bosnian Serb president Radovan Karadzic had announced that the police force would be split. The decision was then implemented by the interior minister Momcilo Mandic on 31 March 1992. She also showed a letter written by Alija Delimustafic on the same date, in which he opposes the division and urges the police staff to remain united, regardless of their ethnicity. Karisik for the most part refused to comment on the documents, stating that he had never seen those political decisions before.

In his statement to the defense, the witness tried to present the Bosnian Serb special police as a professional unit which strove to impose law and order in Republika Srpska and to deal with the paramilitary formations. As part of that effort, in 1992 the special police under his command and the 65th Protection Regiment of the Bosnian Serb army arrested the members of the Yellow Wasps, a paramilitary unit that was about 170 strong and was active in the Zvornik area. The Yellow Wasps had refused to be subordinated to the regular army command.

When the defense counsel asked the witness to identify the victims of the Yellow Wasps' abuse and robberies, he said that Serbs 'suffered most of the torture', while Muslims 'suffered less'. When the presiding judge joined the debate, the witness explained that the Yellow Wasps targeted all the residents of Zvornik, and since Muslims were in the minority at the time, there was a proportionately smaller number of Muslim victims.

In his statement to the defense, the witness denied that in July 1995 he had had any knowledge of forcible eviction of Muslim civilians and mass murders of male prisoners from Srebrenica. His cross-examination on this topic will continue tomorrow.

Ratko Mladic was cautioned several times for loud comments and mischievous conduct in court. At one point, he received the final warning for attempting to communicate with the witness, as the Trial Chamber expressly prohibited that a long time ago.

2015-03-17

THE HAGUE

'TOP PROFESSIONAL' UNINFORMED

Milenko Karisik claims he knows nothing about the Srebrenica operation and that he knew nothing about it when it was launched. The prosecutor contradicted Karisik's claims with documents that show the witness received reports about the police involvement in the attack on Srebrenica and the imprisonment of the Muslim men. Furthermore, after the war, Karisik issued false papers to soldiers who had taken part in the executions of Muslims at the Branjevo farm

In his statement to Radovan Karadzic – admitted into evidence yesterday in the Ratko Mladic case – police general Milenko Karisik claimed that in July 1995 he knew nothing about the expulsion of Muslim civilians or the imprisonment and eventual execution of the Srebrenica men. At the time he sat in the headquarters in Pale, as a member of the staff there, and dealt only with the Sarajevo battlefield, the witness contended. According to Karisik, he was not involved in any way in Srebrenica.

As he was questioned by the judges today, the witness elaborated on his previous statement, saying that in fact he does not know now what happened after the fall of Srebrenica. 'At this point in time I don't know that civilians were deported, I know only that Muslim soldiers were detained', the witness stated, only to balk again and say that in fact he had no knowledge now about the arrests. 'I may have been misunderstood', the witness said laconically by way of explanation when asked how two contradictory statements could be reconciled.

Prosecutor Melissa Pack tried to establish what the witness could have known during the Srebrenica operation. In addition to being a member of the Police Staff in Pale, the witness was chief of Public Security Department, which was headquartered in Bijeljina. The witness confirmed that he was considered a 'top professional'. Also, Karisik didn't deny that on 10 and 11 July 1995 – at the time of the Srebrenica operation – he met twice with Karadzic. However, Karisik noted, they talked only about the Sarajevo battlefield.

The prosecutor showed the witness a document drafted on 10 July 1995 and signed by deputy interior minister Tomislav Kovac. The order dispatches an element of the MUP forces headed by Ljubomir Borovcanin from the Sarajevo battlefield to Srebrenica. Borovcanin was the deputy commander of a special police brigade. The order was addressed to the MUP Staff in Pale. Karisik said he was 'merely a member of the staff' and he 'could not be sure' if he had seen the order. The witness was asked if he knew that the policemen in the special brigade killed more than 1,000 prisoners in the Kravica warehouse on 13 July 1995. Unsurprisingly, Karisik replied that he 'didn't know anything' at the time. After the war he heard 'about the incident from the media'.

Because he was "just a staff member", he didn't read Borovcanin's cable sent on 13 July 1995 to the Pale Staff. In the cable, Borovcanin reports that about 200 Muslims were killed and about 1,500 detained in the fighting around Konjevic Polje. The 'figure is rising by the hour', Borovcanin noted in the cable. That same day Dragan Kijac, chief of the State Security Service, sent a report to Karisik, informing him that 300 Muslims had been captured the previous night, also near Konjevic Polje. Karisik explained that the document was 'for information only', which meant that he didn't have to read it. The witness changed his claims as needed: at one point, he said that he had spent most of the July 1995 in Bijeljina, only to contradict himself a moment later by claiming he had been in Pale for most of the time.

The prosecutor produced evidence showing that Karisik's involvement in the Srebrenica operation extended to January 1996. On the orders of Dragan Kijac, who became the police minister after the war, Karisik was involved in the effort to issue false documents to the members of the VRS 10th Sabotage Detachment, which had taken part in the executions of Srebrenica prisoners at the Branjevo farm near Zvornik. The document specifies that those persons were 'foreign citizens' and persons indicted by the Tribunal. Karisik didn't see anything controversial about it. 'All the police forces in the world' issue false documents when necessary; in this case it was done at the request of the military intelligence service. The witness claimed he was unaware at the time that the purpose of the exercise was to protect those persons from criminal prosecution. In fact, Karisik claimed today he was not sure if he had known at the time that the Tribunal in The Hague existed.

2015-03-18

THE HAGUE

UPLEASANT STENCH OF DEAD BODIES

Dragoslav Trisic, former assistant commander in the VRS Bratunac Brigade, claims he knew nothing about the mass executions of Muslim prisoners in Srebrenica in July 1995. He did hear rumors about an incident in Kravica. Although he lived in Bratunac, he did not feel 'the unpleasant stench of dead bodies' that spread all over the town when the bodies were moved to new sites in September and October 1995



◀ Dragoslav Trisic, defence witness at Ratko Mladic trial

When the VRS launched the Srebrenica operation, Dragoslav Trisic was assistant commander in the Bratunac Brigade. In his statement to the defense he claims that on 12 July 1995 he saw Ratko Mladic tell the people of Srebrenica in Potocari that they would be taken to Tuzla; the residents 'were pleased'. He claims he did not see men being separated from women and children in Potocari, or Serb soldiers using force.

As Trisic said, he spent the next day in his apartment in Bratunac. He 'did not see anything untoward' in the night between 13 and 14 July. According to the prosecution evidence, that night Bratunac was full of captured men. Some were killed in the town, and the rest were taken to

the Zvornik area the next day to be killed. The witness heard about a shooting incident in Kravica on 13 July, which happened after a prisoner attacked a police officer and other prisoners tried to escape and were fired on. According to the indictment, about 1,000 were executed in Kravica that day.

As he was cross-examined by prosecutor Carolyn Edgerton, Trisic confirmed that on 19 October 1995 he attended a meeting where Captain Momir Nikolic informed those present that the Bratunac Brigade was engaged in a 'terrain clean-up operation' on the orders of the Main Staff. At first, Trisic was evasive, but he finally confirmed that he learned on that occasion that the Main Staff had ordered that the bodies of the Srebrenica victims be dug up and moved to new locations. He insisted that he had not been in charge of terrain clean-up and he had no knowledge of it.

The prosecutor confronted the witness with his testimony in the Popovic et al. case, where he said he learned 'from some friends' that the people killed in the Kravica warehouse had been buried in the Glogova village. Today the witness said he had been told by Dragan Mirkovic from the Bratunac Civilian Protection, who had taken part in the clean-up, i.e. the exhumation of old graves and the transfer of bodies to new sites. The operation was carried out in September and October 1995. The purpose of the removal of the remains of thousands of the victims was to cover up the crime.

The prosecutor quoted from a statement made by an insider witness who said that everyone knew the bodies of the Srebrenica victims were being moved in trucks in the course of the clean-up. The insider claimed that children would come across legs and arms by the side of the road, adding that the characteristic odor of decomposing bodies could be felt in his apartment in Bratunac in those days. Trisic, who also lived in Bratunac, about fifty meters away from the Fortuna hotel, was adamant that he had seen nothing and had not felt the stench of the dead bodies. 6

2015-03-19

THE HAGUE

FROM DEFENSE TO SELF-DEFENSE

General Dragisa Masal called to The Hague to testify as Ratko Mladic's defense witness, but as his testimony progressed, he had to defend himself against the prosecutor's accusations that he was responsible for the shelling of civilian areas in Gorazde, burning down houses, unlawful detention of civilians and an abduction in Strpci



◀ Dragisa Masal, defence witness at Ratko Mladic trial

During the war in BH, Bosnian Serb military general Dragisa Masal held top military positions. He is now retired. In February 1993, the witness was appointed commander of the Visegrad Tactical Group and its five brigades. In August 1994, Masal was appointed chief of artillery in the VRS Main Staff and remained at that post until the end of the war. Ratko Mladic's defense, which called Masal to The Hague to testify, stressed that the witness used his high rank in the Bosnian Serb military to defend Serbs and Muslims alike. The prosecutor on the other hand alleged that Masal was involved in the war crimes.

In his statement, Masal stated that his units didn't prevent the passage of humanitarian convoys to the enclaves of Srebrenica, Zepa and Gorazde. They let the convoys through even though the convoys were used to smuggle arms and military supplies for the Muslim fighters, Masal noted. According to the witness, the Bosnian Serb army observed the ceasefire agreements and did what it could to protect the non-Serbs.

The prosecutor asked the judges to caution the witness in line with Tribunal's Rule 90e, which allows the witness not to respond to any questions which might incriminate him if he were to be indicted. As the cross-examination continued, it became clear what Masal could be charged with.

First, the prosecutor showed an order Masal issued in February 1993, instructing his troops to shell continuously for days the Gorazde enclave with 'two to three projectiles at irregular intervals'. The fire should stop on 12 February 1993 and then continue the next day, concentrating 'heavy fire' on 'the market place'. The prosecutor put it to the witness that the idea was to make the people believe that the attacks had stopped. Thus, many people would come to the market place on Saturday and would be easy prey for Masal's artillery. The witness tried hard to justify his actions. First, Masal said that he didn't remember the order. He went on to note that during the war the market places were closed down and that the troops would gather in the town market in Gorazde.

Asked if the market was indeed shelled on Saturday, Masal replied that he did not receive any report to that effect. 'Do you mean to say that you played at war and that you didn't receive reports on how your orders were being implemented', judge Moloto asked the witness. Masal said that he did receive reports but was not able to remember this specific order now. The report on the shelling of the market may have been missing, but the prosecutor did show a series of documents which indicate that the Bosnian Serb army often targeted civilian areas in Gorazde.

As the cross-examination continued, the prosecutor highlighted the witness's role in the kidnapping of 18 Bosniak men and a Croat in Strpci on 27 February 1993. The victims disappeared without a trace after they were taken off a train traveling from Belgrade to Bar through Bosnia and Herzegovina. At the time, the site where the abduction took place was under the control of the 2nd Podrinje Brigade and its commander was Luka Dragicevic. The unit operated as part of Masal's Tactical Group. The witness's order to subordinated units issued 21 February 1993 on Radovan Karadzic's instructions was admitted into evidence today. In the order, Masal wants information about 'the captured Muslims from the Sandzak area'. 'If you don't have them yet', Masal says in the order, 'detain them immediately'. The

witness admitted that he had issued the order, but he was adamant that he didn't mean civilians but 'Muslims that went from Sandzak to Gorazde and Sarajevo'.

The prosecutor also showed a large number of documents proving that Muslim civilian facilities, including schools and mosques, were attacked in the area of responsibility of Masal's Tactical Group. Some villages were burned down, according to the prosecutor's documents. The witness brushed it off enemy propaganda and lies spread by international observers. The witness was also confronted with Bosnian Serb military documents which show that among the people held in detention in the witness's area of responsibility there were men older than 70 and girls younger than 10. The witness argued that they had been arrested before his appointment as the commander of the Visegrad Tactical Group. In an order for the attack on the Gorazde area on 11 April 1994, Masal quoted Mladić's words, 'Push on vigorously, Turks must disappear from this territory'.

While Masal was the artillery chief in the Main Staff, modified air bombs, weapons notorious for their inaccuracy and high destructive power, were used by the VRS. A Main Staff report dated 15 June 1995 was admitted into evidence today. The document states that two air bombs, a napalm bomb and several mortar shells were fired 'in retaliation' on Muslim villages. The witness replied that he didn't do it. At the time of the attack he was in Drvar, the witness explained. When the judges asked Masal if the attack had really taken place, he said he didn't know. 'Obviously, this is a report', the witness said by way of explanation.

On Monday, the defense will re-examine Masal.

2015-03-20

THE HAGUE

PROSECUTION OPPOSES FOUR-MONTH BREAK AT MLADIĆ TRIAL

According to the prosecution, the defense's demand for an almost four-month break at the trial is unacceptable. The defense has asked for the break in order to be able to prepare its case on the Tomasica mass grave near Prijedor. The Trial Chamber has proposed that the prosecution should open its case in May or June 2015. The defense, on the other hand, wants the case to be postponed until late August 2015



◀ Ratko Mladić in the courtroom

The motion in which Ratko Mladić's defense has asked the Trial Chamber to suspend the trial for three or four months in order to allow the defense to prepare its case on the Tomasica mass grave is based on a 'series of false and misleading arguments', the prosecution has claimed. In its brief disclosed on Friday, the prosecution wants the judges to dismiss the defense motion. In September 2013, a grave containing the remains of hundreds of victims was found in the Tomasica mine near Prijedor. In a reduced case, the prosecutor intends to call seven factual witnesses and six experts.

In response to the Trial Chamber's proposal that the case should be reopened in May or June 2015, the defense argued last week that they needed three or four months and more money to be able to prepare to contest the prosecution evidence. According to the defense, Mladić's case should be suspended on 1 May 2015 to allow the defense to investigate the Tomasica grave and to prepare to answer the prosecution case after the summer recess, in late August 2015.

In its motion the prosecution opposed the defense's proposal, stressing that the defense wanted to mislead the Trial Chamber when it argued that the prosecution had had more than two years to collect and classify the evidence on the Tomasica grave, and that the prosecution had not disclosed the evidence properly. The defense also claimed that they would need to go through about 1,000 documents, including some that have not been translated yet. The prosecution claims those arguments were 'not true'.

According to the prosecution, there is no 'legitimate' reason to adjourn the trial as requested by the defense. It is now up to the Trial Chamber to decide whether to grant the defense more time to prepare its case and to investigate the Tomasica mass grave.

The prosecution's new evidence is related to the parts of the indictment charging the former VRS Main Staff commander with genocide against the non-Serbs in six BH municipalities including Prijedor in 1992.

2015-03-23

THE HAGUE

WHO ARE TURKS FROM GORAZDE?

The prosecutor notes that the Bosnian Serb army aimed to expel the non-Serb population from Gorazde and tries to corroborate the claim by showing an order issued by witness Dragisa Masal on 11 April 1994. 'Keep pushing energetically onwards. The Turks must disappear from these areas', the witness quoted Mladic as saying. Masal explained that the term Turks was used for the enemy soldiers, never for Muslim civilians



◀ Dragisa Masal, defence witness at Ratko Mladic trial

Last week in the cross-examination the prosecutor showed a series of documents to prove the point that the artillery attacks launched by the Bosnian Serb army on the Gorazde protected zone resulted in the destruction of civilian areas and casualties among the Muslims. In the re-examination today, Ratko Mladic's defense strove to prove that it was all propaganda disseminated by the Bosnian side, whose aim was to make NATO launch air strikes against the Bosnian Serb army. Several documents in which the highest-ranking international representatives criticized the Muslim side for exaggerating the civilian casualties in Gorazde were admitted into evidence.

Masal said that the BH Army's Operational Group in Gorazde was about 15,000 or 16,000 men strong: three times stronger than the Visegrad Tactical Group under his command in 1993 and 1994. According to the witness, Serb positions were regularly attacked from the enclave but the Serb response was never at a scale that would cause significant destruction or civilian casualties. The document the prosecutor presented last week showed that the witness personally issued orders to his troops to shell civilian areas in Gorazde including the town market. The defense countered the allegations by showing orders issued by both Mladic and Masal, in which they strictly forbid such attacks for long periods of time. The witness explained that the artillery attacks were discontinued because Serbs did not want to violate the cease fire and thus provoke NATO air strikes against Serb positions.

Last week, the prosecutor presented an order the witness issued on 11 April 1994, instructing his troops to attack Gorazde. It is the prosecution case that the Bosnian Serb army wanted to capture the enclaves and to expel non-Serb locals. 'Keep pushing energetically onwards. The Turks must disappear from these areas', the witness quoted Mladic as saying. As he was questioned by defense counsel Ivetic, Masal explained today that the term 'Turks' was used for enemy soldiers and never ever for civilians. It meant that the goal was to expel the BH Army soldiers and thus allow the Serb civilians to return to Gorazde, the witness specified.

In an order issued on 21 February 1993, Masal instructs the subordinated brigades from the Podrinje area to inform him about any 'detained Muslims from the Sandzak territory'. 'If you don't have them', the witness stresses in the order, 'arrest them immediately'. Seven days later, 19 civilians from Sandzak – 18 Bosniaks and a Croat – were taken off the Belgrade-Bar train in Strpci. The witness argued that the purpose of the order was to arrest soldiers, not civilians. Last week, Masal explained that he meant Muslims heading from Sandzak to Sarajevo and Gorazde. Now Masal clarified that the focus was on the soldiers from Sandzak who were leaving the area to join the BH Army. Presiding judge Orić noted that those men were still civilians if they only planned to join the army. They were not actually soldiers, the presiding judge emphasized. Masal replied that those civilians were already armed and trained in Sandzak and could rightly be regarded as soldiers.

Ratko Mladic's defense case continued with the evidence of Vidoje Blagojevic, former commander of the VRS Bratunac Brigade. Blagojevic was sentenced to 15 years for aiding and abetting crimes in Srebrenica.

2015-03-24

THE HAGUE

VIDOJE BLAGOJEVIC'S 'DEFENSE ZONE'

Through the evidence of the former commander of the Bratunac Brigade, Ratko Mladic's defense is trying to prove that the Bosnian Serb army did not issue 'illegal' orders that violated laws of war or endangered prisoners' lives. The witness was convicted by the Tribunal for the Srebrenica crimes

Through the evidence of Vidoje Blagojevic, former commander of the Bratunac Brigade, Ratko Mladic's defense is trying to prove its argument that there were no 'illegal planned actions against the Muslims in Srebrenica' in July 1995. Blagojevic was convicted by the Tribunal for 'aiding and abetting the killing of Bosnian Muslims in Bratunac' and the persecution of Muslim civilians in Srebrenica. After Blagojevic served three fourths of his 15-year sentence, he was granted early release in December 2012.



◀ Vidoje Blagojevic, defence witness at Ratko Mladic trial

In his statement to Mladic's defense, Blagojevic claimed that the orders issued by the VRS Drina Corps in July 1995 were in line with the rules of engagement and didn't instigate violations of laws and customs of war. The VRS attack was carried out as a consequence of the fact that the establishment of the Srebrenica and Zepa enclaves 'divided the Podrinje area'; furthermore, the enclaves were not demilitarized as the agreement on their establishment envisaged, and Muslim forces launched armed attacks on the VRS positions, particularly on the Bratunac Brigade.

Blagojevic claims that before, during and after the attack on the enclaves he didn't receive any 'unlawful' orders

from the Drina Corps command or the VRS Main Staff. Also, he personally never issued any order that violated the laws and customs of war. Soldiers in the units under his command did not kill any person from Srebrenica, Blagojevic explained. According to Blagojevic, the Bratunac Brigade command or indeed any other superior command never issued any orders that would result in 'endangering the lives' of the prisoners from Srebrenica or the incitement to any illegal activities.

At the beginning of the cross-examination, the prosecutor recalled that Blagojevic was convicted by the Tribunal for aiding and abetting the Srebrenica crimes. The prosecutor asked Blagojevic if he accepted his responsibility for that. 'That is an illegal judgment of this Tribunal', the witness said. When the presiding judge intervened, the witness replied that he would not accept his responsibility for the crimes he was convicted of.

The prosecutor tried to discredit the witness by showing a number of documents which indicate that Blagojevic had to have known at least about the crimes committed in the area of responsibility of his brigade. The witness denied the allegation, mostly by contesting the facts contained in the documents; Blagojevic claimed that he wasn't responsible for the entire territory in the area of responsibility of the Bratunac Brigade and that the combat reports he personally wrote in July 1995 were inaccurate.

Blagojevic argued that his responsibility was limited only to the 'defense zone'. According to him, the zone was the demarcation line between the Srebrenica enclave and the command posts and rear echelon units. However, when the prosecutor showed Blagojevic the map, the witness wasn't able to mark his area of responsibility. When the judges insisted that he do it, the witness complained of poor eye sight and other problems.

Blagojevic denied that on 15 July 1995 he was appointed the commander of the troops involved in the search and clean-up operation after the fall of Srebrenica. The prosecutor showed Blagojevic a daily combat report for 16 July 1995, in which the Drina Corps is informed that the 'Bratunac Brigade commander visited all units blocking the enemy withdrawal (...), issued tasks and organized their coordinated actions'. Blagojevic didn't deny that he wrote the report, but he claimed that the events described in it never actually happened.

According to the prosecution, the document clearly shows that Blagojevic coordinated the actions of all the units involved in the operation whose objective was to kill off the enemy troops as they were retreating. The repeated attempts by the judges to establish if a combat report could contain 'lies' were rebuffed by Blagojevic, who kept saying it was a 'supposition', but Blagojevic was not able to explain what a supposition was.

2015-03-25

THE HAGUE

HOW CAPTURED SREBRENICA MEN WERE PROTECTED AGAINST NATO STRIKES

Milomir Savcic, former commander of the VRS 65th Motorized Protection Regiment, gave evidence in Ratko Mladic's defense. The order to take about 1,200 detainees from the football stadium in Nova Kasaba and to put them up in roofed buildings to protect them from being 'recorded and photographed from the ground and air' was logical, Savcic claimed. There was a danger that NATO might strike the detainees by mistake

Milomir Savcic, former commander of the 65th Motorized Protection Regiment, spoke in his statement to Ratko Mladic's defense about the *Procedure for the treatment of prisoners of war*. The document was sent to Zoran Malinic, the commander of the military police battalion in Nova Kasaba, on 13 July 1995 from the Forward Command Post in Borike. Mladic's assistant for security Zdravko Tolimir instructs the subordinate command to provide accommodation for about 1,200 prisoners who were at the time held in the Nova Kasaba football stadium in roofed buildings to protect them from 'being recorded and photographed from the ground and air'. According to the prosecution, the order showed the intent to hide and then execute the prisoners.



◀ Milomir Savčić, defence witness at Ratko Mladic trial

In his statement to the defense Savcic expressed his doubts about the authenticity of the document. Savcic stressed that the document was 'unacceptable' because it was not signed. Furthermore, there was no forward command post in Borike. This allegation prompted the prosecutor to confront the witness with his statement to the OTP in 2005, when he told the investigators that it was 'closer to the truth' to say that the document was authentic after all. Today, however, the witness said that the 'first answers isn't necessarily the most felicitous'. Savcic implied that in 2005 he was under pressure because he was being interviewed as a suspect. Now, it appeared to Savcic that the phrase 'closer to the truth' meant that he couldn't state if the document was authentic or a forgery.

Savcic confirmed that on 13 July 1995 he had spoken with Malinic several times. In one of the intercepts Savcic advised Malinic not to do anything with the prisoners in Nova Kasaba before he received a 'cable' with all the clarifications. Immediately after that conversation, Malinic received Tolimir's order on the treatment of prisoners with a note saying that detailed instructions would follow from Radivoje Miletic from the Main Staff. The order was forwarded to Ratko Mladic and Milan Gvero for their information, the prosecutor stressed, adding that the entire military leadership was kept well informed about everything.

In the statement, Savcic explained that the order was 'logical' because at the time there was a threat of NATO air strikes. It was possible that NATO pilots might mistake a large group of prisoners in the open with the Serb troops and to attack them. Something like that happened in Kosovo in 2009, when NATO airplanes fired on a refugee column by mistake. Also, Savcic noted, it was not easy to control so many prisoners out in the open. In addition to that, there was a danger that local civilians would seek 'revenge' because 'blood ran knee-deep' in those areas.

The prosecutor argued that all prisoners from Nova Kasaba save for a few lucky survivors were executed summarily by the end of 16 July 1995 together with thousands of other detainees. Savcic noted that he hadn't known about it for many years. When Judge Orić asked him if he knew about it now, the witness said, 'I can't contest it because unfortunately it did happen'.

2015-03-26

THE HAGUE

DELETED FROM TAPES AND WITNESS MEMORY

Nedjo Jovicic, Ljubisa Borovcanin's former chauffer, described what Ratko Mladic did and how he 'shouted and swore' in July 1995. The prosecution tried to establish what had been deleted from the footage Zoran Petrovic Pirocanac had taken in the field near Sandici and in front of the Kravica warehouse. Pirocanac rode in the car driven by Jovicic



◀ Nedjo Jovicic, defence witness at Ratko Mladic trial

As Ljubomir Borovcanin's chauffer, between 11 and 13 July 1995 Nedjo Jovicic visited several locations where, as alleged in the indictment against Ratko Mladic, mass killings were being prepared or carried out. Borovcanin was the commander of the Republika Srpska Special Police Brigade which had taken part in the Srebrenica operation.

According to the summary of the statement, en route to Potocari on 12 July 1995, Jovicic and Borovcanin met Mladic who 'shouted, swore and accused them of being thieves'. Mladic ordered some of Borovcanin's men to go to Potocari to assist the police there. Another element was directed to go towards Zvornik. The second time

Jovicic and Borovcanin met Mladic was in Potocari. There, Jovicic argued, Mladic 'insisted' that food and drinks be distributed to the refugees who had gathered there. The next day, the witness saw Mladic talking to a group of prisoners in a field in Sandici. Mladic then said that women and children were being transported to Kladanj and Tuzla. Mladic told the prisoners that they would also be transferred there later.

On 13 July 1995, journalist Zoran Petrovic Pirocanac joined Jovicic and Borovcanin. Pirocanac filmed the capture of Muslims in the field in Sandici. From there the Muslim prisoners were taken to Bratunac to be transferred to the locations where they were executed. The bodies of Muslims killed in front of the warehouse in Kravica were also recorded on tape.

Jovicic was present all the time when Pirocanac filmed the events. This prompted prosecutor McDonald to try to establish what had been recorded in the parts of the footage that the Belgrade journalist 'accidentally deleted' on the tapes the prosecution has in its possession. In particular, the prosecutor wanted to learn about the two erased shots, one from the field in Sandici when the camera zoomed in on a group of prisoners followed by 50-second dimming of the frame. The second part is a shot of Kravica that was taped over with a 21-second shot showing soldiers having their lunch break. The deleted shots from the Sandici footage have never been recovered. A report broadcast by the Studio B network showed two or three seconds of the footage with a pile of bodies in front of the warehouse in Kravica. The prosecution alleges that the footage was deliberately removed because it showed 'dramatic and incriminating scenes'. Although he was present when the footage was taken, Jovicic claimed that he 'absolutely cannot remember' seeing 'any violence' in the field near Sandici. As far as Kravica was concerned, Jovicic noted that he only saw what was seen in the several seconds of the preserved film: a pile of bodies in front of the entrance to the warehouse. Jovicic said that he didn't know what was recorded in the missing 21 seconds of Pirocanac's footage.

2015-03-26

THE HAGUE

UNPLEASANT MEMORIES

Witness Dusan Micic doesn't remember much about the Srebrenica operation apart from Ratko Mladic handing out food and cigarettes in Potocari. Micic rejected the prosecutor's suggestion that such memories were unpleasant because he didn't want to become involved in anything related to the Srebrenica crimes



◀ Dusan Micic, defence witness at Ratko Mladic trial

As the commander of the Special Police elite platoon, Dusan Micic took an active part in the VRS operations in Srebrenica in July 1995. In his statement to the defense Micic said that on 12 July 1995 he saw Mladic in Potocari hand out food and cigarettes to Muslims. Micic hardly saw anything else.

Micic claims that he did not see men being separated from women and children in Potocari, or anyone being mistreated. On 12 July 1995, Micic went to Bratunac and then to Sandici to secure the route from Bratunac to Konjevic Polje. There, the witness also didn't see anything until the afternoon of 13 July 1995, when he saw a group of about 50 or 60 captured Muslims on the road.

Micic spent the night of 13 July 1995 in Bratunac. At the time Bratunac was crammed full of Muslim prisoners. Many Muslims were killed that night but Micic didn't see or hear anything. In the morning of 14 July 1995, the witness saw trucks and buses heading in the direction of Konjevic Polje. A day later, on 15 July 2015 the witness's platoon was sent to the Baljkovica sector, where they fought the column of Muslims who were trying to break through to Tuzla. According to the witness, 80 Serb soldiers were killed in the fighting and about 100 were wounded.

In the cross-examination, prosecutor Carolyn Edgerton noted that the fighting in the Baljkovica region stopped when an agreement was reached to open up a corridor to allow thousands of Muslims to pass through. Micic confirmed that opening of the corridor reduced the number of Serb casualties to a minimum, in light of the much greater number of the 28th Division soldiers who were trying to break through to Tuzla.

Micic didn't remember being involved in the mop-up operation to pick up the Muslim stragglers after the corridor was closed. The prosecutor suggested that he wanted to block out those unpleasant memories because he did not want to be involved in anything that had to do with the Srebrenica crimes, Micic replied that he simply 'cannot remember'.

After Micic completed his evidence, the defense called Milorad Pelemis, former commander of the 10th Sabotage Detachment. Members of Pelemis's unit were responsible for the execution of about 1,000 Muslim prisoners in Branjevo on 16 July 1995.

2015-03-26

THE HAGUE

WITNESS HEAPS SCORN ON PENITENT

In his first appearance before the Tribunal, Milorad Pelemis, commander of the 10th Sabotage Detachment, tried hard to discredit Drazen Erdemovic. On 16 July 1995, members of Pelemis's unit executed about 1,000 captured Bosniaks at the Branjevo farm. Erdemovic pleaded guilty to his involvement in the crime



◀ Milorad Pelemis, defence witness at Ratko Mladic trial

As the hearing at Ratko Mladic's trial drew to a close, commander of the VRS 10th Sabotage Detachment Milorad Pelemis began his evidence. When Drazen Erdemovic pleaded guilty to the Srebrenica crimes, he said that about 1,000 Bosniaks captured after the fall of Srebrenica were summarily executed on 16 July 1995 at the Branjevo farm near Zvornik.

This is Milorad Pelemis's first appearance as a witness in The Hague. In his statement to Mladic's defense, Pelemis states that he participated in the Srebrenica operation up until 12 July 1995 when he was injured in an accident involving an armored personnel carrier. He was taken to hospital and did not learn until later that members of

his unit had taken part in the killing of Muslims at the Branjevo farm. Pelemis claimed that 'no one in the chain of command of the 10th Sabotage Detachment, including myself, my superior Petar Salapura, all the way up to Mladic, exercised command over the group that executed people in Branjevo'.

In the examination-in-chief, Pelemis challenged the evidence of the Tribunal's first 'penitent' Drazen Erdemovic, who was a member of the 10th Sabotage Detachment, and tried to discredit him. In 1996, Erdemovic pleaded guilty for his involvement in the killing of Bosniaks at the Branjevo farm. He testified at all of the Srebrenica trials, and he always claimed that on 11 July 1995 in the center of Srebrenica Pelemis ordered one of the unit members to kill a Muslim as he passed him by. The soldier slit the Muslim's throat.

Pelemis claimed that Erdemovic couldn't have been in the center of Srebrenica where the controversial incident had allegedly taken place. Erdemovic was deployed at least two and a half kilometers away from the location, Pelemis said. Also, according to Pelemis, in March 1995, Erdemovic started his transformation from an exemplary soldier into a problematic person. Erdemovic took to drinking and crime. Pelemis was forced to intervene several times. Erdemovic threatened that he would take his revenge on Pelemis. That was the reason why in his testimony Erdemovic incriminated him for the murder in Srebrenica, Pelemis explained.

At the beginning of the cross-examination, the prosecutor noted that Erdemovic spoke about those events in Srebrenica almost 20 years ago, and Pelemis has never before contested the statement. Asked if he, like Erdemovic, had given a statement about the events to the Belgrade police in 1996, Pelemis replied that he was told there was no need for him to do it. Pelemis presented documents showing that from 12 July 1995 on, he was absent from his unit, and the others confirmed that he hadn't issued the order for the execution in Branjevo, the police told him.

The prosecutor first asked the judges to caution the witness that he did not have to answer any potentially incriminating questions. Then he played a recording showing a man lying face down in a pool of blood, dead, in the center of Srebrenica. The prosecutor alleged that the man had been killed on Pelemis's orders. Confronted with the footage Pelemis first said that he thought he saw a gunshot wound in the man's back, but then he agreed that it wasn't possible to tell where the wound was located because of the victim's position. Also it was impossible to say if the victim was killed by a bullet, shrapnel or something else.

Milorad Pelemis will continue his evidence on Monday.

2015-03-27

THE HAGUE

PROSECUTION WILL REOPEN ITS CASE TO CALL TOMASICA EVIDENCE ON 22 JUNE 2015

In the case against Ratko Mladic, the Trial Chamber has decided that the prosecution's case concerning the Tomasica mass grave near Prijedor is to begin on 22 June 2015



◀ Ratko Mladic in the courtroom

In the case against Ratko Mladic, the Trial Chamber has decided that the prosecution is to reopen its case to call evidence on the Tomasica mass grave near Prijedor on 22 June 2015. According to the schedule, the prosecution has until 17 July 2015 to call its evidence: until the beginning of the Tribunal's summer recess. In Mladic's case, the recess ends on 10 August 2015.

Before the prosecution's case reopens, there will be a one-month break in the trial, from 22 May to 22 June 2015. This will allow the defense to make additional

preparations to respond to the prosecution's Tomasica evidence. Also, it has been noted in the decision, the defense will be able to use the one-week break in the trial after the Orthodox Easter on 12 April 2015.

In October 2014, the Trial Chamber granted the prosecution's motion to reopen its case in order to call the evidence on the Tomasica mass grave. The evidence was not available to the prosecution during its case. The grave with several hundred bodies was discovered in the Tomasica mine in November 2013. The prosecution has indicated that during the mini-case it will call seven factual witnesses and six experts.

The defense asked for three-and-a-half month break at the trial to prepare its case to counter the prosecution's Tomasica evidence. According to the defense's proposal, the defense case of the accused General Mladic should continue until 1 May 2015, when the trial was to be suspended until 16 August 2015.

2015-03-30

THE HAGUE

PELEMIS WILLING TO COME TO SARAJEVO BUT...

The BH public prosecutor's office has issued an international arrest warrant for Ratko Mladic's defense witness Milorad Pelemis. The witness claims that he is willing to come to Sarajevo and prove he is not guilty...but he would first like to consult his lawyers to see 'what should be done in legal terms'. He is 'afraid of false witnesses and false statements'

The prosecutor continued his cross-examination of Milorad Pelemis, confronting Mladic's witness with the figures for the number of victims of the execution at Branjevo farm and the culture hall in Pilica. The prisoners from Srebrenica were executed there en masse on 16 July 1995. In the examination-in-chief, Pelemis claimed he was absent from his unit because of an injury from 12 to 16 July 1995 and that he didn't issue the order for the execution. However, the witness didn't deny that the crime had been committed and that the members of his unit had executed the prisoners in Branjevo. Pelemis insisted that only about 200 prisoners were executed in that incident, contradicting the evidence of Drazen Erdemovic who said that 1,000 to 1,200 prisoners were killed at the farm. Erdemovic, a member of the 10th Sabotage Detachment, quoted the figure in his plea agreement, when he pleaded guilty to his involvement in the crime.

Prosecutor Peter McCloskey invoked a report by Dusan Janc, an OTP investigator, written after the exhumation and identification of victims from primary and secondary mass graves. The primary mass grave was in the Branjevo farm; the bodies from Branjevo and Pilica were later transferred to secondary graves. The total number of victims from those two locations stands at 1,771. According to Erdemovic, 500 victims were killed in the culture hall in Pilica and the remaining 1,200 prisoners were executed in Branjevo. Erdemovic was 'rather specific in his estimate of the number of victims', the prosecutor noted.

Confronted with the figures, Pelemis replied that 'if statistics show it, the number must be correct'. However, Pelemis doubted that 'only six' members of his unit, one of whom was Erdemovic, were really able to kill all those people. He did confirm that based on the subsequent statements made by the members of his unit he learned that some troops from the VRS Bratunac Brigade 'helped' them to do the 'job'.

The witness complained that some 'people from Vlasenica' wanted to shift the blame for the crimes that resulted in a mass grave found near his village, also called Pelemis, on him. This prompted Judge Orić to ask for the names of those men. Pelemis at first refused to name them, but when the judge insisted, he mentioned a man by the name of Kraljevic from Vlasenica. The witness explained that he was 'not sure about the others'.

Pelemis repeated several times that he was willing to comply with the summons issued by a Sarajevo court and that he was 'willing to prove my innocence'. Once again, Judge Orić was prompted to ask the witness why he had not done so yet. The witness explained that he wanted to consult his lawyers to see 'what I should do about it in legal terms'. As Pelemis clarified, he was 'afraid of false witnesses and false statements' and that was the only reason he hasn't yet gone to Sarajevo.

The BH public prosecutor's office sees Pelemis as a war crime suspect and has issued an international arrest warrant, we have learned. Pelemis probably came to The Hague under a safe conduct guarantee.

The trial continues tomorrow with the evidence of a new defense witness.

2015-03-31

THE HAGUE

LARKS' DIRTY JOBS

Former agent in the Bosnian secret service Edin Garaplija testified at the trial of Ratko Mladic. He was summoned to appear before the Tribunal by the judges who issued a binding order. Garaplija talked about the operations of a paramilitary unit called the Larks. According to the witness, the unit was involved in assassinations, planting explosives, sniper operations and other 'dirty jobs' for which the Serb side was blamed



◀ Edin Garaplija, defence witness at Ratko Mladic trial

In his evidence at Ratko Mladic's trial, former agent of the Bosnian secret service Edin Garaplija spoke about the 'dirty jobs' carried out by the paramilitary unit called the Larks. The witness learned about those activities when he took part in an operation targeting Nedžad Herenda. Herenda was placed under surveillance, arrested and interrogated for three days. The operation was codenamed Eagle. It was carried out in May and June 1996. In 2013, when he appeared as a witness at the trial of Radovan Karadzic, Garaplija was compelled to testify by the Trial Chamber which issued a binding order. Another order was issued to compel him to testify at this trial. Through Garaplija's evidence the defense is trying to bolster its case: according to the defense, the

Bosnian side killed its own citizens in Sarajevo and then blamed Serbs for their deaths.

Garaplija claimed that the Larks unit was responsible for the killing of French UN peacekeepers, for an attempt on Sefer Halilovic's life and for the killing of Bosko Brkic and Admira Ismic, the Sarajevo Romeo and Juliet. Sefer Halilovic's wife and her brother were killed in the attempted assassination. Brkic and Ismic were killed when they tried to cross the Vrbanja Bridge. The Larks also opened fire at police officers who were trying to arrest Musan Topalovic Caca as well as at civilians on both the Serb and the Bosnian sides, Garaplija noted. According to the witness, the members of the Larks unit were also responsible for the attempted assassination of Ismet Bajramovic Celo.

As he was questioned by defense counsel Dragan Ivetic, the witness said that the Serb side had mostly been blamed for those incidents. Asked why he decided to testify in The Hague, Garaplija said he wanted 'the truth to be known'. Those who committed the crimes should be held responsible for them, he added. This prompted Judge Orić to ask Garaplija why then it was necessary to issue a binding order to get him to testify. Garaplija said he didn't want the media to paint him as a witness who testified in the defense of Karadzic and Mladic.

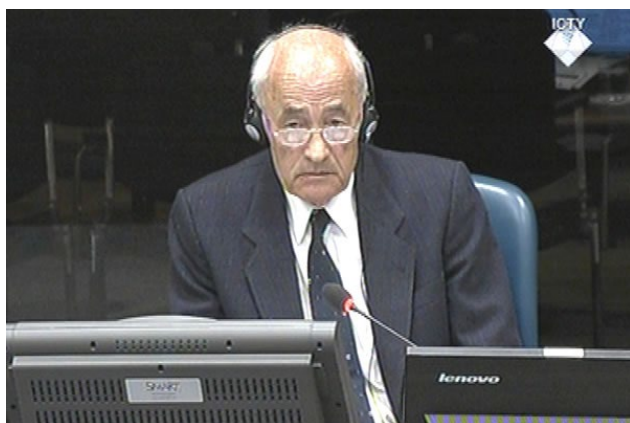
The prosecutor argued that the witness's allegations couldn't be considered credible. In 1996, Garaplija and his two colleagues were arrested and put on trial for Herenda's kidnapping, abuse and attempted murder. Since 1998, the witness has been accusing everyone, including his own lawyer, the judges, the Tribunal's experts and his former colleagues in the police, of a conspiracy against him. Garaplija claimed that the motive for the conspiracy was to prevent Garaplija from making public Herenda's information about the Larks' activities.

2015-04-01

THE HAGUE

'VULNERABLE CATEGORIES' MOVED OUT VOLUNTARILY

Ratko Mladic's defense witness contends that the Crisis Staff of the Autonomous Region of Krajina allowed 'vulnerable categories to move out voluntarily'. This comprised women, children and the elderly. This was so only on paper: in practice, 'everyone who wanted could move out', Nikola Erceg said, disregarding the prosecutor's suggestion that thousands of Muslims and Croats couldn't move anywhere because they were held in prison camps



◀ Nikola Erceg, defence witness at Ratko Mladic trial

Through the evidence of Nikola Erceg, former member of the Autonomous Region of Krajina Crisis Staff, Ratko Mladic's defense tried to prove that the Bosnian Serb policies weren't aimed at 'forcible or any other kind of expulsion or persecution of the people'.

At the beginning of Erceg's evidence, defense counsel Branko Lukic read out the summary of his statement. The defense counsel listed the numerous duties the witness held. In the statement, Erceg claims that municipalities evinced a 'high degree of independence' vis-à-vis the ARK. Also, Erceg notes that the property of those non-Serbs who left the Krajina region was handed over temporarily to Serb refugees.

In the cross-examination, the witness confirmed his testimony in Radovan Karadzic's defense. At Karadzic's trial, Erceg claimed that he 'didn't know anything about the military' and that the communications between Banja Luka and Pale were disrupted.

The prosecutor on the other hand argued that the communications functioned and that the instructions about the activities of the crisis staffs issued by the Republika Srpska prime minister Branko Djeric could and did pass through the 'impenetrable barriers' and reach the leading ARK figures. Erceg first claimed that he had seen the document for the first time a couple of days ago as he was preparing for the testimony, but eventually he agreed that he may have seen the document earlier, 'on a screen'. He also agreed that the communications between Banja Luka and Pale were not disrupted in late May or June 1992.

The prosecutor quoted a Crisis Staff decision, issued in June 1992, which shows that 'only women, children and the elderly were able to move out from the ARK territory'. Thousands of Muslims and Croats who wanted to leave the ARK couldn't do it because they were held in prison camps, the prosecutor put it to the witness. Erceg stressed that it 'is impossible that all of them were detained' because 'some of them were able to walk on the streets of Banja Luka normally'. The witness accepted the suggestion that the document spoke solely about 'vulnerable categories' of the population. In practice it was different because 'anyone who wanted to move out could do so', Erceg said.

In his statement to the defense, Erceg described the conflict that broke out, pitting the ARK leadership and the 'separatists in Banja Luka' against the Pale authorities. The prosecutor noted that the conflict was resolved by February 1992, when the ARK Assembly deputies voted in unanimously the RS president Radovan Karadzic's report on the political situation. They also adopted the Constitution. Erceg contradicted the facts, claiming that 'separatist views were espoused throughout the war'; in fact, even now, in peacetime, they still exist.

Speaking about the Bosnian Serb strategic goals, Erceg said that the 'first strategic goal of the Bosnian Serbs' was to 'remain in the same state'. The prosecutor remarked that it wasn't mentioned on the list of the six goals that included ethnic separation, establishment of a corridor in Posavina, the removal of the border on the Drina river, establishment of borders on the Una and Neretva rivers, the carve-up of Sarajevo and access to the sea. Erceg eventually admitted that the Republika Srpska Army was supposed to accomplish those strategic goals. The accused Mladic headed the VRS army.

2015-04-02

THE HAGUE

MLADIC'S ROUTE FROM SREBRENICA TO HAN PIJESAK

A police officer from Bratunac testified at Ratko Mladic's trial today. In July 1995, the witness escorted Mladic en route from Srebrenica to the Main Staff in Han Pijesak. In his statement to the investigators in Sarajevo in 2006, he described how Mladic calmed down the prisoners from Srebrenica, slapped Serbs and sent women to the forest to 'kill Turks' with sticks and stones. In the meantime the witness has forgotten many of those things and the prosecutor had to refresh his memory



◀ Pero Andric, defence witness at Ratko Mladic trial

During the Srebrenica operation in July 1995, Pero Andric, a military policeman in the Bratunac Brigade, provided security along roads used by VRS officers, including Mladic. On 11 July 1995, the witness secured the Sase-Pribicevac route. The next day Andric went to Potocari where he saw Mladic address the gathered refugees from Srebrenica.

The most interesting part of Andric's evidence pertains to 13 July 1995, when he accompanied General Mladic from Bratunac to Srebrenica and then to Han Pijesak via Sandici, Konjevic Polje, Nova Kasaba, Milici and Vlasenica. In the examination-in-chief, Andric said that on his way from Srebrenica to Han Pijesak Mladic stopped in Sandici

where he addressed the Muslim prisoners. Mladic told them that they were not guilty of anything, that they would be taken to the places they wanted to go, and asked that the buses be provided for that purpose.

When Judge Moloto asked Andric if the buses arrived while he was still there, he replied that they didn't. The prosecutor then confronted the witness with his statement to the Bosnian authorities in 2006. In the statement, Andric said the exact opposite: that two or three buses arrived in Sandici while Mladic was still there. Andric even heard Mladic tell the prisoners to get on buses.

Also, Andric claimed that on 13 July 1995 he never saw Momir Nikolic. In his testimony, Nikolic claimed that in Konjevic Polje Mladic had made a hand gesture showing that all prisoners would be executed. Today Andric testified that after Sandici Mladic made no other stops before they reached Nova Kasaba. There, Mladic also spoke to the detainees in the football stadium. In the 2006 statement, the witness noted that before arriving in Nova Kasaba Mladic made a brief stop near the crossroads in Konjevic Polje. There, Mladic talked to a group of officers in different uniforms. Andric claimed that he 'forgot' the event, and he finally agreed with the prosecutor's suggestion that his memory had been better in 2006.

When he was questioned by defense counsel Miodrag Stojanovic, the witness said that Mladic and his escort went from Nova Kasaba to Vlasenica, where they stopped for lunch. Then they continued to the entrance to Han Pijesak, where they stopped at a gas station to refuel. In the cross-examination, the prosecutor contrasted this concise description of the events with the witness's statement from 2006, which contains more interesting details.

According to the previous statement, after Han Pijesak, Mladic first stopped in Milici. There Mladic saw an elderly man with a stick walking out of the forest. Mladic slapped the man several times shouting at him 'what are you doing here, why aren't you fighting'. Mladic ordered the man to pull down his underwear so that Mladic could see if the man was indeed a Serb. Mladic then made a stop in Han Pogled where he saw a group of police officers by the side of the road. Mladic ordered his bodyguard to slap the commander five times because they were resting there 'instead of going into woods to fight'. Also, Mladic told a weeping woman who was on her way back home from a funeral that he didn't care about the burial as it was not worth crying. 'Go into the woods, take a stick or a stone and kill Turks', Mladic told her.

Ratko Mladic's trial continues after Easter holidays, on Tuesday 7 April 2015.

2015-04-07

THE HAGUE

PEOPLE FROM SREBRENICA 'KILLED EACH OTHER'

Slavoljub Mladjenovic, former police commander in Bratunac, gave evidence in Ratko Mladic's defense. Through Mladjenovic's testimony, Mladic's defense tried to corroborate its case that the men from Srebrenica killed each other in their breakthrough towards Tuzla in July 1995



◀ Slavoljub Mladjenovic, defence witness at Ratko Mladic trial

Ratko Mladic's trial continued with the evidence of Slavoljub Mladjenovic, former police commander in Bratunac. At the time of the VRS Srebrenica operation in the summer of 1995, Mladjenovic commanded the special police unit in charge of securing the town. Mladjenovic and his unit were also there to stop the looting and to assist in the effort to set up a police station.

Mladjenovic and his men entered Srebrenica in the afternoon of 12 July 1995. The town was not razed to the ground, the witness explained, but it was 'really dirty' and empty. There were no troops and no civilians, apart from some elderly people. The elderly people asked Mladjenovic and his unit to take them to the UN base in

Potocari, which they did. According to the witness, his unit remained in Srebrenica about seven or eight days and then returned to Bratunac.

In early 1996, the witness was tasked with providing security to the UN special envoy, Elisabeth Rehn. She visited Bokcin Potok, a site located on the route the Srebrenica men had taken in the summer of 1995 in their bid to break through towards Tuzla. After the war, human remains were found at the site. As the witness recounted, the scene they found was horrible: there were many dismembered decomposing bodies on the ground. Animals had carried off body parts, the witness recalled.

Through Mladjenovic's testimony, the defense tried to corroborate its case that the troops belonging to the BH Army's 28th Division had killed each other in Bokcin Potok. In Mladjenovic's version of the events, a group of men from Srebrenica took a break at the site. When another group from Srebrenica group approached the area, the soldiers thought they had run into an ambush and they opened fire at the men who were resting there. The witness did admit that he didn't have any personal knowledge to support this scenario.

At the prosecutor's request, Judge Orić read out Rule 90E to the witness. The rule grants witnesses the right not to answer any potentially incriminating questions, unless the judges compel them to do so. Prosecutor Matthew Gillet then confronted Mladjenovic with the statement made by Mladjenovic's former neighbor from Krasanpolje. According to the man, Mladjenovic took part in expelling Bosniaks and burning their houses in May 1992. On 10 May 1992, some Serb soldiers and Mladjenovic surrounded the village and took Bosniaks to the bus station. The Bosniaks were then taken to the football stadium in Bratunac.

Mladjenovic remained adamant that the Bosniaks had left Krasanpolje voluntarily; this is what he told Mladic's defense when the lawyers took his statement. The witness also claimed that Bosniak houses had not been set on fire during the day, but later in the night, after the villagers had been taken to Bratunac.

2015-04-08

THE HAGUE

WHAT WITNESS DIDN'T SEE IN KONJEVIC POLJE

Former police officer Mirko Peric denies that he took part in the events that preceded the execution of prisoners at the river Jadar on 13 July 1995. Peric claims that he didn't see the man identified as the perpetrator at the check point in Konjevic Polje, the warehouse from which the prisoners were taken out for executions. He also didn't see Ratko Mladic and Momir Nikolic



◀ Mirko Peric, defence witness at Ratko Mladic trial

With the evidence of Mirko Peric, former reserve police officer in the Republika Srpska MUP, Ratko Mladic's defense tried to contest the testimony of a protected prosecution witness, RM 314. The protected witness was a survivor of the execution at the river Jadar on 13 July 1995. Mladic's defense also tried to dispute the claims Momir Nikolic made when he pleaded guilty to his crimes at the Tribunal. Nikolic was the security officer in the Bratunac Brigade. In July 1995, Peric was stationed at a check point in Konjevic Polje.

Before the 'disagreements arose', as Peric put it, he had worked as a waiter in the Fontana Hotel in Bratunac. Inter-ethnic relations were 'excellent', Peric explained,

up until the 'carve-up of the state we all shared' when 'factions formed and the fuss began'. At the beginning of the war, when Peric was mobilized, he had to 'walk around the town and [make sure] that public peace and order were not disturbed'.

Peric was stationed at a check point in Konjevic Polje for 'a day, two or three, give or take', on about 10 July 1995. After the VRS entered Srebrenica, Peric was told to 'watch out' for the 'influx of a large number of Muslims from over the hill'. Soon afterwards, Resid Sinanovic appeared at the check point waving a white undershirt as a flag. Sinanovic used to be the police chief in Bratunac. Peric took Sinanovic to the communications center building. As he 'learned from his colleagues', Sinanovic was handed over to Momir Nikolic. Sinanovic was one of six Bosnian Muslims from Srebrenica captured by the RS police who were handed over to the Bratunac Brigade security service to be interrogated. All the Muslims disappeared without a trace.

Peric claimed that he saw Nikolic only once in Konjevic Polje, in a white armored personnel carrier heading to Bratunac. Also, the witness claimed that he had never seen Nikolic in Mladic's company. Nikolic alleged in his evidence that Mladic made a hand gesture showing him at the check point in Konjevic Polje that the prisoners would be executed.

According to the indictment, 15 prisoners were executed in the incident at the River Jadar on 13 July 1995. The incident was discussed in closed session. In the cross-examination, prosecutor McCloskey quoted Peric's evidence from Karadzic's trial, when Peric confirmed that a survivor of the River Jadar execution described him as a police officer from Bratunac who used to be a waiter in the Fontana Hotel before the war. Peric denied the witness's claim that on 13 July 1995 Peric took him to a warehouse in Konjevic Polje where he was interrogated and beaten. The survivor and 15 Bosniak prisoners were then put on a bus and taken to the execution site on the river Jadar bank. The protected witness recounted that another police officer – Nenad Deronjic – was responsible for the execution. Peric noted that he hadn't seen Deronjic that day or indeed the warehouse. He concluded that the protected witness 'probably is not telling the truth'.

2015-04-09

THE HAGUE

'SOLDIERS' TALES' ABOUT EXECUTIONS

On the day of the mass execution of Srebrenica prisoners in Orahovac, military police officer Nebojsa Jeremic stood guard at the entrance to the VRS Zvornik Brigade command. At the same time, his colleagues in the field carried out mass executions of prisoners

Ratko Mladic's defense witness Nebojsa Jeremic was a military police officer in the Zvornik Brigade. At the time of the Srebrenica operation in the summer of 1995, Jeremic was assigned to the crime police department. Chief of security Drago Nikolic was Jeremic's superior.

In the examination-in-chief, Jeremic said that in July 1995, after the fall of Srebrenica, he saw trucks and buses pass by the Zvornik Brigade military barracks on the road to Bijeljina. They were full of women and children and prisoners, and were escorted by the VRS troops. The prisoners sat with their heads down and their hands behind their neck.



◀ Nebojsa Jeremic, defence witness at Ratko Mladic trial

According to the witness, there were rumors in the military barracks that the prisoners were taken to the Batkovic prison camp in Bijeljina, where they were to be exchanged.

On a day in July of 1995, Jeremic was ordered to stand guard at the military barracks gate. The other military police officers, including Jeremic's two colleagues from the Crime Police Department, went out to do some field work. Jeremic wasn't able to remember exactly when that happened. This prompted prosecutor Ambeer Hasan to confront the witness in the cross-examination with a Zvornik Brigade military police document, which shows that Jeremic was on duty on 14 July 1995. On that day, there was a mass execution of prisoners from Srebrenica in Orahovac.

Jeremic first claimed that his colleagues Goran Bogdanovic and Cedo Jovic never told him where they had been and what they had done upon their return from the field. After the prosecutor reminded the witness that he had stated the opposite in his evidence in the Popovic *et al.* case, Jeremic confirmed that indeed, when Bogdanovic came back from the field he told Jeremic that they had been in Orahovac and that they had been ordered to shoot at the prisoners. Bogdanovic told the witness that he had 'laid down his rifle and refused to shoot'. Jeremic claimed he was not sure when Bogdanovic told him the story: it may have been as soon as he got back in the barracks, or later, after seven days, even after a couple of months.

In the case against Popovic *et al.* Jeremic testified that in the military barracks he had heard stories about the execution in Pilica. When he was cross-examined by the prosecutor, Jeremic said he did not want to change his previous statement in any way, although he couldn't remember the events now. Jeremic added that no one had called for an investigation of the executions of prisoners in Orahovac and Pilica, either officially or through unofficial channels.

On 18 July 2015, Jeremic participated in the interrogation of four Muslim prisoners and two Serbs who had tried to help them get through to the territory under the BH Army control. The four Muslims, Emin Mustafic, Sakib Kiviric, Fuad Djozic and 15-year old Almir Halilovic, had survived the Branjevo farm massacre on 16 July 1995. After the massacre, they were re-arrested and held in the Zvornik Brigade military barracks. The four detainees disappeared without a trace.

Jeremic claimed that he didn't know anything about the fate of the four Muslims. The brigade commander Vinko Pandurevic and security chief Drago Nikolic decided what would happen to the prisoners, he said.

Ratko Mladic's trial continues on Monday, 20 April 2015 after a one-week break.

2015-04-20

THE HAGUE

WHAT ARMY DIDN'T DO IN SANSKI MOST

In his evidence, retired colonel Branko Basara talked about disarming Muslims and Croats in the Sanski Most municipality and the VRS attacks on 'Muslim extremists'. Basara stressed that the army and he personally 'did not have any jurisdiction' over the prisons, the transportation to prison centers, evacuation of the population and the Crisis Staff decisions, including the implementation of strategic goals



◀ Branko Basara, defence witness at Ratko Mladic trial

After a ten-day break, the trial of Ratko Mladic continued at full speed with the evidence of three witnesses. All witnesses testified via video link.

Andja Obradovic's written statement is under seal, and so are the contents of her testimony today. After Obradovic's statement was admitted into evidence, Borislav Vasiljevic from Kotor Varos was called to testify. In his written statement, Vasiljevic recounted how he was captured and tortured in May 1992 in the village of Vecici. Vasiljevic also mentioned the 'sufferings of the ethnic Serbs' and their 'fear that the genocide' against them in World War II would be reprised. The prosecution didn't have any questions for Obradovic and Vasiljevic.

The third witness to testify, retired colonel Branko Basara, was told at the beginning of his evidence that he did not have to answer any potentially incriminating questions unless the judges made him do so. Last year, an indictment was issued against Basara by the BH State Court for some of the crimes in Sanski Most. Ratko Mladic is also on trial for those crimes.

Basara retired from the JNA but re-activated his military service in October 1991 to take command over the 6th Krajina Brigade. In his statement to the defense, Basara said that his brigade was involved in disarming various paramilitary formations. Weapons were seized from Muslims and Croats in two stages, the witness explained. The villagers were first called to voluntarily surrender the weapons, and then the troops would enter villages and seize the remaining weapons. Basara argued that his soldiers were forced to fight in those places 'where the Muslim forces resisted'. Basara used the village of Mahala as an example: there, the women, children and the elderly were given some time to leave the village, they complied and were placed under the army's protection. The army then dealt with the 'Muslim extremists'.

The witness confirmed that some elements of his brigade were engaged in 'the peaceful takeover of power' in Kljuc. The military 'did not establish' the Krings and Betonirka prisons in Sanski Most, Basara claimed. In fact, neither the military nor Basara himself had any jurisdiction over those facilities. Basara was also adamant that the military did not have any role in the exodus of the population.

Although he attended the meetings of the Crisis Staff, Basara told the judges he didn't vote or take part in the decision-making process. In fact, he was there to make sure that the decisions were 'as normal as they could be', that the other side was not 'placed at risk' and that 'the rules of war were observed'.

Basara says that he did not refer to any of the Crisis Staff decisions in his orders; he always referred to the orders issued by the Corps command. The orders of the Crisis Staff were never sent to his brigade, Basara explained.

The incidents in Sanski Most that Mladic is indicted of were not discussed in the examination-in-chief. As alleged in the indictment, the campaign of persecution in that town reached the scale of genocide in 1992. The cross-examination that began as the hearing drew to a close will continue tomorrow.

2015-04-21

THE HAGUE

'COLLATERAL DAMAGE' IN SANSKI MOST

Retired colonel Branko Basara said that civilians – women and children – were killed in the VRS attacks on the villages of Mahala and Hrustovo because they 'didn't leave when the army allowed them to'. 'Those that remained knew they could end up getting killed, and only those who wanted to fight remained', Basara explained, adding that civilian killed in NATO air strikes were declared 'collateral damage'

In his testimony in Ratko Mladic's defense, retired colonel Branko Basara said that the 6th Krajina Brigade took part in the drive to disarm the people in several villages near Sanski Most, including Mahala and Hrustovo. In late May 1992, some of the crimes listed in the indictment against the former commander of the VRS Main Staff were committed at those locations. The witness commanded the brigade in 1992.

The village of Mahala was attacked on 26 May 1992 in response to mortars firing from the village, Basara claimed. Several civilians were killed in the VRS attack. Basara claimed that he had given three hours to all those who did not want to fight to leave the village. 'Those who remained knew they could end up getting killed and only those who wanted to fight remained', Basara explained. The prosecutor insisted that a group of women and children were killed in a basement in the village of Hrustovo on 31 May 1992. When he was asked if he agreed that 'some civilians were killed in the attack', the witness replied that 'those who refused to evacuate' were killed. Basara argued that civilians were killed in NATO air strikes too, but those victims were called 'collateral damage'.

According to Basara, the police and the Territorial Defense did not assist his forces when they went into villages to disarm the population. This claim is contradicted by the documents he was shown by the prosecution. Everyone was 'doing their job' and the various forces and agencies cooperated only at the level of 'intelligence collection', Basara said. The prosecutor noted that Momir Talic, commander of the 1st Krajina Corps, was the first to order the 6th Krajina Brigade to coordinate its activities with the civilian bodies. In September 1992, Ratko Mladic issued a similar order, instructing his troops to 'provide maximum assistance to the civilian authorities and the Interior Ministry', the prosecutor stressed.

Speaking about the crime at the Vrhpolje bridge, Basara said he didn't know who the perpetrators were. They ran away when they heard 'the colonel was coming', Basara explained.

Basara was told that the victims had been ordered to jump from the bridge and then they were fired at from automatic weapons. Two of his soldiers were near the bridge, Basara said, and they claimed they had not taken any part in the crime. When Basara saw their weapons were slung from their right shoulders, he concluded that their claim was true. According to Basara, the crime was never investigated because he 'didn't have the time or the expert bodies to carry out an investigation'. A criminal investigation would have taken up 90 per cent of his time and he would have had to 'set other things aside', Basara said.

The prosecutor put it to the witness that the events in Mahala and Hrustovo and the incident at the Vrhpolje bridge prompted him to issue an order in early June 1992 'prohibiting genocide against women and children'. Basara agreed that the events 'did play a certain role' but his soldiers were not responsible for the incidents. 'One learns from other people's mistakes', Basara said.

In the documents of the Sanski Most municipal Crisis Staff, Basara is identified as one of its permanent members. The witness denied it, saying that 'as a commander and a professional military officer' he couldn't have been subordinated to the civilian authorities. The defense counsel will re-examine Basara tomorrow.

2015-04-22

THE HAGUE

WITNESS'S ENCOUNTERS WITH MLADIC

Retired VRS general Grujo Boric testified at the trial of Ratko Mladic about the formation and activities of the 2nd Krajina Corps. In his evidence Boric also spoke about his relationship with the former VRS Main Staff commander



◀ Grujo Boric, defence witness at Ratko Mladic trial

Grujo Boric met Ratko Mladic for the first time in April 1991 in Petrovac, where the 2nd Krajina Corps was to be headquartered. At the time Mladic was still a colonel in the JNA. Boric's next encounter with Mladic took place a year later, when Mladic visited the witness in Drvar. On that occasion, Mladic told Boric that the Corps had been established and that they were planning to appoint him commander. Later, during the war Mladic met the witness on his visits to the front lines and at regular monthly briefings.

Boric noted in his evidence that he 'never' received any unlawful orders from General Mladic. Boric also insisted that he had no specific knowledge of the crimes in the

villages of Biljani and Velagici, listed in the indictment against Mladic. The only thing he knew was that fire was opened near Kljuc at a convoy of JNA soldiers pulling out of BH towards Belgrade. Some soldiers were killed and others were injured. He heard that there was some fighting after that, in retaliation, Boric noted.

According to the witness, the army was not authorized to maintain law and order in the depth of the territory they held, away from the frontlines. Only the municipal authorities and the police were in charge of law and order, the witness added. When he was asked a question by presiding judge Orić, Boric said that the military police would intervene only when soldiers were involved in crimes.

In the beginning of the cross-examination, prosecutor Arthur Traldi highlighted the military goals of the Bosnian Serb army. The prosecutor quoted from General Milan Gvero's order issued on 19 May 1991, in which the general notes that ethnic Serbs live in about 65 per cent of the BH territory. Ethnic Serbs made up about 35 per cent of the overall population in BH and as such they 'have to fight to establish borders with Croats and Muslims and fight for their state', the general explained in the order.

The prosecutor confronted the witness with Mladic's order from July 1992 which states that 'all active-duty military staff of Croat and Muslim ethnicity must be sent on leave immediately. Upon their return they should be sent to the personnel department in Belgrade'. In Boric's opinion, there is nothing out of the ordinary in Mladic's order. There 'definitely' were no Muslims, Croats and Slovenes 'in the JNA at the time any more'. Boric confirmed that he, all the other officers in the 2nd Krajina Corps and the soldiers received their salaries from the JNA.

The prosecutor will continue Grujo Boric's cross-examination tomorrow.

2015-04-23

THE HAGUE

WHO IS RESPONSIBLE FOR BILJANI MASSACRE?

Prosecutor Arthur Traldi puts it to Grujo Boric that he has given 'false' testimony at Ratko Mladic's trial to hide his own responsibility for the Biljani massacre, which was committed by soldiers under his command in July 1995. 'That's your opinion', Boric, former commander of the 2nd Krajina Corps, told the prosecutor

Retired VRS general Grujo Boric claims he didn't know anything about the massacre of more than 140 Muslim civilians in the village of Biljani on 10 July 1992. According to him, the 17th Kljuc Brigade, whose troops committed the crime, became part of his Corps only in July 1992. It 'took time' to place it under the Corps command, Boric added.

Prosecutor Arthur Traldi confronted Boric with an order issued on 2 June 1992, detailing the establishment of the 2nd Krajina Corps. The 17th Kljuc Brigade is referred to as part of the Corps. According to the prosecution documents, in June 1992 – a month before the Biljani massacre – Boric issued orders to and received combat reports from the Kljuc Brigade command.

'You are now giving false testimony about the chain of command at the time of the incident in Biljani to hide your own responsibility for the murders committed by soldiers under your command', the prosecutor put it to the witness. 'No, that is your opinion', Boric replied. At the time, he didn't even hear any rumors about the incident, the witness claimed. When Judge Orić asked him if he knew about the massacre in Biljani now, he said 'I don't know about it now either'.

Boric also claimed that he had 'never even heard' about the abuse and killings in the Kamenica prison camp in Drvar. The prison camp was also under the control of the 2nd Krajina Corps. The prosecutor asked the witness if he knew that after the war the bodies of some of the Kamenica prisoners were exhumed from mass graves in the area of responsibility of his Corps. Boric said he didn't know. 'They may have been exchanged', he added.

In the examination-in-chief Boric claimed that he never received any unlawful orders from Mladić. This prompted the prosecutor to refer to Directive 4, which contains a list of objectives, which include forcing the enemy to 'leave together with the Muslim population the area of Birac, Zepa and Gorazde'. Boric reluctantly admitted that the order 'isn't lawful'.

Boric nevertheless remained adamant that he never received any unlawful orders from Mladić. He refused to budge even when he was confronted with Mladić's order to use UN members as 'human shields' against NATO air strikes. The reason why the order was issued, Boric explained, made the order 'less unlawful'.

Ratko Mladić's trial continues next Tuesday.

2015-04-28

THE HAGUE

MUSLIMS HAD TO LEAVE 'FOR THEIR OWN GOOD'

In May 1992, the former commander of the VRS Birac Brigade ordered the removal of Muslims from Zvornik, but he had nothing to do with that because the Territorial Defense 'did not act on anyone's orders' and didn't carry out his instructions. Personally, the witness didn't feel he had 'even a modicum of responsibility' for the killings of Muslims in Zvornik and Kozluk. According to the witness, paramilitary formations were responsible for the crimes



◀ Svetozar Andrić, defence witness at Ratko Mladić trial

In his examination-in-chief at Ratko Mladić's trial, Svetozar Andrić, former commander of the VRS Birac Brigade, spoke about the Serb victims in his area of responsibility. Since the prosecution didn't contest the claim that 'many Serb civilians' were killed in that area, the judges interrupted that part of the witness's testimony. The witness's written statement was admitted into evidence. After a few questions pertaining to the witness's career in war-time, the defense handed Andrić to the prosecution.

In the first part of the cross-examination, prosecutor Alan Tieger confronted Andrić with the order he issued on 28 May 1992 in which he ordered the removal of Muslims from Zvornik. 'The removal of the Muslim population should be organized and coordinated with the municipalities that will implement it', the order specifies, adding that 'only children and women are allowed to move out, while able-bodied men should remain in the prison camps to be exchanged'. A few days later, the SAO Birac government issued a similar order.

Andrić claimed that the Muslims left voluntarily. On 22 May 1992, the warring factions made an agreement with the UN High Commissioner for Refugees Sadako Ogata to move the people out to ensure their safety, the witness recalled. The prosecutor stressed that the Birac authorities officially justified their decision to move the Muslims out with the crimes against Serbs. According to prosecutor, this meant that the Muslims 'had to leave whether they wanted or not'. Andrić on the other hand said that it was just one of the reasons for their removal. There was a fear of paramilitary formations and possible retaliation by those Serbs who had been expelled from the Tuzla area, Andrić stressed. Also, Andrić noted that he had nothing to do with that at all, because Marko Pavlović, who commanded the Zvornik Territorial Defense, didn't implement his order. Pavlović 'did not act on anyone's orders', the witness said.

The prosecutor referred to the evidence of a witness who testified at Radovan Karadžić's trial. According to the witness, on 30 May 1992 the Serb radio station in Zvornik broadcast a message to the inhabitants of the villages of

Drinjaca and Kostijerovo, instructing them to remain in their homes. Then the soldiers came and took about 150 men, women and children to the culture hall in Drinjaca. Ninety Muslims were killed there subsequently. Andric claimed he didn't know about the killing of Muslims in Zvornik and Kozluk. He didn't feel he had 'a modicum of responsibility'. Paramilitary formations were responsible for 'most' of the murders, the witness explained.

As prosecutor Tieger noted, Muslims were expelled from other places in the area of responsibility of the Birac Brigade; the scenario was always the same. The villages of Memici and Seher near Kalesija are two such examples. Andric once again denied he was in any way responsible. The villages were in a combat zone and they allowed the people to leave because they wanted to save them from certain death, Andric claimed. Personally, the witness was proud of the fact that he had thus saved thousands of lives.

Svetozar Andric continues his testimony tomorrow.

2015-04-29

THE HAGUE

'ORGANIZING' SUSICA PRISON CAMP

In his evidence at Ratko Mladić's trial, Svetozar Andric, former commander of the VRS Birac Brigade, claimed that he didn't issue the order to 'establish' a prison camp in Susica. Andric did admit that he ordered the 'organization' of the prison camp. The number of prisoners in the area of responsibility of his brigade in late May 1992 increased, Andric explained

As the cross-examination of Svetozar Andric, former commander of the VRS Birac Brigade, continued today, the prosecutor confronted the witness with an order he issued on 31 May 1992. Andric ordered his subordinates to establish a prison camp in Susica, in Vlasenica. Andric insisted that he didn't order 'the opening' of the Susica camp. According to the witness, the prison camp had existed before his brigade was established. The only thing he did was to order 'the organization' of the prison camp, necessitated by a hike in the number of prisoners in late May 1992

In his testimony at the trial of the Zvornik Territorial Defense Commander Marko Pavlovic in Belgrade in 2007, Andric maintained that the Tribunal in The Hague established that the prison camp had been set up before his order was issued. At that trial, Andric referred to a statement made by the prison camp warden Dragan Nikolic. In a bid to challenge Andric's claim, prosecutor Tieger noted that in 2003 Nikolic told Judge Wolfgang Schomburg that the Muslim detainees were held in a local school and in the prison in Vlasenica until the end of May 1992 when the Susica prison camp was established.

Andric responded to the prosecutor's allegations by saying that the 'prison camp was not under the army's jurisdiction'. According to Andric, the Crisis Staff and police ran the prison camp and the military merely 'secured' the camp, on his orders. 'I don't know why you keep on blaming me for that prison camp', Andric said. The witness agreed that there were women and children in the prison camp but insisted that they were not prisoners. From time to time, women and children would arrive to the camp to seek temporary shelter, before going on towards Kladanj and the BH Army-controlled territory. Andric also said that their Serb friends from Vlasenica visited the inmates and brought them food.

The prosecutor remarked that the witness was painting a picture of an 'almost philanthropic' treatment of the civilians in the Susica prison camp. This, as he went on to say, did not jibe with the instructions in a military document, which specified that 'all visits and bringing food for prisoners must be prohibited'. Andric claimed the instruction was just a proposal made by the prison security service, which was never accepted. A little while later, Andric told the prosecutor that in fact he 'never even went into the prison camp' and his knowledge of Susica was 'superficial and minimal'. The witness found 'funny' the prosecutor's question if he knew about the terrible hygienic conditions, beatings, rapes and killings in the prison camp. When the judges told the witness he had to answer the question, Andric replied that he didn't know about that.

Prosecutor Tieger confronted the witness with a series of documents in a bid to prove that the persecution of Muslims in the area of responsibility of the Birac Brigade was part of the implementation of the strategic goals set by the RS political and military leadership. The strategic goal no. 4 envisaged the elimination of the border on the Drina river between the Republic of Serbia and Republika Srpska.

The trial of Ratko Mladić continues tomorrow morning with the evidence of a new defense witness.

2015-04-30

THE HAGUE

'TRAGIC TOLL' IN KRAVICA

Ratko Nikolic has testified about the BH Army attack on the village of Kravica on 7 January 1993. The witness was captured in the attack and was detained first in the police station, and then in the boiler room in a building which housed the municipal services and the court in Srebrenica. Nikolic claims that the Serbs wanted to avenge the suffering and the deaths of 48 civilian victims in the village. The prosecutor didn't deny the crimes against Serbs, but he used VRS documents to contest the number and status of the Kravica victims



◀ Ratko Nikolic, defence witness at Ratko Mladic trial

With the evidence of Ratko Nikolic from Kravica, Ratko Mladic's defense wants to prove that the local Serbs sought revenge for the BH Army attack which occurred on 7 January 1993, the Orthodox Christmas.

During the attack on Kravica, Nikolic was in his family house. As he recounted, he saw 'fires burning' outside and heard people shouting, 'kill all those who are alive, catch all those who are alive'. The bullets 'flew everywhere', and Nikolic was hit by one in his left leg. The witness told his wife to flee towards the Drina river. He remained in the empty village to 'die alone'.

Nikolic spent the following five days hiding in a hollow tree in a nearby forest. He ate potatoes he roasted in 'the embers left after the houses had been burned down', until he was captured. The witness was then taken to the old police station in Srebrenica where he was detained until the attack on the village of Skelani, on 16 January 1993. After the attack, Nikolic was transferred to the boiler room of the court and municipality building. There, the witness recounted, they were given a blanket to 'cover their heads'. As for food, they were given 'oats and some cooked stuff that did not contain any fat or salt and was not even cooked properly'.

In Nikolic's words, 'every day' he was beaten by all those who felt like it, particularly by two persons with 'beards and big spectacles similar to welding glasses'. When the prisoners fainted, they were 'taken out and put on a pile'. Cold water was then poured over the prisoners. Because of his name, the witness was given a special task, to sit at the front door. When someone would come in, Nikolic was to stand up and salute them, saying he was Ratko Mladic. Because the witness could stand up with great difficulty because of his injuries, he was 'slapped and hit'. In February 1993, Nikolic was finally exchanged after two failed attempts.

The judges have so far always interrupted the witnesses who testified about the crimes committed by the other side. This time however the Trial Chamber allowed Nikolic to continue and recount his sufferings. Yet, when the witness took his first break, the judges reprimanded defense counsel Stojanovic after the prosecutor informed them that the prosecution did not contest the fact that Muslims had 'brutally mistreated' Serbs. Instead of 'calling unnecessary evidence on various details', Judge Orić noted, the defense should have focused on controversial issues such as the number and status of victims.

In the cross-examination, prosecutor Sarah Melikian showed a document seized in the Bratunac Brigade headquarters in 1998. The document speaks about the 'tragic toll' of the attack on Kravica on Christmas of 1993. According to the document, a total of 35 fighters were killed, 36 injured, and there were 11 civilians among the casualties. The witness nevertheless remained adamant that 48 civilians had been killed in Kravica. Responding to judge Moloto, Nikolic confirmed that the only source for his knowledge about the number of the victims of the Christmas attack on the Serb village was the monument in Kravica. The memorial states that 48 civilians were killed on that occasion.

Mladic's trial continued with the evidence of Drasko Vujic, a VRS soldier from Prijedor.

2015-04-30

THE HAGUE

SERBS SEIZED POWER TO KEEP PEACE

In his evidence in Ratko Mladic's defense, a former VRS soldier from Prijedor has described how calls to the Muslims to surrender weapons in the spring of 1992 weren't ethnically motivated. On the contrary, according to the witness, it was an attempt to 'keep the peace' in the municipality. The witness has also claimed that Keraterm and Trnopolje were not prison camps



◀ Drasko Vujic, defence witness at Ratko Mladic trial

In 1992, Drasko Vujic commanded a unit of about 900 to 1,200 men from the Prijedor neighborhood of Urije. The unit was part of the JNA 343rd Brigade, and later became the VRS 43rd Brigade. The witness and his unit were in the Prijedor area when the war broke out, but later they were sent to other battlefields from time to time. Last year, Vujic testified in Radovan Karadzic's defense and his testimony was admitted into evidence at Ratko Mladic's trial today. The former commander of the VRS Main Staff faces the same charges as Karadzic and is indicted for genocide and other crimes in the war in BH.

In his statement, Vujic says that the Muslim forces attacked Prijedor on 30 May 1992 but his unit was able to repel the attack. As the witness noted, before the

'clashes and searches' he had been involved in talks with the members of the Muslim Territorial Defense with a view to persuading them to lay down their arms to 'keep the peace'. All that happened a 'month or a month and a half before the Muslim attack', Vujic specified in reply to a judge's question. Today the judges often took part in the examination of the witness.

Even as the negotiations were going on, ethnic Serbs seized power in the municipality of Prijedor. After that, there was a call-up. It was necessary to place all the conscripts under a single command, the witness explained. In Vujic's words, the calls to the Muslims to lay down their arms were not ethnically motivated. They were sent out to all those who failed to respond to the call-up and yet they kept the weapons issued by the Territorial Defense.

When Judge Moloto asked if the Serb members of the Territorial Defense were also supposed to surrender their weapons, Vujic said that '90 per cent of the Serb Territorial Defense were already assimilated into the war unit' under his command.

The prosecutor began Drasko Vujic's cross-examination with a series of questions pertaining to the events in Prijedor at the time of the 'negotiations with Muslims to surrender the weapons'. The witness confirmed that he knew about the Serbs' takeover of Prijedor on 29 April 1992. Vujic knew that many civilian properties were destroyed in the attack by his unit against Kozarac and Hambarine and that many 'non-Serbs were detained and taken to prison camps'. Vujic didn't agree that Keraterm and Trnopolje could be called prison camps. According to him, Keraterm was just a 'detention unit', where prisoners were held while they were being checked. Trnopolje was a 'reception center' where people would 'come when they wanted', to seek shelter. They left their villages where there was fighting, the witness stressed.

Vujic claimed he was unaware of the killings. He could only surmise that those people were killed in 'fierce combat operations': there had to be many casualties. According to Vujic, the Omarska prison camp was established later and the police, not the army, arrested people and brought them there.

Drasko Vujic will continue his testimony on Monday.

2015-05-04

THE HAGUE

'EXTIRPATION' IN PRIJEDOR

In October 1995, one of Drasko Vujic's subordinate officers published an article in the *Kozarski vijenac*, a local newspaper. Commenting on the article, Ratko Mladić's defense witness explained that the threat to 'extirpate Balijas' was aimed only at 'out-of-control Muslim troops', not Muslim women and children

Continuing Drasko Vujic's cross-examination, the prosecutor put it to the witness that knew full well about the expulsions of non-Serbs from Prijedor. Moreover, the prosecutor alleged, the witness supported those activities and participated in them. In 1992, Vujic was appointed commander of a unit of about 1,000 men that was part of the JNA 343rd Brigade. Vujic's unit was later transformed into the VRS 43rd Brigade. Soon after the war broke out, the unit was sent to other battlefields, and returned to Prijedor in 1995.

'Your soldiers openly showed hatred towards Muslims', the prosecutor Amir Zec told the witness, supporting his claim by an article published in the local newspaper, *Kozarski vjesnik*, in October 1995. The article, entitled *We will extirpate them* one of Vujic's subordinate officers promises they will make Prijedor 'Serb once again'. 'Balijas will be expelled', the author continues, they will 'disappear' and their 'seed will be extirpated'.

According to Vujic, the text was written at the time when his unit returned to Prijedor to defend it: the town was 'defenseless' and under constant attacks by 'out-of-control Muslim troops aided by NATO'. When the officer said that 'Muslims will be extirpated', he meant only 'those who were attacking them', not the entire Muslim population, Vujic explained. Vujic was perfectly willing to say the same thing today: that the 'enemy' should be 'extirpated'.

Despite the defense's objection, the article from *Kozaracki vjesnik* was admitted into evidence. The witness asked the judges permission to amend his answer. He explained that the words of his officer referred only to 'those who were attacking them', i.e. armed fighters and definitely not the entire ethnic group, including the women and children. However, presiding judge Orić ruled that the witness's explanation was an unnecessary comment. The words, 'the land will be Serb again', the presiding judge noted, clearly show that the members of other ethnic groups - regardless of their gender and age - were unwanted in that territory.

The witness also denied the existence of any links between the VRS and Zeljko Raznatović Arkan and his Serb Volunteer Guard. This prompted the prosecutor to show two documents: a RS Interior Ministry order to 'Arkan's men' to 'stop abusing deserters and to prepare for combat activities, and an article from the Belgrade weekly *Vreme*, which quotes UNCHR reports about an action mounted by Arkan's Serb Volunteer Guard in September 1995. Approximately 5,000 Muslims were expelled from Prijedor in the action.

Vujic said he had never seen the article or the MUP document before. The document was signed by the police minister, and it did not concern the army at all. The witness told the judges he had never met Arkan. When he returned to Prijedor in the fall of 1995, the witness recounted, he saw one of Arkan's units in the field but they didn't fight side by side with it. When the witness was re-examined by the defense, he said that he had 'no knowledge as to who brought in Arkan'. Right from the start, Arkan 'was in contact with Simo Drljaca', the chief of the Prijedor police, the witness noted.

The trial continued with the evidence of Nedjeljko Trkulja, a VRS Main Staff officer.

2015-05-05

THE HAGUE

'TRIAGE' AT SREBRENICA EXECUTION SITES

As the prosecutor cross-examined Nedeljko Trkulja, he put it to the witness that on 16 July 1995, Trkulja personally relayed to Ljubisa Beara the order from the superior command to execute the prisoners of war. The prosecutor corroborated the allegation with an intercepted conversation in which the 'triage' of prisoners of war was discussed



◀ Nedeljko Trkulja, defence witness at Ratko Mladic trial

Former VRS officer Nedeljko Trkulja said in his evidence that during the VRS Srebrenica operation he was in the underground shelter of the VRS Main Staff in Crna Rijeka. As Trkulja recounted, in the evening of 16 July 1995 Radivoje Miletic gave him an oral order to go to the Baljkovica sector with two other officers. There, the witness was to 'raise the vigilance of the fighters' on the front line.

In the examination-in-chief, Trkulja claimed that in the morning of 17 July 1995 Bogdan Sladojevic accompanied him first on the way to the Drina Corps command in Vlasenica. They then went to Srebrenica and headed towards Zvornik and Crni Vrh. According to Trkulja,

Dragan Obrenovic, who was the chief of staff in the Zvornik Brigade, met them in Crni Vrh. From Obrenovic's report on the situation on the front line, they 'understood that the situation was not as dramatic' as the brigade commander Vinko Pandurevic described it in his combat report of 15 July 1995, Trkulja recounted.

Obrenovic told Trkulja and Sladojevic that they had been able to stop the Muslim column from making a breakthrough. About 5,000 Muslims were penned up in a nearby ravine, Obradovic added. Obradovic explained that he had made contact with the Muslims and agreed to allow them to pass through the Serb lines and continue towards Tuzla. As Trkulja said, in the morning of 18 July 1995 he personally saw the column pass through. Prisoners of war were not discussed then at all, and Trkulja purportedly didn't even know there were any.

Trkulja's claims don't tally with what Vinko Pandurevic stated in his evidence before the Tribunal. Pandurevic claimed that on 16 July 1995 he let the column pass through. The previous day, Pandurevic sent a special combat report to the Drina Corps command, notifying his superiors that he was under fierce attack; a large number of prisoners 'detained in schools in the area of responsibility of the brigade are an additional burden'.

Prosecutor Abeer Hasan confronted the Trkulja with Sladojevic's statement from the Popovic *et al.* case. In his testimony, Sladojevic claimed that Trkulja told him en route to Crni Vrh that the previous day, 16 July 1995, he was in the field. The prosecutor corroborated the claim with a transcript of an intercepted conversation made on 16 July 1995. In the conversation, Slobodan Cerovic tells Ljubisa Beara that Trkulja came in that morning. Trkulja had wanted to speak to Beara to tell him that the superior command had ordered him to 'triage thr wounded and detained persons'. Beara replies that he doesn't want to talk about that over the phone.

According to the prosecution, the 'triage' mentioned in the intercept was in fact the 'execution' of about 1,500 to 2,000 prisoners who were held in the Kula school and in the Pilica culture hall. On 16 July 1995, Trkulja relayed the order for their execution to Beara and the order was implemented that same day, the prosecutor put it to the witness. Trkulja denied the allegation, saying that Sladojevic's evidence was false. On 16 July 1995, he was in Crna Rijeka and didn't see Cerovic and Beara, the witness insisted. According to him, those were all 'strange stories and statements'.

The cross-examination of Nedeljko Trkulja continues tomorrow morning.

2015-05-06

THE HAGUE

CRIMES WERE NOT ORDERED

In his evidence in Ratko Mladic's defense former signals officer in the VRS Main Staff Tihomir Stevanovic claimed that he had never seen any orders to perpetrate crimes against the Muslims during the Srebrenica operation in July 1995. According to the witness, no document signed by the accused arrived in the Main Staff either on 15 or 16 July 1995 while mass executions were carried out

Retired Bosnian Serb lieutenant colonel Tihomir Stevanovic began his war career in the spring of 1992 as a signals officer in the Lukavica military barracks in Sarajevo. In March 1993, Stevanovic was transferred to the signals regiment in the VRS Main Staff in Crna Rijeka. After two years, Stevanovic was appointed encryption officer in the Main Staff.

He held that post when the VRS launched the attack on Srebrenica in July 1995. According to the prosecutor the attack was followed by the genocide against local Muslims. Stevanovic testified in the defense of Ratko Mladic, former commander of the Main Staff. Mladic is on trial for the Srebrenica genocide and other crimes in BH.



◀ Tihomir Stevanovic, defence witness at Ratko Mladic trial

In the first half of the examination-in-chief, the witness corroborated the defense's case that the BH Army used civilian facilities in Sarajevo for military purposes. The Bosnian Serbs were thus justified when they shelled residential parts of the city; these artillery attacks were entirely legitimate. The witness noted that one of his relatives, who still resides in Sarajevo, told him that the Muslim units had used both the military hospital and the Kosevo hospital to position their artillery pieces and opened fire on Serb positions. The tunnel in the Sarajevo neighborhood of Ciglane was used for the same purpose. Also, the witness claimed that the attacks were launched from the Jajce military barracks located near Bascarsija.

Stevanovic described in detail how the Main Staff had communicated with the various subordinated corps. Orders and reports were conveyed primarily over radio relay communications and landlines, the witness said. Both conversations and written documents were protected by using encryption devices. Stevanovic tried to convince the Trial Chamber that it was impossible to wiretap the communications between Bosnian Serb military officers and military units. In other words, the witness implied that the intercepted conversations, including those pertaining to the Srebrenica operation, admitted into evidence as prosecution exhibits, were not authentic.

In the course of the trial, the defense has been trying to prove that during the mass executions of Srebrenica boys and men, on 15 and 16 July 1995, the accused was in Belgrade. In that period, the accused didn't issue any orders to his subordinated units, the defense alleges. Asked if any orders signed by Mladic had reached the Main Staff during those two days, the witness that there had not been any. As Stevanovic explained, during the Srebrenica operation and in its aftermath he didn't see any orders from the Main Staff instructing subordinated units to commit crimes.

While he served in the Main Staff, the witness often saw Mladic. This prompted defense counsel Ivetic to ask Stevanovic in the end of the examination-in-chief to share with the court his impression of Mladic. Stevanovic said that Mladic was a 'fair but strict and highly professional officer' who refused to accept defeat. Mladic respected others, and at the same time he loved and defended his people, the witness explained. He eventually 'paid the price' for that, Stevanovic said. Asked to specify what he meant, the witness said that during the war the accused lost his daughter and then he fell ill.

As the hearing drew to a close, prosecutor McCloskey began cross-examining Lieutenant Colonel Stevanovic.

2015-05-07

THE HAGUE

SMUGGLING ARMS THROUGH SERB KRAJINA

In his evidence at the trial of Ratko Mladic, retired air force colonel Janko Kecman described how weapons were smuggled into the protected zones of Bihac and Srebrenica. Kecman also recounted how the aircraft used to transport the arms were shot down. According to Kecman, the UN peacekeepers proved themselves dishonorable because they were also involved in the smuggling operation



◀ Janko Kecman, defence witness at Ratko Mladic trial

Janko Kecman gave evidence at the trial of Ratko Mladic. Kecman served first in the JNA 111st Airborne Brigade and later he became a pilot in the Serb Krajina Army. When he was in the JNA helicopter squadron, Kecman was stationed for a while at the Pleso Airport in Zagreb and at the Zeljava airport near Bihac. After the conflict broke out in Bosnia, Kecman joined the Serb Krajina Army, and was assigned to the Udbina airfield, north of Knin.

In the examination-in-chief, Kecman recounted how in August 1991 he saw a plane loaded with weapons at the Pleso Airport. He and other pilots transported the weapons by helicopter to the JNA warehouse in Bihac. The plane had come from Uganda, and the Republic of

Croatia had ordered the consignment. According to the witness, the Croat and Muslim armed forces continued smuggling arms during the war using planes and helicopters which flew over the territory of the Republic of Serbian Krajina.

The RSK forces downed a Ukrainian aircraft during the war, the witness said. That plane did not carry any weapons, but the papers recovered from the wreckage led the RSK soldiers to conclude that it had been used on previous occasions to transport weapons for the BH Army, Kecman explained. Also, as the witness noted, a BH Army soldier was in the plane.

According to the witness, the bodies of the crew were sent to Belgrade where they were buried. The Ukrainian embassy refused to take the bodies because one of them could not be identified. An autopsy performed in 2012 established that the body was that of a BH Army soldier.

Apart from the Ukrainian airplane, the RSK forces shot down a helicopter carrying Irfan Ljubijankic, the wartime BH foreign minister, the witness said at one point.

Planes and helicopters belonging to the Croatian and Muslim forces often flew over Krajina, the witness recounted, bringing in arms, ammunition and military equipment to the protected zones, especially in Bihac and Srebrenica. Weapons were also smuggled by land. According to Kecman, the UN peacekeepers proved themselves dishonorable because they were also involved in the smuggling operation.

Kecman also said in his testimony that about 300,000 people lived in Krajina in 1993. About 80,000 of those were Muslim refugees from the Cazin Krajina. They fled their homes after the BH Army clashed with the troops loyal to Fikret Abdic. The refugees were an economic burden on the Republic of Serb Krajina.

In his statement, the witness said that his colleagues who flew Mladic to various peace talks told him about Mladic's 'professional and humane actions while he and his forces fought against the Croatian National Guard'. The witness and the others found it 'impressive'.

The prosecutor will cross-examine Kecman on Monday.

2015-05-07

THE HAGUE

NOT A WORD ABOUT SREBRENICA VICTIMS

Ratko Mladic's defense witness agreed that after the fall of Srebrenica 'some' of prisoners were executed. His 'upbringing' and his 'respect for the victims' didn't allow to speculate on the numbers. The witness refused to accept the prosecution's allegation about 'thousands', of victims

At the beginning of the cross-examination of retired Bosnian Serb Army lieutenant colonel Tihomir Stevanovic, the prosecutor focused on the issue of the Srebrenica genocide. In July 1995, the witness was a signals officer in the VRS Main Staff and the prosecutor was keen to find out if the witness knew that 'thousands of husbands and sons from Srebrenica' were executed in July 1995, after the town fell. 'I don't know the number, but some of them were indeed executed', the witness responded. Yesterday, in the examination-in-chief Stevanovic said that there had been no orders to commit crimes from the VRS Main Staff while the accused Ratko Mladic was the commander.

Prosecutor McCloskey didn't leave it at that, asking Stevanovic if he had any 'idea' about the scale of the crime and the number of victims. Stevanovic couldn't accept the claim that 'thousands' had been executed. That might mean that there were 20,000 victims, the witness remarked. When the prosecutor repeated the question, Stevanovic replied that his 'upbringing' and 'respect for the victims' prevented him from speculating on the number of executed prisoners. He, Stevanovic added, was not prepared to give off-the-cuff estimates.

During the two days of the Srebrenica operation, on 13 and 14 July 1995, Lieutenant Colonel Stevanovic remained in his native village of Lijesanj in the Zvornik region. At that same time, the prosecutor stressed, the men and boys from Srebrenica were transported to other municipalities in the region where they were detained and executed at several execution sites near Zvornik. Stevanovic denied any knowledge of the events. Again, like most other defense witnesses from the Bosnian Serb military leadership, Stevanovic claims that he heard about the crimes only after the war, from the media.

In the second part of the cross-examination, the prosecutor concentrated on a claim the witness made yesterday. Stevanovic argued that the communications between the Main Staff and the various corps commands, including the Drina Corps, 'could and should have been encrypted and in fact they were'. The Drina Corps played the key role in the attack on Srebrenica. The witness thus implied that the intercepted conversations admitted into evidence as prosecution exhibits were not authentic. Today the witness readily agreed with the prosecutor's suggestion that there were two communication lines between Mladic's Main Staff and the Drina Corps. One line of communication was encrypted, the other was not. Stevanovic noted that the unprotected communication line was 'rarely used'.

A part of the cross-examination also centered on Stevanovic's claim that some orders during the Srebrenica operation were written on Mladic's behalf without his knowledge. The claim prompted the presiding judge to ask the witness if he really believed that someone would dare to write and send out documents in the name of the top military commander, behind his back. The witness said it was possible, because thus the authors were sure that the orders they sent would be implemented.

In the second part of the hearing, the defense called Janko Kecman, a former pilot in the JNA and later Krajina Serb army, who began his evidence.

2015-05-11

THE HAGUE

SETTING UP EXECUTION SQUAD FOR BRANJEVO

Dragan Todorovic served in the VRS 10th Commando Detachment during the war. He testified in Ratko Mladic's defense. This is the fourth time he has appeared as a witness before the Tribunal. He testified as a prosecution witness in the cases against the Srebrenica Seven, Tolimir and Karadzic



◀ Dragan Todorovic, defence witness at Ratko Mladic trial

In 1995, Dragan Todorovic was in charge of logistic support to the Vlasenica Platoon of the 10th Commando Detachment. The unit was directly subordinated to the VRS Main Staff and its members participated in the execution of more than 1,000 Muslim detainees at the Branjevo farm on 16 July 1995. In 1996, Drazen Erdemovic, one of the soldiers from the unit, pleaded guilty to the crime. He testified about it before the Tribunal at all Srebrenica trials.

As he was questioned by Mladic's defense counsel, Todorovic described how he and his fellow fighters participated in the operation to capture Srebrenica on 11 July 1995. Milorad Pelemis, former commander of the

10th Commando Detachment, has also testified recently in Mladic's defense, and he too described the operation. Mladic's defense called Todorovic in a bid to challenge Drazen Erdemovic's allegations. Erdemovic claimed that he saw Pelemis 'in downtown Srebrenica' as he ordered Serb soldiers to kill a Muslim youth who had wanted to surrender. In his evidence Pelemis denied the claim. Today Todorovic said he didn't see Erdemovic that day 'in downtown Srebrenica'.

As a logistic officer, Todorovic was in charge of supplying weapons to his unit. This is what he was doing on 15 July 1995 when 'Dragomir Pecanac, intelligence officer from the Main Staff and Mladic's assistant' arrived in the unit's barracks in Vlasenica. Pecanac ordered the officers to put together a group of soldiers from the 10th Commando unit who were to carry out to a 'special task'. As Todorovic recounted, Pecanac clashed with one of the soldiers from the detachment, but eventually the group was set up. Most of the people in the group came from the Bijeljina Platoon, and Erdemovic, who was from the same platoon, volunteered to join them. As Todorovic said today, he obeyed Colonel Franc Kos's order and got ready the combat equipment for the group; he did not do it willingly. Today he said that no one: not him, not Kos and not the soldiers, knew what the 'special task' was.

In a bid to highlight the link between Dragomir Pecanac and Ratko Mladic, the prosecutor reminded the witness in the cross-examination about his evidence at Radovan Karadzic's trial, when he said that Pecanac 'was directly connected with Mladic' and that Pecanac 'was with Mladic all the time'. Today the witness noted that 'everyone liked to be near the general'.

At the prosecutor's prodding, Todorovic confirmed that on 15 July 1995, during his visit to the barracks, Pecanac said he would meet Ljubisa Beara, the security chief in the Main Staff, in Zvornik. Todorovic also confirmed that he saw a 'cherry-red VW Golf' in front of the barracks that day. He thought the car belonged to Vujadin Popovic, the security chief in the Drina Corps. Both Beara and Popovic were found guilty by the Tribunal of genocide and were sentenced to life.

Dragan Todorovic continues his evidence tomorrow.

2015-05-12

THE HAGUE

WAS PECANAC MLADIC'S MAN FOR 'SPECIAL TASKS'?

In the cross-examination of Dragan Todorovic, who was the logistics officer in the 10th Com-mando Detachment, the prosecutor showed video recordings from 1996 and 1997. According to the prosecutor, these videos show that Dragomir Pecanac was so close to Ratko Mladic that he was more than just an aide to the Main Staff commander. According to the prosecutor, the witness was also Mladic's man for 'special tasks' such as capturing and killing Avdo Palic or setting up a platoon for the mass execution at the Branjevo farm

In the brief cross-examination of Dragan Todorovic, logistics officer in the VRS 10th Commando Detachment, prosecutor McCloskey played videos recorded in 1996 and 1997, which imply that Ratko Mladic had a very close relationship with Dragomir Pecanac, who was an intelligence officer in the VRS Main Staff.

In his evidence yesterday as Mladić's defense witness, Todorovic described how Pecanac came to the 10th Commando Detachment barracks on 15 July 1995. Pecanac ordered Todorovic to select a group of soldiers to carry out a 'special task'. As it turned out, the 'special task' was the execution of more than 1,000 prisoners at the Branjevo farm on 16 July 1995.

The prosecutor used the video recordings to show that during the war Pecanac was Mladić's man for special tasks and his close friend. In the 1996 footage, Mladić says that he sent Pecanac to carry out the operation to capture Avdo Palic'. In September 1995, Pecanac took Palic, the commander of the forces that defended in Zepa, out of the military prison in Bijeljina where he was detained. Todorovic was able to identify Pecanac in the video. According to Todorovic, it was an 'occasion when everyone was relaxed', a sort of an informal celebration. 'Everything is possible', Todorovic replied when the prosecutor asked him if he knew that the VRS troops captured, detained and eventually killed Avdo Palic.

In the second video taken at the wedding of General Mladić's son Darko, Mladić and Pecanac are filmed embracing each other and singing a song by a popular Serbian folk singer, Toma Zdravkovic. As the prosecutor explained, it was a 'well-known song about misery, sorrow and pain'. The witness said that it was an 'just a regular song you would sing in a bar to relax'. Mladić watched both videos with obvious pleasure.

In the re-examination, Mladić's defense counsel noted that the witness in fact didn't know if Pecanac was Mladić's 'man for special tasks'. When the defense counsel asked him if he was ever present when Mladić gave orders to Pecanac, Todorovic replied that he didn't.

2015-05-12

THE HAGUE

WHO WERE THE VICTIMS OF ORIC'S ATTACK ON BIJELOVAC: CIVILIANS OR SOLDIERS?

In her evidence at Ratko Mladić's trial, Slavka Matic described the attack of the Muslim forces on the village of Bjelovac in the Srebrenica municipality in December 1992. According to Matic, 68 persons were killed in the attack, including her husband and two daughters. Using VRS documents, the prosecutor showed that 55 victims were members of the Bratunac Brigade



◀ Slavka Matic, defence witness at Ratko Mladić trial

Despite the repeated warnings by the judges that the crimes committed by the Bosnian Serbs cannot be justified by the crimes committed by the other side, Ratko Mladić's defense continues calling evidence about the attacks launched by Muslim troops on various Serb villages in the Podrinje region in late 1992 and early 1993. It is the defense case that the crimes committed by Orić's forces made the local Serbs long for revenge. The feeling culminated in the events after the fall of Srebrenica in July 1995.

Witness Slavka Matic lost husband and two daughters in the attack on the village of Bjelovac in the Srebrenica municipality on 14 December 1992. Testifying in Ratko

Mladić's defense, the witness described how that morning she went to the school where the makeshift kitchen was. The witness was to serve breakfast to the fighters from the village guard. The witness was en route to the school, when the shooting started. Gunfire continued while the witness worked in the school. When she tried to go back, the witness saw houses on fire. She also heard her neighbor Hajrudin Berzadic urging 'Chetniks' to surrender. Berzadic shouted that he would 'catch them alive', Matic recounted.

As she was trying to get back to her house, the witness saw her husband's body. She recognized his clothes. The witness did not find the bodies of her daughters until the day after. One of her daughters lay in a pool of blood on the family house doorstep. The other daughter was in the kitchen. As the witness recounted, she buried her family members in the Bratunac cemetery. According to her, the people who lost their family members 'were revolted' and kept asking why their village was attacked.

According to the witness, 68 persons, including 10 women, were killed in the attack on Bjelovac. Matic didn't return to Bjelovac until 1997. Now, the witness explained, 'I live there alone, like a tree without branches'.

In the cross-examination, the prosecutor produced a VRS Bratunac Brigade report which shows that 55 fighters and seven civilians were killed on 14 December 2015 in the clashes with Naser Orić's forces. The prosecutor went on to note that the names of the witness's husband and two daughters, Gordana and Snezana Matic, were on the list of casualties in the Bratunac Brigade. All three victims, the report stated, were killed in combat, fighting for the village.

The witness agreed there were both soldiers and civilians among the victims. Nevertheless, Matic argued that civilians outnumbered the soldiers. Matic said that her husband was 'probably' in the brigade ranks. She didn't know that her daughters were mobilized, the witness explained. Her daughters died on 'their doorstep' and they didn't even 'have a stick in their hands to defend themselves', Matic stressed.

Ratko Mladić's trial continued with the evidence of Slobodan Radulj, former deputy military prosecutor in Banja Luka.

2015-05-13

THE HAGUE

WAR CRIMES IN 'VACUUM'

According to witness Slobodan Radulj, former state attorney in Prijedor and deputy military prosecutor in Banja Luka, in the first year of the war there was a 'legal vacuum', which was an ideal environment for thieves and criminals. It is difficult to comprehend the crimes that happened as a result.



◀ Slobodan Radulj, defence witness at Ratko Mladić trial

From May 1992 to October 1993, Slobodan Radulj, who is now the state attorney in Republika Srpska, served as the state attorney in Prijedor. At the trial of Ratko Mladić, the witness described the period at the time when new Serb authorities were created. This resulted in a 'vacuum which was an ideal environment for thieves and criminals', Radulj noted. Through Radulj's evidence Mladić's defense wants to contest the charges related to the persecution of the non-Serbs. In some municipalities, such as Prijedor, the persecution reached the scale of genocide.

From October 1993 to the end of the war, Radulj was a deputy military prosecutor in Banja Luka. His jurisdiction covered the area of responsibility of the 1st and 2nd Krajina Corps. As he was questioned by Mladić's defense counsel Miodrag Stojanovic, the witness explained that he took part in prosecuting perpetrators of crimes against non-Serbs. Judge Orić asked the witness to give an example of a criminal case that involved any of the war crimes listed in the indictment against Mladić. Radulj was not able to name a single such example. Instead, Radulj said that when the war ended he tried to continue the investigation in the case against Goran Amidžić. Amidžić was involved in the killing of 80 Bosniaks from the village of Velagici near Ključ on 1 June 1992. It was impossible to prosecute the perpetrators responsible for that crime during the war because their fellow fighters rioted, saying that they would leave their positions, the witness explained.

Prosecutor Arthur Traldi confronted Radulj in the cross-examination with the statement Radulj gave to the OTP investigators in 2002. There, the witness said that the Amidžić case was the only war crimes case that was prosecuted in Republika Srpska during the war. Also, Radulj noted in the statement that the military prosecutor informed him that he 'was instructed not to use the term *war crime*' for the crimes against non-Serbs. Radulj stuck to his statement specifying that the procedure was put in place because the 'state of war was not declared in Republika Srpska'. According to Radulj, only the state of an imminent risk of war was declared.

In his statement to the investigators in 2002, the witness said that during the war Serb soldiers who committed crimes against Serbs were prosecuted 'quite efficiently' during the war. Those cases were 'prioritized', the witness noted, while the crimes against Croats and Bosniaks were 'set aside for some other time'.

The prosecutor highlighted the first moves made by the Serb authorities in Prijedor vis-à-vis their fellow citizens of Muslim and Croat ethnicity. The first thing they did was to start killing and arresting eminent Prijedor citizens. Then a huge number of Muslims and Croats were laid off, transferred to prison camps and expelled from their homes. In a nutshell, the prosecutor noted, when the Serbs established their power in Prijedor, the town that used to live according to the code of brotherhood and unity ceased to exist. Radulj agreed with the allegation.

2015-05-14

THE HAGUE

WHAT HAPPENED TO PRIJEDOR MEDICAL DOCTORS?

In his evidence in Ratko Mladić's defense, former ambulance driver in Prijedor Goran Dragojević was unflinching in his praise for the non-Serb medical doctors he had worked with. Asked if he knew that many of them ended up detained or killed, Dragojević first said that he didn't know anything about that. Eventually, he did admit that they had 'suffered'. He didn't know the details because in May 1992 he was wounded and sent to Belgrade for medical treatment.



◀ Goran Dragojević, defence witness at Ratko Mladić trial

In the spring of 1992, defense witness Goran Dragojevic was wounded when the ambulance he was driving came under fire. The incident occurred in the early morning of 30 May 1992 when a group of armed Muslim and Croat citizens in Prijedor tried to 'liberate' the town. One month earlier, the Serbian Democratic Party seized power in Prijedor. Dragojevic sustained 32 gunshot wounds and was transferred to Belgrade for medical treatment. The witness did not return to Prijedor until 1994.

In his statement to Ratko Mladić's defense and in his evidence, the witness described several incidents in Prijedor. According to him, the Serbs attacked Hambarine on 22 May 1992 and Kozarac two days later. The attacks

had occurred after the civilians had left the villages. Todorovic also said that in an area called Brdo near Prijedor, Slavko Ecimovic had been training his group which attacked Prijedor on 30 May 1992. Their plan was to seize all key facilities, such as the police station, the barracks and the hotel.

Asked about how he had learned all that, the witness said that he got most of the information upon his return from Belgrade in 1994, from the *Kozarski vijesnik* newspaper and from talking to people in bars. This prompted presiding judge Orić to raise his concern that Dragojević's evidence was a reconstruction of events, not based on first-hand knowledge.

At the end of the cross-examination, the witness got emotional as he spoke through tears about his pre-war friendship with Muslim neighbors, their joint celebrations, walks by the riverside, the assistance he was able to give them during the war and their dedication to come to his aid when he was wounded. Despite all that, the witness was unable to say anything about their fate. When presiding judge Orić asked him if he heard that some medical doctors from Prijedor had been detained and murdered, Dragojevic replied that when he returned from medical treatment he only heard that some of them 'stopped working', nothing more.

In the cross-examination, the prosecutor confronted the witness with the facts about what happened to the non-Serb medical staff in the Prijedor Hospital. Esad Sadikovic, a world-renowned specialist, was detained and killed in the Omarska prison camp. Zeljko Sikora and Osman Mahmuljin met a similar fate. Although in the examination-in-chief the witness presented a detailed 'reconstruction' of various events in which he had played no part, now he merely stated he had no knowledge of the doctors' fate. In late May 1992, the witness was away receiving medical treatment. Dr. Mahmuljin was 'like a brother' to him, the witness explained, but he nevertheless never thought to ask anyone what had happened to Mahmuljin.

Several questions later, the witness did admit that those medical doctors had been 'killed' in Prijedor. This prompted the presiding judge to note that his evidence contradicted the statement he had made scant minutes before, when he said that as far as he knew the medical doctors simply 'stopped working'. The witness was cautioned to tell the judges everything he knew, not only to speak about 'the good and nice things' that happened to the non-Serb medical doctors in Prijedor.

The witness agreed with the prosecutor's suggestion that picking out, detaining and killing eminent Muslim and Croat medical doctors had a 'destructive effect' on the non-Serb population in Prijedor.

Although in the examination-in-chief the witness specified a number of details about the Serb attacks on the villages of Hambarine and Kozarac, when he was examined by the prosecutor Dragojevic claimed he knew nothing about the men being separated from the rest of the population and their eventual transfer to the Keraterm prison camp. At the time, Dragojevic didn't even know that anyone was held in Keraterm. The prison camp was as many as two kilometers from his home, and this is why he could not have known anything about it.

2015-05-18

THE HAGUE

WHAT DID MLADIĆ'S ARMY WANT TO ACHIEVE?

In his evidence at the trial of his former commander, General Savo Sokanovic covered a wide range of issues. Sokanovic spoke about the treatment of foreign journalists, civilians and prison-ers of war, but he also said something about the VRS objectives in the war. According to Soka-novic, 'at all times' the army's goal was to 'protect the population and the territory, to establish freedom and set up a permanent and fair peace'

The trial of Ratko Mladić continued with the evidence of General Savo Sokanovic. From December 1992 to the end of the war in Bosnia and Herzegovina Sokanovic headed the department for morale and religious affairs in the Republika Srpska Army Main Staff. Milan Gvero, Mladić's assistant for morale, legal and religious affairs and Sokanovic's superior officer, was sentenced to five years before the Tribunal for his involvement in the crimes in Srebrenica in 1995. Gvero passed away while his case was under appeal.



◀ Savo Sokanovic, defence witness at Ratko Mladic trial

At the beginning of the examination-in-chief, Sokanovic talked about the frequency of reporting, the importance of military secrets and the treatment of foreign journalists. After 45 minutes, presiding judge Orić was prompted to intervene. He wanted to establish why those issues were relevant for the charges against Mladic, which include double genocide and other crimes in Bosnia and Herzegovina during the war.

Sokanovic continued his testimony, claiming that the Main Staff 'issued warnings' and 'instructions' establishing procedure for arson, retaliation or 'any actions targeting civilians'. According to Sokanovic, the Main Staff warned that there would be consequences if the troops were

involved in any such acts. Sokanovic noted that his section only 'issued warnings about the consequences of wrongful acts' but did not conduct criminal investigations or press charges. Other bodies were responsible for that, Sokanovic explained.

Testifying about the treatment of prisoners of war, Sokanovic stressed that his section acted 'pre-emptively', warning at all times that the prisoners' rights had to be respected. It also facilitated visits of the International Red Cross. Sokanovic gave an example: on 28 May 1993, General Gvero issued instructions on the procedure to be observed during visits to prison camps and prisons. Sokanovic insisted that his section couldn't verify the actual implementation of the instructions. Prisons were set up in the corps and were under jurisdiction of the corps commanders, Sokanovic said.

The Republika Srpska Army considered that the 'paramilitary units must be subordinated' to the army. The witness admitted that the process was slow and long. Some military units acted as if they were paramilitary units and it was difficult to exercise command over them, Sokanovic recounted. Mladic personally demanded the removal of the paramilitary units from the Republika Srpska territory, Sokanovic recalled. For instance, in October 1995, a request was issued for the withdrawal of Arkan's unit.

At the end of the examination-in-chief, the witness said that he 'was not aware of the strategic goals of Republika Srpska'. As far as Sokanovic knew, the army's goal 'at all times' was to 'protect the population and the territory, to establish freedom and a permanent and fair peace' and to secure 'the peaceful co-existence'. When Mladic reacted to this part of the testimony, he was first warned to speak more quietly and then not to show the thumbs-up gesture in agreement with what the witness was saying.

The prosecutor will cross-examine Sokanovic tomorrow.

2015-05-19

THE HAGUE

PUBLIC DECEIVED ABOUT 'DEFENSIVE' MILITARY ACTIONS

In Savo Sokanovic's cross-examination, the prosecutor noted that the VRS tried to 'deceive the public' and present all offensive actions as self-defense. The VRS knew that such activities 'caused criticism of the international community', the prosecutor added. Sokanovic initially claimed he 'didn't know about any criticism', but then he suddenly recalled that the Main Staff Department of Information mentioned it in its reports

General Savo Sokanovic, former head of morale and religious affairs department in the Republika Srpska Army Main Staff, claimed in the examination-in-chief that the military leadership wasn't informed about what was in the reports in the foreign media and didn't know that the international community was quite critical of the crimes. The prosecutor showed a series of documents proving the opposite.

First, the prosecutor referred to an interview the witness gave to the OTP investigators in 2004. Sokanovic told the OTP investigators that the Main Staff Department of Information was 'obliged to follow as much as possible' the media reports. The prosecutor went on to present the instructions on how to deal with anti-Serb propaganda issued by General Milan Gvero, head for morale, religious and legal affairs in the Main Staff, on 9 March 1993. As the prosecutor suggested, the document shows that Gvero was aware of the reports in the foreign media about 'grave crimes committed by the Bosnian Serbs'. The witness was adamant that he had no knowledge of that.

In the same document Gvero orders his subordinates to 'prevent any uncontrolled movements of local and foreign journalists in the battlefield'. Since Sokanovic noted that the order was issued in order to keep the journalists safe, presiding judge Orić reminded him that the document was about the risk posed by 'anti-Serb propaganda and misinformation'. 'One could interpret it that way too', the witness replied.

A document with the witness's signature ordered the units to 'present offensive operations as the result of the natural right to defense'. The prosecutor put it to Sokanovic that he had intended to 'deceive the public'. Sokanovic

knew that the 'offensive actions were controversial and that the international community was critical of them', the prosecutor emphasized. Sokanovic initially replied that he had 'no knowledge of any criticism' as at the time he 'wasn't informed about what was going on in the international public'. Later Sokanovic added that he remembered that 'this criticism' was passed around the department of information.

According to the prosecutor, the international community was critical of the conditions in the Prijedor prison camps too. The witness accompanied reporters on the visits to those camps in July 1992 as a representative of the Main Staff. Although he admitted that some prisoners looked as if they were 'starving', Sokanovic claimed he didn't know that many people were killed in Room 3 in Keraterm on 24 June 1992. No one informed him about that, Sokanovic explained. When the prosecutor put it to him that he must have passed by a room riddled with bullets, the witness denied it.

When the prosecutor put it to him that men in VRS uniforms secured Trnopolje, Sokanovic replied that in that period the army and the police both wore uniforms. Sokanovic was adamant that he didn't know that the army was responsible for security in Omarska.

At the end, the prosecutor showed the witness an order from April 1993 instructing subordinates to submit lists of prisoners of war and Muslim civilians detained in Republika Srpska prisons because they were to be exchanged. According to the prosecutor, both the witness and the Main Staff knew that civilians had been illegally detained. However, no one lost their job over that: in fact, some people were promoted. Sokanovic replied that the department for morale didn't have 'anything' to do with prisons, prisoners of war or their detention.

Mladić's trial continued with the evidence of Velo Pajic, who served in the 67th Regiment of the VRS Main Staff.

2015-05-20

THE HAGUE

WHERE WAS MLADIĆ IN THE EVENING ON 16 JULY 1995?

Witness Velo Pajic served in the 67th Communications Regiment in Mladić's Main Staff during the war. Today he testified about radio relays and telephone and cable communication lines between the various VRS commands. In the cross-examination, the prosecutor tried to establish Mladić's whereabouts in the evening of 16 July 1995 - the last day of Srebrenica executions - based on intercepted conversations



◀ Velo Pajic, defence witness at Ratko Mladić trial

During the war Velo Pajic served in the 67th Communications Regiment of the VRS Main Staff. It was his task to set up and maintain radio relays and telephone and cable communication lines between Mladić's command and subordinate corps, Karadzic's Supreme Command, other Bosnian Serb authorities and the Yugoslav Army.

In his evidence Pajic explained that the Main Staff's Communications Center facility was housed in an underground bunker in Crna Rijeka. The entrance to the bunker was in the Javor villa on the foothills of Mount Javor. On the summit of the mountain, called Veliki Zep, there was the VRS radio relay hub. According to the

witness, General Mladić would often spend time there; in fact, his office was nearby.

Pajic's evidence was rich in technical details about how the communications with the Main Staff functioned during the war. A significant portion of Pajic's testimony focused on where Mladić was in the evening of 16 July 1995, the last day of the mass executions of male prisoners from Srebrenica. According to the prosecution, Mladić was in the Main Staff facility in Crna Rijeka, while the defense alleges he was in Belgrade.

Both the defense and the prosecution agree that Mladić was in Belgrade on 16 July 2015 at 4:15 pm. This is when Mladić talked to the officer in charge in the Main Staff in Crna Rijeka over the phone. According to the defense, after the conversation Mladić remained in Belgrade. The prosecution claims that he went back to Crna Rijeka, and uses an intercepted conversation between Mladić and Milos Kostic to corroborate the claim. Mladić and Kostic, who was in the US, talked on the phone that same evening at 22:50 pm.

As he was questioned by prosecutor Abeer Hasan, the witness confirmed that it would have been impossible for the BH Army to intercept Mladić's phone call if he had called someone in the US from Belgrade. The fact that the BH Army surveillance service managed to intercept and record the conversation between Mladić and Kostic in the evening of 16 July 1995 means that Mladić was back in the Main Staff in Crna Rijeka that evening, the prosecutor argued.

As the first session drew to a close Mladić made loud comments and was removed from the courtroom. Thus he was unable to hear Pajic's whole testimony. The accused will return to the courtroom tomorrow morning. The defense will proceed with its case and call a new witness.

2015-05-21

THE HAGUE

THIN LINE BETWEEN UNLAWFUL AND LAWFUL SHELLING

In his evidence at Ratko Mladić's trial, Colonel Savo Simic explained that the shelling of civilian facilities, densely populated areas or civilian routes was 'unlawful', but only if those facilities were not located near any enemy firing positions



◀ Savo Simic, defence witness at Ratko Mladić trial

The last of Ratko Mladić's defense witnesses for this week is Colonel Savo Simic. From May 1992 to May 1994, Simic was the artillery chief in the 1st Sarajevo Motorized Brigade. Simic's statement to Radovan Karadzic's defense and the transcript of his evidence at Karadzic's in November 2012 were admitted into evidence.

In the statement, Simic notes, 'I and members of my unit never demonstrated in combat the intention to inflict civilian casualties or to terrorize civilians'. According to the witness, the VRS artillery engaged targets 'almost exclusively in defense'. Speaking about the Markale incidents in February 1994 and in August 1995, Simic says he cannot believe that the projectiles were fired from the

positions under the Bosnian Serb control. The first attack on the town market killed 66 persons and wounded 140. In the second shelling, 43 people died and 75 were injured.

In Simic's view, the mortar shells that hit Dobrinja in July 1993 and Alipasino Polje in January 1994 were not fired from the Serb firing positions in Nedzarici; he thus contradicts the findings of an official investigation. According to Simic, the shells flew in from the positions controlled by the Muslim forces in the Butmir area. Thirteen civilians were killed in the attack on the water queue in Dobrinja; six children were killed in Alipasino Polje and five other persons were injured. Today Simic explained that the shell could have come from both the Serb and Muslim positions. The investigators should have established not just the trajectory, but also the range of the shell, Simic said.

In the examination-in-chief Simic listed the artillery pieces he had in his unit. He also identified some of the positions where mortars and multiple rocket launchers were located, including Han Pijesak and Milici. Some weapons in Simic's arsenal could fire 32 rockets in six seconds, but Simic complained that his forces often could not fire a 'full salvo' because he had to conserve ammunition and there were not enough targets that would require such intense fire.

Simic confirmed that it was 'unlawful to shell densely populated areas or routes used by civilians' prompting the prosecutor to show him an UNPROFOR report from May 1995, which notes that of the 2,211 artillery incidents recorded in Bosnia and Herzegovina on 12 May 1995, about 75 per cent occurred in Sarajevo. The 'VRS brazenly violates the total exclusion zone that prohibits the placement of heavy weapons' and 'shells the very heart of Sarajevo', the UN observers note. Simic replied that the army only 'responded' to the fire from the city. Asked if he considered that 'firing 1,000 shells on the city' was unlawful, Simic replied that 'in my view, the shelling of enemy firing positions located near civilian facilities is not unlawful'.

The prosecutor put it to the witness that restrictions in humanitarian aid supplies were coordinated with the VRS attacks. Simic claimed he had 'no knowledge of that'. Simic likewise had 'no knowledge' of Mladić's order issued in September 1995 after NATO airstrikes. In the order Mladić instructs his troops to destroy the water and electricity infrastructure. That, the prosecutor noted, was retaliation against civilians. At the end of his evidence today, Simic said that there 'was no massive or pointless use of artillery'. He only shelled the 'enemy targets on the other side', Simic explained. Simic's testimony continues tomorrow.

2015-05-22

THE HAGUE

WHAT IS ARTILLERY SUPPORT?

In his evidence in Ratko Mladić's defense, artillery officer Savo Simic explained the difference between planned artillery support and actual results. According to Simic, 'the planned quantity of fire is always higher than the fire actually delivered'

On Friday the prosecutor continued the cross-examination of the former artillery chief in the 1st Sarajevo Motorized Brigade. According to the prosecutor, the documents showed to the witness prove that the shelling of Sarajevo from 1992 to the end of 1995 was disproportionate. The artillery terror campaign in Sarajevo is among the charges against Ratko Mladić, former VRS Main Staff commander.

The prosecutor first showed a document by Dragomir Milosevic, who commanded the Sarajevo-Romanija Corps, from June 1995. In the document, Milosevic warns his troops about wasting ammunition which is the result of 'purposeless shelling'. 'We will not have any ammunition to stop the enemy' at the time of need, the general warns. Milosevic also notes that some brigades spent less ammunition in combat than other brigades that waste their ammunition 'in attacks on inhabited areas'. Simic told the prosecutor he didn't know which brigades those were. However, 'based on the document, I can conclude that there were such cases'. The prosecutor put it to the witness that he played down the significance of the document. 'I am telling you only those things I know and those I can remember', Simic retorted.

The prosecutor highlighted the part of the document where General Milosevic orders his soldiers to shell the same target from multiple weapons. This tactic, the prosecutor stressed, was used in the shelling of the Markale town market on 28 August 1995. As alleged by the prosecution, five 120-mm mortar shells were fired on the market, killing 43 people and leaving 75 wounded. Simic replied that the prosecutor's theory 'doesn't make any sense from the point of view of concentration of fire'. In his view, that was 'impossible', the witness noted. According to the written statement Simic gave to Radovan Karadzic's defense in 2012, the Republika Srpska Army was not responsible for the attack on the main town market in Sarajevo.

Quoting several documents from October and November 1992 the prosecutor suggested that the VRS shelled the 'urban areas all over Sarajevo' in line with the orders of the Sarajevo-Romanija Corps command. Simic replied that 'the planned quantity of fire is always greater than the fire actually delivered', insisting on the discrepancy between artillery tasks and the eventual outcomes of artillery actions.

In the final part of the cross-examination, the prosecutor emphasized the inaccuracy of modified air bombs and the offensive actions mounted by the Republika Srpska Army. Simic stuck to the claim he had made in the statement: the VRS acted 'in defense', except in Operation Lukavica 93 and in other situations when it only 'tried to improve its tactical positions'.

There will be a break at the trial of general Mladic until 22 June 2015. The prosecution will then re-open its case to call evidence on the mass grave in the Tomasica mine near Prijedor.

2015-06-22

THE HAGUE

TOMASICA EVIDENCE BEGINS IN CLOSED SESSION

The prosecution began calling its evidence on the Tomasica mass grave with the testimony of a protected witness, testifying under the pseudonym RM 383. The protected witness mostly testified in closed session, and his evidence concerned the collection, transportation and burial of victims killed in Prijedor. The defense stated it was 'not ready' and sought more time to prepare to contest the allegations of prosecution experts



Ratko Mladic in the courtroom

After a one-month break, the trial of Ratko Mladic continued as the prosecution re-opened its case to call additional evidence on the Tomasica mass grave near Prijedor. At the beginning of the hearing, the defense indicated it was 'not ready' to contest the allegations of the prosecution experts. Mladic's lawyers need more time to prepare. 'We want to state for the record that the time allotted for the preparations is neither reasonable nor sufficient to fully and adequately contest the evidence of the prosecution experts', Mladic's defense counsel Branko Lukic noted.

According to the defense, during the break the defense couldn't find any experts, let alone to prepare them to go

through the prosecution experts' reports and to respond to the findings. The defense argued that the prosecution began its investigation of Tomasica back in 2002, continued it in 2004 and 2006 and then proceeded with it until 2013, when the exhumations were completed. The entire International Commission on Missing Persons was involved in the effort together with the BH prosecutor's office and the local police, the defense counsel stressed. With limited funds and meagre staff, the defense could not in a single month contest the evidence that had been collected in a space of a decade, Lukic said.

According to prosecutor Alan Tieger, the defense's argument mixes apples and oranges. The fact that the location was first probed in 2002, without any results, has nothing to do with the possibility to analyze precise results obtained when the grave was exhumed in 2013, the prosecutor noted. The time issue is controversial, presiding judge Orić eventually concluded. Before indicating that he would not be rushed about the decision, the presiding judge recalled that the Appeals Chamber had previously denied the defense's motion for additional time.

The first witness from the prosecution's witness list for Tomasica was brought into the courtroom with the curtains down. The witness testified with protective measures, under a pseudonym,

RM-383, and with image and voice distortion. He testified about 'one instance in which the bodies of victims killed in Prijedor were collected, transported and buried in the Tomasica mass grave', prosecutor Arthur Traldi summarized the witness's statement in one sentence. Most of the witness's evidence was heard in closed session.

In the brief part of his testimony open to the public, the witness said that when he arrived at Tomasica he saw a lot of dug up soil and an excavator. Based on the witness's words, it could be concluded that soldiers had dropped the bodies into the pit. The prosecutor asked him if they had discussed filling the pit. 'Nobody asked us anything', the witness replied, adding that the 'superiors' had made the decision. Judge Flugge asked the witness which institution those 'superiors' belonged to. The witness answered in closed session.

Witness RM 383 was cross-examined in closed session.

2015-06-23

THE HAGUE

TOMASICA EVIDENCE CLOSED TO PUBLIC

Protected witness RM 382 testified about how 'Tomasica was set up and the burial of the victims in that mass grave'. Only the judges and the parties know what exactly the witness said because he testified almost entirely in closed session



◀ Exhumation from mass grave Tomasica near Prijedor

The prosecution continued calling its evidence on the Tomasica mass grave near Prijedor. The second day of the prosecution's case was almost identical to the first, with the hearing proceeding in closed session. The prosecution asked the judges to grant protective measures to the witness while Ratko Mladić's defense opposed it.

As it did yesterday, the Trial Chamber again granted the prosecution's motion and the witness testified with protective measures: under the pseudonym RM 382 and with image and voice distortion. And just as he did yesterday, the prosecutor read out the summary of the witness's statement to the investigators, noting that this

is done 'in the interests of the public'. The summary today was a couple of words shorter than the one we heard yesterday. 'RM 382 will testify about the setting up of Tomasica and the burial of the victims' bodies in that mass grave', the prosecutor said. That was all that could be heard today 'in the interests of the public'.

The rest of the examination-in-chief and the cross-examination of the insider witness, who obviously knew why Tomasica was chosen as a location for the mass grave, went on in closed session. The remains of about 400 victims of crimes committed in 1992 in the Prijedor area were exhumed from the mass grave. At one point, the court went into open session by mistake, just as Mladić's defense counsel Branko Lukic was cross-examining the witness. The mistake, however, was quickly corrected and the hearing continued in closed session.

During a brief part of the hearing open to the public, presiding judge Orić announced the Trial Chamber's decision denying the defense motion for additional time for the preparations of the cross-examination of the prosecution experts. The details of the decision will be disclosed later, the presiding judge noted.

The prosecution will continue calling its evidence on the Tomasica mass grave tomorrow with the testimony of Ian Hanson, deputy director of forensic sciences, archeology and anthropology in the International Commission of Missing Persons. Hanson will present the ICMP's report on the exhumations of bodies in the Tomasica mine.

2015-06-24

THE HAGUE

HUNDREDS OF 'GROUPS' IN TOMASICA MASS GRAVES

Forensic archaeologist Ian Hanson attended the exhumations of bodies from the Tomasica mass grave on behalf of the International Commission of Missing Persons. In his evidence at Ratko Mladić's trial, Hanson noted that 401 'groups' of victim remains in civilian clothing were recovered at that location in 2013. Twelve years earlier, at least 298 bodies were exhumed at a nearby location of Jakarina Kosa. The bodies in Jakarina Kosa had been transferred to that location from Tomasica



◀ Ian Hanson, witness at Ratko Mladic trial

After two fact witnesses whose evidence was heard almost entirely in closed session, the prosecution continued its short case on the Tomasica mass grave with the evidence of British professor of forensic archaeology Ian Hanson. As the deputy director for forensic sciences, archaeology and anthropology in the International Commission of Missing Persons, Hanson attended the exhumations of bodies in Tomasica from 4 September to 20 December 2013.

In addition to the witness and other staff from his organization, the exhumations were attended by the representatives from the BH war crimes prosecution office, crime technicians from Prijedor, medical

examiners from Tuzla and staff from the Missing Persons Institute of Bosnia and Herzegovina. Tomasica is part of the Ljubija iron mine complex in Prijedor. In the four months of exhumations in 2013, three graves were discovered there. The biggest grave is three meters deep on the average, 18 meters long and 10 meters wide. A total of 265 bodies, 95 body parts and 10 loose bones were found in the main grave. If we add to this the remains exhumed from two smaller graves, a total of 401 'groups' of remains were recovered at the site: 275 complete bodies, 102 body parts and 24 bags of remains.

The prosecution has previously stated that the remains belong to the civilians killed in 1992 in the villages near Prijedor and in the Keraterm and Omarska prison camps. Hanson didn't speak about identities of the victims: he was involved only in the exhumations and had nothing to do with the DNA analysis that followed. Hanson was only able to say that all bodies were dressed in civilian clothes. No uniform parts or items implying that the victims had been soldiers were discovered in the graves, Hanson explained.

Based on Hanson's testimony, it would seem that the operation to bury the bodies was well-organized. It was quite apparent that construction machinery had been used. Bodies were brought in immediately after death. They were promptly put in the pits and covered with soil. There were at least four 'periods of activity': this means that the graves were dug up at least four times.

The analysis of pupae and insects found in the mass grave point to the conclusion that the bodies were buried between April and September, Hanson explained. He was unable to pinpoint the year. The prosecution alleges that the year is 1992.

There were indications that there was a mass grave in Tomasica as early as in 2002. The OTP investigators were present when the ground was probed on 2002. As the witness explained today, the probes didn't go deep enough and there were no results. Some bodies were found there between 2004 and 2006, but there were no major discoveries. Hanson noted today that a mass grave with at least 298 bodies was found in Jakarina Kosa in 2001. When the remains were matched later, it was determined that the Jakarina Kosa was in fact a secondary grave containing the bodies that had initially been buried in Tomasica.

In the second part of the hearing, Mladic's defense began cross-examining the witness.

2015-06-25

THE HAGUE

(UN)BIASED TOMASICA EXHUMATIONS

In the cross-examination by Mladic's defense, forensic archaeologist Ian Hanson agreed that occasional mistakes were possible in the work of his organization, the International Commission of Missing Persons. Such errors could happen in the process of the identification of bodies, Hanson explained, dismissing at the same time the allegation about the bias of his organization in favor of the OTP during the exhumations of the Tomasica mass grave

In the cross-examination of the prosecution expert Ian Hanson, Ratko Mladic's defense attempted to highlight procedural errors in the exhumations of bodies from the Tomasica mass grave near Prijedor. The defense also tried to contest the authority of the International Commission of Missing Persons where the witness works as a forensic archaeologist. Yesterday, in the examination-in-chief, the witness said that from September to December 2013 he was involved in the exhumations of 401 groups of remains of civilian victims from Prijedor found in the Tomasica grave. The witness worked there together with representatives of the police, prosecution and the Missing Persons Institute of Bosnia and Herzegovina. Hanson drafted an expert report for Mladic's trial.

Defense counsel Branko Lukic noted that in her report another prosecution expert, biologist Elmira Karahasanovic, said that items from Tomasica had arrived to her office for analysis improperly packaged in plastic bags. When the defense counsel suggested that it was a procedural mistake, the witness replied that the Prijedor police crime technicians played the main role in the 'chain of custody' of recovered items.

The defense counsel brought up a former official of the Missing Persons Institute of Bosnia and Herzegovina, Jasmin Odobasic. After he parted ways with the organization, in his statement to the OTP in The Hague Odobasic criticized its work as well as the witness's organization. According to Odobasic, both organizations made mistakes such as misidentifying the victims. Also, Odobasic alleged that Hanson's organization bribed a Bihac police officer to keep quiet about their mistakes. The witness replied that he knew practically nothing about Odobasic's allegations because they related to the period before his employment in the IMPC. Hanson agreed that unintentional errors were possible in the identifications of bodies. That could happen especially when there was no DNA analysis but when bodies were identified based on recognition, clothes and exhumed items, Hanson explained.

The defense counsel referred to the witness's conclusion that since no weapons, uniforms or military items were found next to the bodies, the people buried in Tomasica were civilians. Soldiers were not buried with their weapons, the defense put it to the witness. The witness replied that in his experience it did occur in some cases. For example, the witness explained, fighters with arms and ammunition were exhumed from a grave on Mount Ozren. The defense counsel went on to allege that in 1992 the Muslim soldiers in BH didn't even have uniforms and it was possible that they were buried in civilian clothing. Hanson didn't comment on that.

In the defense's view, the witness was biased because he mostly cooperated with the OTP in Sarajevo and in The Hague. Hanson replied that the primary task of the International Commission on Missing Persons was to collaborate with the BH authorities. As a matter of course, the OTP was often the channel of communication because recovering bodies was usually carried out as part of an investigation. Also, in the re-examination the witness noted that on several occasions he worked together with the defense teams of the accused as a consultant.

In the second part of the hearing today, ballistic expert Bruno Franjic began his evidence.

2015-06-25

THE HAGUE

BALISTIC EXPERTISE OF BULLET SHELLS FROM TOMASICA

The prosecution continued calling evidence on the Tomasica mass grave at the trial of Ratko Mladic with the evidence of Bruno Franjic. The witness analyzed cases and bullets recovered in the mass grave and in the bodies during their post mortems



◀ Bruno Franjic, witness at Ratko Mladic trial

The prosecution case on the Tomasica mass grave continued today with the testimony of ballistic expert Bruno Franjic. The witness is the head of the Sector of Ballistic and Mechanical Expertise in the Center for Forensics and Support of the Federal Police Administration in Sarajevo. Franjic drafted two expert reports on the shells and bullets found during the exhumation of the mass grave and during the post mortems of the exhumed bodies in the Šejkovača Center for Post Mortems and Identification.

The expert reports were prepared at the behest of the BH prosecution in March and April 2014. Franjic performed ballistic analysis of shells and bullets found in the grave and in the post mortems in the bodies. The bullets were fired from seven different types of firearms, Franjic concluded. They were the Kalashnikov automatic rifles, the Crvena Zastava M-70 automatic rifles, the Crvena Zastava M-72 machine guns, the Crvena Zastava M59/66 semi-automatic rifles and three different pistols of different caliber.

In a bid to challenge Franjic's credibility Mladic's defense counsel Dragan Ivetic spent a significant part of the cross-examination focusing on the witness's CV. Ivetic wanted to know the minutest details, such as Franjic's membership in the Association of Firearm and Tool Mark Examiners, and his training and education. After a series of such questions, presiding judge Orić told the defense counsel to focus on the details of the expert report before he asked the witness about the building in Madrid where one such course took place.

Defense counsel Ivetic asked the witness where the shells and bullets were stored before they were submitted for ballistic analysis. The witness wasn't able to reply to the question. Franjic only said that the boxes and bags with shells and bullets had not been sealed in the usual manner. They were stapled shut. Franjic rejected the defense counsel's suggestion that he had been instructed to produce his report 'as soon as possible'. According to Franjic, he was given 45 days to complete the reports. He knew that the findings of his analysis would be used in the case against Ratko Mladic.

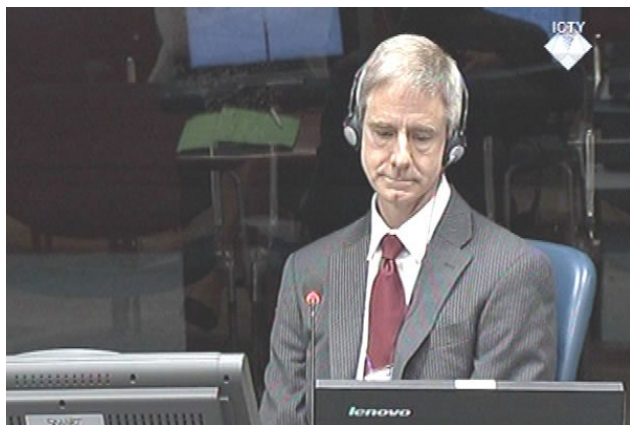
The defense will complete the cross-examination of Bruno Franjic next week.

2015-06-29

THE HAGUE

385 TOMASICA VICTIMS IDENTIFIED

Doctor Thomas Parsons from the International Commission for Missing Persons testifies at Ratko Mladic's trial that a total of 385 victims from the Tomasica mass grave near Prijedor have been identified using DNA analysis. Two hundred and eleven victims from the secondary grave site at Jakarina Kosa have also been identified. Eight bodies remain unidentified bringing the total of bodies recovered from the mass graves to 604



◀ Thomas Parsons, witness at Ratko Mladic trial

The expert witness who testified today, Dr Thomas Parsons, focused on the identification of the victims whose remains were found in September 2013 in the Tomasica mass grave near Prijedor, and in the secondary grave site at Jakarina Kosa in 2001. The remains were identified in the labs of the International Commission for Missing Persons (ICMP), where the witness is the director for forensic medicine. Doctor Parsons testified at Mladic's trial in July 2013 about the identification of the Srebrenica victims. He had previously testified about the same topic at three other trials in The Hague.

As he presented the information about Tomasica, the witness stated that 385 bodies exhumed from the

Tomasica mass grave between September and December 2013 have been identified, as have 211 victims whose remains were found in the Jakarina Kosa mass grave. The eight bodies that remain unidentified bring the total to 604 bodies.

As the witness noted, body parts belonging to 99 of the 211 bodies found in Jakarina Kosa could be matched to the remains recovered from Tomasica. This leads to the conclusion that Jakarina Kosa is a secondary grave: the bodies were transferred there from the Tomasica grave. Dr Parsons's colleague from the International Commission for Missing Persons, forensic archeologist Ian Hanson testified last week that the bodies found in the two graves were wearing civilian clothes. They did not have any military insignia or items.

According to Parsons, DNA analysis 'is a powerful tool, but it's not a magic wand', and this results in bodies remaining unidentified. The percentage of such bodies is small, though. The figure of 604 bodies recovered from the two graves is not necessarily final, Parsons added, because there is a possibility that no DNA could be extracted from some bodies. Again, the percentage is small.

The flaws of DNA analysis and the work of the International Commission for Missing Persons in general were addressed in greater detail in the cross-examination. The defense highlighted the lack of supervision of the ICMP's work. The witness admitted there was no 'umbrella organization' which would supervise their work, but insisted that all subsequent checks have showed that the ICMP has 'a perfect record' in terms of the DNA analyses it has carried out.

Defense counsel Stojanovic brought up some cases where a name was listed twice on the same list. The witness said there was 'a handful' of such mistakes which were all corrected at a later date. He did not deny the claim that in some previous cases, not related to Tomasica and Jakarina Kosa, some bodies were misidentified, but again stressed that the figure was extremely low.

Asked to explain how two victims whose remains were found in Tomasica are listed as missing from Srebrenica and Sanski Most in 1993, given that the Tomasica grave is assumed to contain the victims from Prijedor killed in 1992, Parsons said his organisation did not conduct any investigations but merely recorded information received from the families of the missing persons. As he explained, the information is not necessarily correct for any number of reasons, such as poor memory.

After Thomas Parsons completed his evidence, the prosecution ballistics expert Bruno Franjic returned to the courtroom to finish his evidence begun last week.

2015-06-30

THE HAGUE

ANALYSIS OF ITEMS FOUND IN TOMASICA

At Ratko Mladic's trial, biologist Elmira Karahasanovic presented the results of the DNA analysis of items found near the 385 victims in the Tomasica mass grave near Prijedor



◀ Elmira Karahasanovic, witness at Ratko Mladic trial

In the second part of the hearing at Ratko Mladic's trial, the court heard the evidence of another prosecution expert witness Elmira Karahasanovic, chief of the department for biological analysis in the BH federal police. Karahasanovic and two of her colleagues wrote a report on the biological and chemical analysis and fingerprinting of the artifacts recovered near the victims in the Tomasica grave near Prijedor.

In addition to being the coordinator in the production of the three-part report, the witness was also involved in the analysis of the biological evidence and DNA of the samples taken from the items found in the grave. The prosecution will not call the authors of the two

other parts of the report that pertain to the chemical analysis and fingerprinting of the remains for the purpose of identification. Judge Orić's Trial Chamber decided to admit the entire report into evidence but will refer only to the part authored by Elmira Karahasanovic in their deliberations.

Not much was discussed in the brief examination-in-chief. Karahasanovic told the court that gloves, gas masks and fire extinguishers were found next to the victims' bodies in the Tomasica mass grave. As the cross-examination progressed, it transpired that trace evidence belonging to three unknown males and one female was recovered from the gloves. Also, the report showed that the gas masks were used in the JNA. This prompted defense counsel Ivetic to note that in the former Yugoslavia similar gas masks were also manufactured for civilian use.

The defense also alleged that the procedure was violated when the items recovered from the Tomasica grave were analyzed. Dirt and soil were removed when the items were subjected to the chemical analysis, fingerprinting and ballistic tests and consequently all traces of DNA were lost. The witness explained that this was the standard procedure. The samples used in DNA analysis are always taken before chemical or any other tests, the witness explained. The samples from items found in Tomasica were still in custody and DNA analysis could be repeated if necessary, Karahasanovic explained.

The Tomasica mass grave containing the remains of 385 victims from Prijedor was discovered in September 2013. Last week, the prosecution opened its case on Tomasica. After Elmira Karahasanovic completed her evidence, the hearing continued with the testimony of British forensic pathologist John Clark.

2015-06-30

THE HAGUE

BALLISTIC FINDINGS CONTESTED

At the end of the cross-examination of ballistics expert Bruno Franjic, Ratko Mladic's defense noted that the shells and bullets recovered in the Tomasica mass grave were not necessarily linked to the VRS weapons. Such weapons could have easily belonged to the police as well as the civilians, the defense argued



◀ Bruno Franjic, witness at Ratko Mladic trial

The cross-examination of Bruno Franjic, ballistic expert from Sarajevo, began last week at the trial of Ratko Mladic, former commander of the VRS Main Staff. Today Franjic's cross-examination was completed. Franjic analyzed shells and bullets recovered during the exhumations of the Tomasica mass grave near Prijedor and during the post mortems of the exhumed bodies in the Sejkovaca Center for Post Mortem and Identification in Sanski Most.

Mladic's defense counsel Dragan Ivetic today tried to contest the findings presented in Franjic's expert analysis of the shells and bullets recovered from Tomasica. Ivetic put it to the witness that he had not complied with the

standards of ballistics expertise and the Code of Ethics of the Association of the Arms and Tool Marks Examiners (AFTE). Franjic dismissed the allegations, noting that Alija Kotarevic, another ballistics expert, also contributed to the expert analysis. Kotarevic confirmed all the findings listed in the report.

According to the expert reports – admitted into evidence today – the analysis of shells and bullets from Tomasica shows that the bullets were fired from seven types of firearms. Those were the Kalashnikov automatic rifle, the Crvena Zastava M-70 automatic rifle, Crvena Zastava M-72 machine gun, Crvena Zastava M59/66 semi-automatic rifle and three pistols of different calibers.

Defense counsel Ivetic noted that such weapons didn't necessarily belong to the VRS given that the Serb police also had them. Moreover, the defense counsel suggested, the weapons could have been used by civilians as they were the sort civilians could buy on the black market. Establishing whose weapons that was, Franjic replied, was beyond the scope of his analysis. 'I don't know what kind of weapons the VRS and the police had at their disposal', Franjic said.

After Bruno Franjic completed his evidence, the prosecution case continued with the evidence of Elvira Karahasanovic. She analyzed items found in the course of the exhumations conducted in the Tomasica mass grave.

2015-07-01

THE HAGUE

WHAT POST MORTEMES OF TOMASICA VICTIMS SHOWED

British pathologist John Clark concluded that most of the victims exhumed from the Tomasica mass grave had been shot; most of them died of gunshot wounds to the backs of their heads or torsos. All victims wore 'regular' civilian clothes



◀ Ratko Mladic in the courtroom

British pathologist John Clark testified at the trial of the former VRS commander Ratko Mladic. Clark wrote a report on the post mortems carried out on the bodies exhumed from the Tomasica mass grave near Prijedor. During the four months he worked in the Sejkovaca Center for Post Mortems and Identification in Sanski Most, Clark examined 400 bags containing human remains and 34 bags of artifacts. The body bags contained 293 complete bodies and 197 body parts such as legs, skulls or upper arms.

Dr. Clark and other medical examiners who conducted the post mortem were astonished that the remains were so well-preserved. In a large number of cases, there was

tissue with bullet fragments embedded in it. Some bodies were in such a good shape that the body contours could clearly be seen. In one case, a tattoo was preserved on the skin. That, Dr. Clark clarified, was rather unusual given that it's been more than 20 years since the time of death. In Dr. Clark's words, the blue traces on the surface of the bodies resulted from the presence of some sort of a mineral in the soil.

During the post mortems, Dr. Clark established that most of the victims had been shot. Many victims were shot one, two or three times. In two cases, bodies were hit by eight or nine bullets.

Most of the injuries were caused by high-velocity rounds and a few by pistol bullets. One thing that was different in Tomasica in comparison to the victims from Srebrenica and other mass graves in BH and Croatia was the high percentage of gunshot wounds to the head (present in 35 per cent of the victims). Most of these, 45 per cent, are in the back of the head. Likewise, most of the wounds located in the torsos of the victims, in 59 per cent of the cases, are in the back.

As Dr. Clark told the court, the clothes were also in good condition. There was no military equipment anywhere on the bodies. The victims wore 'regular' clothes such as trousers or shorts, button-down shirts or T-shirts. They all wore summer clothes. The fact that some bodies had several layers of clothes caught the attention of Mladic's defense counsel Branko Lukic. In the first part of the cross-examination, Lukic noted that wearing multi-layered clothes wasn't consistent with the experts' claim that the victims were killed in summer. Dr. Clark explained that there were only about 20 such cases. Summer nights may have been colder, Dr. Clark added.

As he was questioned by the defense counsel, Dr. Clark said that he couldn't absolutely rule out the possibility that some of the victims had died in combat. The cross-examination continues tomorrow.

2015-07-02

THE HAGUE

DEFENSE: VICTIMS BURIED IN TOMASICA WERE KILLED IN COMBAT

In the cross-examination of Dr. John Clark, Ratko Mladic's defense suggested that the victims from Tomasica could have been killed in the clashes between Serb and Muslim forces, particularly in the Brdo area and the Kurevo forest



◀ John Clark, witness at Ratko Mladic trial

As the cross-examination of British pathologist Dr. John Clark continued today, the defense of the former VRS Main Staff commander Ratko Mladic tried to prove that the Tomasica victims could have been killed in the clashes between the Serb and Muslim forces, especially in the Brdo area and the Kurevo forest. As regards the very existence of the mass grave, Mladic's defense followed in the footsteps of Radovan Karadzic, arguing that 'under the law the terrain had to be cleaned up' after the battle.

To corroborate the allegation, Mladic's defense counsel Branko Lukic stressed that some wallets, jewelry and identity documents were found near the bodies in the mass grave. According to the defense, that means that

the victims may never have been searched, because they were never captured in the first place. Dr. Clark said that similar items had been recovered in other mass graves. The witness didn't want to speculate if the victims were searched or not. It was not within the scope of his expertise, Dr. Clark said.

Dr. Clark's report is based on the analysis of 709 gunshot wounds on the bodies exhumed in Tomasica. As he was questioned by the defense counsel, the British expert said that the number of injuries was minimal. Given that some bodies were incomplete and others were skeletonized, the actual number could be significantly higher, Dr. Clark explained.

As alleged by the defense, the small number of injuries to the legs meant that the victims might have been down on the ground when they were hit. Thus, the victims' legs were not so exposed to fire as their chests and heads. Dr. Clark confirmed that it was possible. However, witness repeatedly stressed that many of the injuries were located in the back of the victims' torsos and heads.

Defense counsel Lukic went on to note what in his report Dr. Clark notes that the bullets were recovered from the victims' bodies. The fact that the 'bullets remained in the bodies' shows that they were fired from a greater distance. If the bullets have lost some of their initial velocity, they would remain in the body. According to Dr. Clark, this may be the case, but only if whole bullets are recovered. As for Tomasica victims, in most of the cases, only bullet parts or small fragments were found. The fact that bullets remain in the body has nothing to do with the distance from which they have been fired.

The defense counsel finally returned to one of the witness's answers from yesterday. Dr. Clark said, 'as a scientist I cannot rule out the possibility that some of the victims died in combat'. The defense counsel asked Dr. Clark if he could rule out the possibility that none of the victims died in combat'. 'What I said about one victim yesterday applies to all of them', the witness responded.

After Dr. Clark completed his evidence, the prosecution called its demography expert Dr. Ewa Tabeau who will continue her evidence next week.

2015-07-02

THE HAGUE

712 OF TOMASICA VICTIMS IDENTIFIED

Demography expert Ewa Tabeau was asked by the prosecution to write an expert report about the Tomasica exhumations. In the report, she notes that a total of 712 victims were exhumed in four exhumations from 2001 to 2013 and identified. In 95 per cent of the cases, the victims were Muslim men who had gone missing from their villages and the prison camps near Prijedor in July 1992



◀ Ewa Tabeau, witness at Ratko Mladic trial

With the evidence of demography expert Ewa Tabeau the prosecution concluded its case on the Tomasica mass grave near Prijedor. Tabeau wrote a report in which she presented the number of exhumed victims, their cause of death, specifics of the DNA analysis and the information on the missing persons.

In her report, she relied on the data from three sources. The first set was the missing persons list produced by the International Red Cross and the Book of Missing Persons from Prijedor. The second source is the data from the International Commission on Missing Persons pertaining to exhumed victims' remains and the DNA matching. Finally, the third source contained the data on

the causes of death of the victims exhumed from the Tomasica mine in 2013 based on the expert report produced by pathologist John Clark. Tabeau also used the data on the cause of death of the victims exhumed from the Jakarina Kosa grave in 2001, and victims exhumed from Tomasica in 2004 and 2006.

Explaining her methodology, Tabeau said that she first made a list of victims identified using DNA analysis. Tabeau then compared the list with the missing persons' list from Prijedor; she looked for identical names.

As she presented the findings from her report, Tabeau said that to date, 268 victims exhumed in 2013 from the Tomasica mine, 16 victims exhumed in 2004 and 2006 at the same location as well as 94 victims exhumed from the Jakarina Kosa mass grave have been identified. This brings the total of identified victims to 378. Seven victims were matched with DNA profiles of their family members, the witness noted. The re-associated remains of 334 victims were also exhumed, raising the total number to 712 victims.

Also, Tabeau established that almost 96 per cent or 320 identified victims were Muslims, mostly men. The numbers correspond to the data about the missing persons from Prijedor. According to the report, most of the identified victims disappeared in the Prijedor area, the villages of Biscani, Rizvanovic and Carakovo, and from the Keraterm, Trnopolje and Omarska prison camps on 20, 23, 24 and 25 July 1992. It was determined that a number of victims went missing in May, June and August 1992.

Ewa Tabeau will continue her testimony on Tuesday, 7 July 2015 when she will speak about the cause of death of the identified victims.

2015-07-07

THE HAGUE

CAUSE OF DEATH – ETHNIC CLEANSING

In the cross-examination of demography expert Ewa Tabeau Ratko Mladic's defense suggested that the victims exhumed from the Tomasica mine had been killed in combat. Though she didn't rule out that, Tabeau stated that the victims died a violent death, in the ethnic cleansing campaign in the Prijedor area

Ewa Tabeau, the prosecution's demography expert, continued her evidence at the trial of Ratko Mladic, former commander of the VRS Main Staff. She explained that the part of her expert report dealing with the cause of death of the Tomasica mass grave victims relied on the data from the expert report produced by pathologist John Clark. Tabeau's report detailed the number of exhumed bodies, their identification and their link with the victims listed in the annex to Mladic's indictment.

Tabeau confirmed that the cause of death could not be established for 86 of the exhumed victims, because their bodies had been transferred from the primary grave in Tomasica to the Jakarina Kosa secondary grave. As a result, the bodies were 'fragmented and mixed up'. It was impossible to establish the cause of death based on those remains, Tabeau said, but they were used for identification.

Comparing the list of identified victims from Tomasica with the victims' list from the annex to Mladic's indictment, Tabeau found 123 matches. As many as 75 bodies were linked to the incident that happened on 20 July 1992 in the village of Biscani and the neighboring hamlets. Also, Tabeau confirmed that the exhumed bodies included the 23 victims killed, as alleged in the indictment against Mladic, in Room 3 in the Keraterm prison camp on 24 or 25 July 1992.

In the cross-examination, Mladic's defense counsel Dragan Ivetic put it to Tabeau that she could not rule out the possibility that the persons buried in Tomasica had been killed in combat. The defense counsel quoted Tabeau's report, where she stated that 'all victims in Tomasica died a violent death in extremely dramatic circumstances of an ethnic cleansing campaign in Prijedor municipality and in the Autonomous Region of Krajina'. Tabeau told him that 'all victims from Tomasica were buried into an unmarked grave'. Many bodies were transferred from one location to another and were fragmented in the process. In Tabeau's opinion, 'the injury marks' show unequivocally that their 'death was violent'.

The defense counsel then put it to the witness that according to her report, the cause of death of the exhumed Tomasica victims was ethnic cleansing. The pathologist did not state that in his report, the defense counsel stressed. Tabeau replied that 'non-Serbs, Muslims, men of military age, between 18 and 65 years of age, were clearly targeted, and a large number of them disappeared'. This 'picture is pretty indicative of the process of ethnic cleansing', Tabeau said.

In an effort to confirm the claim that the Tomasica victims had been killed in combat, the defense counsel referred to a document which states that all men from 14 to 60 years of age were under a legal obligation to participate in the defense. Ivetic also quoted from a document which states that in peace time in Bosnia and Herzegovina the mortality rate was from 30,000 to 34,000 people per year. Many people died during the war of causes unrelated to the war, the defense counsel noted. Tabeau replied that she couldn't draw conclusions on war-time casualties based on a document not related to the war. Ewa Tabeau continues her evidence tomorrow.

2015-07-08

THE HAGUE

PROSECUTION RESTS TOMASICA CASE

At the trial of Ratko Mladic the prosecution rested its case on the Tomasica mass grave with the testimony of Ewa Tabeau. Since 22 June 2015, when the case was reopened, the prosecution has called eight witnesses, including six experts. Written statements of five other witnesses have been admitted into evidence



◀ Ewa Tabeau, witness at Ratko Mladic trial

In the expert report she wrote for the prosecution, demography expert Ewa Tabeau noted that the victims exhumed from the Tomasica mine died a 'violent death in very dramatic circumstances of an ethnic cleansing campaign in the Prijedor municipality'. In an attempt to contest the finding, Mladic's defense counsel Dragan Ivetic tried to get the witness to define ethnic cleansing and violent death.

Tabeau replied that she understood ethnic cleansing to mean 'actions directed at a population group' resulting in 'the extermination of that population'. Tabeau also confirmed that accidental death, suicide, justifiable homicide and homicide were all regarded as instances of

violent death. Due to lack of information, Tabeau clarified, she was unable to distinguish between various types of violent death of the Tomasica victims.

Defense counsel Ivetic put it to her that the BH Army soldiers killed in combat 'are not victims of ethnic cleansing'. 'Combat is combat, and I wouldn't see them as victims of ethnic cleansing', Tabeau replied.

The defense counsel went on to contest the witness's credibility. The witness posted a comment on the LinkedIn social network saying that in March 2014 she returned to the OTP to help 'bring the last cases to end'. Tabeau confirmed that it had been her motive.

In the re-examination, prosecutor Silvia D'Ascoli referred to Ewa Tabeau's evidence from 2013, when she explained that whenever the sources she used to determine the cause of death indicated that a person had died in combat, that person was excluded from the victims' list. She confirmed that none of the persons exhumed from Tomasica and Jakarina Kosa whose cause of death has been established and whose names Tabeau compared with the names listed in the annex to Mladic's indictment were fighters or died in combat.

When Ewa Tabeau completed her evidence, the prosecution rested its two-week case on the Tomasica mass grave near Prijedor. Six of the eight witnesses who have appeared in the courtroom are experts. Written statements of another five witnesses were admitted into evidence. Ratko Mladic's defense resumed calling evidence with the testimony of Milutin Mistic, a member of the board of directors of the BiH Institute for Missing Persons.

2015-07-09

THE HAGUE

MISSING PERSONS LIST CONTESTED

Ratko Mladic's defense continued its case with the testimony of Milutin Mistic, a member of the board of directors of the BH Institute for Missing Persons. Mistic contested the accuracy of the data collected by the International Red Cross, the International Commission for Missing Persons, the missing persons commissions in the two BH entities and his own Institute

After the prosecution rested its case on the Tomasica mass grave, Ratko Mladic's defense case resumed with the testimony of Milutin Mistic, a member of the board of directors of the BH Institute for Missing Persons. The witness was to contest the reliability of the data on missing persons collected by the International Red Cross, the International Commission for Missing Persons (ICMP) and the missing persons commissions in the two BH entities.

In the examination-in-chief, Mistic said that taken individually all the data on the missing persons collected by those institutions were 'incorrect'. The only way to get correct data is to match and cross-check the data provided by those sources. The BH Missing Persons Institute started the verification process, but the task was not carried out in line with the law and the Rules of the Institute because of its 'internal shortcomings'. The witness's claim pertains to the first 10,000 verifications for persons who had gone missing in the Podrinje area. 'Somebody has profited from all that', Mistic is convinced.



◀ Milutin Misić, defence witness at Ratko Mladić trial

This prompted judge Moloto to ask who 'profited from all that'. Misić was vague, saying that those were 'individuals and groups who manipulate' the missing persons lists 'because it is not in their interest for the actual figures to come to light'. The war is over, but the propaganda and psychological aspects of it unfortunately are still ongoing', Misić explained. The hearing then went into closed session. As Misić's testimony continued in open session, it became clear that he held Amor Masović, the Bosniak member of the board of directors, responsible for the purported irregularities.

Judge Moloto asked Misić to clarify why he claimed that the ICMP data were not correct if the Institute itself – as the witness alleged – didn't have accurate data. Also, Judge Moloto reminded the witness that he had previously described the situation in the Institute as 'chaotic', stating that the Institute 'doesn't perform its tasks in accordance with the law' and various individuals profit from the chaos. Misić had previously said that he had been thinking about packing his bags and leaving because of the situation. Misić tried several times in vain to provide a sensible answer to the judge's question. Judge Moloto remarked it was 'difficult to follow the witness's evidence to a certain extent'.

At the beginning of the cross-examination prosecutor Edward Jeremy noted that during the war Misić commanded a brigade in the Ozren Tactical Group under Lieutenant Colonel Novak Djukić. Djukić was sentenced to 20 years in prison by a BH court for the massacre at Kapija in Tuzla on 25 May 1995. Misić first told Jeremy that he had been injured on 19 May 1995, only to 'recall' a bit later that he had been wounded after the incident, on 29 May 1995. The witness was adamant that he didn't know anything about the incident and only learned about it from the media after the war.

The prosecution will continue cross-examining Milutin Misić tomorrow.

2015-07-13

THE HAGUE

OFFICER OF 'EUROPE'S LARGEST CORPS' DENIES CRIMES

In his evidence in Ratko Mladić's defense, General Bosko Kelecević, who served as the chief of staff in the 1st Krajina Corps during the war, tried to shift the blame for the events in the Prijedor prison camps on the civilian authorities. According to Kelecević, the Manjaca prison camp operated in line with 'the provisions of humanitarian law'. Civilians voluntarily left the area of responsibility of the Krajina Corps, which was 'possibly Europe's largest military corps'



◀ Bosko Kelecević, defence witness at Ratko Mladić trial

Ratko Mladić's defense case continued today with the evidence of General Bosko Kelecević, former chief of staff of the VRS 1st Krajina Corps. In his statement to the defense, the witness denied that the Bosnian Serb army carried out any 'actions aimed at persecuting civilians'. According to Kelecević, the civilians left because they were 'scared of the war'.

As alleged in the indictment against Mladić, a large number of crimes were committed in the area of responsibility of the 1st Krajina Corps. In the municipalities of Prijedor, Sanski Most and Kotor Varos, the persecution reached the scale of genocide. Despite the fact that he spent the entire war as the chief of staff in a corps, a top military post, General Kelecević claimed that he didn't know anything about the crimes. In his statement Kelecević claimed that an action to 'disarm the Muslim population' was carried out in the villages of Kozarac and Hambarine. No civilians were killed or abused, Kelecević argued. The prisoners were taken to Omarska and Keraterm where they were handed over to the civilian police. According to Kelecević, the third prison camp in Prijedor – Trnopolje – was an 'open center'.

The witness claimed he was unaware of the events in the Prijedor prison camps because they were under the jurisdiction of the civilian authorities. In his statement Kelecević had nothing but praise for the Manjaca military prison camp near Banja Luka where the prisoners were treated according to the 'provisions of humanitarian law'. The witness saw it for himself when he visited the prison camp in late August 1992. Kelecević was not aware that the prisoners were coerced, beaten or killed.

After the witness's statement was admitted into evidence, Mladic's defense didn't have any questions for him. As indicated, the witness's cross-examination, which began today, will last for seven and a half hours, or at least two days. A good part of today's questions pertained to the structure of the 1st Krajina Corps and the witness's position in the Bosnian Serb military chain of command. The prosecutor and the witness agreed that the Corps was strictly under the command of Mladic's Main Staff and that several brigades were subordinated to the witness. The 1st Krajina Corps had 67,000 fighters and held 68 per cent of the Republika Srpska territory, the witness noted. 'It was possibly the Europe's largest corps', Kelecevic concluded.

The prosecutor put it to the witness that the Bosnian Serb army took over the structure, the arsenal and the personnel from the JNA. The witness agreed almost entirely with the suggestion.

In May 1992, the 5th Banja Luka Corps of the JNA was renamed the 1st Krajina Corps of the VRS. The brigades also changed their names, but their composition remained the same. The witness confirmed that after the transformation he had his new post in the VRS structure but he also retained post in the JNA and received his salary 'from Belgrade'.

The witness was then asked if he as a top officer in the Corps knew about the train that transported Muslims from Bosanski Novi to Doboj sometime in June in 1992. Kelecevic was told that the Prijedor Crisis Staff had organized the transfer of civilians who 'had volunteered' to leave their homes. The witness did not know that the train had been stopped in Doboj, and that hundreds of men were separated from the rest of the people and taken back to Bosanski Novi where they were detained. The witness also denied that in the spring of 1992, during Operation Koridor, crimes were committed against non-Serb civilians in Modrica and Odzak. The houses there were destroyed during the clashes, and the Bosnian Serb army wanted to flush out the enemy soldiers, not civilians. Kelecevic was aware that General Momir Talic, the 1st Krajina Corps commander, had been indicted by the Tribunal in The Hague. According to Kelecevic, Talic 'is not a war criminal because he didn't live long enough to be convicted'.

Today the prosecutor indicated that tomorrow he would examine the witness about the events in Prijedor.

2015-07-14

THE HAGUE

NO PUNISHMENT FOR CRIMES IN BOSNIAN KRAJINA

In the cross-examination of Mladic's defense witness General Bosko Kelecevic, the prosecutor listed a number of crimes committed in the area of responsibility of the 1st Krajina Corps. The crimes ranged from imprisonment and abuse of civilians in the Manjaca prison camp to the killings in Kljuc and Prijedor; no Serb soldier was ever tried during the war for any of those crimes, the prosecutor stressed. In one case the perpetrators were arrested but were released at the request of the Corps commander Momir Talic



◀ Ratko Mladic in the courtroom

In the cross-examination of the former chief of staff of the 1st Krajina Corps Bosko Kelecevic, prosecutor Traldi presented a document produced by the Bosnian Serb Army Main staff on 19 May 1995. According to the document, 'the separation from Croats and Muslims' and 'the establishment of a Serb state in BH' were the main military goals of the Bosnian Serb Army. The prosecutor went on to list in detail the crimes committed in a bid to achieve those goals, as alleged in the indictment against Mladic.

As the prosecutor put it to the witness, a unit known as the Wolves from Vucjak fought as part of the Serb forces in Operation Koridor in June and July 1992. The witness commanded the forces involved in the operation. Kelecevic today explained that he knew that Milankovic was a 'small-time criminal'. He was also aware that during the operation Milankovic 'took some stuff'; the prosecution qualified those actions as looting. The witness dismissed the suggestion that Milankovic's Wolves were part of the Bosnian Serb Army. This prompted the prosecutor to tender into evidence a TV report from Veljko Milankovic's funeral. In February 1993, Milankovic was buried with full military honors. Kelecevic spoke at Milankovic's funeral saying that Milankovic and his fellow fighters 'carried out brilliantly' all the tasks during Operation Koridor.

The prosecutor then put it to the witness that in the spring of 1992, in order to implement envisaged military goals, the 1st Krajina Corps launched a major operation to disarm the Muslims and Croats, in many municipalities in Bosnian Krajina. The disarmament may have been real or just a pretext. Thousands of civilians were arrested in the actions, most of them in Kljuc and Sanski Most. They were taken to the Manjaca prison camp in Banja Luka. In August 1992, the detainees from the prison camps in Prijedor that had been closed down were brought to Manjaca too. In his statement, the witness said that the conditions in Manjaca were in line with 'international law'. According to the prosecutor, the detainees were arrested in 'their homes and fields'; they were unarmed civilians. The witness was unwilling to confirm that this had been the case, prompting the prosecutor to present more documents.

In the first document, an analysis of combat readiness of the 1st Krajina Corps, the Corps command notifies the Main Staff that 9,200 prisoners from Manjaca were exchanged in 1992. Of that number, 6,900 were civilians. The witness replied that it had happened a long time ago. His memory didn't serve him well because he had some 'health problems', Kelecevic said. He allowed the possibility that non-Serb civilians were arrested 'sporadically' but was not able to tell how that could result in at least 6,900 civilians being detained in Manjaca. The prison camp was established on the orders of General Momir Talic, commander of the 1st Krajina Corps, Kelecevic admitted. In Kelecevic's view, Ratko Mladic had authorised Talic to do that.

In a letter sent to the 1st Krajina Corps on 21 July 1992 the prison camp administration demanded that the practice of bringing in 'unarmed people who have not resisted capture' stop. If it continued, Manjaca would become a place where Muslims and Croats would be 'kept in isolation', and 'history will not forgive' Serbs for those actions. The witness didn't remember that report or indeed another report which mentions a visit by the International Red Cross. The latter document states that the prisoners were given insufficient food and that they were smeared with 'fresh blood'. Kelecevic argued that in mid-July 1992, at the time of the visit, he was near Doboj involved in Operation Koridor. The witness could only remember being told about the murder of prisoners Omer Filipovic and Esad Bender. He claimed that the culprits had been punished. The prosecutor then noted that the perpetrators were not tried until 2007. Kelecevic was not able to name a single soldier in the 1st Krajina Corps who was punished during the war in BH for any crimes against the non-Serbs. Even if he wanted to, Kelecevic couldn't name them simply because there were none, the prosecutor stressed.

The prosecutor used the village of Velagici near Kljuc as an example for the general practice among Mladic's troops of tolerating and even praising criminal behavior. In early June 1992, about 80 Muslim civilians, who had been held in a primary school, were massacred in Velagici. The culprits, soldiers from the 30th Partisan Brigade, were arrested, only to be released after they wrote to General Talic, the prosecutor said. The perpetrators asked Talic to 'show some understanding for their situation' and allow them to 'fight again for the Serb nation'. Some time later, in mid-July 1992, according to the document showed by the prosecutor, Mladic and Talic 'praised the 30th Partisan Brigade', which was in fact responsible not only for the crime in Velagici but for numerous other crimes in Kljuc.

The prosecutor went on to suggest that in May 1992 civilians were killed and their property destroyed in the attacks of the 43rd Brigade from Prijedor on the villages of Kozarac, Hambarine, Brdo and other locations. After the attacks, thousands of civilians were arrested and taken to the Prijedor prison camps. The witness disagreed with most of the allegations put to him. The prosecutor told the witness he had a document proving that Radmilo Zeljaja, deputy commander of the 43rd Brigade, had told Talic that from now on he would 'cleanse all and will spare neither women nor children'. Zeljaja was not removed from his duty, the prosecutor stressed. In fact, he was promoted and became the brigade commander. The witness confirmed it.

The cross-examination of General Kelecevic will be completed tomorrow. After that, Mladic's defense will have a few hours to re-examine their witness.

2015-07-15

THE HAGUE

CRIMES PAVED WAY TO SERB STATE IN BH

In his evidence in Ratko Mladic's defense, General Bosko Kelecevic admits that the goal of the Bosnian Serb military and political leadership, to separate Serb territories from the other two ethnic communities in BH, was accomplished by the commission of the gravest crimes against the Muslim and Croat civilians. Kelecevic then corrected his testimony, saying that Mladic's army protected 'honest people from other ethnic groups', those who 'implemented the tasks envisaged by the Serb people's idea of co-existence'

In the final part of General Bosko Kelecevic's cross-examination, prosecutor Traldi focused on the evidence about the crimes in Prijedor, Sanski Most, Kljuc and Kotor Varos. The four municipalities were under the control of VRS 1st Krajina Corps where Kelecevic was the chief of staff. As alleged in the indictment against Ratko Mladic, the persecution of the non-Serbs in those four municipalities in 1992 reached the scale of genocide. The witness for the most part did not deny that the large-scale crimes did happen but strove to exonerate General Mladic and his troops by shifting the blame on the police and civilian authorities.

Yesterday Kelecevic admitted that non-Serb civilians in Prijedor were killed en masse, and that others were detained in the Omarska, Keraterm and Trnopolje prison camps. Today the prosecutor put it to the witness that in August 1992 the prisoners detained in those prison camps were transported to the military prison camp Manjaca near Prijedor. The witness didn't deny the allegation. Asked if he knew that some people were killed en route to Manjaca, the witness admitted that there were such incidents. Kelecevic blamed the police because they were providing security for the convoys. When the first truck with the dead detainees arrived in Manjaca, the camp commander refused to take receipt of them saying that 'only living, healthy people' could enter the prison camp, Kelecevic recounted.

During the hearing yesterday Kelecevic was asked about the massacre of 80 Muslims in a school in Velagici near Kljuc. Today, the focus was on the killing of about 150 Muslims from the village of Vecici. The Muslims were taken to a school in Grabovica near Kotor Varos. Before their arrest, there was a meeting of the Kotor Varos war presidency on 2 November 1992. Ratko Mladic ordered that 'no one should be allowed to get out of Vecici before surrendering

their weapons unconditionally', it was said at the meeting. The prosecutor asked the witness if he agreed that Mladic had controlled the disarmament operation in Vecici. 'I can agree with that, but I cannot say that it had happened that way', Kelecevic replied.

The prosecutor showed a document from the Sanski Most municipality stating that in 1991 there were 25,000 Serbs, 28,000 Muslims and about 4,000 Croats in the town. In 1993, the number of Serbs rose to 28,000 while only about 4,000 Muslims and about 1,000 Croats remained. In other words, the prosecutor noted, about 25,000 non-Serbs had left Sanski Most. Kelecevic replied that he didn't know the exact figures but he admitted that many non-Serbs had left after crimes had been committed against civilians and after their property had been destroyed.

At the end of the cross-examination, the prosecutor put it to the witness that the actions of the 1st Krajina Corps and other Bosnian Serb military units, which included detention, abuse and killing of non-Serb civilians and the destruction of their property and religious buildings were in fact methods used to implement the Serbs' goal which was to separate Serbs from the other two ethnic communities in BH and to create a Serb state. Rather unexpectedly, the witness agreed with the prosecutor's suggestion, prompting the defense to react in the re-examination. Defense counsel Lukic brought up a document Mladic wrote in May 1992, in which he states that the Army's goal was to protect Serbs and 'honest people from other ethnic groups'. Kelecevic was asked to explain who those 'honest people' were. 'All those who implemented the tasks envisaged by the Serb people's idea of co-existence', General Kelecevic said. The re-examination will continue tomorrow.

2015-07-16

THE HAGUE

FROM YES TO NO AND BACK AGAIN

Yesterday General Bosko Kelecevic admitted that the Bosnian Serb main strategic goal – the separation of Serbs from the other two ethnic groups in BH – had been implemented through the commission of the gravest crimes against Muslim and Croat civilians. In the re-examination today, the witness 'categorically denied' it. When the prosecutor pressed him, Kelecevic agreed that the non-Serbs 'had no other choice' but to leave because their property had been destroyed



◀ Bosko Kelecevic, defence witness at Ratko Mladic trial

Yesterday the prosecutor asked General Bosko Kelecevic if the Bosnian Serb Army used murder, detention, forcible expulsion of the non-Serb civilians and the destruction of their property as a means to separate the Serb people from the other two ethnic groups in BH, thus enabling Serbs to create their own state. The witness did not give the question much thought. His answer was quick and short: 'Yes'. Today, in the re-examination Kelecevic denied this allegation several times when defense counsel Branko Lukic asked him the same question, thus retracting the admission he had made yesterday. Kelecevic was the chief of staff in the VRS 1st Krajina Corps during the war in BH. He is testifying in Ratko Mladic's defense.

Today the defense counsel rephrased the question the prosecutor had asked yesterday, breaking it down into a few short ones. First, the defense counsel asked Kelecevic if the 1st Krajina Corps and the Republika Srpska Army had implemented the separation of the BH ethnic groups by killing non-Serb civilians. 'No, one cannot put it that way', the witness replied. Kelecevic added that loyal Muslims and Croats were protected. Asked if the ethnic communities were separated through the forcible evacuation of civilians, Kelecevic responded that only those that wanted to leave could do so. Kelecevic 'categorically' denied that the ethnic separation was implemented by destroying property, noting that houses were destroyed only in fighting.

As he was questioned further by the defense counsel, the witness said that the Bosnian Serbs' main military goal was to establish a state in the territories from which the 'enemy' had been expelled. In other words, the goal was not to conquer but to defend and focus only on those territories where Serbs were in the majority.

The prosecutor was granted permission to ask Kelecevic a few questions before the end of his testimony. The prosecutor noted that the municipalities where Serbs were not a majority before the war also became part of the Serb state in BH. This included Prijedor, Sanski Most and Kotor Varos, the prosecutor explained, adding that those municipalities were in the area of responsibility of the 1st Krajina Corps. Muslims and Croats left those municipalities because 'they had no other choice', as the prosecutor put to the witness, because their property had been destroyed. Once again Kelecevic agreed with the suggestion although he thus contradicted his previous answers to the defense. Kelecevic didn't deny that as time went by, Serbs became the majority in those municipalities too.

Asked if before the war Serbs were in the majority in 70 per cent of the BH territory – the area the VRS held under its control in late 1992 – the witness first said that he didn't know the exact percentage. Kelecevic then added that the issue of who could lay claim to which territory was 'contentious'. 'It was up to the others to solve the issue', Kelecevic replied. He apparently meant that this was the politicians' task.

The high-ranking officer from the 1st Krajina Corps thus completed his four-day testimony. Apart from his interview with the OTP investigators in 2001, this was Kelecevic's first appearance before the Tribunal. The witness testified via video link.

Mladić's last defense witness before the Tribunal's summer recess is Zdravko Salipur, former member of the Crisis Staff of the Novo Sarajevo municipality.

2015-07-16

THE HAGUE

LIFE IN GRBAVICA: HELL AND HARMONY

Zdravko Salipur, former member of the Crisis Staff of the Serb municipality of Novo Sarajevo, testified at the trial of Ratko Mladić today. Salipur said that life in Grbavica was 'hell' because of the constant shelling and sniping from BH Army positions. On the other hand, in his statement to the defense Salipur depicted the life led by the non-Serbs there as 'harmonious'. According to Salipur, Bosniaks and Croats enjoyed all the rights and freedoms



◀ Zdravko Salipur, svjedok odbrane Ratka Mladića

Mladić's last defense witness before the Tribunal's summer recess is Zdravko Salipur, who was a member of the Crisis Staff of the Serb municipality Novo Sarajevo during the war. Before the war, Salipur lived in the Pofalici neighborhood. In his statement to Mladić's defense, Salipur said that from Pofalici he was able to see members of the Patriotic League and Green Berets digging trenches and distributing weapons at night.

As Salipur recounted, Pofalici, predominantly Serb-inhabited neighborhood, was attacked on 16 May 1992. About 60 Serbs, mostly civilians, were killed in the attack and some of them are still missing, Salipur claimed. According to Salipur, there was no justification for the

attack. The Serb police and Territorial Defense kept watch to prevent the Patriotic League and Green Berets from entering the neighborhood. Bosniaks and Croats were allowed to move freely, to go to work and back home.

Through this witness, the defense wants to corroborate the allegation that in fact the Sarajevo Serbs were under siege during the war. Salipur described life in Grbavica as 'hell'. There were demarcation lines on three sides of the neighborhood, and the shelling and sniping were constant. According to Salipur, fire opened from the BH Army position on Debeli Vrh further up from Grbavica was particularly 'lethal'.

In his statement to the defense, Salipur claimed he didn't know anything about the Serb leadership plans to 'group together' the territories the Serbs claimed as theirs through the process of regionalization and to carve out those territories by force and annex them to Serbia. Prosecutor Jason File confronted the witness in the cross-examination with an intercepted conversation from November 1991, in which Radovan Karadzic and the then president of the Novo Sarajevo Executive Board Zarko Djurovic discussed the issue. Salipur claimed he knew nothing about those conversations.

In the statement Salipur argued that life of non-Serbs in Grbavica was 'harmonious'. According to the witness, non-Serbs 'enjoyed all the rights and freedoms'. This prompted the prosecutor to refer to a report produced by the UN peace-keepers in late September 1992. The document describes the deportation of about 300 Muslims from Grbavica. Although Salipur lived in the very part of Grbavica where the deportation took place, he claimed that he didn't know anything about the incident.

Prosecutor File played a video excerpt in which the witness was able to identify the Chetnik warlord Slavko Aleksic. 'I know for sure that his unit was part of the VRS', Salipur said. According to Salipur, the fact that the members of that unit saw themselves as part of the Chetnik movement was 'a different matter altogether'.

Ratko Mladić's trial will resume after the Tribunal's summer recess, on Monday, 10 August 2015.

2015-08-10

THE HAGUE

CONTESTING CLAIMS ON CULTURAL HERITAGE DESTRUCTION

Demobilized VRS colonel Dragic Gojkovic, formerly of the engineer corps, testified as Ratko Mladic's defense case continued. With Gojkovic's evidence Mladic's defense hopes to contest the allegations on the destructions of religious and historical monuments and other symbols of Bosniaks' and Croats' existence in BH



◀ Dragic Gojkovic, witness at the Ratko Mladic trial

Following the Tribunal's summer recess the trial of Ratko Mladic, former VRS Main Staff commander, continued. Mladic is charged with genocide and other crimes committed by the troops under his command in the war in Bosnia and Herzegovina. Continuing with its case, Ratko Mladic's defense is trying to contest the allegations on the destruction of religious and historical monuments as well as other symbols of Bosniaks' and Croats' existence in BH. The prosecution corroborated its allegations with the findings of Andras Riedlmayer, prosecution expert for Ottoman heritage in the Balkans.

Mladic's defense countered Riedlmayer's expert findings with those of their own expert on the destruction of

cultural heritage in Bosnia and Herzegovina, Dragic Gojkovic. The expert is a demobilized VRS engineer, a colonel, from Pec in Kosovo who wrote an expert report on the role and tasks of the VRS engineer corps from 1992 to 1995. He was helped by four military engineers from Republika Srpska. Gojkovic concluded that the engineer corps units under Mladic's command were not involved in destroying the buildings in the areas where there was no fighting.

Gojkovic's argument was that the VRS units knew very well how to destroy buildings while the mosques, such as the Ferhadija mosque in Banja Luka, and churches Riedlmayer listed in his report were destroyed 'in a criminal way', 'without any system or pattern and haphazardly'. This goes for the 94 mosques listed in Riedlmayer's report, the witness said. Gojkovic also said that until the end of 1993 the VRS had problems with discipline in its ranks, but in 1994 and 1995 the situation improved 'drastically'.

Gojkovic criticized Riedlmayer's report for failing to establish what materials were used to build the buildings included into his expert analysis. According to Gojkovic, this analysis is 'necessary to establish the technology of their destruction'. As he was questioned by Mladic's defense counsel Branko Lukic, Gojkovic said that this did not apply to buildings made of stone because that could be confirmed easily by looking at the enclosed photos. When Judge Moloto asked the witness if the date when a building was built could be used to determine if it was made of stone or reinforced concrete, Gojkovic confirmed it was possible to do that.

Dragic Gojkovic will continue his evidence tomorrow morning.

2015-08-11

THE HAGUE

WAS DESTRUCTION OF MOSQUES 'HAPHAZARD' OR ORGANIZED?

Defense expert Dragic Gojkovic claims that the mosques in Bosnia and Herzegovina were destroyed by 'groups of vandals' and irresponsible individuals in combat or after the army withdrew. Gojkovic wasn't able to explain into which category fit the mosques destroyed in places under the VRS control, such as the Srebrenica mosque, which was destroyed on 19 July 1995

Demobilized VRS colonel Dragic Gojkovic, formerly a member of the engineer corps, was asked by Ratko Mladic's defense to write an expert report on the destruction of the Bosniak and Croat religious and historical monuments during the war in Bosnia and Herzegovina. Having analyzed the data about 94 destroyed mosques presented in the report written by the prosecution expert Andras Riedlmayer, Gojkovic concluded that 10 mosques were destroyed in the fighting and 84 after the army withdrew. The buildings were destroyed 'haphazardly' by 'groups of vandals' and irresponsible individuals.

Although Gojkovic claimed that Riedlmayer's report was 'deficient', the defense expert agreed that he had drawn all his conclusions on the basis of photographs, statements and other information presented in Riedlmayer's report. Gojkovic said that he and the colleagues who helped him draft the report examined only the destruction of the Ferhadija mosque and the Franciscan Monastery in Petricevac near Banja Luka. This prompted the prosecutor to suggest that Gojkovic basically 'copied' Riedlmayer's expert report and deleted from it all the elements that didn't suit him. Gojkovic begged to differ.

Prosecutor Traldi referred to the part of Gojkovic's report on the destruction of the mosque in Srebrenica. The excerpt is a copy of Riedlmayer's report, with one exception: Gojkovic's caption under a photo showing the intact mosque in Srebrenica. The defense expert stated that the photo had been taken before the war. Riedlmayer stated in his report that the same photo was taken on 14 July 1995. Riedlmayer claimed that the mosque was still undamaged on that date. According to the prosecutor, the mosque was destroyed on 19 July 1995 while the VRS was still in Srebrenica. Obviously, that mosque didn't fit into any of the categories of the mosques Gojkovic lists in his report.

Gojkovic agreed that he made a mistake in that case but added that despite that his report was 98 per cent accurate. The prosecutor highlighted several other examples of mosques that were not destroyed in combat or after the troops pulled out. All those examples – including the mosque in Novoseoci in the Sokolac municipality destroyed in September 1992 and the Sanica mosque in the Kljuc municipality – showed that Gojkovic simply 'invented' the data and incorporated them into his report, the prosecutor argued. Also, according to the prosecutor, Gojkovic made up the conclusion that all those buildings were destroyed 'outside of any control' and that their destruction was not ordered through the chain of command headed by the accused Mladic.

Dragic Gojkovic will complete his testimony tomorrow morning. The defense will then call Bosiljka Mladic, the accused's wife.

2015-08-12

THE HAGUE

COMMANDER AT WEDDING, TROOPS AT EXECUTION SITES

Bosiljka Mladic claims that at the time of mass executions in Srebrenica, from 14 to 17 July 1995, her husband Ratko was in Belgrade. According to the witness, Mladic spent his time in Belgrade at various meetings and at a wedding, and could not issue any orders to his subordinates because he didn't have the communications equipment to do it. The defense and the prosecution argued about the date of Mladic's return to the Main Staff: whether it was on 16 or 17 July 2015



◀ Bosiljka Mladic, witness at the Ratko Mladic trial

In a bid to prove Ratko Mladic's alibi for the period from 14 to 17 July 1995 the defense called his wife Bosiljka Mladic.

In her written statement and in the brief examination-in-chief the witness confirmed that from the evening of 14 to the early morning of 17 July 1995 Mladic was in Belgrade. In that period the Bosnian Serb troops in Srebrenica killed several thousand captured Bosniaks. The killing spree has been qualified in the indictment as genocide. The witness confirmed the defense's case that in Belgrade Mladic didn't have the communications equipment and could therefore not issue any orders to his subordinates in the field. Bosiljka Mladic remembered

that she spent three days with Mladic 'going to sleep, having dinner, getting up, having breakfast, drinking coffee'. According to the witness, Mladic was the best man at a wedding and attended a meeting with a delegation of Canadian Serbs at the Military Medical Academy in Belgrade.

At the beginning of the cross-examination, the prosecutor asked the witness if she remembered when she learned about Mladic's indictment. 'It may have been in 1996 or in 1997', Bosiljka Mladic replied, noting that she didn't believe Mladic perpetrated the crimes he is charged with. Mladic himself confirmed it to her when she asked him straightforwardly if he had issued the order for the execution in Srebrenica, the witness said through tears. 'He got serious, gave me a sharp look and asked me if I doubted his word', Bosiljka Mladic recounted.

The prosecutor turned to the discrepancies between the statements Bosiljka Mladic gave to the prosecution in Belgrade and to the defense counsels. The witness confirmed that the correct statement was the one she gave to the defense in 2014. According to that statement, Mladic arrived in Belgrade in the evening of 14 July 1995, and not that morning or the day before, as she had claimed previously. Bosiljka Mladic also contested the evidence of Ned Krajsnik and Milan Lesic who had testified that they had met with the accused in the afternoon of 16 July 1995. According to the witness, the meeting took place in the evening, after the wedding.

The prosecutor then referred to the transcript of a telephone conversation recorded in the video footage of the meeting at the Military Medical Academy. Mladic did issue orders to his troops from Belgrade, the prosecutor argued, because he told the other party 'full steam ahead, maximum security, and don't wait for the orders. As soon as they show up in the air, shoot them down'. Bosiljka Mladic said this was not an order, although she did admit that she didn't have the expertise to tell what constituted an order.

Mile Dosenovic, the defense communications expert, began his evidence after Bosiljka Mladic completed hers. With Dosenovic's testimony the defense will try to contest the prosecution evidence on the intercepted conversations between various VRS officers during the Srebrenica operation.

2015-08-13

THE HAGUE

MLADIC'S EXPERT TESTIFIES ABOUT INTERCEPTED CONVERSATIONS

In his evidence in Ratko Mladić's defense, Mile Dosenovic, communication systems expert, contested the authenticity of intercepted conversations the prosecution has admitted into evidence. Dosenovic claims that the BH Army didn't have the know-how or adequate technology to intercept well-protected communications of the Serb units



◀ Mile Dosenovic, witness at the Ratko Mladić trial

Ratko Mladić's defense continued its case with the evidence of Bosnian Serb military colonel Mile Dosenovic. During the war Dosenovic was head of the communications in the VRS 2nd Krajina Corps and now testifies as a communication systems expert. At the request of the defense Dosenovic drafted an expert report in which he contested the authenticity of the Bosnian Serb army intercepted conversations in the possession of the prosecution, primarily those pertaining to the Srebrenica operation in the summer of 1995.

It was indicated that the report would be admitted into evidence under seal and although its parts were discussed at the hearing, they were not disclosed to the

public. The witness was examined about the report in minutest detail. Thus, it often remained unclear what the defense wanted to prove.

Dosenovic denied that the BH Army could intercept conversations carried out by Mladić's military officers over the communications system. Based on a document Dosenovic received from the defense, he concluded that the 'other side' had at its disposal Japanese civilian surveillance technology which was usually used by ham radio operators. In Dosenovic's opinion, the BH Army would have needed more sensitive equipment to intercept military devices and they didn't have it.

According to the witness, the BH Army communications officers from the electronic reconnaissance and anti-electronic operations units were not trained well enough to conduct surveillance. A handful of them were trained in the JNA while the others either worked in the Bosnian police or were ham radio operators.

Badly trained communications officers using amateur technology didn't stand a chance against the well-trained communications officers in the Serb army. The technology VRS officers had at their disposal allowed them to protect the communication systems fully. Even if they had been able to intercept such conversations, the BH Army communications officers would have heard only noise, Dosenovic claimed. As he explained, this kind of protection was almost unbreakable.

Presiding judge Orić asked the witness if the Bosnian Serb military officers could in fact have used 'open' communications to talk to each other. The witness replied that it would be tantamount to 'sabotage'. Unprotected communications could have occurred only if Serb officers on both sides had agreed to do it, and that was impossible, Dosenovic argued.

Colonel Dosenovic will continue his evidence on Monday. The defense will complete the examination-in-chief and then the witness will be cross-examined by prosecutor McCloskey.

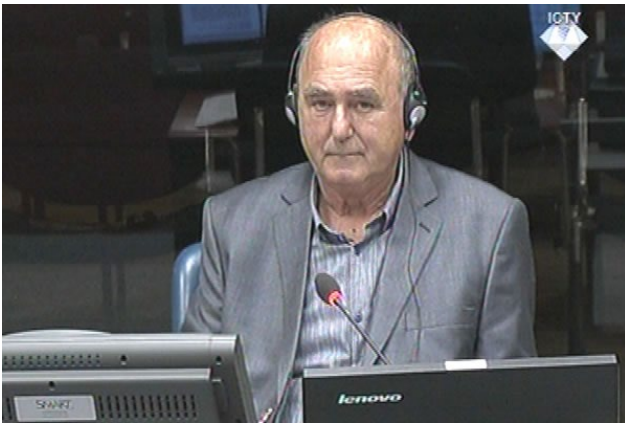
2015-08-18

THE HAGUE

NO ONE COULD EAVESDROP ON MLADIC... OR COULD THEY?

The prosecutor contested the claims made by the defense military prosecutor Mile Dosenovic that the Bosnian Serb military communications were so well protected that it was almost impossible to intercept them. The prosecutor presented a number of orders issued by Ratko Mladić and other VRS officers which state that the enemy was 'intensively and continually' monitoring the Serb communications

In the two days of cross-examining VRS colonel Mile Dosenovic, prosecutor Peter McCloskey tried to refute the witness's claims that the BH Army was unable to intercept Serb conversations and documents during the war in BH. The prosecutor's goal was to prove the authenticity of a number of intercepted conversations between Mladić's Main Staff and subordinated units, focusing specifically on the intercepts pertaining to the Srebrenica operation in July 1995. Dosenovic, who was the head of the communications in the 2nd Krajina Corps during the war, testified as the defense's military communications expert.



◀ Mile Dosenovic, witness at the Ratko Mladic trial

The Serb side knew about the BH Army's ability to intercept the conversations of the Bosnian Serb military and political leadership, the prosecutor noted. To corroborate it, the prosecutor showed two documents. In the first document, dating from June 1992, the war-time commander of the 2nd Krajina Corps warns that the 'Green Berets unit, the Croatian Army and the foreign countries intensively monitor our communications'. The second document was dispatched from the Main Staff on behalf of General Mladic in June 1995. According to the document, the 'enemy has been continually and very effectively using the intelligence obtained monitoring our radio, radio relay and postal communications'.

Contrary to the claims of his war-time superiors, Colonel Dosenovic said that there had been no large-scale surveillance and interception effort targeting the Bosnian Serb army communications. Mostly, there were isolated cases of people using open communications irresponsibly, thus making it possible for the BH Army to intercept them. That, according to the witness, didn't jeopardize the VRS combat readiness.

The key piece of evidence in the prosecution's possession that the BH Army was able to eavesdrop on the Bosnian Serb military highest command is the existence of VRS documents that closely mirror the BH Army records of those documents. Furthermore, the prosecutor played the audio recording of an intercepted conversation between Bosnian Serb military officers. As alleged by the prosecutor, the intercept shows clearly that it was possible to eavesdrop on the VRS's two-channel radio relay communications.

In his expert report, the defense witness said that there was no line of sight between the BH Army's north and south surveillance posts on the one side, and the Drina Corps command in Vlasenica on the other. It was thus impossible for communications to be intercepted. 'If you can't see me, you can't hear me', the witness put it.

The witness reached this conclusion based on the calculations that the town of Vlasenica was at 620 meters above sea level, and the two surveillance posts of the BH Army were at 685 and 690 meters above sea level respectively. The witness claimed that there were physical obstacles between the two sides and thus there was no line of sight. On the other hand, the prosecutor noted that the OTP investigators had visited the locations and established, using two GPS devices, that the Drina Corps command was at 672 meters above sea level. That would imply that the line of sight, and consequently radio communication, between the surveillance posts and the Drina Corps command was possible. All it took was to place aerials on a tall building, for instance on the roof of the Drina Corps building.

Colonel Dosenovic completed his evidence today. Ratko Mladic's trial continues tomorrow.

2015-08-19

THE HAGUE

WHO TERRORIZED WHOM IN SARAJEVO

In his evidence at Ratko Mladic's trial, Gojko Draskovic initially agreed that the war in Sarajevo 'inflicted damage on both sides', only to state later in his evidence that the BH Army 'terrorized' Serb civilians and soldiers



◀ Gojko Draskovic, witness at the Ratko Mladic trial

Gojko Draskovic gave evidence at the trial of Ratko Mladic, former commander of the VRS Main Staff. During the war Draskovic first commanded a platoon, then a company and was finally promoted to the post of the deputy commander of the 2nd Battalion in the Sarajevo Motorized Brigade. The area of responsibility of the witness's battalion stretched along the Grbavica demarcation line, from the Vrbanja Bridge to the Slavisa Vajner Cica military barracks.

Draskovic's unit held positions in Ozrenka Street. There, the witness and his soldiers were exposed to 'constant' sniper fire from the BH Army positions in Milan Pavkovic's motel, the Loris building and the skyscrapers

in Pero Kosoric square. The BH Army opened fire at Ozrenka Street 'from the back', too, from their positions in Debelo Brdo and Mojnilo, and from 'portable mortars' which were fired from the direction of the Health Center and the Vaso Miskin Crni factory. As Draskovic stated in the examination-in-chief, there were 'no trained snipers' in his unit. According to Draskovic, they only had one mortar that they used most often during the night to fire flares to illuminate positions.

In the cross-examination, Draskovic said that the 2nd Battalion did have mortars and snipers. After the enemy attacks, the Battalion would respond with artillery fire to 'intimidate and warn' the enemy. Residential buildings where the BH Army had its positions were often targeted, which meant that civilians were in constant fear for their lives. 'That, in fact, was terror, wasn't it', prosecutor Edgerton asked the witness. 'Sure, the war inflicted damage on both sides', the witness replied.

In the re-examination, Draskovic said that his unit never fired at civilian targets. They targeted only the soldiers who opened fire on Serb positions from civilian facilities. According to the witness, the BH Army 'terrorized' the Serb soldiers and civilians in Ozrenska Street. The BH Army troops were better trained and equipped than the VRS, Draskovic claimed. That was his assumption based on the number of victims on the Serb side, Draskovic explained. The witness didn't know how many casualties there were on the other side.

Draskovic also said that during the war he often wished he could change places with the people working in the Civil Defense and those in the work platoons. Those units had to build fortifications on the Serb positions along the front line, working under artillery and sniper fire. As Draskovic explained, they 'only' had to dig trenches and could 'go back to their homes' when their job was done. Unlike him, the witness noted, they 'didn't have to worry about other stuff'.

After Gojko Draskovic completed his evidence, the defense called a married couple whose wedding was attended by Mladic in Belgrade on 16 July 1995. In fact, Mladic was their best man. The defense called them in a bid to prove that Mladic has an alibi for the time when mass executions were going on in Srebrenica.

2015-08-20

THE HAGUE

MARRIED COUPLE CONFIRMS MLADIC'S ALIBI

Biljana and Zarko Stojkovic described in minute detail the course of their wedding that took place on 16 July 1995. The accused Ratko Mladic was the best man at their wedding. The witnesses thus corroborated the defense case that the accused couldn't have communicated with his forces in the field in that period. According to the defense, Mladic stayed late at the wedding and wasn't able to return to the Main Staff that same day. Mladic announced he would give a gift to 'comrade Orié...when I am released'



◀ Biljana Stojković, witness at the Ratko Mladic trial

The defense and prosecution agree that Mladic went to Belgrade on 14 July 1995, when the operation in which thousands of captured Srebrenica men and boys were executed was in full swing. In Belgrade, Mladic met with the highest-ranking Serb officials and international representatives. On 16 July 1995, Mladic was the best man at the wedding of Biljana and Zarko Stojkovic. The parties do not agree when it comes to whether during his stay in Belgrade the accused was able to communicate with his subordinated officers and whether he returned to the Main Staff in the evening of 16 July 1995 or on 17 July 1995. At that time, Mladic's officers organized the executions of the captured men from Srebrenica in the Zvornik area.

Mladic's wife Bosiljka Mladic has recently testified on those issues. Now the defense called the bride

and groom, Biljana and Zarko Stojkovic, to the witness stand. Both in the examination-in-chief and in the cross-examination the witnesses described in minute detail the course of their wedding 20 years ago, on 16 July 1995. The wedding guests arrived in their apartment at about 10 am. Their best man Ratko Mladic and his wife Bosiljka were also among the arrivals. They all walked to the Vaznesenjska Church where the couple was married and at about 2 pm they went to Dva ribara, a nearby restaurant, for the wedding lunch.

The lunch was served and the guests danced various dances. Mladic drank a bit and the witness Stojkovic drank a bit more but not so much that his memory was affected. The party ended at 8 pm but both witnesses claim that Ratko and Bosiljka Mladic left earlier, at about 5:30 pm. The best man told Biljana he was leaving because he had 'official obligations'. Zarko escorted Ratko Mladic to the parking where Mladic's driver was waiting for him in the car.

Asked if Mladic had any means of communication at his disposal, both spouses claimed that he didn't. In order to corroborate their claim that Mladic had not contacted his troops in Bosnia the witnesses said they had 'kept an eye' on the best man throughout the wedding. From 2 pm to 5:30 pm Mladic never left the table and couldn't make any telephone calls. Mladic didn't even go to the toilet, the witnesses claimed. After a series of questions on the issue, Zarko Stojkovic noted that neither he nor Mladic went to the toilet from at least noon – when the church ceremony began – to 5:30 pm, or for about five and a half hours. The witnesses added that their claims would be corroborated with the video footage and photos from the wedding but both video tapes and all photos have purportedly been stolen from Biljana's mother's house in Krusevac.



◀ Žarko Stojković, witness at the Ratko Mladić trial

The prosecutor was nevertheless able to get hold of one photo showing the newlyweds with the best man. In the courtroom the photo was zoomed in on Mladić's watch. According to the prosecutor, it was 2 pm and the wedding reception was in full swing. This contradicts the witness's claim that at that time they had just arrived in the restaurant. Zarko Stojkovic was adamant that the watch showed 3 pm. The prosecutor went on to show another exhibit, the transcript of an intercepted conversation held on 16 July 1995 at 4:15 pm. The duty officer in the VRS Main Staff in Crna Rijeka speaks to a person whose voice is inaudible. The prosecutor alleged that the person was Mladić. Zarko Stojkovic replied that the best man didn't tell him anything about that conversation. He couldn't imagine when Mladić could have spoken to his officer. The BH Army surveillance operators weren't able to catch what Mladić was saying.

They could only record the Main Staff officer, the prosecutor explained. The defense noted that the name of the accused was never mentioned in the transcript.

After the Stojkovics ended their testimony, Mladić's trial continued with procedural issues. The accused waived his right to attend that part of the trial. He explained that he wanted to 'spend some time with his friends in the detention unit'. Given a rare chance to use the microphone and no doubt elated by the testimony about the wedding, Mladić got carried away and addressed 'comrade Orić', telling him he would send the judge a liter of 'frontline brandy' as soon as he is 'released'. He apparently meant the brandy he used to drink on the front-line.

2015-08-24

THE HAGUE

DEFENSE EXPERT: PROSECUTION 'MIXING APPLES AND ORANGES'

According to defense demography expert Svetlana Radovanovic, the conclusion that about 8,000 Srebrenica men went missing after Mladić's troops entered the town in July 1995 is 'nothing but manipulation' and the result of 'mixing apples and oranges' with a single goal – to inflate the number of victims



◀ Svetlana Radovanovic, witness at the Ratko Mladić trial

Since the beginning of the trial Ratko Mladić's defense has been contesting the figures for the Srebrenica victims. The prosecution alleges that there were about 8,000 victims of the Srebrenica crimes. To corroborate its case, the defense called Svetlana Radovanovic, retired professor of demography and statistics. In her expert report Radovanovic contested the findings of Helge Brunborg and Ewa Tabeau, the prosecution's demography experts. The prosecution experts concluded that after Mladić's forces entered Srebrenica in July 1995 at least 6,942 persons went missing.

In Radovanovic's view, the figures were exaggerated and the prosecution experts were 'scientifically dishonest' and tendentious. The goal of the prosecution experts was to inflate the number of victims at any cost and thus convince the judges that genocide was perpetrated in Srebrenica, Radovanovic explained.

As Radovanovic was questioned by defense counsel Ivetic, she said that the prosecution's experts did not comply with the scientific method. Instead, the expert noted, Tabeau and Brunborg applied a 'unified method' which they felt would make it simpler to present the data they had obtained. In Radovanovic's view, this method was nothing but manipulation. The witness repeatedly claimed that the prosecution witnesses 'mixed apples and oranges' just to get as many victims as possible.

As an example, the witness told the judges that in their reports, the prosecution experts included the missing persons from other municipalities, not just Srebrenica. The period when the victims went missing was extended up to 1996, Radovanovic said. She admitted that this pertained to a very small number statistically, but she could not see why they would be included in the first place if not to artificially inflate the number of victims. The ethnicity was not listed for about 1,000 missing persons in the prosecution's demography reports, Radovanovic noted. The defense witness was also critical of the method used to establish the age of the victims. In a word, it was a 'nothing but manipulation', Radovanovic concluded.

Witness Svetlana Radovanovic has testified at five trials in The Hague, in defense of seven accused. Four of the accused were charged with the crimes in Srebrenica. Her statistics are not good: none of the accused was acquitted, two of them were sentenced to life and the remaining five accused were sentenced to a total of 96 years in prison – an average of 19.2 years per person. Mladić's defense expert will continue her evidence tomorrow.

2015-08-25

THE HAGUE

SREBRENICA – MASSACRE OR ACCIDENT?

Ratko Mladić's expert Svetlana Radovanovic criticized the prosecution's expert for using the term massacre in her description of the events following the fall of Srebrenica in July 1995. The witness said that her science knew of only three types of violent death – murder, suicide or accidental. Radovanovic noted that she couldn't tell which of the three happened after Mladić's troops entered Srebrenica



◀ Svetlana Radovanovic, witness at the Ratko Mladić trial

In light of the examination-in-chief of Svetlana Radovanovic yesterday and today, most of her criticism of the findings presented by the prosecution demography experts have to do with the terminology they use. Today the witness, who is testifying as the defense's demography expert, said that the prosecution's expert Ewa Tabeau used the term massacre to describe the crime in Srebrenica inappropriately and not in line with the rules of scientific terminology.

Defense counsel Ivetic read out a part of Ewa Tabeau's report at the Mladić trial in which she said that she used the term massacre because it was known that about 8,000 men disappeared from Srebrenica in mid-July 1995, and a large number of them were exhumed from

mass graves and identified by DNA analysis. These facts, as witness Radovanovic argued today, do not prove that genocide was committed there. In Radovanovic's view, in demography there are three categories of violent death – murder, suicide and accidental death. In this case, it is impossible to claim with any certainty that the victims recovered from the mass graves were killed in combat, committed suicide or died accidentally, e.g. by stepping on a mine. The witness thus wanted to corroborate the defense's case that the prosecution and its experts exaggerated the scale of executions of the Srebrenica prisoners.

The defense expert also criticized her colleagues, the prosecution demography experts, for using the term ethnic cleansing. Ewa Tabeau used the term to describe the situation in the municipalities of Bosanski Samac and Odzak. Tabeau concluded that Muslims and Croats 'all but disappeared' in those municipalities. Once again Mladić's witness repeated that the term 'ethnic cleansing' was not used in demography. Furthermore, Radovanovic added, Ewa Tabeau should have stated whether she used the UN definition or some other definition. In Radovanovic's opinion, only the Tribunal could decide if there was ethnic cleansing; it was definitely not up to the prosecution's expert to do it. In its judgment in the case against Blagoje Simić the Tribunal's judges found that there was a joint criminal enterprise in the Bosanski Samac and Odzak municipalities whose objective was to persecute the non-Serb population.

At the hearing today, there was a discussion about the results of the actions of the Bosnian Serb political and military authorities and the prosecution expert's findings on the increase of the number of Serbs and the decrease of the number of other ethnicities in the municipalities listed in the indictment against Mladić. The defense witness claimed that in her report Ewa Tabeau presented 'in an intellectually dishonest manner' the sudden increase in the number of Serbs' making it look as if their share in the total population increased by 25 per cent. In fact, Radovanovic stressed, the number of Serbs rose only by 10 per cent. Presiding judge Orić placated the witness, saying that the Trial Chamber understood very well that the total number of Serbs rose by 25 per cent, but this was a 10 per cent increase in the overall population. The witness would not budge, arguing that prosecution expert spoke only of the 25 per cent increase in her report. The judges 'don't reread the pages they have already gone through', Radovanovic noted. 'I must disappoint you, that is exactly what we do, we reread the pages when we read reports', presiding judge Orić replied, concluding the debate.

The cross-examination of Svetlana Radovanovic began at the end of the hearing today.

2015-08-27

THE HAGUE

'I CONTEST METHODOLOGY, NOT FIGURES'

On the last day of her evidence in Ratko Mladić's defense, Svetlana Radovanovic explained that she didn't want to contest the number of the people who went missing or were killed in Srebrenica. The purpose of her testimony was to explain that in her view the methodology applied by the prosecution's experts was not in line with the current scientific standards. Radovanovic is a professor of demography and statistics from Belgrade

Svetlana Radovanovic, the defense's demography expert, completed today her evidence at the trial of Ratko Mladic. The witness contested the key findings of the prosecution's experts. Radovanovic thus challenged the prosecution demography experts' conclusions about the scale of the ethnic cleansing in the municipalities listed in the indictment against Mladic. Also, the witness refuted the findings that about 8,000 Bosniak men and boys went missing after the fall of Srebrenica.

In the four days of her evidence even the judges were occasionally at a loss as to why the witness was critical of her colleagues. Today, Radovanovic explained she didn't 'contest the figures but the methodology'. The defense's goal was obviously to make the judges question the validity of the findings presented by the prosecution's demography experts and thus reduce the scope of the crimes Mladic has been charged with.

One of key criticisms levied by the defense expert against the reports submitted by the prosecution experts was that they used matching as a method in statistics. As Radovanovic noted, the prosecution list with the names of 8,000 missing persons from Srebrenica contained 220 persons who, according to the BH Army's lists, died before 1995 and the Srebrenica crimes. The prosecution didn't deny the process of determining the number of victims was fraught with difficulties and that mistakes were made, but they were corrected in the meantime. Prosecutor File explained that they were able to establish subsequently that 140 persons from the list of 220 victims with the controversial dates of death were exhumed in the Srebrenica mass graves. Also, the prosecutor noted, the BH Army corrected their data base after receiving this and other information.

The retired professor of demography and statistics from Belgrade thus completed her sixth testimony before the Tribunal. She has testified in defense of seven accused: none has been acquitted. In a sense her evidence at the Mladic trial was her final professional challenge.

As the hearing drew to a close, the examination-in-chief of Simo Tusevljak continued. Tusevljak began his evidence as Mladic's defense witness in July 2015 before the Tribunal's summer recess. During the war Tusevljak was the chief of the criminal investigations department in the Bosnian Serb Romanija-Birac security services center, located in Ilidza. Today Tusevljak said that the entire Ilidza municipality was targeted by the BH Army's artillery and snipers. Civilian buildings such as the high school, the health center, the hospital, bus stations and residential buildings were all routinely targeted, Tusevljak claimed. The attacks were launched from high-rise civilian buildings located in Butmir, Hrasnica and Sokolovic Kolonija. The defense implies civilians ended up being casualties in shelling and sniper attacks on both sides. The defense also wants to show that civilian facilities in Sarajevo were legitimate military targets because they were used by the BH Army.

Simo Tusevljak continues his evidence on Monday.

2015-08-31

THE HAGUE

MLADIC'S WITNESS: '3,300 SERBS KILLED IN SARAJEVO'

According to defense witness Simo Tusevljak, a post-war investigation of the Republika Srpska interior ministry showed that 3,300 Serbs were killed in Sarajevo. Prosecutor Edgerton didn't contest the fact that crimes against Serb civilians had been perpetrated but she insisted the victim list contained a number of mistakes. Some names were listed twice and Serbs killed in the artillery attacks launched by Mladic's army on the city, such as the first Markale town market massacre on 5 February 1994, were also included on the list



◀ Simo Tusevljak, defence witness at Ratko Mladic trial

Simo Tusevljak, former crime police officer from Sarajevo, continued his evidence in Ratko Mladic's defense. The witness claimed that about 3,300 Serb civilians were killed in Sarajevo during the war. The figure was established by the Republika Srpska MUP investigation team; the witness was part of the team after the war. The defense tendered the victim list into evidence. During the conflict Tusevljak was the chief of the crime police in the Romanija-Birac public security center. The center was first located in Lukavica, and was later moved to Ilidza.

The witness claimed that most of the Serbs in Sarajevo were killed by snipers and shelling. Over 700 Serb civilians were killed in Grbavica alone, Tusevljak noted.

Video footage of citizens stating that the attacks came from the BH Army-held territory was admitted into evidence, as was a TV report about two Serb girls who were hit by snipers. Tusevljak claimed that the shots had been fired from the direction of the Faculty of Mechanical Engineering. The defense is trying to prove that the BH Army opened fire on Serbs from civilian buildings, as this would mean those buildings were legitimate military targets and Mladic's troops had every right to attack them. In his evidence the witness also mentioned that there were 126 prison camps where Serbs were held in Sarajevo.

The prosecutor didn't contest the claim that Serb civilians had indeed been killed in Sarajevo in various ways. In the cross-examination, prosecutor Edgerton showed conclusively that the Republika Srpska MUP list containing the names of 3,300 victims was not reliable. First, the prosecutor noted, persons killed in Olovo, Konjic, Kladanj, Rogatica, Kiseljak and other places outside the ten Sarajevo municipalities were also included on the list. Although the witness was adamant that computer software used by the Republika Srpska prevented the duplication of names, the prosecutor was able to identify 60 double entries. According to Tusevljak, the duplication was 'potential', not 'real', and the percentage of such cases was at any rate very small.

The prosecutor went on to note that as many as 1,437 entries were incomplete, with at least one key indicator missing, such as name, surname, father's name and year of birth. The witness replied that the list was not final and that it was a work in progress. The prosecutor then put it to him that the 'non-final' list contained the names of Serbs who were killed in the attacks by the Serb military on Sarajevo that Mladic is charged with. Jadranka Tendzera was on the victim list although she and eight Bosniak civilians were killed when a Serb shell hit Dobrinja on 4 February 1994. Marija Knezevic, Ruza Malovic and three other Serb citizens were also on the list: they died a day later when, the prosecution alleged, a Serb shell hit the Markale town market. As Tusevljak admitted, 'it is possible' that Serb victims killed by Serb shells were included on the list. The list was 'open' and corrections were always welcome, Tusevljak added.

Tusevljak said that the 3,300 victims on the list were all civilians. The prosecutor was able to show that there were also soldiers on the list, such as those who were killed in Dobrovoljacka Street in the beginning of the conflict. The witness corrected his earlier testimony, saying that the list included not only civilians but other 'victims of war crimes', and those could be soldiers, too. The witness will complete his evidence tomorrow.

2015-09-01

THE HAGUE

SERB VICTIMS OR VICTIMS OF SERBS

The list of victims from Sarajevo that the defense witness brought with him contains names of soldiers killed in combat as well as Serb civilians killed by Serb shells, snipers or Mladic's soldiers, the prosecution argues. Defense witness Simo Tusevljak says that further checks would be needed in order to establish the truth

On the second day of Simo Tusevljak's cross-examination prosecutor Edgerton continued to go over the list with 3,300 Serb victims from Sarajevo compiled by the Republika Srpska MUP with a fine-toothed comb. As she remarked, the prosecution agrees with the defense that a 'large number of Serbs' died in Sarajevo, but the list was not reliable. It was indicated that the parties were trying to reach an agreement on the number of Serbs killed in Sarajevo that would be acceptable to both, and 'the agreement was within reach'.

As regards the victim list which was admitted into evidence during Tusevljak's testimony, the prosecution objected to the attempt to describe the Serbs listed therein as victims of the BH Army's war crimes, particularly in cases when they obviously died in some other way. For example, some victims were killed as soldiers while others were killed by friendly fire, opened by their fellow fighters under the command of the accused.

The prosecutor went on to note that some Serb civilians listed among the victims died in the incidents mentioned in the indictment against Ratko Mladic. A Serb woman was killed on 4 February 1994 in the shelling of Dobrinja. Five of her compatriots were killed the next day in the first Markale massacre. The prosecution tendered into evidence a number of documents such as the death certificates and crime scene reports. The witness, on the other hand, clung to the minutest discrepancies; one such discrepancy concerns the name of a victim's father, reported variously as Djordjo and Corco. Without 'further checks' the witness felt he was unable to say anything more specific.

The list of 3,300 dead Sarajevo Serbs contains the name of Ratka Bilcar. According to the Republika Srpska MUP reports, Bilcar was killed in April 1993 at a check point when she tried to leave the city. The prosecutor obtained an official note of the Bosnian Agency for Investigation and Documentation which contradicts this information. The note is a record of an interview with Dusan Bilcar, Ratka's brother. According to the document, Ratka Bilcar was killed by a sniper who fired from the Serb positions. Tusevljak said that in his view the note was not filed properly and the interview may have been conducted under duress.

Today a document drafted by the Sarajevo-Romanija Corps military prosecution office was admitted into evidence. According to the document, Novo Forcula, whose name is also on Tusevljak's list, was killed by a VRS soldier. The witness didn't deny it. Zelimir Knezevic is also listed as a Serb victim from Sarajevo. The prosecutor produced evidence showing that a Serb soldier by the name of Veselin Vlahovic Batko had taken Knezevic away in a green Opel car in mid-June 1992. Vlahovic's nickname was 'Monster from Grbavica'. Tusevljak told the prosecutor that his victim list did not identify the perpetrators. In late 1992, the police were about to mount a 'serious action' to arrest Vlahovic but he fled, Tusevljak explained. 'If he had remained in Grbavica, we would have arrested him without giving it a second thought', said the witness.

Radmila and Tanja Bjelica are also on the victim list. According to the VRS records, Radmila and Tanja Bjelica were communications officers in the Sarajevo-Romanija Corps. In a bid to justify their inclusion among the war crimes victims, Tusevljak said the two women had been killed during a ceasefire.

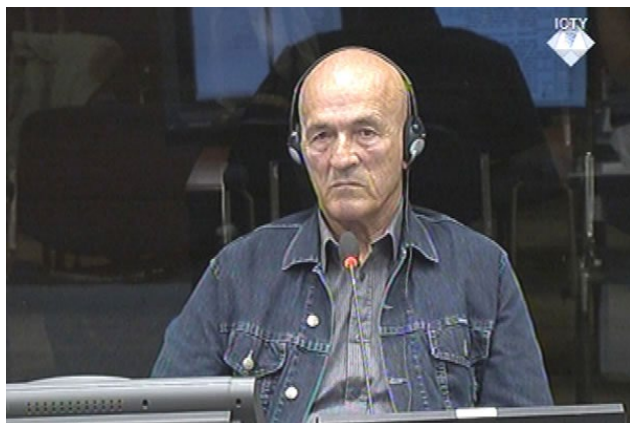
Former chief of the crime police in the Romanija-Birac public security center thus completed his evidence after four days. Mladjen Kenjic is expected to begin his testimony tomorrow. During the war Kenjic was Mladic's driver.

2015-09-02

THE HAGUE

MLADIC'S TRIP FROM CRNA RIJEKA TO BELGRADE

At Ratko Mladić's trial, the defense called his former driver Mladjen Kenjic as a witness. Kenjic claims he drove the former Main Staff commander to Belgrade on 14 July 1995. According to the witness, he drove Mladić back from Belgrade to Crna Rijeka on 17 July 1995 at noon. Kenjic claimed that they didn't stop anywhere along the road. They did not see anything out of the ordinary on their trip, Kenjic told the judges



◀ Mladjen Kenjic, defence witness at Ratko Mladić trial

Ratko Mladić's trial continued with the testimony of Mladjen Kenjic, Mladić's former driver. In his statement to the defense of the former VRS Main Staff commander, Kenjic recounted that he was Mladić's driver from May 1992 to May 2002, including while Mladić was on the run after he was indicted by the Tribunal.

As he was questioned by defense counsel Miodrag Stojanovic, Kenjic confirmed that he drove Mladić from Crna Rijeka to Belgrade on 14 July 1995 in a Ford Taurus. The car was fitted with special communications equipment. After three nights in Belgrade, the witness drove Mladić back to Crna Rijeka. According to Kenjic, they returned around noon on 17 July 1995.

In his replies to prosecutor Peter MacCloskey, Kenjic confirmed that Mladić and he travelled to Belgrade via Vlasenica, Milici, Zvornik, Karakaj and Sabac. On 14 July 1995, a large number of Srebrenica civilians and soldiers were moving along that road heading toward the territory under the BH Army control, the prosecutor noted. Kenjic was adamant that he hadn't seen anyone and that everything had seemed as usual. Kenjic saw no columns of buses and trucks transporting thousands of prisoners to the Zvornik area. The prosecutor went on to list all the events happening that day along Mladić's and Kenjic's travel route. There were killings in Konjević Polje as well as mass executions in Kravica, on the Jadar river bank and in a field near Orahovac. Prisoners were detained in schools in Petkovci, Rocevic and Pilica, the prosecutor recalled. The witness said that he didn't see or hear any of that.

In his statement to the defense and in his evidence before the judges, Kenjic claimed that on 16 July 1995 at around 6pm he took Mladić and his wife home from the wedding lunch. The accused and his wife changed and then Kenjic drove them to a meeting in the Military Medical Academy. The prosecution alleges that Mladić returned to the Main Staff in the evening of 16 July 1995 and not on 17 July 1995 at noon. Today the prosecutor quoted for the first time an intercepted conversation between Mladić and a man nicknamed Dule. The conversation took place in the morning of 16 July 1995. 'Dule, see you tonight', Mladić said in the intercept. According to the prosecutor, Dule was Dusan Maran, a helicopter pilot who was at Mladić's disposal. On 16 July 1995, Mladić flew from the Military Medical Academy heliport to Zvornik and took a car from there to Crna Rijeka, the prosecutor alleged. Kenjic denied the claims.

Kenjic was the last defense witness for this week. The trial of Ratko Mladić continues on Monday, 7 September 2015.

2015-09-07

THE HAGUE

OFFICIAL VS. SUBJECTIVE CONCLUSIONS ON MARKALE

Former assistant to Sergio de Mello testified at the trial of Ratko Mladić about the 'official' results of the investigation into the first Markale massacre. The witness also shared with the judges his own 'subjective' opinion about who was responsible for the 66 dead and more than 140 injured citizens of Sarajevo

The trial of the former VRS Main Staff commander Ratko Mladić continued with the evidence of John Russell. The witness was an assistant to Sergio de Mello, head of the UN civilian mission in Sarajevo. Russell was involved in the investigation of the first massacre at the Markale town market in Sarajevo in February 1994, when a 120-mm mortar shell killed 66 and injured more than 140 Sarajevo citizens.

In the examination-in-chief Russell said that on 5 February 1994 in the afternoon he carried out a crime scene investigation at the site of the explosion. Russell established that it was 'impossible to determine which side had fired the deadly missile'. Soon after the investigation Russell heard the CNN report that the shell was fired from the Bosnian Serb positions. In Russell's opinion, that was a 'propaganda-based conclusion'. Russell noted in his diary that the 'Bosnian side fired the shell at its own people'. The defense tendered Russell's diary into evidence.



◀ John Russell, defence witness at Ratko Mladic trial

Judge Moloto asked Russell to explain how he was able to reach the conclusion he recorded in his diary on the basis of the official report. In the official report, Russell concluded it was not possible to establish which side had fired the projectile, but then went on to blame the Bosnian side for the incident in his diary entry. The witness replied that the conclusion in his diary was his 'subjective opinion'.

Prosecutor Adam Weber noted that on the day before the Markale massacre Sergio de Mello met with Radovan Karadzic and protested against the Serb side's 'disproportionate fire' on Sarajevo. Karadzic agreed that the fire was disproportionate and promised to discuss

the issue with General Stanislav Galic, commander of the Sarajevo-Romanija Corps. Although he had attended the meeting, Russell at first said that 'both sides opened fire at each other'. When the prosecutor confronted the witness with a number of UN military observers' reports the witness changed his mind. According to the UN military reports, in the short period from 19 to 24 December the Serb side fired 5,536 shells. Russell did admit that it was 'disproportionate' after all.

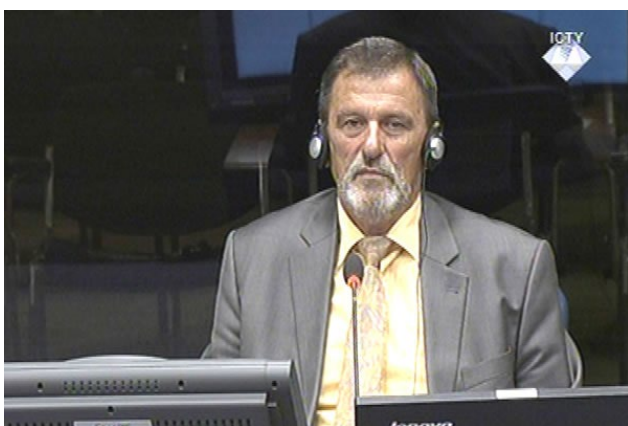
Russell confirmed that he used Soviet firing tables when he analyzed the Markale crater. The former JNA used different tables. Just as he had at Radovan Karadzic's trial, the witness once again confirmed that the shell that hit Markale could have been fired from a distance of between 900 meters and 4800 meters— depending on the explosive charge used.

2015-09-08

THE HAGUE

NICE HOLIDAY IN VRS CAPTIVITY

Ratko Mladic's defense has labeled the UN staff who were taken hostage by the VRS 'prisoners of war'. In order to support the claim, the defense called Radoje Vojvodic. From 26 May to 18 June 1995, Vojvodic was in charge of keeping the captive UN staff safe, healthy, fed and entertained. He also made sure they could regularly take walks in a park



◀ Radoje Vojvodic, defence witness at Ratko Mladic trial

One of the charges against Ratko Mladic is that the forces under his command took UN staff hostage in May and June 1995 to force NATO to stop bombing VRS targets. In an attempt to show that the UN staff were not hostages but prisoners of war, Mladic's defense called Radoje Vojvodic, former assistant for security in the 27th Logistics Base of the Main Staff.

The defense counsel read out the summary of Vojvodic's statement. On 26 May 1995, 'unidentified armed persons' handed over to Vojvodic several UN members, in accordance with an order issued by General Zdravko Tolimir. The UN members had previously been tied to the poles in front of the ammunition depot in Jahorinski Potok. Vojvodic was told that they were 'prisoners of war'

who had joined the enemy and who possibly acted as spotters for NATO planes as they attacked VRS targets.

According to Vojvodic, he 'did all I could to ensure that the prisoners would keep their dignity according to international law'. Vojvodic brought them 'water, toilet paper and a TV' and found beds and a sitting room for them. They were free to take a walk in a nearby park, to rest and sit in benches and to shelter from the sun. When they complained about the food, Vojvodic recounted, he took them to a neighboring marketplace where they bought fruit and even video tapes.

Vojvodic said that the representatives of the International Red Cross visited the prisoners twice. Also, the prisoners were examined by doctors on his orders. The doctors diagnosed one of the prisoners with depression. Fearing that the man, who was from Spain and who had 'reacted very emotionally' to his captivity, might 'commit suicide' Vojvodic set him free. Vojvodic handed over the remaining prisoners to Major Indjic on 18 June 1995 in the presence of Nikola Koljevic and Jovica Stanisic from Serbia. Koljevic was a member of the RS Presidency. When his task ended, Vojvodic took his leave of the men with a 'friendly salute', 'a handshake' and a recommendation that the men should forget 'the time that in all likelihood was very unpleasant for them'. The witness stressed that the prisoners were 'neither physically nor mentally in any danger'.

In the cross-examination, prosecutor Jeremy contested the allegation, putting it to the witness that the UN staff were

told they would die if NATO strikes continued. According to the witness, tying people to a pole was a 'military ruse' to make NATO stop further attacks. Judge Moloto insisted that Vojvodic reply whether exposing a person to danger to die was 'illegal' or at least contrary to 'common sense'. The witness was evasive, saying that he didn't know the law and that the war was a 'senseless thing'. The VRS soldiers were stationed near the hostages who were tied to the poles, Vojvodic claimed. 'Is tying a person to a pole in an area where you expect an air strike to happen a correct thing to do', Judge Moloto asked. Vojvodic said that he 'cannot give a brief answer'.

Vojvodic was again evasive when he was asked to identify the persons that had handed the UNPROFOR members to him. He did not say why he had not set the UN members free and whether Mladic threatened to 'kill the observers if there were any further air strikes'. The witness claimed that he had no knowledge of VRS Main Staff documents dated 30 May 1995 in which Mladic ordered his troops 'to place UNPROFOR staff next to facilities to be targeted by NATO air strikes' to prevent further bombing. The prosecutor put it to the witness that the hostages didn't enjoy 'a nice holiday' with Vojvodic. According to the prosecutor, the UN hostages were so 'frustrated' that they threatened to take Vojvodic to court, as some of them testified at the Tribunal. 'They demanded from me things that were beyond my powers', Mladic's witness concluded.

2015-09-09

THE HAGUE

DEFENSE: NIKOLIC INVENTED STORY ABOUT MLADIC'S HAND GESTURE

In his evidence at Ratko Mladic's trial as well as at several other trials before the Tribunal, Momir Nikolic claimed that after the fall of Srebrenica the accused general had made a hand gesture to let Nikolic know that the Bosniak prisoners would be killed. Nikolic was the chief of security in the Bratunac Brigade. In the examination-in-chief of former OTP investigator Bruce Bursik the defense suggested that Nikolic had invented the story



◀ Bruce Bursik, defence witness at Ratko Mladic trial

Ratko Mladic's defense denies that he was involved in the planning and execution of the Srebrenica genocide in July 1995. The defense argues that Mladic only commanded the military operation to capture the enclave. Mladic was in Belgrade during the mass executions of Muslim prisoners, the defense contends. There are some flies in their ointment, though, first and foremost the testimony of Momir Nikolic. The Bratunac Brigade chief of security testified as a Bosnian Serb military insider witness and pleaded guilty to the Srebrenica crimes. Nikolic claimed that on 13 July 1995 in Konjevic Polje he asked Mladic what would happen with the captured men and boys. Mladic made a gesture with his hand 'from left to right at hip height', making it clear to Nikolic that the detainees would be executed.

The defense denied the authenticity of Nikolic's admission and testimony, particularly the claim about the hand gesture. Today the defense called Bruce Bursik, former OTP investigator, to the witness stand to corroborate its case. Nikolic first mentioned the non-verbal communication of the accused about the execution of the prisoners in front of Bursik in late May 2003. The witness wrote a report about the interview on 23 June 2003.

Defense counsel Branko Lukic noted that in the document entitled the Statement of Facts and Acceptance of Responsibility dated 6 May 2006 Nikolic made no mention of Mladic's hand gesture. The witness agreed and confirmed that Nikolic never mentioned the detail, not even when he was interviewed by the investigators a couple of days before the statement was signed. As the hearing drew to a close, prosecutor Abeer Hasan cross-examined the witness briefly. As he noted, the witness wrote in his report that Nikolic was interviewed in late May 2003 to provide additional information to the Statement of Facts and the Acceptance of Responsibility. The two documents should therefore be read as one, the prosecutor suggested and the witness agreed.

The defense went on to suggest that in his interviews, statements, acceptance of responsibility and testimony Momir Nikolic provided questionable information. Nikolic often changed and amended his claims, the defense noted. The witness confirmed that the investigators had to contend with that. The witness was under the impression that the 'most of what Nikolic said was true, but he didn't say all that he knew'.

One of the things Nikolic first confessed to and then recanted was that he had ordered the execution in Kravica. About 1,000 captured Bosniaks were executed there on 13 July 1995. In an interview in late May 2003 Nikolic told the investigators that he had personally ordered the execution and Bursik duly wrote it down in his report. Now he knows that Nikolic later denied his own claim. As arranged in his plea agreement, Nikolic was sentenced to 20 years in prison. Other high-ranking officers in the VRS security service: generals Tolimir and Beara in the Main Staff and Vujadin Popovic in the Drina Brigade, were sentenced to life imprisonment in separate trials. Drago Nikolic, chief of security in the Zvornik Brigade, got 35 years in prison.

The trial of Ratko Mladic continues on Tuesday.

2015-09-15

THE HAGUE

DENYING FACTS ABOUT MARKALE MASSACRE

Paul Conway, former Irish UN military observer in Sarajevo, has testified at the trial of Ratko Mladic. On 28 August 1995, the day of the Markale market massacre, Conway heard several subdued explosions and saw smoke rising up in that part of the city



◀ Paul Conway, defence witness at Ratko Mladic trial

Irish major Paul Conway, former UN military observer in Sarajevo, testified at the trial of former commander of the VRS Main Staff Ratko Mladic. The defense wants Conway's evidence to bolster its case, which is that the Serb side was not responsible for the Markale incident. As alleged in the indictment, 43 Sarajevo citizens were killed and 75 were injured when a 120-mm mortar shell exploded at the market on 28 August 1995.

According to the summary of the statement Conway gave to the defense of Radovan Karadzic, former Republika Srpska president, he took up his position at the observation post in Sedrenik in the morning of 28 August 1995. About 11am Conway heard several

subdued explosions and saw smoke rising up in the air in the part of Sarajevo where the Markale market is. The witness wasn't able to determine by the sound if the shells had been fired into the city or from it.

In the statement - admitted into evidence as Mladic's defense exhibit - Conway also said that several months later he saw four BH Army mortars on the hill slopes in the southern parts of the city. They were actually trained at the city. It was in December 1995 or in January 1996 and Conway was on a field visit as an officer in the UNMO Main Staff. When he went to the area to have a closer look, the BH Army soldiers stopped him, saying that a military drill was underway.

As he was questioned by prosecutor Carolyn Edgerton, Conway said that the weapons were 120mm mortars. Conway wasn't involved in any of the investigations into the Markale incident, but he nevertheless reported his observations to Dutch lieutenant colonel Harry Konings. At the time of the incident Konings was Conway's superior.

Konings was involved in the investigation of the Markale incident and he testified about it in several cases at the Tribunal, including the trials of Dragomir Milosevic, Momcilo Perisic and Radovan Karadzic. In his evidence at the Karadzic trial, Konings noted that all the findings of the investigations conducted by the UN military observers, UNPROFOR and the local police led to the conclusion that the projectile had been fired from the VRS positions.

The prosecution alleges that the deadly shell was fired from the VRS positions on Mount Trebevic.

2015-09-16

THE HAGUE

PROVING MLADIC'S ALIBI

Witness Radovan Popovic, former journalist of the Vojska magazine, claimed in his evidence that on 16 July 1995 - amid the executions of Srebrenica men and boys - Ratko Mladic was in Belgrade as the best man at the wedding of Biljana and Zarko Stojkovic. What did the Vojska journalist know about executions at Branjevo?



◀ Radovan Popovic, defence witness at Ratko Mladic trial

In a bid to prove the alibi of the former VRS Main Staff commander Ratko Mladic for 16 July 1995 the defense called Radovan Popovic, who was a journalist for the Vojska magazine.

Defense counsel Miodrag Stojanovic read out the summary of Popovic's written statement. The witness worked with Biljana Stojkovic who asked him to make a video of her wedding on 16 July 1995. That day, from the morning hours to 5pm Popovic filmed the wedding celebration: the ceremony in the church, the photo call with the newlyweds, tossing of the bouquet and the arrival of the best man Ratko Mladic and his wife Bosiljka to the party in the Belgrade restaurant Two Fishermen.

When he recorded the full 180 minutes on a video cassette, at about 5pm, Popovic went to the Zeleni Venac town market to buy another tape. When Popovic returned to the restaurant, the best men and his wife had already left.

Prosecutor McCloskey put it to the witness in the cross-examination that he was not able to remember for sure after 20 years when exactly he had used up the video tape and left the restaurant to get a new one. Popovic replied that it was 'exactly at 5pm' and he remembered it because he has 'photographic memory'.

Popovic claimed that he had kept an eye on Mladic all the time. The accused didn't leave the restaurant or indeed the room where the meal was served, not even to go to the toilet. Because of his experience as a professional cameraman Popovic 'kept looking around the wedding hall' in search of the newlyweds and the best man, while his camera was set to automatically record other events, such as the wedding guests dancing. He did it because he did not want to 'miss some important detail or some wedding custom', Popovic noted.

The prosecutor also decided to make use of the witness's photographic memory to establish if he remembered seeing Mladic smoke and drink. Also, the prosecutor asked the witness if Mladic talked to someone from the Main Staff over the phone at 4:15pm on 16 July 1995. Popovic replied that he didn't see it.

Since the witness worked as a journalist for the Vojska magazine, the prosecutor asked him if he had heard of the 'slaughter' at the Branjevo military farm on 16 July 1995. The execution was underway while the witness was at the wedding. Popovic replied that he was 'aware of what was going on in those days around Srebrenica and that many people were killed'. Popovic didn't 'investigate the details' because the 'editor-in-chief never asked' him to do it. As the witness put it, that was a 'taboo topic' and he learned about the 'terrible things' only much later.

The prosecution doesn't contest that Mladic was at the wedding in Belgrade. According to the prosecution, Mladic left the restaurant early, at about 3 or 4pm and returned to Crna Rijeka in the evening of 16 July 1995. The defense claims that Mladic spent that night in Belgrade and came back to the Main Staff only the day after. As alleged by the defense, Mladic didn't have the means to communicate with his subordinated units in the field which took part in the executions. The prosecution contends that Mladic was kept abreast at all times about the events in Srebrenica.

2015-09-17

THE HAGUE

MARKALE HIT BY SHELL THROWN FROM WINDOW

A Canadian intelligence officer, who is testifying with measures to protect his identity, corroborated Mladic's claim that the Muslims shelled their own people in order to be able to blame the incidents on Serbs. The witness claimed that the shell that caused the first Markale town market massacre was thrown out of a nearby window. In the cross-examination it turned out that the shell was too heavy and the building too far away from the town market for his claim to be credible



◀ Photo of the Markale 1 masacr on 5th Februari 1994

Ratko Mladic's defense continued with the evidence of a protected witness, who testified under the pseudonym GRM 037 and with voice and image distortion. From November 1994 to July 1995 the witness – a Canadian intelligence analyst – worked in the UNPROFOR headquarters in Zagreb. Two representatives of the Canadian Department of Defense were present during his testimony to prevent possible disclosure of any information relevant for national security.

The witness had already testified at Radovan Karadzic's trial. In his statement to Karadzic's defense the witness stated that among the 'Western-leaning' intelligence community 'it was generally held' that the Muslims were responsible for some of the worst shelling incidents in

Sarajevo. According to the witness, the intelligence officers believed that the Muslims would kill their own civilians in order to blame the Bosnian Serb army and provoke an international military intervention.

The witness accuses the Muslims of shelling the Markale town market in February 1994. He alleges that the shell was tossed out of a nearby window. Sixty-six persons were killed in the incident and 140 were wounded. As witness claimed, when he arrived in Zagreb on his tour of duty, a US sergeant showed him a photo of a person throwing a shell out of the window. Later it turned out that the witness was able to see the photo from a distance of about three or four meters and only for a brief moment. Actually, the witness couldn't clearly see the contents of the photo. The witness took the word of the American who said that the photo showed a shell being tossed out of the window on the town market. The witness didn't remember who the American was and wasn't able to tell the names of other participants of the Zagreb meeting. In fact, the witness was unable to identify a single source of his information. After the second Markale attack in August 1995, a Canadian officer told the witness that the shell had been tracked by the UNPROFOR radar system, but it was impossible to determine where the shell had been fired from.

In fact, the only names the witness did mention were movie characters. The witness thus said that the international

observers 'snuck around and snooped like James Bond' in a bid to collect intelligence about the Serb positions and send it to NATO. As the witness put it, some of the observers were armed 'like Rambo'. This made them legitimate targets if NATO decided to launch strikes against Mladić's military positions, the witness said. His evidence aided the defense's effort to justify one of the four joint criminal enterprises listed in the indictment – taking UN personnel hostage in the spring of 1995.

Prosecutor File put it to the witness in the cross-examination that his scenario about the Markale incident was not realistic. An artillery shell cannot explode if it is not fired from its weapon because detonators will not be activated. The witness explained that some Russian grenades could explode upon impact without the activation of the detonators. The shell that hit the Markale town market was indeed manufactured in Russia, the witness claimed. The prosecutor obviously was not impressed by the Canadian intelligence officer's allegations as he took less than 20 minutes to complete the cross-examination.

When he was questioned by Judge Orić, the witness said that the Russian shell in question weighed between 13 and 23 kg and that it was possible to toss it on the town market because the building was less than a meter away from the impact site. The witness then marked the building on a photograph, prompting the presiding judge to note that the building was 'meters and meters and meters' away from the site where the shell fell. The witness agreed with the presiding judge, thus contradicting his earlier claim about the Markale shelling.

Ratko Mladić's trial continues on Monday.

2015-09-21

THE HAGUE

WITNESS CONCLUDES THERE ARE NO RELIABLE CONCLUSIONS

Canadian military officer Michel Gauthier testified at Ratko Mladić's trial via video link. He was the leader of an UNPROFOR team that investigated the incident in which a mortar shell hit the Markale market in Sarajevo on 5 February 1994. The investigators concluded that it was impossible to draw any conclusions as to which warring faction had fired the fatal shell that killed 66 and wounded 140 residents of Sarajevo.



◀ Michel Gauthier, defence witness at Ratko Mladić trial

Today, Mladić's defense tendered into evidence the written statement that the Canadian military officer Michel Gauthier gave to Radovan Karadžić's defense in 2011. According to the summary of the statement read out in court, on 11 February 1994 Gauthier left the UNPROFOR HQ in Zagreb to go to Sarajevo, six days after the Markale market massacre. After an on-site investigation and the examination of all the available evidence, he concluded that the findings of the French Battalion were 'unreliable' because the investigators had used 'unconventional methods' when they determined the azimuth. Furthermore, when the French soldiers extracted the stabilizer fins from the ground, they made the hole bigger and therefore the crater analysis did not yield reliable results.

The official report filed by Gauthier's team on 15 February 1994 states that a 120-mm mortar shell exploded at the Markale market. The shell could have been fired by either of the warring factions because the mortar could have been placed anywhere between 300 and 5,500 meters away from the impact site. The shell could have been fired from both the area held by the BH Army and the territory controlled by the VRS Sarajevo-Romanija Corps.

As he was questioned by Mladić's defense counsel Dragan Ivetić, Gauthier said the conclusion would remain the same regardless of whether it was possible to hear the sound of the shell being fired or not. The make of the shell would be immaterial too, because both sides could and did capture weapons and ordinance from their enemies. Furthermore, the UN military observers had restricted freedom of movement and did not know the locations of all the mortar emplacements. When the defense lawyer asked him if he had heard rumors in the UN to the effect that the Bosnian side was responsible for the incident, the witness said he had not heard any 'useful information' that would appear to corroborate that version of events.

In the cross-examination, Gauthier confirmed that the investigation determined that the Markale explosion had not been caused by an explosive device planted at the site or thrown out of a nearby window. He added that before impacting the ground, the shell did not touch any of the stalls. He agreed with the prosecutor that the UN military observers could move around freely on the Bosnian side. He did say, however, that it was impossible to check all the mortar emplacements along the path of the fatal shell. Gauthier did not change his evidence from the Karadžić trial, when he said that estimated angle of fire coincides with the positions where the Kosevo Brigade of the SRK had its mortar emplacements at Mrkovici.

The trial will continue tomorrow with the evidence of the defense ballistics expert Zorica Subotić.

2015-09-22

THE HAGUE

DEFENSE: 'DEFICIENT' EVIDENCE ON BREAD QUEUE MASSACRE

Ratko Mladic's defense continued its case with the evidence of Zorica Subotic, a ballistic expert from Belgrade, in a bid to deny that the Serb forces were to blame for the artillery terror campaign against Sarajevo. One of the artillery incidents was the bread queue massacre in Vase Miskina Street on 27 May 1992



◀ Zorica Subotic, defence witness at Ratko Mladic trial

The trial of Ratko Mladic, former commander of the Republika Srpska Army Main Staff, continued with the evidence of Zorica Subotic, a ballistic expert from Belgrade. Through Subotic's testimony the defense will try to contest the allegations related to the artillery terror campaign against Sarajevo and its citizens. In the first part of the examination the defense focused on the attack on the bread queue in Vase Miskina Street on 27 May 1992. Twenty-six persons were killed and 108 were wounded in the incident.

The Vase Miskina Street incident is not listed among the incidents Mladic is charged with. The prosecution has referred to the massacre in the course of its case

as being illustrative of the artillery terror against Sarajevo. At the beginning of the defense case Milorad Bukva, a security officer from the VRS military barracks in Lukavica, argued that an explosive device planted across the road from the shop had caused the massacre. Now the defense's ballistic expert claimed that an 82-mm mortar shell had been fired from the distance of about 100 to 120 meters, from the territory under the BH Army control.

In her expert report Zorica Subotic noted that the evidence on the Vase Miskina Street incident collected by the Sarajevo investigators was deficient. According to her, the police report on the incident was not written at the crime scene. It was in fact signed after the scene was cleared and it was attached to the incident file only in August 1992. Also, the expert claimed that two shells had fallen in Vase Miskina Street while the documents she was able to consult in the course of her research mentioned only one shell. Also, Subotic established that there were 'discrepancies' as regards the number and identity of the victims between the police report and the memorial erected at the site of the incident.

The defense played a video of the crime scene taken by the police on the day of the massacre. The shell crater in the footage was not the same the crater Subotic and her assistant examine in September 2010. Subotic and her assistant came to the same conclusion when they compared the photo of the crater taken by the Sarajevo police and the crater seen in the footage made when cello player Vedran Smajlovic performed in Vase Miskina Street.

The defense also showed a TV report on snipers firing at the scene while the injured were receiving first aid. The incident took place among 'high-rise buildings', the witness noted. In Subotic's opinion, it was therefore impossible for the location to be targeted by Serb snipers. According to the witness, the nearest Serb positions were about 1,700 or 1,800 meters away.

As Zorica Subotic continued her evidence she talked about her findings on the Dobrinja incident on 1 June 1993, when football players and fans were shelled during a football match. Subotic will continue her testimony tomorrow.

2015-09-23

THE HAGUE

EXPERT CONTESTS RESPONSIBILITY FOR ARTILLERY INCIDENTS

Ballistic expert Zorica Subotic continued her evidence. In the second day of her testimony, the defense of the former VRS Main Staff Ratko Mladic continued to contest the allegations related to the artillery terror campaign in Sarajevo. According to the expert witness, the investigations the prosecution has relied upon were either delayed or conducted in a wrong location and in a wrong way

As ballistic expert Zorica Subotic continued her evidence Ratko Mladic's defense focused on three incidents. More than 10 people were killed and 100 were injured when a shell hit an area where people were watching a football match in Dobrinja on 1 June 1993. On 12 July 1994, 13 people were killed and 14 wounded in an attack on a water queue in Spasenije Cane Babovic Street in Dobrinja. On 22 January 1994, six children were killed when they went sleighing in Alipasino Polje; five adults were wounded.



◀ Zorica Subotic, defence witness at Ratko Mladic trial

The prosecution alleges that in all three incidents, the deadly shells were fired from the positions held by Mladic's forces. The rounds that fell among the football players and spectators were fired from the north-northwest while the projectiles that killed the children came in from the west. The defense contests these claims arguing that the investigations were carried out at wrong places using wrong methodology or were not carried out soon enough.

According to the defense expert, the investigation of the shelling at the football match in Dobrinja was conducted at the request of the International Criminal Tribunal for the former Yugoslavia, 'two years late', on 21 November

1995. Also, the investigation focused on the 'wrong location'. The incident happened in the playground near a parking lot, while the investigators examined the parking lot, Subotic argued. She referred to witness statements and to the physical evidence she had either seen at the crime scene or in the documents available to her.

The investigation of the shelling of the water queue in Spasenije Cane Babovic Street was conducted by the Sarajevo Security Services Center. In Zorica Subotic's opinion, the method used to determine the place of impact was 'non-existent'. Because the shell had hit a person who was thrown aside, one of the Security Services Center investigators determined the place of impact and the direction of the shell using the dispersion of the shrapnel. Subotic used the photos of the site to establish a different direction from which the projectile had come, concluding that it came from the area controlled by the BH Army.

Subotic analyzed the shelling in Alipasino Polje, too. In this case, her findings were similar to the conclusions of a UN team headed by Captain Verdi. The area was hit by 120-mm shells fired from the southwest. According to Subotic, the calculations produced by the UNPROFOR team were correct, but they presented their findings on wrong photos. When that mistake was corrected, it turned out that the shells had been fired from the territories under the BH Army control. The prosecution argues that the rounds came from the area controlled by the VRS.

Zorica Subotic continues her evidence on Monday, 28 September 2015.

2015-09-28

THE HAGUE

BALLISTIC SCIENCE IN MLADIC'S DEFENSE

Mladic's ballistics expert had a brief warm-up session today before getting down to the most important part of her evidence which will focus on the shelling of the Markale town market in Sarajevo. She will discuss the incidents tomorrow. Zorica Subotic denied that the Bosnian Serb army was responsible for an attack on a humanitarian aid queue in Dobrinja and other artillery attacks on Sarajevo citizens. According to Subotic, the attacks were either staged or the shells were fired from the BH Army positions



◀ Zorica Subotic, defence witness at Ratko Mladic trial

The defense continued the examination of their ballistics expert Zorica Subotic today in a bid to challenge the prosecution's evidence on the indiscriminate shelling of Sarajevo during the 44-month siege of the city from 1992 to 1995. The indictment qualifies the crimes as part of one of the four joint criminal enterprises involving General Ratko Mladic. Today, the witness again tried to convince the Trial Chamber that the Bosnian Serb army and its commander who is now on trial could not have been responsible for the artillery incidents that were part of the prosecution's case.

The first incident discussed today was the artillery attack on Dobrinja on 4 February 1994. As alleged in the indictment, a shell fell among the people queuing for humanitarian aid in Oslobodilaca Sarajeva Street. Soon afterwards, two more shells hit a makeshift market place nearby. Eight Sarajevans were killed and at least 18 were wounded. The defense witness challenged the prosecution's case that the Serb side was responsible for the attack, claiming that the Bosnian investigators were wrong by 60 degrees when they measured the direction from which the shells had been fired. As a result, all the conclusions reached by the Bosnian investigators were wrong. According to the witness, the shell was fired from the BH Army positions.

The next incident on the list was the attack on the Bascarsija flea market on 22 December 1994, in which two persons were killed and seven were injured. The Bosnian police made mistakes in their investigation of the incident too, the expert claimed, because 'the traces in the ground didn't correspond with the weapon that was used according to them'. Subotic established that the incident had been 'staged'. In her opinion, all the evidence pointed to the conclusion that 'no projectile had impacted on the flea market'.

The witness analyzed the results of the Bosnian investigation of the attack on the water queue in the Simon Bolivar school in Dobrinja on 18 June 1995, noting that she found 'an astonishing number of inconsistencies and errors'. The witness contested the allegation that Mladić's army was to blame for the shelling of civilians in Livanjska Street in Sarajevo on 8 November 1994. Zorica Subotic recalled that UNPROFOR was prohibited from investigating the incident in the immediate aftermath. UNPROFOR officials were able to examine the scene the following day and they determined that the BH Army was responsible for the attack.

The attack on Dobrinja, which was discussed at the beginning of the hearing today, is the only incident which is actually listed in the indictment against Mladić. Because the prosecution called evidence on the other incidents Mladić is not charged with, the defense wanted to respond to this evidence. Most of the hearing today was consequently just a warm-up before the defense ballistics expert really got down to the real issue: the two artillery attacks on the Markale town market. Defense counsel Branko Lukic indicated that the incidents would be on the agenda tomorrow.

2015-09-29

THE HAGUE

FOCUS ON MARKALE FOR MLADIĆ'S EXPERT

Ballistic expert Zorica Subotic denies that Ratko Mladić's army was responsible for the first attack on the Markale market on 5 February 1994. The shell was not fired at all, it had been planted on the ground, the expert claims. According to Subotic, the device was well hidden and activated on the ground

Denying the responsibility of Mladić and his troops for the attacks on the Markale market is the key part in the defense case when it comes to the charges of the artillery terror campaign against the citizens of Sarajevo during the four-year siege. The first Markale incident happened on 5 February 1994 when 66 persons were killed and more than 140 were wounded. On 28 August 1995 Markale was attacked again: 43 Sarajevo citizens died in the attack and 75 were injured. According to the defense, neither of the two deadly shells was fired from the Bosnian Serb positions. Today Zorica Subotic, Mladić's ballistics expert, tried to corroborate the defense case.

In her testimony on the first Markale incident Subotic said that the number of casualties was 'astonishingly large'. Also, Subotic noted, the casualties were incompatible with the destructive power of a 120-mm shell. In the expert's view, it was virtually impossible for both shells to hit precisely the area in the market where most of the people were thronged at the moment. Subotic dedicated a part of her report to 'the very unprofessional and improper' investigation into the incidents undertaken by the Bosnian side.

Subotic found it strange that no one on the investigation team noticed a heap of some material surrounding the place where the shell had hit the ground. The shockwave would have 'blown everything away', Subotic explained. Also, according to the expert's analysis, the Bosnian investigators determined the incoming angle with a 'ballistic method that didn't exist'. Moreover, the Bosnian investigators didn't try to establish the minimum incoming angle of the shell, Subotic stressed. This is important because it lets the investigators conclude if the shell could avoid some obstacles during its flight, such as the surrounding buildings and the market stall roofs in this case.

In her expert analysis, the witness noticed that the position of stabilizers shown on photos taken during the Bosnian crime scene investigation didn't match the position documented in the exhibits. A shell stabilizer was brought into the courtroom and the judges could see that its central part could be unscrewed and moved with a ball point pen. The expert claimed that it was 'technically impossible' to do so under normal circumstances. While she worked with Radovan Karadzic's defense, she wasn't able to move the stabilizer, Subotic noted. That was a signal to the defense that someone had tampered with this crucial bit of evidence. Finally, as the expert explained, the shell remains did not show any traces that would be consistent with it having 'penetrated' the asphalt. The only damage looked as if it had been inflicted with a file.

Based on all those elements, Mladić's expert witness concluded that the shell that exploded in the Markale Town Market on 5 February 1994 hadn't been fired from somewhere else. On the contrary, according to Subotic, the projectile had been planted there and was activated on the ground 'using electricity or a TNT charge'. The presiding judge asked the expert how the people in the market place could not have noticed the shell that had allegedly been planted there. The judge asked how could the stall workers and shoppers have just stood there waiting for the shell to explode, if it was there in plain sight. The shell was placed on some sort of a stand, with a box on top; for God's sake, it is a market place, then it becomes invisible', the witness explained.

As the hearing drew to a close, the witness began presenting her criticism of the prosecution's investigation into the second shelling of Markale on 28 August 2015 and its allegations that Mladić's troops were again to blame.

2015-09-30

THE HAGUE

MLADIC'S EXPERT: 'SOWS' WERE ACCURATE, MARKALE MASSACRE WAS STAGED

Mladić's ballistics expert Zorica Subotic claims that the second attack on the Markale town market was staged. At least one of the dead bodies had been 'brought there from somewhere else', Subotic says. On the other hand, Subotic didn't deny that the Bosnian Serb army fired modified air bombs, also known as 'sows', on Sarajevo. Contrary to what the prosecution has claimed, the defense expert is adamant that the sows were 'very accurate'



◀ Zorica Subotic, defence witness at Ratko Mladić trial

Today, Zorica Subotic testified about the second attack on Markale market in Sarajevo. When she spoke about the first attack, the defense ballistics expert claimed that too many people were killed by the shell. She said the same thing today about the second attack. According to Subotic, the number of casualties was incompatible with the destructive power of a 120-mm shell. The first incident occurred on 5 February 1994; the shell killed 66 persons and injured 140. Forty-three persons were killed and 75 were injured on 28 August 1995 in the second incident. This time the investigation carried out by the Bosnian side was 'even less proper and consistent' than the one in February 1994.

A scene from the video footage of the second Markale attack showing a dead or seriously injured man lying bent over a fence near the town market entrance was particularly suspicious, the expert witness noted. It was impossible for the shell impact to have blown him away like that, she said. Also, Subotic stressed that she couldn't find that man on the victim list. Presiding judge Orić asked the defense expert if she knew who that man was. When Subotic replied that she didn't, the presiding judge wondered how she could state a person was not on the victim list if she did not know who that person was. Subotic told Orić that she did not see that person or anyone who resembled him in the photo files pertaining to the Markale 2 victims.

In light of all those factors, Subotic concluded that the man had been 'brought in from somewhere else'. This, she argued, was proof that the incident had been staged. The presiding judge asked the witness how she could be sure about that. The fact that the blood stain under the victim's arm was very small and the position of his body on the fence were clear indications of that, Subotic explained. According to her, in order to be blown away to end up on the fence in that position, the victim had to be hit with his hands up in the air.

As the examination-in-chief went on, the focus shifted on modified air bombs, also known as 'sows'. The prosecution has alleged that this weapon, used in the attacks on Sarajevo during the last year of the war, was inaccurate. Commenting on several incidents which resulted in civilian casualties, the defense expert basically agreed that the air bombs had been fired from the Serb positions. Yet, in Subotic's view, the weapon was in fact 'very accurate'. Subotic tried to prove that every time those projectiles hit civilian buildings in Sarajevo, the actual targets were purported military facilities situated nearby. Instead of hitting a BH Army unit HQ or a weapon and ammunition factory, modified air bombs would always miss the target by an inch and the result would be civilian casualties, Subotic explained.

In a bid to convince the Trial Chamber that sows were accurate, the defense expert mentioned firing tables, which sparked the judges' interest. As it turned out, the firing tables for modified air bomb firing tables were not produced until 2001. The witness nevertheless argued that she had seen them even before they were put to use, at a military training facility in Nikinci in Serbia. Engineers from the Pretis factory in Sarajevo, where modified air bombs were manufactured, were there too. She couldn't remember their names. Subotic didn't see the firing tables after that date and had no idea where one could go to look for them. In the defense expert's opinion, those tables didn't exist anymore. The only thing Subotic could be sure about was that the air bombs proved to be 'extremely accurate' when they were tested in Nikinci.

Tomorrow will be the sixth day of Subotic's testimony.

2015-10-01

THE HAGUE

PROSECUTOR HIGHLIGHTS DEFENSE EXPERT'S ERRORS

At the beginning of the cross-examination of Mladić's witness Zorica Subotic the prosecutor highlighted a number of errors in her reports. Subotic denied in her expert reports that the Bosnian Serb army was to blame for the attacks on civilians during the four-year siege of Sarajevo. The accused was cautioned for inappropriate behavior

On the first day of the cross-examination, the sixth day of Zorica Subotic's evidence, prosecutor Weber spent most of the time critiquing the three reports Subotic has produced. The defense ballistics expert denied in her reports that the Bosnian Serb army under the command of the accused Ratko Mladic was to blame for the artillery terror campaign against the citizens of Sarajevo. The prosecutor suggested that the expert based her conclusions on erroneous premises. The expert's findings were contrary to the prosecution's evidence on the four years of artillery attacks on Sarajevo. This evidence was for the most part based on the findings of Bosnian investigation teams.

The first argument proffered by the prosecutor is that the findings made by the police in the immediate aftermath of the artillery attacks were more reliable than the conclusions reached by the expert witness and her colleagues based on war-time photos and videos and a visit to Sarajevo in 2010. Subotic replied that it was 'all we had' and dismissed the suggestion that it was impossible to reach valid conclusions based on this kind of evidence.

In her first report on the shelling Zorica Subotic concluded that the shell that killed 26 and wounded 108 persons in the bread queue in Vase Miskina Street on 27 May 1992 hadn't been fired from the Bosnian Serb military positions. According to Subotic, the projectile came in from the distance of about 100 meters, which meant that the BH Army was responsible for the attack. The Bosnian Serb military positions were about 1,700 or 1,800 meters away from the place of impact. According to the prosecutor, the witness's conclusions were based on the erroneous application of firing tables because she failed to take into account the height of Mount Trebevic. Subotic rejected the allegation. The prosecutor went on to present an intercepted conversation between Milosav Gagovic and a VRS colonel by the name of Cada, which occurred on 27 May 1992. Gagovic was the commander of the JNA 4th Corps in Sarajevo. In the conversation, they say that a shell fired from Mount Trebevic killed five persons near the Faculty of Economy. Vase Miskina Street is located in that part of Sarajevo. The witness told the prosecutor that she did not have access to that exhibit when she was drafting the report.

Contesting the prosecution's argument that modified air bombs, used by Mladic's army in the last year of the war to attack Sarajevo, were highly indiscriminate weapons, Subotic said the accuracy of modified air bomb 'was comparable to rocket artillery weapons'. In a bid to corroborate her allegation, the expert noted that the firing tables were produced before the weapons came into use. The tables were updated in 2001 in the Military Technical Institute in Belgrade where Subotic was employed, she said. Mirjana Andjelkovic Lukic, who was Subotic's colleague at the Institute and worked with her on the expert reports, said in her evidence in Radovan Karadzic's defense that no firing tables for modified air bombs had ever been made in the Institute, prosecutor said. If any tables had been made, Andjelkovic Lukic would have had to know about them. Mladic's expert witness didn't want to contradict her colleague but was nevertheless unwilling to retract her claim.

At the very end of the hearing today, Mladic made loudly commented against the Registrar's decision not to allow a visit from Mladic's 'war-time friends' who have 'come from afar to see him', as Mladic's lawyer Stojanovic explained. Presiding judge Orié stressed that the defense knew it all too well that a motion could be filed to appeal against the Registrar's decision. At the same time, the presiding judge reprimanded the accused for his loud comments in the courtroom and for communicating with the visitors in the public gallery. 'Your behavior is always contrary to what is expected of you', Judge Orié warned Mladic. The trial continues on Monday.

2015-10-05

THE HAGUE

MISREPRESENTING EVIDENCE OR PAINTING A 'FULL PICTURE' OF SARAJEVO ATTACKS?

Defense ballistics expert Zorica Subotic has altered, concealed or modified the evidence in Ratko Mladic's case to suit her purpose, which is to deny that the Bosnian Serb army was to blame for the artillery attacks on the Sarajevo civilians, the prosecutor noted in the cross-examination. Subotic claims that she has presented all the information in order to make the judges see the 'full picture' of the events

In her three expert reports and in her evidence at Ratko Mladic's trial, defense ballistics expert Zorica Subotic strove to convince the judges that the army under the command of the accused was not responsible for the artillery attacks on the civilians in Sarajevo during the four-year siege. The expert suggested that the incidents had been staged and the shells had been planted. The victims were brought in to the incident sites from somewhere else, Subotic claimed. According to her, if the shells were actually fired from a weapon, those weapons were located on the BH Army positions. Today, the prosecutor tried to contest Subotic's key comments and suggestions.

According to the prosecutor, the witness modified the evidence to suit her purpose, which is to deny the accusation that the Bosnian Serb army was to blame for the shelling of Sarajevo. In order to achieve her goal, the expert deliberately altered or concealed the findings of the Bosnian police and UNPROFOR investigation teams. For example, in some situations the expert claimed that the north had not been correctly marked in the sketches made by an investigation team. The prosecutor explained that the direction from which the shell had come was not determined on the basis of the sketches but an examination of the shell craters.

In her reports Subotic took the liberty of evaluating the credibility of the prosecution witnesses; this prompted presiding judge Orié to note that it was the Trial Chamber's task. Expert witnesses who testify at the request of either party shouldn't do that, the presiding judge said, but should only deal with matters in their field of expertise. In Zorica Subotic's case, this is ballistics of firearms and cold weapons. As Judge Orié said, the evidence called during the trial should be used for that purpose only.

The prosecutor then questioned the witness about an incident that happened in Dobrinja on 12 July 1993, in which 13 citizens of Sarajevo were killed and 14 were wounded. According to the prosecutor, the expert claimed that the BH Army had fired the shell while at the same time she alleged that a BH Army unit command had been located nearby. The prosecutor asked her whether the evidence then showed that the Bosnian side had shelled its own command, or was the expert merely trying to leave some room for maneuver, if it turns out in the end that the shell had been fired from a Serb position. Subotic replied that she didn't mean to suggest anything. Her only intention was to present all the information and thus paint a 'full picture' of the events.

On 12 July 1993, the day when the attack on Dobrinja was launched as part Operation Lukavac 93, the commander of the Sarajevo-Romanija Corps Stanislav Galic ordered his troops to cause 'as many casualties as possible' to the enemy in 'disarray'. Galic was sentenced to life in prison before the Tribunal. According to the prosecutor, the Bosnian Serb army fired on the water queue as part of this operation. The expert witness rejected the suggestion, saying it was unsubstantiated.

Zorica Subotic continues her evidence tomorrow.

2015-10-06

THE HAGUE

EXPERT'S CONSPIRACY THEORIES

Today the prosecutor probed the conspiracy theory according to which the Markale market incidents had been staged and the bodies brought from somewhere else. In that case, the prosecutor argued, many people should have been in such a conspiracy – from the Bosnian and UN investigators to the civilians in the town market and the TV crew that recorded the tragedy. Mladić's expert defense Zorica Subotic refused to blame anyone in particular for their involvement, but nevertheless remained adamant that there was a conspiracy



◀ Zorica Subotic, defence witness at Ratko Mladić trial

In the cross-examination of the defense's ballistics expert Zorica Subotic today the prosecutor contested her allegation that the two Markale town market incidents – on 4 February 1994 and 28 August 1995 – had been staged. The indictment against Mladić alleges that the shells were fired from the Serb positions. Subotic contradicted the allegations, claiming that the rounds were planted and activated from the ground. A large number of bodies had been brought to the town market from somewhere else, the ballistics expert argued. The prosecutor noted that this was a 'conspiracy theory' easy to show up as such and to contest.

The first explosion on the Markale market killed 66 and wounded more than 140 persons. Prosecutor Weber noted that the video recorded after the explosion showed the dead and the injured. He asked the expert if the blood was 'real'. Subotic replied that in her expert report she didn't contest the fact that it was indeed blood.

In the cross-examination today, Mladić's expert was put on the spot: she had to present in minutest detail her theory of what happened in the first Markale incident. Subotic claimed that the stabilizer fin had been torn off a 120-mm shell ahead of the incident. The fin was then buried in the ground and the shell was placed on a stand, concealed and then activated from the ground.

If there really was a conspiracy, the prosecutor suggested, many persons would have had to be involved in it: the Bosnian police and UNPROFOR investigation teams, many civilians who later testified about the incident, the TV crew that taped the incident, and many other institutions and individuals. The expert didn't want to point her finger at anyone in particular. According to Subotic, the people and institutions mentioned by the prosecutor did not participate in the conspiracy. 'Well, if no one was involved in it, then there was no conspiracy, isn't it?', presiding judge Orić noted. That 'isn't true', the witness replied.

In that case, the prosecutor went on, there was a highly-organized sabotage unit that planned the complex action carefully with a view to misleading the Bosnian and UNPROFOR investigators, to make them believe that Mladić's troops were responsible. The people in the sabotage unit would have had to clandestinely plant the shell in the middle of the town market without anyone taking notice: the asphalt would have had to be drilled and the shell stabilizer placed at the precise depth and angle which would later indicate it had been fired from the Serb positions. Also, another explosive device would have had to be planted and detonated at approximately the same time. Finally, amid the chaos, the bodies of soldiers who had been killed by mortars and then dressed in civilian clothes killed would have had to be brought in from a secret location. 'Yes, most likely that's the way it happened', the expert witness replied.

A 'more likely scenario', the prosecutor pressed on, was that the investigation of the crime scene, the depth of the stabilizer impact and other evidence found by the Bosnian and UN investigation teams showed that the shell had

been fired from the Bosnian Serb positions. That was 'absolutely impossible', Subotic replied. Subotic remained firm even when confronted with the evidence of British expert Derek Allsop, Radovan Karadzic's defense witness. Allsop had dismissed all Markale conspiracy theories: that the shell was thrown from a building, that it was caused by a stationary explosive device, that the shell was buried into the asphalt. Mladić's expert agreed with Allsop noting that Allsop didn't consider her theory –that the explosive device was planted and that the stabilizer had previously been buried in the asphalt.

The second Markale explosion killed 43 and wounded 75 Sarajevo citizens. According to Subotic, that too was a conspiracy. The shell had either been planted and then activated or 'reached the town market entrance in some other way', as the expert alleged in her report. Asked to clarify what that other way could have been, the expert replied that 'all options are possible'. One such possible 'idea' is that the round was thrown off a roof or from a nearby window. The prosecutor once again invoked Allsop's testimony: speaking about both Markale incidents, he was adamant that it was impossible to throw a shell that weighed 12.5 kg from a building to a distance greater than 10 meters. Allsop believed that a single person couldn't do it but he didn't consider the possibility that some tool was used, Subotic explained.

As the hearing drew to a close, the cross-examination turned its focus on the modified air bombs. Zorica Subotic may be able to complete her evidence tomorrow.

2015-10-07

THE HAGUE

WERE 'SOWS' IN SARAJEVO ACCURATE OR NOT?

Mladić's defense ballistics expert Zorica Subotic claims that modified air bombs used by the Bosnian Serb army in Sarajevo were just as accurate as any other artillery system. The prosecutor on the other hand argues that the weapon was inaccurate and very destructive



◀ Zorica Subotic, defence witness at Ratko Mladić trial

At Ratko Mladić's trial, the prosecutor argued that in the last few years of the war, the Bosnian Serbs included a new weapon in their arsenal to terrorize the citizens of Sarajevo as part of their campaign against the city: modified air bombs, also known as 'sows'. The defense's ballistics expert Zorica Subotic didn't contest the allegation that the Bosnian Serb army had had that weapon in its arsenal, but she denied that the bombs were highly destructive and inaccurate.

According to the witness, modified air bombs were as accurate as any other artillery system. In her expert report, Subotic stated that the weapon was used in Sarajevo against legitimate military targets such as BH

Army commands. Sometimes the weapons would miss and 'accidentally' kill civilians. Subotic noted that the bombs would miss their targets by 10, 20 and up to 200 meters. The only time a bomb missed by a larger margin, 480 meters, was when an attack was launched on Cobanija Street, Subotic explained. The prosecutor put it to the witness that due to their design, the shells could miss the target by 250 meters on each side. According to Subotic, the error margin was 200 meters.

Modified air bombs were manufactured in the Pretis factory in Sarajevo, which was under the Bosnian Serb control during the war. The bombs that were originally meant to be dropped from aircraft were fitted with rockets 'Grad' and the combo was then fired from specially designed launch pads. Three anti-hail rockets were mounted on the air bombs of up to 100 kilos, and those weighing up to 250 kilos were fitted with three to four such rockets.

The firing tables for this new-fangled weapon have never been produced at any of the trials in The Hague. Zorica Subotic claims she had the 'firing tables in my hands' during the war, but has not seen them since. She could not tell the judges where the firing tables could be found.

According to her, the new tables were drafted in 2001 and were kept in the Military Technical Institute in Belgrade, where she was employed. The tables pertained 'more or less' to 'weapon that was technically identical' to the modified air bombs.

At the end of the hearing today, which was the ninth day of Zorica Subotic's evidence, the defense began re-examining her. Zorica Subotic is expected to complete her evidence tomorrow.

2015-10-08

THE HAGUE

MLADIC'S EXPERT COMPLETES HER MARATHON EVIDENCE

Ballistics expert Zorica Subotic completed her evidence on the artillery attacks on Sarajevo citizens today after 10 days. There will be a break in Ratko Mladić's trial until 19 October 2015. Another ballistics expert, Mile Poparic is expected to begin his evidence in late October 2015. At the Karadzic trial, Poparic denied that the Bosnian Serb side was responsible for sniper attacks on Sarajevo civilians

For whole 10 days Zorica Subotic gave evidence at the trial of Ratko Mladić over a period of three working weeks. Subotic completed her testimony today after the re-examination by the defense and prosecution. Subotic was called to The Hague as the defense ballistics expert to contest the prosecutor's allegation that the deliberate shelling of the civilian parts of Sarajevo was an important component of the Bosnian Serb army's terror campaign against the city during the four-year siege. Subotic appeared as an expert witness also at the trial of Radovan Karadzic.

The expert witness responded to the prosecution case in three expert reports. The first report dealt with mortar attacks on civilian targets in Sarajevo. In her second report, Subotic focused on the attacks on the Markale market on 5 February 1994 and 28 August 1995. The third report analyzed the attacks with modified air bombs. The prosecution alleges that the modified air bombs were highly indiscriminate and destructive weapon. Subotic argued that the weapon was very accurate. In a nutshell, Subotic's conclusion is that the Bosnian Serb army did not shell civilian targets; they targeted military installations in the city. According to Subotic, very often the incidents, such as the two Markale explosions, were staged.

In the cross-examination, the prosecutor suggested that the expert based her findings on erroneous premises. Subotic misinterpreted the evidence produced by the investigation and the witness testimonies, the prosecutor noted. Defense counsel Branko Lukic attempted to fix that part of Subotic's evidence by invoking specific information from the documents and testimonies Subotic herself had used. Furthermore, Subotic today stressed the errors the Bosnian police teams made when they investigated the artillery incidents in the city.

Commenting on the first Markale market attack in February 1994, Subotic said that, based on the data presented at the trial, UNPROFOR's radar should have registered the shell if it had come in from the Serb positions. The fact that the radar did not register the shell fit with Subotic's theory that the shell had been planted and activated on the ground. Today Subotic was not able to say how the radar had been positioned and whether it really should have registered the flight path of the shell.

The prosecution alleges that in addition to artillery attacks, the citizens of Sarajevo were terrorized by snipers. Mile Poparic, another ballistics expert, will deny that Mladić's army was to blame for those attacks. Poparic will appear in court in late October 2015.

2015-10-19

THE HAGUE

COMMON GOAL - UNITED SERB STATE?

As he testified in Ratko Mladić's defense, former head of the Bosnian Serb secret service Dragan Kijac refused to agree with the prosecutor that common goal of the leaderships in Serbia, Republika Srpska and the Republic of Serb Krajina was to establish a united state. The prosecutor showed him several exhibits including a video recording in which the accused says the goal of the fight is 'for all Serbs to be able to live in a single state'



◀ Dragan Kijac, defence witness at Ratko Mladić trial

After a week-long break, Ratko Mladić's defense case continued with the evidence of Dragan Kijac, who headed the State Security Department in the Republika Srpska interior ministry during the war. In 2013, Kijac testified in Radovan Karadzic's defense, which had to apply for a safe passage guarantee for him, to allow him to travel and not face the risk of arrest en route from Belgrade to The Hague and during his stay in the Netherlands on any indictments that may be issued against him in BH for war crimes. The public was not told whether the same guarantees had been sought and granted this time.

In a brief examination-in-chief, he spoke about two groups codenamed Tajfun and Milos, which functioned as intelligence units of the Bosnian police. The former provided reports to President Karadzic, while the later sent reports to the Serbian State Security Service. When the groups started acting independently, they were disbanded.

To the very end of the cross-examination the witness remained adamant that a number of prosecution exhibits admitted as Bosnian Serb intelligence reports were not authentic.

As he was questioned by defense counsel Lukic about the collaboration between Republic of Serbia and Republika Srpska during the war, Kijac said there had been ups and downs in the political sphere, but that the services 'did their job professionally'. In the cross-examination, prosecutor Traldi told the witness that the military, police and politicians worked hand in hand throughout the war; the goal of their efforts was to unite parts of BH (Republika Srpska) and Croatia (Republic of Serb Krajina) with Serbia.

He first showed a photograph taken in 1995 in Bijeljina, according to the witness, depicting a meeting of the police officials and politicians of all three entities. Stojan Zupljanin, a police official from Republika Srpska, sits on a couch side by side with Momcilo Krajisnik, the RS assembly speaker, the heads of the Serbian secret service Jovica Stanisic and Franko Simatovic and the president of the Republic of Serb Krajina Milan Martić. Kijac stands behind them. Asked if all those people shared the same goal during the war, the witness said it was hard for him to say it.

The prosecutor presented several pieces of evidence in support of the argument that the leaders in the three entities shared a common goal - the unification of the Serb state. The first is a letter sent by Jovica Stanisic to the Serbian interior ministry on 5 July 1994, in which he states that 'the decisive stage of the struggle to realize the common goals of all Serbs lands' is about to begin. The second is a New Year's message from Milan Martić to Radovan Karadžić, in which Martić says that in the previous year, 1994, there had been 'efforts to achieve the unification of the Serb state'. As the cross-examination continued, the prosecution showed a video tape in which Ratko Mladić talks to Karadžić and Koljević and says that the goal was 'for all Serbs to be able to live in a single state.' The recording was admitted into evidence. Kijac never denied that the Serbian top leaders made such statements during the war, but said he could not tell 'what they really thought'.

As the hearing drew to a close, the discussion focused on Zeljko Raznatović Arkan. Asked if Arkan was indeed a notorious criminal, the witness said he would prefer to call him 'a person of interest to the security services'. The prosecutor then showed him a video recorded by a French TV crew in which Arkan says 'we will not take any prisoners any more': he and his men will 'kill all the Fascist soldiers we catch'. The prosecution alleges that Arkan was invited to come to Bijeljina and Zvornik by Biljana Plavšić; the witness denies this, saying that on arrival in BH he was in touch with Fikret Abdić and other people in the Presidency of the Republic. The prosecutor showed an entry from Mladić's war diary for 22 September 1995, where the accused notes that at a meeting attended by Kijac, General Manojlo Milovanović said that 300 Arkan's men had been attached to the Republika Srpska interior ministry. The witness claims this was not within his remit. He did not know that Radovan Karadžić had decorated Zeljko Raznatović on 30 May 1996.

Tomorrow the defense will call another witness. Kijac's cross-examination will continue the day after tomorrow.

2015-10-20

THE HAGUE

SERBS 'MOST LIKELY' DIDN'T SHELL MARKALE

Former British officer, a UNPROFOR member, said at the trial of Ratko Mladić that there were different 'spins' after the first attack on Markale market on 5 February 1994. Based on the information he had, the witness concluded that the Bosnian Serb army 'most likely' wasn't responsible for the massacre



◀ Ratko Mladić in the courtroom

A man who served in UNPROFOR in Sarajevo testified as Ratko Mladić's defense witness under the pseudonym GRM 097 with image and voice distortion today. The witness's claims fit well into the defense case that the Bosnian Serb army under the command of the accused was not responsible for artillery and sniper attacks on the Sarajevo citizens. The Muslim side, the witness noted, was responsible as it was 'prone' to attacking its own population to provoke an international intervention against Serbs.

Despite the fact that for the most part the hearing went on in closed session, in his statement to the defense and his evidence, the witness focused on the incident when the 'Muslim forces' purportedly fired on their own citizens on the Markale market. The shell hit the market on 5 February 1994: 66 persons were killed and at least 140 were wounded in the incident. After the attack, the witness heard that Serbs were blamed for the attack. However, the witness clarified, soon afterwards, UNPROFOR began receiving new reports that cast serious doubts on such claims.

There were many 'spins' at the time, the witness recalled, from the allegation that a shell exploded on the ground, or was thrown out of a building or fired from the BH Army-controlled territory. According to the witness, he found

the last claim the most likely: because of the proximity and height of the buildings around the town market, the projectile had to have been fired from close range, from a part of the city under the Bosnian control. The witness heard that a group of Mujahideen from Sarajevo were responsible for the massacre although admittedly he never saw a single Mujahideen fighter in Sarajevo. All that led the witness to conclude that 'most likely' the Serb side was not responsible for the first Markale attack.

Apart from 'self-shelling', the Bosnian side tried to provoke an international intervention, the witness claimed. To achieve that goal, the Bosnian side would open fire on the Serb positions close to civilian facilities such as hospitals and schools to force the Serbs to respond and attack Sarajevo citizens. In the spring of 1995, NATO did intervene against Mladić's army prompting the Serbs to take UNPROFOR members hostage. The UNPROFOR staff were treated as a sort of prisoners of war because they were considered enemy soldiers. The witness stressed that the hostages were 'treated well'.

The former British UNPROFOR member will continue his evidence tomorrow.

2015-10-21

THE HAGUE

'RUMORS' ABOUT SREBRENICA GENOCIDE

Former chief of the Bosnian Serb secret service Dragan Kijac claims that he was at a wedding in Montenegro during the mass executions of prisoners from Srebrenica. According to Kijac, he only heard about the crime in 2000. Later Kijac admitted that as early as in 1996 he heard 'rumors' about Muslim men and boys being executed. The indictment against Ratko Mladić qualified the crime as genocide

In the first part of the hearing at Ratko Mladić's trial a protected defense witness, who served in the British contingent in UNPROFOR in Sarajevo, completed his evidence. The witness testified with full measures of identity protection and under the pseudonym GRM 097. Most of his evidence was heard in closed session. However, the witness admitted in open session that he was not qualified to analyze shell craters and mortar firing tables. Despite that, in his examination-in-chief yesterday the witness argued that the Bosnian Serbs 'most likely' were not responsible for the first attack on the Markale market on 5 February 1994.

After witness GRM 097 completed his evidence, Dragan Kijac returned to the witness stand; he began his evidence on Monday. During the conflict in BH Kijac was the chief of the Republika Srpska MUP State Security Department. After the war, he was appointed interior minister. As he was questioned by the prosecutor, Kijac tried to prove that his brilliant police career didn't necessarily mean that he was kept well-informed about everything.

According to Kijac, he did not learn about the mass executions of the Srebrenica men and boys until 2000. This prompted the prosecutor to present an article published in the British newspaper The Independent on 17 July 1995. The article, entitled Bodies Pile Up in Horror of Srebrenica, reported about the mass executions and referred to a video recording showing a large number of bodies in Kravica. The footage was taken by Belgrade journalist Zoran Petrovic Pirocanac and was broadcast by the TV network Studio B. Kijac explained how he, the head of the Bosnian Serb secret service, ended up missing the information that managed to reach London, 2,000 kilometers away from where he was. As Kijac explained, from 14 to 16 July 1995 he was at a wedding in Montenegro, and Studio B network broadcast were shown only in Belgrade. Faced with the charges of Srebrenica genocide Mladić defended himself with a similar alibi: from 14 to 17 July 1995 he was the best man at a wedding held in Belgrade.

The prosecutor put it to Kijac that he had learned about the Srebrenica massacre in early 1996, if not earlier. A document Kijac signed in that period states that two witnesses testified in The Hague about the Bosnian Serb army shooting civilians. 'There were rumors, I don't deny that', the witness replied, adding that the 'information was unverified'.

Moreover, witness claimed that he also didn't know that the Scorpions, a police unit from Serbia, were deployed in the Trnovo region. That in turn meant that Kijac wasn't informed about the murder of six Muslim boys by the Scorpions, who actually recorded the crime on video. The Bosnian Serb secret service did have an agent in that area but no information about the Scorpions unit was passed on to Kijac. The witness only knew that the Bosnian Serb police were active in the field, side by side with the army.

Dragan Kijac continues his evidence tomorrow.

2015-10-22

THE HAGUE

DRAGAN KIJAC'S EVIDENCE INTERRUPTED

After a two-hour break caused by 'unforeseen circumstances', the trial of the former VRS Main Staff commander continued with a discussion of administrative issues. The accused was not present



◀ Ratko Mladić in the courtroom

Ratko Mladić's trial was interrupted today about 10 minutes into the hearing. The prosecutor only just began the cross-examination of Dragan Kijac, former chief of the Republika Srpska MUP State Security Department, who was later appointed the Republika Srpska police minister.

After the prosecutor asked Kijac two questions, the hearing went into private session, at Mladić's defense request. The judges ordered the witness to leave the courtroom too. About 10 minutes later, the hearing was once again opened to the public. Presiding judge Orić stated that the trial had been interrupted due to 'unforeseen circumstances'. The presiding judge could

not say whether the trial would continue later today or on Monday, 26 October 2015.

The trial resumed two hours later, but without the accused who had waived his right to attend. The presiding judge informed the visitors in the public gallery that Mladić wouldn't return to the courtroom today. The parties discussed administrative issues.

2015-10-22

THE HAGUE

MLADIĆ'S DEFENSE WITNESS PASSES AWAY

Ratko Mladić's defense witness, forensic pathologist Dusan Dunjic was found dead in his hotel room just hours before he was due to start his evidence. The Dutch authorities are investigating his death



◀ Dusan Dunjic in the Tribunal during testimony at the Radovan Karadzic case

Dusan Dunjic, a professor of forensic medicine from Belgrade, passed away before he was due to start his eighth testimony at the trial of Ratko Mladić. Dunjic was found dead in his hotel room in The Hague, the Tribunal's press office has stated.

A hotel employee and a Tribunal's representative found Dunjic's body. Emergency services were called, but Dunjic was pronounced dead on the scene. The Dutch authorities are investigating Dunjic's death.

Dunjic had testified seven times before the Tribunal. The prosecution called him at three trials involving the crimes in Kosovo in 1998 and 1999: two trials of Serb

political, police and military officials and the trial of the leaders of the former KLA, Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj. Dunjic also testified in the defense of Radovan Karadzic, Stanislav Galic, Dragoljub Kunarac and Vujadin Popovic.

2015-10-26

THE HAGUE

DUSAN DUNJIC DIED OF NATURAL CAUSES

A post mortem conducted by Dutch pathologists in the presence of their Serbian colleagues has shown that Mladić's witness Dr Dusan Dunjic died of natural causes

The enquiry conducted by the Dutch authorities and a post mortem by the Dutch pathologists in the presence of their Serbian colleagues have shown that Dr Dusan Dunjic died of natural causes in his hotel room in The Hague in the night between Wednesday and Thursday last week, it was announced today at the Tribunal. Details of the post mortem have not been disclosed.

Dr Dunjic, a professor of forensic medicine from Belgrade, was expected to appear before the Tribunal as Ratko Mladić's expert witness. In his report drafted for the defense Dr Dunjic contested the findings of the prosecution experts on the cause of death of victims exhumed from mass graves in Srebrenica.

In the past 15 years Dr Dunjic appeared before the Tribunal seven times. As the expert for the prosecution Dr Dunjic testified at three trials for the crimes in Kosovo in 1998 and 1999: in two cases against Serbian political, police and military officials and in the case against the former KLA commanders Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj. Dr Dunjic also testified in the defense of Radovan Karadzic, Stanislav Galic, Dragoljub Kunarac and Vujadin Popovic.

2015-10-26

THE HAGUE

FROM VALJEVO VIA JAHORINA TO SREBRENICA

The court hears how a bank clerk from Valjevo ended up on the other bank of the Drina river among the Republika Srpska special units which took part in the VRS Srebrenica operation. Ratko Mladić's defense notes that the police from the Republic of Serbia provided support to their colleagues from Republika Srpska in the preparation for the capture of the enclave. Srebrenica was formally under UN protection at the time



◀ Ljubodrag Gajic, defence witness at Ratko Mladić trial

In July 1995, Ljubodrag Gajic, a bank clerk from Valjevo, citizen of the Republic of Serbia and reservist in the Yugoslav Army, found himself in Srebrenica against his will as part of the Republika Srpska special police. Ratko Mladić's defense witness confirmed the prosecution's allegation that the two police forces, from Serbia and Republika Srpska, 'worked together closely' to accomplish the 'common goal'. Last week the prosecution put forth the argument in the cross-examination of Dragan Kijac, former head of the RS secret police.

At the beginning of his evidence today, Gajic described how the Serbian police knocked on his door in the night of 20 June 1995. They took Gajic to the Valjevo police

station for an 'interview'. From there the witness and other men who had been detained were taken by bus to the other side of the Drina river. In Zvornik, the witness and the others were handed over to the Republika Srpska police.

In the police station in Zvornik, Dusan Jevic Staljin, who was in the special police unit, addressed the men from Valjevo, calling them 'deserters'. Staljin picked several of the men and assigned them to a special police formation. The men Staljin had chosen were taken to the training center on Mount Jahorina near Sarajevo. There the men went through intense tactical and combat training. Gajic protested several times, arguing that he had been unlawfully mobilized, or rather kidnapped, because he was a citizen of the Republic of Serbia, but to no avail. Gajic was called a deserter because he was born in Zavidovici, in Bosnia and Herzegovina.

On 11 July 1995, the day when Mladić's troops entered Srebrenica, Gajic and about 150 or 200 trainees from the Jahorina center were transported to Eastern Bosnia. The men were told that they would take part in combat for the first time.

In the morning of 12 July 1995, the special police under the command of Goran Markovic, Mane Djuric and Dusko Jevic reached the so-called Yellow Bridge in Potocari. The Dutch Battalion of UNPROFOR did not offer any resistance at all, not even when Gajic's unit took their observation post. This prompted the judges to ask the witness if the Dutch soldiers were allowed to move freely after the incident. Gajic replied that the situation was tricky because 'they [the Dutch soldiers] were neither prisoners nor free men'.

In Potocari, Gajic saw Mladić address the gathered refugees. Mladić told the people that those who wanted to go to the BH Army territory would be taken there. Nothing bad would happen to anyone, Mladić also said. According to Gajic, the refugees cheered at Mladić's words. The same reaction could be seen in the footage shown by the defense. Gajic didn't see any Serb soldiers or police officers abuse the refugees. On the contrary, the refugees were given food and water and were assisted to board buses and trucks to go to Kladanj. Asked by defense counsel Stojanovic, the witness confirmed that the Dutch Battalion 'was actively involved in the evacuation of refugees'.

The witness also confirmed that while the Bosniaks were put on the buses and trucks, the able-bodied men were separated from the women and children and taken to the 'white house' nearby. In front of the house the men had to throw away their personal belongings and documents. Gajic also confirmed that the UN soldiers protested to the VRS officers who were there against the overcrowding and inhumane conditions in which the men were held in the 'white house'. The witness was told that the men would be exchanged. He didn't know what happened to them. The witness's unit left Potocari on 13 July 1995 at about 6pm and didn't return there.

In the cross-examination, prosecutor Hasan was only interested in the whereabouts of Mladić's witness in the night between 13 and 14 July 1995 and what he saw at that time. Gajic replied that they were woken up about an hour or two after midnight and taken to the warehouse at the farm in Kravica. In the dark, the witness could see the silhouettes of two soldiers: one of them was shooting at the people in the warehouse. According to Gajic, their

task was to secure the road from Bratunac to Konjevic Polje. That night, the Srebrenica men who were moving in a column of towards Tuzla tried to cross the road. Two or three Muslims from the column surrendered to Gajic. The witness put them on a truck that took the detainees to the Kravica warehouse. Later he learned that the men from the Sekovici Brigade of the Republika Srpska special police had participated in the executions.

Next day, 15 July 1995, Gajic took part in the mop-up operation in the area from Kravica to Konjevic Polje. After that the witness was taken back to Jahorina. Gajic went home to Valjevo on 24 July 1995.

2015-10-27

THE HAGUE

NO LINE OF SIGHT FROM SERB POSITIONS TO SNIPER VICTIMS

Mladić's expert for weapons and military equipment Mile Poparic denies the allegation that the Serb troops were responsible for sniper attacks on Sarajevo civilians. According to Poparic, there was no line of sight from where the victims were to the positions held by the Republika Srpska army



◀ Mile Poparic, defence witness at Ratko Mladić trial

Ratko Mladić's defense called Mile Poparic, an expert on firearms and military equipment, in a bid to contest the prosecution's allegations about the Republika Srpska Army's responsibility for sniper attacks on Sarajevo civilians. Together with Zorica Subotic, expert on firearms and cold weapons, Poparic has drafted four reports denying the prosecution's allegations related to the terror campaign against Sarajevo citizens during the 44 months of the siege. During the hearing today the focus was on the report on infantry weapons.

Poparic already testified about his findings at the trial of Radovan Karadzic in 2013. Since then, Poparic explained today, he has amended some of his conclusions relying

on the material provided to him by Mladić's defense. The main problem the witness had to deal with as he prepared his reports was the fact that it was difficult to obtain 'physical evidence'. In incidents involving infantry weapons, the crime scene changes very quickly and the police either failed to make a record of the physical evidence immediately after the incident or the data were unreliable. According to Poparic, another problem was the lack of forensic medical records to substantiate claims about victims' 'injuries'.

In his analysis of the incidents, Poparic relied partly on media reports including the report filed by the Sky News reporter Aernout van Lynden about the Sarajevo firefighters. Van Lynden's report showed a multi-story building in flames. Based on the footage Poparic concluded that the fire had most occurred after an exchange of fire. Poparic explained that the fire was opened at the Serb positions from that building. When the Serb returned fire, the building went up in flames. Poparic had a back-up theory for the footage: the fire was staged 'for publicity'. The presence of a team of reporters who recorded the incident led Poparic to that conclusion.

Based on the tracing rounds visible in Van Linden's footage, Poparic estimated that the fire couldn't have come from the Republika Srpska Army positions. If a bullet had been fired from Mladić's positions, the trace would have had to be 'straight' and not angled, as it is in the recording. The criteria Poparic used in his analysis apparently failed to impress the judges. Presiding judge Orić thus noted that the images in the video were 'foreshortened'. Judge Moloto said that only 'someone hanging from the wall' could have fired the bullet, because he could plainly see that the trace ended at a wall. The witness claimed that the trace began at a window.

In his analysis of individual incidents listed in the indictment, Poparic concluded that 'none of the incidents was caused by fire originating from the Metalka building' in Grbavica. According to the prosecution, Sarajevo trams were shot at from the Metalka building. Poparic also claims that there was no line of sight from the locations where civilians were targeted to the Serb positions. One such example, according to Poparic, is the case of Anisa Pita who was three years old when she was shot. On 13 December 1992, Anisa Pita was shot in the leg on the porch of her family house in Zagric Street. Pita's parents testified that the bullet had come from the location called Baba Stijena. Poparic claims that the Pita family house is not visible from the Baba Stijena position.

Poparic also analyzed the case of Munira Zametica who was killed on 11 July 1993 as she was fetching water from the Dobrinja river. In that case, Poparic argued, the time of the incident and the location from which the fire was opened remained controversial. Munira Zametica could have been shot from the Orthodox Church located 1,100 meters from the place of the incident but Poparic believed that the bullet had come from somewhere close, or it may have ricocheted off the concrete bottom of the river. The prosecution alleges that the shot was fired by a sniper operating from the Orthodox Church.

Mile Poparic continues his testimony tomorrow.

2015-10-28

THE HAGUE

OTHER SIDE RESPONSIBLE FOR SNIPER VICTIMS

Mile Poparic, Ratko Mladic's expert for weapons and military equipment continued his evidence today. Discussing the sniper attacks on Sarajevo citizens, Poparic claimed that the Bosnian Serb Army wasn't responsible for those attacks. He is shifting the blame on the BH Army. Even if the Bosniaks did not actually fire the shots, the civilian casualties were collateral damage in the cross-fire, Poparic claimed

The defense's military expert Mile Poparic continued today his evidence at Ratko Mladic's trial. Poparic denied that the Bosnian Serb Army was responsible for sniper attacks on Sarajevo civilians during the four war years. Presenting his findings on several incidents listed in the indictment, Poparic clearly implied that the BH Army was responsible for the attacks, not Mladic's troops. At best, the citizens of Sarajevo were killed when they were caught in the cross-fire.

The witness spoke about the attack in which Munira Zametica was killed on 11 July 1993 at the Dobrinja river bank. He had already addressed the incident yesterday. Poparic recalled what the witnesses had said: that they could hear fire from the positions held by both armies in that part of the city before the incident. That, in Poparic's view, clearly shows that Zametica was caught in the cross-fire. The victim was shot twice in the same spot, leading Poparic to conclude that the weapon was an automatic rifle, not a sniper. The fatal injuries were caused when a burst was fired at the concrete river bed; some rounds ricocheted and hit Zametica. This would mean that for Poparic it was more logical for a burst of gunfire to ricochet and hit the same spot than for a sniper to hit the same spot twice.

Poparic then spoke about another incident, which occurred on 3 September 1993, when Nafa Taric and her eight-year old daughter Elma were hit by the same bullet in Ivana Krndelja Street. The mother and daughter were fired on when they went to buy school books for Elma, just as they were passing a container used as a sniper screen. Poparic presented a mathematic calculation to prove that the Serb army was not responsible for the incident. A bullet fired from a distance of 680 m, from the nearest Serb position, would take 1.2 seconds to reach the target. It took Nafa Taric and her daughter 1.02 seconds to get from the shield to the location where they were shot, Poparic explained. The difference of 0.018 seconds meant that the sniper didn't have time to aim but had to 'fire the shot in advance'. The judges then decided to ask a few questions.

Asked how he got the time of 1.02 seconds, Poparic explained that he calculated the time it took for Nafa Taric to take one step using software developed by Beograd Film and the video recording made by the prosecution in which Nafa Taric showed an OTP investigator how she had been moving. As it turned out, Nafa Taric didn't take a step straight from the shelter to the site when she was hit. Also, it is not clear whether at the time of the incident she took two steps or one to cover the distance, or if her child may have made her move a bit slower. As Poparic explained, he used the average speed of walk. Based on Nafa Taric's statement, Poparic assessed that she and her daughter walked 'in a carefree way'. Asked how she could have been carefree walking by a container that shielded her from sniper attacks, Poparic replied that Taric said in her evidence before the Tribunal that until then civilians had never been attacked at that site.

As the hearing continued, the witness suggested that the BH Army was responsible for the incidents in which Ramiza Kundo was hit in the left leg in Brijesko Brdo Street on 2 November 1993, and the attack in which Alma Cutina was wounded in the right leg on 8 October 1994 in a tram in Zmaja od Bosne Street. According to Poparic, 16-year old Sanela Muratovic was shot in the right shoulder on 26 June 1994 in cross-fire.

Mile Poparic continues his evidence tomorrow.

2015-10-29

THE HAGUE

PROSECUTION CONTESTS MLADIC'S EXPERT METHODOLOGY

Weapons and military equipment expert Mile Poparic continued his evidence in Ratko Mladic's defense claiming that the BH Army was responsible for sniper attacks on the Sarajevo civilians. At the beginning of the cross-examination the prosecutor put it to Poparic that he used erroneous methodology to reach his conclusions

In the final part of the examination-in-chief at Ratko Mladic's trial, Mile Poparic, the defense's military expert, denied that the Bosnian Serb army was responsible for sniper incidents listed in the indictment; these allegations center on the terror campaign against the Sarajevo citizens. Poparic suggested that the results of several investigations of incidents in which Sarajevo citizens were wounded did not paint a real picture of the events.

One of the gravest sniper incidents listed in the indictment happened on 18 November 1994. Dzenana Sokolovic and her seven-year-old son Nermin were fired at as they walked along Zmaj od Bosne Street. The bullet passed through the woman's abdomen and after exiting hit the boy in the head. Dzenana Sokolovic was seriously injured and the boy died en route to the hospital. Mile Poparic highlighted a discrepancy between the police report and Dzenana Sokolovic's evidence on the one hand and Sokolovic's medical records: according to the former, the entry wound

was in the right side of her abdomen and the exit was in the left side, and according to the latter, it was the opposite. Poparic thinks the medical staff got it right, which would mean that the bullet had come from the BH Army-controlled area.

Poparic also concluded that the bullet that hit a tram on 23 November 1994 in Zmaj od Bosne Street could not have been fired from the territory under the Bosnian Serb control. Two passengers in the tram were wounded in the shoulder in the incident. Poparic also spoke about an incident in which 14-year old Tarik Zunic was hit in the hand on 6 March 1995 in Sedrenik Street. According to him, Zunic had to have held his arm straight up and away from his body for him to be hit from the positions held by Mladic's troops. If he had held his arm in any other way, he could only have been hit by a BH Army sniper. In his evidence at the Tribunal and in his statement to the OTP investigators, Zunic claimed that he was holding a backpack with his right hand at his right shoulder when he was hit.

At the beginning of the cross-examination the prosecutor brought up several methodological errors Poparic made when he wrote his expert reports. The prosecutor suggested that the witness didn't take into account all the evidence available to him and didn't use GPS coordinates he had been given. Also, in establishing the positions of the warring factions, Poparic used a map drawn in 1995 and used the data when he analyzed the incidents that had happened before that period, the prosecutor highlighted.

According to the prosecutor, Poparic drew erroneous conclusions because his methodology was wrong. In his analysis of the incident in which Ramiza Kundo was wounded on 2 November 1993 in Brijesko Brdo Street, Poparic missed the spot where the victim was injured by as much as 130 meters. Prosecutor Edgerton suggested that the witness did this deliberately in order to be able to claim the BH Army was responsible for the attack. The witness admitted he had made a mistake but claimed it made no difference as there was a line of sight from the victim to the positions of both armies in the 130-meter stretch.

Mile Poparic's cross-examination continues on Monday.

2015-11-02

THE HAGUE

ERRONEOUS PREMISES RESULT IN WRONG CONCLUSIONS

In the cross-examination of the defense military expert Mile Poparic the prosecutor put it to the witness that in his expert report he altered the evidence in a bid to corroborate the conclusion that the Bosnian Serb army was not responsible for the sniper incidents in Sarajevo. Parts of the military expert's testimony were impossible to follow as some photos under seal were discussed



◀ Mile Poparic, defence witness at Ratko Mladic trial

The cross-examination of Mile Poparic, Ratko Mladic's military expert, continued today. Prosecutor Edgerton claimed that the witness used erroneous premises to reach erroneous conclusions. Prosecutor Edgerton suggested that the errors were not accidental: the witness deliberately modified some data in order to exonerate the Bosnian Serb army for sniper attacks on Sarajevo civilians during the four-year siege.

Speaking about several sniper incidents, the witness said that there was no line of sight from the targets and the positions held by Mladic's army. For example, Poparic stated that Sanija Dzevlan was wounded in the thigh when she crossed the Dobrinja Bridge on her bike on 1

January 1994 at 4:30 pm. It was already dark and the visibility was low, the witness claimed. Poparic calculated the exact time when the victim was wounded, or rather, he made an assumption as to when the incident occurred based on the fact that the wounded girl had visited her ill mother in the Kosevo Hospital and was on her way back when she was shot. The witness assumed that she had left the hospital after the visiting hours ended. The prosecutor reminded the defense expert that in her evidence at the Tribunal Sanija Dzevlan stated that her mother was at home sick and that she went to the hospital to pick up the medicines. Poparic replied that in fact it wasn't important when the incident happened. In his report, Poparic covered both alternatives, that Dzevlan was wounded in the dark or while there was still some daylight.

The prosecutor also suggested that the witness changed the locations where the Sarajevo civilians were hit to make it look as if there was no line of sight from those spots to the Bosnian Serb positions. Poparic exaggerated the evidence on the military presence of BH Army at the scenes of the incidents, ignored the witness testimonies and relied on the allegations that were never admitted into evidence in Mladic's case. Poparic stuck to his guns, however, although he admitted he had made some mistakes and that several of his conclusions were based on assumptions. The judges warned Poparic that he should always clearly specify which of his conclusions were 'based on probabilities and which were based on facts'.

A good part of today's hearing focused on the witness claim that there were no Serb sniper positions in the Blind People's Home. As alleged by the prosecution, the home for the blind was used to open sniper fire on Sarajevo civilians. Poparic didn't change his evidence, even though he was confronted with the witness statements and reports drafted by UNPROFOR and the BH Army. All those sources reported that fire had been opened from the Home which was controlled by the Bosnian Serb army.

The debate also focused on whether there was a line of sight from the Blind People's Home to some other locations in the city. That part of the hearing was impossible to follow since the photos presented in court were not shown publicly. It was not stated whether the photos were classified. A similar situation occurred last week when Poparic was examined in chief.

Mladić's expert will continue his testimony tomorrow.

2015-11-03

THE HAGUE

CONTROVERSIAL LINE OF SIGHT FOR SARAJEVO SNIPER TARGETS

On the fifth day of his evidence, Mladić's military expert Mile Poparic argues with the prosecutor about the scale of the sniper campaign against Sarajevo civilians. Another topic of debate was the line of sight from the Serb positions to the targets

The cross-examination of Mile Poparic continued today. The pattern remained the same: the prosecutor contested the findings in the expert reports, Ratko Mladić's witness defended his conclusions to deny the responsibility of the Bosnian Serb army for sniper attacks on Sarajevo citizens. The public following the trial from the gallery was baffled during most of the hearing because neither the photos nor video recordings which were the focus of the discussion were not shown publicly.

The prosecutor showed documents that indicate that the incidents listed in the indictment against Mladić were only a small portion of sniper attacks on the civilians. According to the prosecutor, those incidents were just a sample of the terror campaign in which Sarajevo citizens were wounded and killed on a daily basis. Poparic refused to agree with such a conclusion making it clear that he could only speak about the cases he analyzed in his reports.

In one of his four expert reports Poparic quoted Nafa Taric as saying that she and her eight-year old daughter Elma were the 'first and the last' victims wounded in Ivana Krndelja Street in downtown Sarajevo on 3 September 1994. Poparic thus implied that the attacks on civilians were not frequent and that the incident wasn't necessarily a deliberate sniper attack. In response, the prosecutor also quoted from Nafa Taric's testimony at the Tribunal, when she said that there were at least five other sniper attacks on civilians that same day and in the same part of the city; she heard that in hospital. Poparic explained that he only spoke about the specific location, not about that part of Sarajevo. Also, Poparic noted that he didn't examine other incidents.

Another key topic was the line of sight from Serb positions around Sarajevo to targets. The prosecutor put it to Mladić's expert that he either deliberately or incidentally drew the wrong conclusion that there was no line of sight at some incident sites. Poparic explained that his conclusion was that the visibility was bad from some but not all the buildings where the incidents occurred.

For example, in his report Poparic claimed the tram tracks in Zmaja od Bosne Street were not visible from the white skyscrapers in Grbavica. The prosecution alleges that the white skyscrapers were used to open fire on Sarajevo trams. Poparic nevertheless didn't contest the claim that Zmaja od Bosne Street was clearly visible from higher floors in the Grbavica white skyscrapers. Several photos and a video recording were played in the courtroom in that part of the hearing but they were not shown to the public.

Mile Poparic continues with his evidence tomorrow.

2015-11-04

THE HAGUE

MLADIĆ'S EXPERT'S 'TECHNICAL ERRORS'

The prosecution contends that Mile Poparic has based his conclusions on assumptions and has altered evidence to fit his purposes. Poparic responds that harmless 'technical errors' did not lead to erroneous findings. Mladić's defense expert has denied that the Bosnian Serb army was to blame for sniper incidents in Sarajevo

At the beginning of the cross-examination of Mile Poparic, Ratko Mladić's defense military expert, the focus was on the sniper attacks on Sarajevo trams. In his expert report, the witness suggested that the trams were hit at locations from which there was no line of sight from the Serb positions in high-rise buildings such as the white skyscrapers and the Metalka building. The prosecutor argued that the expert deliberately misidentified the locations of the incidents to make it look as if the shots had come from the Executive Council's building, which was under the control of the Bosnian forces.

The witness noted that the broken glass beside a tram in a photo meant that the tram was hit at that location. This prompted the prosecutor to remind the witness that he had claimed that glass sometimes does not break immediately after the impact: initially, there is just a bullet hole and then the glass breaks and scatters. The prosecutor also called into question Poparic's conclusion about the source of fire in the incident that occurred on 3 March 1995. Azem Agovic and Alen Gicevic were wounded in a tram near the Holiday Inn Hotel. Based on Agovic's entry wound, Poparic concluded that the bullets were not fired from the Serb positions. Later, Poparic admitted that he didn't take into consideration the possibility that the victim had turned right or left during the conversation.

According to Mladić's expert, Dzenana Sokolovic was wounded and her seven-year old son Nermin was killed on 18 November 1994 not by a Serb sniper but in the cross-fire. According to the prosecution, the evidence on the exchange of fire that Poparic relied on didn't pertain to any skirmishes between the warring factions: it was an attempt of the UNPROFOR anti-sniper teams to prevent further targeting of civilians from the Serb positions. The witness agreed with the suggestion of prosecutor Edgerton that the pedestrian crossing where the mother and her son had been hit by a single bullet could be seen with the naked eye from the Metalka building, which was under the Serb control. Also, the witness agreed that everyone could see that the victims were civilians.

At the very end of the cross-examination, the prosecutor presented a report of the Sky News reporter Aernout van Lynden about the Sarajevo firemen. The footage shows a building on fire. In the examination-in-chief, Poparic claimed that the tracer rounds that hit the building were not fired from the Serb positions. Had it been so, the bullets would have come in at a right angle. Today the prosecutor played a slow-motion recording showing clearly that the bullets hit the building at a right angle. Poparic could only agree that the bullets had been fired from the positions held by Mladić's army.

At the beginning of the re-examination by defense counsel Branko Lukic, the discussion turned to the errors the witness made in his expert analysis and incorporated them in the report. Poparic tried to clarify that the errors were harmless and 'technical in nature'. Consequently, in Poparic's opinion, the mistakes didn't result in erroneous conclusions.

Mile Poparic will complete his evidence tomorrow.

2015-11-05

THE HAGUE

EXPERT COMPLETES EVIDENCE ON SARAJEVO SNIPERS

On the last day of his evidence in Ratko Mladić's defense, Mile Poparic, weapons and military equipment expert, defended his findings, prompting the presiding judge to comment that Poparic all but told the judges 'what the judgment should be'. The presiding judge warned the defense to make sure that Poparic's testimony does not stray outside of his field of expertise

After seven days in the witness stand, military expert Mile Poparic completed his evidence today after a re-examination by defense counsel Lukic and a few additional questions by prosecutor Edgerton. Poparic wrote four expert reports on sniper incidents in Sarajevo for Ratko Mladić's defense. In his testimony, Poparic defended his findings that the Bosnian Serb army wasn't responsible for the sniper attacks on Sarajevo citizens during the four-year siege.

In the examination-in-chief, Poparic claimed there was no line of sight from the Bosnian Serb military positions to the locations where some sniper incidents listed in the indictment occurred. In the cross-examination, Poparic rejected some of his own findings, prompting the defense to try to 'rehabilitate' that part of the evidence. Poparic went too far in his bid to explain things his way that presiding judge Orić warned the defense to keep the examination within the sphere of Poparic's expertise.

The 'witness is making assumptions, comparing statements, telling us what he has seen, evaluating the evidence and the only thing left is for him to tell us what the judgment should be', the presiding judge said. He also noted that the witness had spent 80 per cent of the time talking about the things that were not the subject of his analysis. Although the presiding judge immediately after this scathing attack allowed the defense to call evidence that went beyond the scope of their expert's evidence to cover the topics addressed by the prosecution expert, Orić was adamant that Poparic should only speak about topics within his expertise.

Poparic then continued his testimony, discussing several incidents in which Sarajevo civilians were killed or wounded. The witness noted that in those situations, the Serb snipers couldn't see clearly because of buildings or trees or because it was dark.

Ratko Mladić is on trial for his involvement in four joint criminal enterprises. The artillery and sniper terror campaign against the citizens of Sarajevo is one of the enterprises. Before Poparic testified in a bid to exonerate the Bosnian Serb army for sniper incidents, another defense expert, Zorica Subotic, claimed that the Bosnian Serbs were not to blame for artillery attacks.

Ratko Mladić's trial continues on Monday, 9 November 2015.

2015-11-09

THE HAGUE

ARMY'S ROLE IN OMARSKA AND TOMASICA

In 2003, Ostoja Marjanovic testified in the defense of Milomir Stakic, president of the Prijedor Crisis Staff. On that occasion, he blamed the army and the police for the crimes in that municipality. Today, testifying in Ratko Mladić's defense, the former director of the Ljubija mine tried hard to exonerate the army. According to Marjanovic, the only culprit was the police and their chief in Prijedor, the late Simo Drljaca



◀ Ostoja Marjanovic, defence witness at Ratko Mladic trial

Hundreds of bodies of non-Serb civilians from Prijedor and its environs were discovered in Tomasica, which was the primary mass grave and in Jakarina Kosa, the secondary mass grave. The two mass graves are both located in the Ljubija iron ore mine compound. Despite the fact that during the war he was the director of the mine, Ostoja Marjanovic claimed today that he didn't know who organized the collection and burial of the bodies in those two locations. Ostoja Marjanovic testifies in Ratko Mladić's defense.

As he was questioned by defense counsel Miodrag Stojanovic, the witness explained that the Bosnian Serb army never secured any of the mines that were part of the Ljubija compound. Thus, the Bosnian Serb army

couldn't have been involved in the burial, Marjanovic noted. According to him, the mine workers guarded the mine. They wore various military uniforms, olive drab or camouflage. Marjanovic thus skirted the issue of who actually covered up the crimes in Prijedor.

In addition to the Tomasica mine in the east and the central pit in Jakarina Kosa, the Ljubija compound included the Omarska mine, where a prison camp was set up at the beginning of the war. Non-Serb civilians were abused and killed in Omarska. The witness claimed that the army didn't provide security in any part of the Ljubija mines, indirectly exonerating Mladić's troops for the events in Omarska.

Prosecutor Arthur Traldi reminded the witness in the cross-examination that in his evidence in Milomir Stakic's defense he blamed the army and police units for the events in Prijedor. Milomir Stakic was the president of the Crisis Staff in Prijedor, and Marjanovic was trying to exonerate the civilian leadership. Marjanovic said in his evidence at Stakic's trial that in late May 1992 the 'army and police arrived in Omarska'. Asked today if he still agreed with the claim, Marjanovic replied that he was '100 percent sure' about the police. As far as the army was concerned, Marjanovic said only that it was 'possible' the army was there. He also referred to the army as the JNA, prompting the prosecutor to remind him that in that period the only army fighting on the Serb side in BH was the Republika Srpska Army.

Just as in his evidence in Stakic's defense Marjanovic shifted the blame for the crimes in Prijedor from civilian leaders to the military and police authorities, today he readily accused the police and their chief in Prijedor, the late Simo Drljaca, for the crimes, while making every effort to spare the army. The prosecutor, on the other hand, suggested that the Prijedor crimes were part of a joint criminal enterprise that involved the civilian, military and police authorities. The prosecutor borrowed the witness's words from his interview with the OTP investigators in July 2014 to describe the atmosphere during the war in Prijedor. Marjanovic then said that 'at the beginning non-Serbs paid to be allowed to remain in Prijedor, but later they gave money to be allowed to leave'.

The prosecution showed a document signed by Simo Drljaca, gifting Marjanovic with a pistol in gratitude for his 'cooperation and support' to the Prijedor police. The document was admitted into evidence. The witness explained that the Serbian minister of agriculture had given him the pistol as a gift. Drljaca only wrote a thank-you note Marjanovic used to obtain a license to carry a gun.

As the hearing drew to a close, the witness was asked several questions pertaining to the mass graves in the Ljubija mine. Soon afterwards, the trial went into private session. Tomorrow the prosecutor will have about ten minutes to question the witness further about the topic, before completing Marjanovic's cross-examination.

2015-11-10

THE HAGUE

'THE LESS I KNOW, THE BETTER I AM'

Ostoja Marjanovic, former director of the Ljubija Mine, didn't object when during the war in BH his subordinates failed to keep him informed about the fact that the machinery owned by the mine were used to bury hundreds of bodies in the mining complex. 'The less I know, the better I am', the witness concluded at the end of his testimony in Mladić's defense. Savo Strbac, president of the Veritas NGO, began his testimony after Marjanovic completed his



◀ Ostoja Marjanovic, defence witness at Ratko Mladic trial

At the end of Ostoja Marjanovic's cross-examination the prosecutor focused on the mass graves discovered in the Ljubija mining complex. During the war in BH Marjanovic was the general manager of the mine. The prosecutor put it to the witness that the troops under the command of the accused Ratko Mladic had taken part in burying the non-Serb civilian victims from Prijedor, and that the witness had known that. Marjanovic claimed he didn't know anything about it.

The prosecutor noted that hundreds of bodies were recovered after the war from the pits that were part of the Ljubija mine: Tomasica, Jakarina Kosa and Redak. Also, the prosecutor presented a photo showing holes

that had been excavated at the Jakarina Kosa mass grave using mining machinery. The witness admitted that the Ljubija mining complex did have this type of machinery. Remnants of military equipment and military explosives were found by the bodies in the graves. Marjanovic insisted that he 'can neither confirm nor deny' that the army participated in the burial of the bodies and the subsequent efforts to cover up the crime. 'Do you mean to say that as the general manager of the mine you managed not to learn that', prosecutor Traldi asked. 'Yes', the witness replied promptly.

The witness also said he didn't know that the remains of hundreds of victims were discovered this year in Jakarina Kosa, a pit in the central part of the Ljubija mine. This was a secondary mass grave, where the bodies moved from Tomasica were reburied. 'I didn't follow those developments, believe me. I know only about the funerals at the graveyard near the place where I live', the witness explained. Speaking about how he as the general manager of the Ljubija mine could remain ignorant of the fact that bodies were buried at Jakarina Kosa during the war, Marjanovic said that Dragoljub Kitionjic, the director of the central mine, was in charge of the Jakarina Kosa pit, and Kitionjic never told him anything. When Judge Flugge asked the witness if he was happy with such behavior, Marjanovic said that he was. 'The less you know, the better you are', the witness said.

As the hearing continued, the defense called Savo Strbac, former secretary in the Krajina Serb government and the president of the Commission for the Exchange of Prisoners. Strbac is now the chairman of *Veritas*, an organization which is trying to keep track of the Serb victims of the war in Croatia. In the examination-in-chief Strbac spoke in detail about the causes of the war. Strbac blamed Croatia for violence against Serbs and provoking the conflict with the JNA.

As Strbac recounted, he met Ratko Mladic, who was the commander of the JNA Knin Corps at the time, in October 1991. The witness explained that Mladic helped him set up an exchange of prisoners from Gospic, and proved to be 'a tactful and wise' officer. As the hearing drew to a close, the prosecutor began cross-examining Strbac. The cross-examination will continue and be completed tomorrow.

2015-11-11

THE HAGUE

KRAJINA WAS MLADIC'S TESTING GROUND FOR BOSNIA

Savo Strbac, president of *Veritas*, an NGO, continued his evidence today. The prosecutor put it to him that while Mladic was the commander of the JNA Knin Corps in 1991, he was involved in the crimes against local Croats. This was a clear indication as to how Mladic would act as the Serb military commander in BH, the prosecutor noted. The witness replied that the crimes had been committed on all sides. The actions against Croats were undertaken to lift the blockade of the JNA military barracks, Strbac explained. When Stipe Mesic's name was mentioned, the accused shouted out loud, 'Ustasha!'

As he testified about Ratko Mladic's time as the commander of the JNA Knin Corp, defense witness Savo Strbac described him as a 'tactful and wise officer'. Strbac was the security officer in the Benkovac Territorial Defense, the president of the Commission for the Exchange of Prisoners and a secretary in the Krajina government. Now, Strbac heads the non-governmental organization *Veritas*, which keeps track and makes lists of Serb victims in Croatia.

In the cross-examination, the prosecutor stressed the darker side of Mladic's involvement in the war in Croatia. The prosecutor put it to the witness that when Mladic was appointed the Knin Corps commander, the JNA changed its course. It was no longer neutral: now it openly sided with the Serbs. The prosecutor presented an interview with the then Krajina president Milan Martić on the *BBC* in 1994. Martić says that when Mladic arrived in Knin he 'instilled confidence' into Serbs and 'openly told them that they were right'. Strbac on the contrary claims that the JNA remained neutral until mid-September 1991 when the Croatian side decided to blockade the Yugoslav army military barracks in all of Croatia.



◀ Savo Strbac, defence witness at Ratko Mladic trial

When the JNA sided with the Serbs, Mladic's troops took part in the attacks on Croatian villages, the prosecution evidence shows. Many crimes against civilians were committed and Krajina was ethnically cleansed. To corroborate this allegation, the prosecutor tendered several documents into evidence. As reported by a Zagreb newspaper *Vecernji list* in October 1991, Mladic promised that the town Drnis would never again be a Croat town. Instead, it would be called Ratkovo, Mladic purportedly claimed. In a video recording from September 1991, Mladic threatened the representatives of the town of Sinj: if they didn't meet his demands, Mladic warned, the destruction seen in the villages of Kijevo and Vrlika and the town of Sibenik 'would be

nothing' compared to what he had in store for them. Mladic then threatened that he would switch off water and electricity supply to Sinj. According to the prosecutor, all this was just a demonstration of what Mladic would later do in BH as the commander of the VRS Main Staff.

In late September and early October 1991, Mladic ordered the shelling of the ancient town of Zadar. On 18 November 1991, Mladic noted in his diary, he ordered his troops to attack the villages of Skarbrnja and Nadin. According to a report produced by a Croatian medical team, at least 44 persons were killed in Skarbrnja and 7 victims were killed in Nadin. The youngest victim was 23, and the oldest 92. Half of the victims were female, while several victims were tortured before they were killed.

The witness didn't deny most of the prosecutor's allegations, stressing that there were victims on both sides. 'No one killed those people while they were sleeping', Strbac claimed; they died in combat. According to Strbac, it is up to a court of law to establish if those were indeed crimes. In the re-examination, the defense counsel noted that Mladic's Corps carried out those actions in a bid to remove the roadblocks and lift the blockade of the JNA barracks and other military facilities in Krajina and Dalmatia. The witness agreed with the suggestion. Interestingly, one of the questions was who the president of the SFRY Presidency and the JNA Supreme Commander was at the time when those crimes were committed, as that person was Mladic's superior. 'Stipe Mesic', the witness responded. 'Ustasha!', Mladic shouted despite the fact that he is strictly forbidden to make loud comments in the courtroom.

As the hearing drew to a close, Dragan Kijac returned to the witness stand. The evidence of Kijac, former chief of the Republika Srpska MUP state security service, was interrupted on 21 October 2015.

2015-11-12

THE HAGUE

OBSTRUCTING 'NON-EXISTENT' TRIBUNAL IN THE HAGUE

Dragan Kijac continued his evidence in Ratko Mladic's defense. Kijac, who headed the Bosnian Serb secret police during the war and later became the police minister, had claimed that he didn't know anything about the Srebrenica crimes until 2000. The prosecutor contested Kijac's claims with the evidence showing that Kijac was involved in an operation in which false documents were issued to the killers from the 10th Commando Detachment. The unit members were given false papers to protect them from the Tribunal in The Hague, the prosecutor emphasized. The witness replied that at the time the Tribunal 'did not exist' as far as he was concerned. Kijac noted that there was no law in Republika Srpska regulating cooperation with the Tribunal



◀ Dragan Kijac, defence witness at Ratko Mladic trial

Before his evidence was interrupted on 21 October 2015, Dragan Kijac claimed that in July 1995 he didn't know anything about the mass executions of Srebrenica boys and men. In 1996 there were some 'rumors' about the crime, Kijac said, adding that he only learned about the executions of Muslims in 2000. During the war, Kijac was the chief of the Republika Srpska MUP State Security Service. As Kijac's cross-examination continued today, the prosecutor contested Kijac's claims. According to the prosecutor's evidence, as early as in mid-January 1996, Kijac knew about the scale of the Srebrenica crimes. At that time, he was already the police minister.

In mid-January 1996, Kijac received a cable signed by Petar Salapura from the intelligence and security department of the Bosnian Serb Army Main Staff. The police was asked to issue false IDs to eight members of the VRS 10th Commando Detachment. The unit members were under

investigation of the Tribunal in The Hague for their involvement in the executions of captured Muslims. When the prosecutor put it to Kijac that it was an attempt to hide the perpetrators from the justice, Kijac replied that at the time the Tribunal 'did not exist' as far as he was concerned because there was no law in Republika Srpska regulating cooperation with the ICTY.

Presiding judge Orić remarked that it was a 'small-scale secret operation' to obstruct the work of the Tribunal in The Hague. 'From this point of view, yes, it was', Kijac responded. The witness nevertheless explained that it was his duty to comply with the orders he received from the military secret service. In fact, as he explained, he didn't know the real names of the persons he provided with false personal documents.

Drazen Erdemovic was one of the unit members. In an interview he gave to the Paris daily *Le Figaro*, which was later published in *Slobodna Bosna* on 22 March 1996, Erdemovic described how the prisoners were executed in Branjevo and Pilica. In the interview Erdemovic admitted that about 1,200 captives were killed in that operation. He personally had to kill about 70 or 100 prisoners, Erdemovic told the journalist. Kijac dismissed the prosecutor's suggestion that as the police minister he had to have known about the interview.

The witness claimed he wasn't aware of a statement made by Madeleine Albright, US State Secretary, at a press conference in Sarajevo on 21 March 1996. Albright spoke about her visit to Branjevo and the evidence that 1,000 Srebrenica inhabitants had been executed. A report broadcast by the BH TV network was played in court. The witness replied that he had not been following the TV channel from Sarajevo. He would have to see what the Serbian TV station (SRT) and the Serbian News Agency (SRNA) had aired. In his war diary, Ratko Mladić quoted Radovan Karadzic's words at a meeting on 22 March 1996. Karadzic said that 'a great show was put on for Albright' the day before, on 21 March 1996. The US State Secretary expected to see '1,200 Muslim bodies in Pilica but she only saw about five victims'.

In the re-examination, defense counsel Lukic presented a series of police documents issued after the fall of Srebrenica. The documents describe the attempt of the Muslims from Srebrenica to break through towards Tuzla. Kijac used the opportunity to say that the MUP and his State Security were primarily interested in learning about the movement of the column. They didn't care about the fate of the captured Muslims, Kijac said. One of the documents presented today was drafted much later, on 23 September 1996. The document states that during the 'break-through of the Muslim forces' from Srebrenica last year 'there were several incidents in which Muslims were killed individually or en masse. The killings were organized by their officers in order to create chaos in the rear of the column which would divert the attention of the VRS from the front of the column, making it easier for them to escape. According to Kijac, 'the officers of the military and civilian municipal authorities' were at the front of the column. Kijac remembered the document and confirmed that the account tallied with what he knew about the situation.

As the hearing drew to a close, the defense called another expert witness, Mitar Kovac, a retired Serbian military general.

2015-11-16

THE HAGUE

'TYPICAL CIVIL WAR' IN BH

Mladić's defense military expert Mitar Kovac concluded that the war in BH was a 'typical civil war'. Sarajevo was 'defended' city 'blocked on both sides', Kovac noted. According to Kovac, in Srebrenica Mladić didn't pursue a 'murderous' plan but a 'humanitarian' agenda. Late general Gvero commanded the Srebrenica operation 'on behalf of the Main Staff' in Mladić's absence, Kovac explained. Mitar Kovac was awarded the Transfer of Wisdom award at a book fair in Serbia



◀ Mitar Kovac, defence witness at Ratko Mladić trial

The conflict in Bosnia and Herzegovina was not international and it was not caused by an aggression launched by Serbia and Yugoslavia. On the contrary, it was a 'typical civil war', retired Serbian military general Mitar Kovac explained. Kovac testified as a military expert at the request of Ratko Mladić's defense. One of the features of that kind of war are 'sufferings of civilians', Kovac explained, and the transfer of the ethnic communities to the territories controlled by the troops of the same ethnicity. According to the defense expert, the only outside military force present in BH was the Croatian Army; there were no military units from Serbia in BH.

The three national armies, which were of the 'territorial type' fought each other; the war had strong religious overtones, Kovac said. The Muslims were the first to set up their army in May 1991 when the Patriot League was formed. It was based on Alija Izetbegović's views on a unitary Islamic state. The Green Berets was a special unit, part of the Patriot

League. These military formations later became the BH Army. A few months later, the Bosnian Croat Army – Croatian Defense Council – was established, with Croatia's support. Only then, when it became clear that BH would not remain in the rump Yugoslavia, the Bosnian Serbs headed by General Mladic formed their army on 12 May 1992, the expert witness recounted.

The prosecution has alleged that the Republika Srpska Army was a highly centralized Soviet-style military system. Kovac begged to differ, arguing that it had elements of both the centralized and decentralized military organization. In a bid to exonerate General Mladic for the actions carried out by units subordinated to him, Kovac stressed that the combined system of command allowed lower-ranking operative units and commands a great deal of 'flexibility and creativity'.

Presenting the findings from his expert report on Sarajevo, Kovac said that Sarajevo was a city 'divided, defended and blocked on both sides'. According to Kovac, attacks on Sarajevo using 'legitimate means of warfare' including artillery were fully justified. According to Kovac, the disposition of troops reflected the demographic picture of the city. Central municipalities with a prevalent Muslim population were held by the BH Army. The suburban municipalities with a Serb majority were controlled by Mladic's army. There were about 40,000 or 50,000 soldiers deployed in the city, Kovac estimated. The General Staff and many BH Army unit commands were also located in the city. They were legitimate military targets, Kovac noted. Mladic is not indicted for placing Sarajevo under siege or for attacks on military targets, but for terrorizing the civilian population of the city. As for specific incidents, the witness mentioned only one of them, the first Markale attack on 5 February 1994. According to Kovac, a single 120-mm shell could not have caused such an explosion with so many victims. The prosecution alleges that 66 were killed and 140 wounded in the incident. In Kovac's opinion, a 'reinforced explosive device' was used.

According to the witness, the attack on Srebrenica in July 1995 was legitimate because the enclave had never truly been demilitarized. In Kovac's view, Mladic was not responsible for the events in the field because he was not the 'operative commander'. It was up to the Drina Corps to plan and implement actions, Kovac said, either on the basis of Karadzic's Directive 7 or Mladic's Directive 7.1. There was nothing controversial about the video footage of Mladic arriving in Srebrenica at the head of his forces. It was part of Mladic's 'public image' to always be in the thick of things. Mladic's 'physical presence doesn't mean that he commanded the operation'.

Kovac was particularly keen to exonerate Mladic for the period from 14 to 17 July 1995, when the mass executions were carried out. As Mladic was in Belgrade throughout that time, Kovac argued, the army was under the command of the 'highest-ranking officer' in the Main Staff, Milan Gvero. Gvero was convicted of the crimes in Srebrenica and died after serving his five-year sentence. Kovac thus blamed the deceased individuals convicted by the Tribunal for the crimes.

In their evidence the prosecution experts described Mladic's behavior at the third and final meeting with the Muslim representatives from Srebrenica in the Fontana Hotel in Bratunac on 12 July 1995 as proof of his 'murderous plan'. The defense expert explained that it was all about a 'humanitarian goal' to protect the soldiers of the 28th Division of the BH Army. The accused said at the meeting that the Srebrenica Muslims had to surrender their weapons; they faced the choice of 'either survival or disappearance'.

The defense's military expert examination-in-chief was completed today. It remains to be seen if the prosecutor will examine Kovac tomorrow or on Thursday, after two witnesses complete their evidence via video link from Banja Luka.

2015-11-17

THE HAGUE

EXPLOITING ISLAMOPHOBIA IN TRIBUNAL'S COURTROOM

Commenting on ideas Alija Izetbegovic had presented in the Islamic Declaration and their implementation, Mile Dmicic says that Serbs and Croats feared the domination of Islam. Secular Bosniaks feared it, too, the witness notes. Dmicic, a former official in the BH Presidency, didn't agree with the defense's suggestion that the BH president had advocated terrorism

Now, when Islamic extremism and its consequences are making headlines in the world media, Ratko Mladic's defense transposed the issue to the courtroom in The Hague during the evidence of Mile Dmicic today. Among other jobs, the witness was an official in the BH Presidency. In his statement to the defense and in his previous testimony at Radovan Karadzic's request, the witness spoke about working as the Bosnian Serb president's head of office during the war. Mladic's defense made a strategic decision to disregard all of Dmicic's previous statements and to question him only about Alija Izetbegovic's views expressed in the Islamic Declaration. The text was first published in 1970. At times, it seemed as if – following last week's events in Paris – Mladic's defense was trying to describe Izetbegovic and his Islamic declaration as precursors of the so-called Islamic State. To pursue the analogy further, that would make Mladic Putin if not Assad.



◀ Mile Dmicic, defence witness at Ratko Mladic trial

The examination-in-chief didn't run smoothly after the judges did not allow Dmicic to testify as an expert. He could only give evidence as a fact witness. Also, the Trial Chamber found that Dmicic's testimony was 'lengthy, chaotic and irrelevant'. The judges' assessment prompted defense counsel Branko Lukic to react strongly. Right from the start, the Trial Chamber has fought the admission of the Islamic Declaration into evidence, Lukic claimed. The judges stated clearly that they had never obstructed the admission of the document into evidence. On the contrary, the judges only wanted to do it properly and in line with the procedure.

The defense then shifted its tactics: instead of asking the witness to analyze excerpts from the Islamic Declaration, the defense counsel read out parts of the book. He then asked Dmicic if before the war Dmicic had seen Izetbegovic and the SDA leadership implement what had been put down in the text. The witness replied that Serbs and Croats in BH feared the domination of Islam. But, the witness noted, secular Bosniaks were also afraid of it.

One of the quotes states Muslims 'have taken their destiny in their own hands' and 'under present conditions... struggle' for new goals to create a 'great Islamic federation from Morocco to Indonesia'. As Dmicic said, Izetbegovic was a wise politician who didn't openly advocate conflict. As the president, Izetbegovic looked for options to solve the crisis, Dmicic explained. At the defense counsel's suggestion Dmicic was able to recall that once Izetbegovic said that he would 'sacrifice peace for BH's sovereignty'. According to Dmicic, Izetbegovic's final goal was to create a centralized, unitary state dominated by Muslims'.

Izetbegovic wrote in the Declaration that 'One who rises against Islam will reap nothing but hate and resistance'. This gave the defense counsel a cue to ask if Izetbegovic had ever made terror threats. Dmicic said Izetbegovic had not, and was adamant specifying that he 'never heard such claims in public'. At the end of the examination-in-chief, the defense counsel asked Dmicic about the arrival of Mujahideen in Bosnia. Dmicic replied that about 10,000 Mujahideen arrived from various countries – from Saudi Arabia or Indonesia. The Mujahideen came to BH at the request of Bosnian politicians who had links with those countries dating from before the war, Dmicic explained.

After Dmicic completed his evidence, the defense military expert General Mitar Kovac returned to the courtroom briefly. Kovac will continue his evidence tomorrow after yet another testimony via video link from Banja Luka. The evidence of Dragan Vujcic, a former VRS soldier, is not expected to take more than an hour.

2015-11-18

THE HAGUE

'PLAGIARISM' IN MLADIC'S EXPERT REPORT

Mitar Kovac, a general with a military and academic background, was forced today to defend himself against allegations of plagiarism. Kovac was asked by Ratko Mladic's defense to write an expert report. Before Kovac took the stand, the defense called former VRS soldier Dragan Vujcic. He said he didn't know who had buried the bodies in the Tomasica mass grave near Prijedor, although he was able to say who had not done it



◀ Mitar Kovac, defence witness at Ratko Mladic trial

When he appeared in court last week, retired general Mitar Kovac introduced himself as an experienced soldier, with a solid background in military matters and in the academic domain. Kovac, who was called by Ratko Mladic's defense as an expert witness, stressed that he was awarded the prestigious Transfer of Wisdom award at a book fair in Nis for one of his books. Today in the cross-examination the prosecutor noted that the witness 'transferred wisdom' from other sources to his expert report. Since the witness failed to identify his source in the footnotes, his actions amounted to plagiarism, the prosecutor said.

In the report he wrote at the request of Ratko Mladic's defense, Kovac copied 'almost in full' an article from Wikipedia on the death of Bosko Brkic and Admira Ismic. The two young people, a Serb and a Muslim, were killed in Sarajevo. Kovac failed to quote the source he had used, the prosecutor said. Kovac agreed that he may have taken the text from Wikipedia as the 'basis for the quote', but he was adamant that the actual reference is to an article in the newspaper Slobodna Dalmacija even though the words he quoted are not in there at all.

Furthermore, yesterday the prosecutor identified 54 paragraphs in Kovac's report which had been largely copied from reports drafted by General Radovan Radinovic. Radinovic appeared as a witness at several trials before the Tribunal. When he looked at the report the witness admitted that in those paragraphs he copied 10 to 90 per cent of Radinovic's text verbatim, or about 65 per cent on the average. Kovac also admitted he had failed to identify the sources in 36 paragraphs; in fact, he presented the other expert's findings as his own. When he talked specifically about one example, Kovac initially claimed that he had copied 70 or 80 per cent of Radinovic's text, but was forced to admit that in fact he had copied 100 per cent of Radinovic's text without identifying the source.

This prompted the prosecutor to ask Kovac what he would tell the students he taught at several faculties in Belgrade if they tried to pull off something similar. Professor Kovac replied that he would 'draw their attention to take that into consideration'. Using other author's text without identifying the source, was not 'such a big deal' in Kovac's view. 'Does that mean that plagiarism isn't a serious violation of professional ethic', Judge Moloto asked. The witness replied that Radinovic's words made up only three per cent of his work. According to Kovac, it really did not matter that much.

Explaining why he relied on Radinovic's findings in his report, the witness said that for a while Radinovic was his superior in the army. Kovac 'looked up' at Radinovic. This statement prompted prosecutor Weber to quote Radinovic's public statements. Radinovic called Seselj a 'metaphor of Serbian nationalism and identity', spoke in favor of transferring population and advocated a 'new Serb state' to 'control' the border on the Drina. Kovac said he did not quite agree with what Radinovic had said about Seselj. All three ethnic communities in BH did move into the territories under the control of their ethnic armies, Kovac insisted.

In Kovac's opinion, the transfer of population and the crimes were natural consequences of a 'typical civil war', which was waged in BH. The witness was then confronted with several documents showing that Mladic's army expelled non-Serb civilians from the part of BH claimed by the Serbs. The witness was adamant that it happened 'on all three sides'.

General Kovac will continue his evidence tomorrow. This morning, before Kovac took the stand, the defense called Dragan Vujcic, who testified via video link from Banja Luka. Vujcic was in the Engineering Battalion of the JNA 343rd Brigade. The unit later became the VRS 43rd Brigade. In his statement to the defense, Vujcic said that his unit did not bury the bodies of non-Serb civilians from Prijedor in the Tomasica mine in June and July 1992. The Tomasica mine was a part of the Ljubija mine complex. As the witness said, at that time his battalion, as well as most of the 43rd Brigade, was deployed far from Prijedor. Vujcic didn't deny the possibility that some other unit in the Bosnian Serb army had buried the bodies.

2015-11-19

THE HAGUE

SARAJEVO CIVILIANS LACKED 'SAFETY CULTURE'

According to Mladic's defense witness, the allegations about artillery and sniper terror in Sarajevo were 'propaganda'. Sarajevo civilians contributed to their suffering because they didn't observe 'necessary security measures', they 'moved around without a reason' and 'gathered in risky areas', the witness argued

The situation in the Sarajevo battlefield during the war in BH was in focus during the cross-examination of the defense's military expert Mitar Kovac today. The prosecutor put it to the witness that in the four-year siege the army under the command of the accused Ratko Mladic terrorized civilians with artillery and sniper attacks. The witness called it propaganda, arguing that there were inevitable civilian casualties on both sides when their armies clashed.

In a bid to prove what the VRS Main Staff's plan for Sarajevo was, the prosecutor showed several documents in court. Mladic's Directive No. 4 was the first document: in it Mladic instructs the Corps to hold Sarajevo 'under complete blockade to tighten the encirclement and isolate parts of the city from the areas around it'. The prosecutor also showed the transcript of Mladic's speech in the Bosnian Serb Assembly on 12 May 1992 in which Mladic said he would pound the city 'until everyone goes crazy'. The VRS was established on that date and Mladic was appointed commander of the VRS Main Staff. Finally, the prosecutor also showed a document drafted by the VRS Main Staff which states that the Sarajevo-Romanija Corps should implement actions aimed at weakening 'the morale of the Muslim troops and population'. According to the document, the Corps' activities should achieve a 'constant negative effect on the morale of the Muslim forces and population, that they have a sense of fear and constant insecurity'. According to the witness, all those documents merely showed that the Serb troops fought enemy troops and that they didn't terrorize citizens.

In his expert report the witness shifted the blame for civilian casualties in Sarajevo from Mladic's army on civilians themselves. In Kovac's view, civilians didn't observe the 'necessary security measures', as they 'moved needlessly and gathered in risky areas'. The military expert did agree with the suggestion that people had to leave their homes to get food and water. Asked if he blamed the civilians for their own suffering, the witness said that the military and political authorities in the city were to blame because they didn't evacuate the people from risky areas.

In his report Kovac quoted from a book by General Michael Rose, who said that Sarajevo 'was not a city under siege'; Kovac referred to that again today. The prosecutor remarked that in fact the Sarajevo media had mistakenly reported

General Rose as saying that there was no siege, but General Rose denied the claim immediately and stated so in his book. Also, general Rose wrote that for two years before he was appointed UNPROFOR commander in January 1994, Sarajevo had been a 'city under siege', where 350,000 inhabitants lived 'like rats under the rubble of buildings daring to leave their homes only by night'.

The prosecutor then quoted Rose who described Mladic as an officer worshipped by the Serb troops, who was a 'very religious man' who 'prayed every day for his soldiers'. That was incompatible with the fact that Mladic used 'terror' and 'artillery to target civilians'. Asked why he did not quote that in his report, General Kovac replied that he didn't agree with the claim.

Apart from military issues, the defense expert also dealt with history in his report. Thus Kovac considered the origin of Bosnian Muslims. According to Kovac, the Bosnian Muslims used to be Serbs before 'Islam separated them from their national core'. Also, Kovac denied the Bosnian Muslims the right to their language saying that there was no Bosnian language. Bosnian was a dialect of the Serbian language into which some Croat words were introduced by force. Kovac didn't retract any of his claims; in fact, as he told the court, this is what he taught his students in Belgrade.

General Mitar Kovac will return to the courtroom on Tuesday. On Monday Kovac's evidence will be once more interrupted with the testimony of another defense witness.

2015-11-23

THE HAGUE

'QUANTUM DIFFERENCE' IN CRIMES

As he was questioned by Mladic's defense, Japanese diplomat Yasushi Akashi said that the Bosnian side was responsible for violating the agreement and refusing to sign ceasefire agreements. In the cross-examination, when the focus turned to the crimes, Akashi confirmed the claim he made in his book, that all three sides in BH had committed crimes. However, Akashi noted, there was a 'quantum difference' between the three because only for the Serb side 'genocide was part of their official policy'



◀ Yasushi Akashi, defence witness at Ratko Mladic trial

Yasushi Akashi, former UN Secretary General's special envoy to the former Yugoslavia began his evidence as Ratko Mladic's defense witness. Akashi showed his diplomatic skills as he did favors to both parties. As he was questioned by the defense counsel, Akashi blamed the Bosnian side for the failure of peace negotiations. In the cross-examination, on the other hand, Akashi blamed the Bosnian Serbs and their president Radovan Karadzic for that and more.

In 2013, Akashi appeared as a witness at Karadzic's request. Parts of the transcript from Akashi's testimony at that trial were admitted into evidence in Mladic's case. Akashi had also testified in the defense of Croatian

general Ante Gotovina. This was Akashi's third and final appearance before the Tribunal. Akashi talked about his experience in the region from the beginning of 1994 to the end of the war, during his term of office as the special envoy.

Akashi agreed with the defense that the Bosnian safe areas – Srebrenica, Zepa and Gorazde – were never fully demilitarized and that the BH Army used them to 'rest and supply' the troops. According to the defense, the fact that the agreements were not observed and that attacks were launched from the safe areas on the Serb army and civilians legitimized the attacks on them. Mladic is not on trial for the attacks on the enclaves but for the crimes against the local civilian population.

Also, Akashi said that during his term of office the Bosnian side, with the US support, would not sign any long-term cease fire agreements. As he explained, the Bosnian side feared that a permanent ceasefire would formalize the land-grab by the Serb side. At one point, the Serb troops controlled over 70 per cent of the BH territory.

At the beginning of the cross-examination the prosecutor stressed that the Bosnian side and president Alija Izetbegovic maintained that there could be no peace agreements at a moment when the Bosnian Serbs held large swathes of the territory, including 15 municipalities with a Muslim majority. That would mean 'rewarding the ethnic cleansing', Izetbegovic told Akashi in February 1994. The witness admitted that he 'understood what bothered them'.

The prosecutor reminded Akashi of the claims he made in his book *In the valley of peace and war* that all three sides had committed crimes, although there was a 'quantum difference' between them because Serbs committed 'the most horrible acts'. 'Genocide did not form part of official Bosnian government policy in a way that it clearly did with the Serbs', Akashi quoted general Rose's comments. Today Akashi confirmed his view.

Akashi repeated the claims he had made in his evidence in the Karadzic case, that Republika Srpska had a 'tendency to nonchalantly bend the truth'. Today Akashi added that he and other representatives of the international community, including Russian diplomat Vitaly Churkin, were 'disgusted' at Karadzic's habit of promising one thing and then proceeding to do something completely different in the field.

Yasushi Akashi's cross-examination will continue tomorrow.

2015-11-24

THE HAGUE

AKASHI'S 'THINKING OUT LOUD' ABOUT MLADIC

In his book Yasushi Akashi, former UN Secretary General's special envoy to the former Yugoslavia, described Ratko Mladic as an 'emotional nationalist' with 'strong feelings for lives of Serbs but without any emotion for the members of the two other BH ethnicities'. In Akashi's words, Mladic was a soldier immersed in the idea of the 'Serb supremacy', 'prone to taking revenge'. Today Akashi distanced himself from the allegations, claiming that he was 'not an historian'. In his book, he was just 'thinking out loud', Akashi remarked



◀ Yasushi Akashi, defence witness at Ratko Mladic trial

Yesterday, in his evidence in Ratko Mladic's defense Japanese diplomat Yasushi Akashi repeated his previous claim that Radovan Karadzic was a man with 'a tendency to bend the truth'. As prosecutor Tieger probed the issue further today, he focused on the situation in Banja Luka and Bijeljina in 1994. The prosecutor put it to the witness that the truth had been bent then, as the Bosnian Serb president told Akashi and other international representatives one thing, and did something completely different in the field.

Several of the presented documents showed that in August 1994 the witness and other UN representatives received reports about the ethnic cleansing in the

Bijeljina municipality and the violence against the local non-Serbs in the villages of Janja and in Banja Luka. Also, the prosecutor argued, it was a well-known fact that the local boss Vojkan Djurkovic was in charge of the expulsions and looting and that Serb soldiers were put up in the houses and apartments vacated by the non-Serbs. As noted in a document by the VRS Eastern Bosnia Corps, these actions 'raised the morale of the troops'. These facts were conveyed to Karadzic who promised he would put a stop to any further ethnic cleansing. At the same time Karadzic said before the Assembly that it would be a 'catastrophe' if any Muslims remained in the Serb territory. Akashi didn't remember that particular instance, noting instead that the UN mission was helpless to prevent the ethnic cleansing.

Also, the witness and his colleagues were unable to secure the presence of the International Red Cross in Srebrenica after Mladic's army entered the city. 'All our efforts to that effect were futile', Akashi stressed, adding that thus they could not verify if there was any truth in the 'rumors' about the massacre of captured Srebrenica locals. According to the prosecution evidence, the mass executions were reported in the foreign media days after they took place. Akashi replied that in mid-August 1995 his colleagues and he were still 'uncertain' although a month had passed from the massacre.

In his book, Akashi describes his experience from 1994 and 1995 when he was the UN Secretary General's special envoy to the former Yugoslavia. The witness described Mladic as an 'emotional nationalist' with 'strong feelings for the lives of Serbs but without any emotion for the members of the two other BH ethnicities'. Also, Akashi wrote that Mladic was immersed in the idea of the 'Serb supremacy' and was 'prone to taking revenge'. According to Akashi's book, that could have been the cause of the events in Srebrenica. Asked if he still held the same views of the accused, Akashi replied that he was 'not an historian'. In his book he was only 'thinking out loud', Akashi told the court, presenting his assumptions about Mladic based on their encounters.

In his book, Akashi notes the opinion of British general Michael Rose that the genocide 'was never part of the Bosnian official policy unlike the Bosnian Serbs'. Yesterday Akashi said that he agreed entirely with the allegation. Today, in the re-examination the witness again showed the same tendency to favor both parties in the proceedings, as he told defense counsel Ivetic that he didn't agree '100 per cent' with general Rose. This prompted the prosecutor to ask Akashi to explain the discrepancy what he said yesterday and today. Akashi told him that he did agree with Rose's 'general description'. After that, there was no time for any further questions. In his last appearance before the Tribunal, Akashi thus managed to remain diplomatically vague.

Ratko Mladic's trial continues tomorrow with the evidence of his military expert Mitar Kovac.

2015-11-25

THE HAGUE

EVERYONE IS TO BLAME FOR SREBRENICA GENOCIDE EXCEPT MLADIC AND KARADZIC

According to the findings of Mladic's defense military expert Mitar Kovac, everyone was responsible for the genocide in Srebrenica – Alija Izetbegovic, Bill Clinton, foreign intelligence services, Serb mercenaries and avengers, the Scorpions unit, and a part of the Bosnian Serb military services; everyone, in fact, but the Republika Srpska military and political leadership



◀ Mitar Kovac, defence witness at Ratko Mladic trial

Prosecutor Peter McCloskey, who has specialized for Srebrenica, took the final stage of Mitar Kovac's cross-examination today. He focused on refuting the expert's finding that the accused was not in any way responsible for the mass executions of the captured Srebrenica men and boys in July 1995. Mitar Kovac is Ratko Mladic's military expert.

In his report Kovac didn't deny the crimes in Srebrenica. In Kovac's view, the Bosnian Serb military and political leadership 'did not plan' them. 'Most likely the crimes were planned with a view to preparing the international public through the media' to tolerate the ethnic cleansing and killing of Serbs from Croatia and Bosnian Krajina in

the second half of 1995. The crimes against people of Srebrenica were a 'screen' concealing the drive to continue the genocide against Serbs that had begun in the World War II.

Asked who else, apart from the Bosnian Serb leadership, could have planned the Srebrenica massacre, the witness replied that Alija Izetbegovic, the BH President, and the US President Bill Clinton had agreed to surrender Srebrenica to the Serbs. 'Elements of the intelligence services in some parts of the international community' exerted their influence. As to who committed the mass executions, Kovac said that 'self-organized groups from Podrinje who were part of the criminal underworld before the war' and 'groups of vengeful Serbs' were to blame.

The prosecutor turned his attention to Kovac's statement in his report that the perpetrators 'likely worked hand in hand with some senior officers from the security services'. Asked to identify the officers involved in the crimes, Kovac named Drago Nikolic, Vujadin Popovic and Ljubisa Beara. The expert thus presented the chain of command in the security sector from the Zvornik Brigade to the Drina Corps and the Main Staff, where Beara was the security chief.

The three officers were indicted by the prosecution in another case, and the prosecution agrees that the security chain of command played a crucial role in the Srebrenica crimes, but it insists that it did not stop with Beara, but included Mladic too. Asked if Mladic was Beara's superior, the witness reluctantly confirmed that he was, but not directly. The chain involved Zdravko Tolimir, commander for intelligence and security in the Main Staff. Beara was not a rogue officer, the prosecution contends, as evidenced by a conversation intercepted on 23 October 1995, in which Mladic tells the Republika Srpska prime minister Dusan Kozic that the security chief in the Main Staff 'would never do anything I haven't ordered him to do'. All the officers named by Kovac have been convicted by the Tribunal and their convictions have been upheld on appeal. Drago Nikolic was sentenced to 35 years in prison, while Beara, Popovic and Tolimir all received life sentences. Mladic is still awaiting verdict.

As the prosecution noted, the role of the Bosnian Serb leadership could be seen in an excerpt from Directive 7 issued in March 1995, according to which 'an unbearable situation of total insecurity with no hope of further survival for the inhabitants of Srebrenica and Zepa' was to be created through "planned and well-thought out combat operations'. General Miletic from the VRS Main Staff drafted the Directive; Karadzic signed it and Mladic's deputy, General Milovanovic, sent it to the units. According to the witness, there was an 'error' in the Directive. When it was discovered, the incriminating words were deleted from Mladic's subsequent Directive 7.1. The prosecutor insisted that similar language was used at meetings in 1994 and 1995 attended by Mladic. At one of those meetings Mladic said, 'the enclaves are not here to survive but to disappear'. It was stated in Mladic's presence that the enclaves should 'not survive'. These claims were made in the war diaries of Milenko Zivanovic, the then commander of the Drina Corps. The notebooks were shown for the first time today in the courtroom and were admitted into evidence. That does not happen often at this stage of the Tribunal's existence.

According to Kovac's findings, 'mercenaries', such as the Scorpions unit from Serbia, participated in the Srebrenica crimes. In Trnovo, the Scorpions executed six men and a boy and filmed the crime. A true Serb soldier would never film people being shot in the back, and document the crime in such a way, Kovac argued. The prosecutor then showed a Sarajevo-Romanija Corps document of 23 July 1995, in which the Scorpions were referred to as 'our troops'. Also, a report drafted by the Republika Srpska MUP noted that the Scorpions, a unit of the Serbian MUP, held the defense lines near Trnovo. Asked if ten members of the Scorpions unit involved in the crime would have had to

obtain permission from ranking military officers in Mladic's army to leave their positions, Kovac replied that they wouldn't have to do that. The unit was made up of professional killers and their intention was to sell the footage and 'disgrace the national struggle', Kovac explained.

Kovac completed his evidence today. Ratko Mladic's trial continues on Monday.

2015-11-30

THE HAGUE

HISTORIAN CORRECTS GRAMMAR

Mladic's defense expert, historian Milos Kovic has criticized the prosecution and its experts, claiming that they have erroneously used several terms. The term 'Bosnian Serbs' is not correct, because some of these people come from Herzegovina, Kovic stressed. According to him, it was not correct to use the term the 'siege of Sarajevo' because the city had access to the outside world through the UN troops. Also, there was no 'terror' against the Sarajevo citizens because the Serb artillery and snipers targeted the army and the objective was to divide the city



◀ Milos Kovic, defence witness at Ratko Mladic trial

Milos Kovic, a historian from Belgrade, has written two reports at the request of Ratko Mladic's defense. In the reports Kovic 'scientifically criticizes' the work of the prosecution experts. In the first report, Kovic analyzes the claims made by Patrick Treanor about the actions of the Bosnian Serb leadership from 1992 to 1995. In the second report Kovic criticizes the reports by Robert Donia on the siege of Sarajevo and the activities of the Republika Srpska Assembly during the war in BH.

At the beginning of the examination-in-chief, the defense counsel asked Kovic why, in his view, the use of the term 'Bosnian Serbs' was 'incorrect from the historical and professional point of view'. Treanor used the term in the

title of his expert report. The witness explained that the phrase was an insult to the local Serbs. The proper term is 'Serbs from Republika Srpska', Kovic said. Furthermore, Kovic emphasized, some people come from Herzegovina as not all Serbs are Bosnians. As he went on with his evidence, the defense's historian used the phrase 'Bosnian Muslims and Croats'. The presiding judge didn't miss that, asking whether the term was not insulting to Muslims and Croats. Some of them also come from Herzegovina, the presiding judge asked. Muslims 'don't insist on such distinctions', Kovic retorted. As far as Croats were concerned, it was 'just a nuance,' although in fact they have not really bought into the 'Bosnian idea'.

According to Mladic's expert, there was also a serious terminological problem in the title of Donia's report. The term 'siege of Sarajevo' was controversial, Kovic noted. There was no siege of Sarajevo because during the war the city had access to the outside world through the UN troops. In fact, only the center of Sarajevo was encircled by the Serbs, not the entire city. 'Here, if you were to state that The Hague consisted only of the city centre, then you would have the siege of The Hague', Kovic specified.

In the cross-examination, the witness said that the term 'terror' was also not proper. The word has been used in the indictment to describe the artillery and sniper campaign against the Sarajevo civilians. Kovic explained that the BH Army units were targeted. The Bosnian Serb leadership and Mladic's army wanted to divide Sarajevo and it was not their intention to terrorize the civilians.

What the accused intended during the war in BH could be seen in his statements to the media, the prosecutor argued. The prosecutor presented Mladic's interview to the Belgrade magazine *NIN* from the war-time period. In the interview Mladic called Muslims 'converts to Islam' and 'the worst scum'. The witness explained that the interview was 'war propaganda', and not what the accused really believed in. The prosecutor asked if Mladic's statements could be linked to a Sarajevo-Romanija Corps report drafted in 1994 and signed by Luka Dragicevic. According to the document, Serbs were 'genetically better, stronger, handsomer and smarter' than Muslims because the latter were 'converts to Islam', descendants of the 'weakest of Serbs'. One doesn't need to be a historian to see 'certain similarities' between Mladic's and Dragicevic's words, Kovic replied.

The historian from Belgrade states in his report that BH President Alija Izetbegovic was swayed by the US to reject Cutilheiro's plan despite the fact that the plan had been an opportunity for a peaceful division of BH within its borders. Kovic also quoted from the book by Warren Zimmermann, a former US ambassador to Yugoslavia. In Zimmerman's words, the Americans encouraged Izetbegovic to do that. The truth is rather more complex, the prosecutor countered, invoking other statements made by Zimmerman. For example, Zimmerman wrote that the US decided to support the rejection of the plan only after they learned about the agreement between Tudjman and Milosevic, presidents of Croatia and Serbia, to carve up BH. According to Zimmerman, the information made Izetbegovic 'very angry'. Kovic remarked that Zimmerman 'disagrees with himself' because he said something else

in his statement to the US media. Also, the prosecutor noted, Ratko Mladic mentioned the division of BH in his war diary. Taking notes at a meeting on 26 October 1992, Mladic wrote down the words of Croatian general Slobodan Praljak. 'We are right on track to force Alija to agree to the division of BH' and 'it is in our interest for Muslims to get a canton of their own to have a place to move to'. At that time, the war was 'well under way', and the warring factions had their own goal they pursued. Muslims wanted to keep a unitary state, while Serbs and Croats wished to divide it, Kovic explained.

The defense expert will continue his evidence tomorrow.

2015-12-01

THE HAGUE

HOW WITNESSES IN VOJISLAV SESELJ'S CASE WERE MADE TO 'CHANGE THEIR MINDS'

Three officials of the Serbian Radical Party have been charged with contempt of court for threatening, intimidating, bribing and otherwise tampering with the witnesses in the case against Vojislav Seselj. Serbia has failed to execute the arrest warrant issued on 19 January 2015



◀ Vjerica Radeta, Petar Jojic i Jovo Ostojic

The contempt of court indictment issued on 19 January 2015 against three officials of the Serbian Radical Party, Petar Jojic, Jovo Ostojic and Vjerica Radeta, was unsealed today at the Tribunal. The three party officials are charged with threatening, intimidating, bribing and otherwise tampering with the witnesses in the case against Vojislav Seselj. The decision to unseal the document stresses the fact that Serbia has yet to comply with the order to arrest the three Radicals. The arrest warrant was issued at the same time as the indictment.

Petar Jojic and Vjerica Radeta are jurists and members of Seselj's legal team. Radeta is also a member of the Serbian Assembly from the SRS. The indictment describes

Jovo Ostojic as a 'Chetnik vojvoda'. The three Serbian Radicals are charged with using threats, intimidation and bribes to compel some of the witnesses who had been cooperating with the prosecution to switch sides and refuse to give evidence for the prosecution. The witnesses were also persuaded to refute their previous statements and to claim that the investigators had pressured them. Those witnesses then signed new statements that were dictated to them by the accused. The witnesses were also compelled to give false evidence at one of Seselj's contempt of court trials. According to the indictment made public today, the person in charge of coordinating the treatment of prodigal Radicals was Ljubisa Petkovic. In 2008, the former chief of the SRS War Staff was sentenced to four months in prison for contempt of court.

The identity of the witnesses has been redacted and the indictment unsealed today identifies them as witnesses 1, 2, 3, and 4. Witness 1 received a fee of 500 euros a month to 'switch sides'. Witness 2 received payments in the Serbian Radical Party headquarters but the amount has not been specified. Witness 4 was promised money and a meeting with Zoran Krasic and Aleksandar Vucic, who were the lead counsel in Seselj's legal team.

The unsealing of the indictment and the arrest warrant that has not been executed are timed to coincide with the regular biannual report the Tribunal's President and the chief prosecutor submit to the UN Security Council. Judge Carmel Agius is expected to stress in his first presidential report to the UN Security Council the lack of cooperation on Serbia's part.

2015-12-01

THE HAGUE

DIFFICULTIES UNDERSTANDING CRIMINAL PROCEEDINGS

Milos Kovic, historian giving evidence at the request of Mladic's defense, didn't contest the claim that the crimes had been perpetrated against non-Serbs in the Serb part of BH. He did complain, however, that no one discussed crimes against Serbs. The judges explained to Kovic that the Trial Chamber did not intend to write 'the history of the entire war' but to render a 'judgment to one particular accused'

Continuing the cross-examination of Milos Kovic, prosecutor Arthur Traldi tried to prove that the Bosnian Serb leadership headed by Radovan Karadzic and Ratko Mladic wanted to achieve an ethnically clean Serb state in the BH territory. The objective was implemented in the course of the war through crimes and ethnic cleansing of the non-

Serbs, the prosecutor argued. Kovic, a history expert called by Mladic's defense, thinks that the creation of the Serb state in BH was an expression of the legitimate 'democratic will' of the people. In Kovic's view, that objective was not pursued through ethnic cleansing.

In one of his expert reports Kovic contested the findings of the prosecution expert Robert Donia on the siege of Sarajevo. Kovic stressed that the US historian did not try to find a deeper meaning to General Ratko Mladic's words at an Assembly meeting in April 1995; Mladic told the deputies, 'You know what happened when Markale was hit. But I can tell you that I have never in my life been as badly criticized as I was for Markale...' Donia interpreted it as an admission of responsibility for the artillery attack on the Sarajevo town marker, Kovic said in his report, but Donia failed to include another part of the sentence. 'Without the missing part' it was impossible to conclude what the speaker in fact wanted to say, Kovic argued.



◀ Milos Kovic, defence witness at Ratko Mladic trial

In the ensuing discussion the prosecutor put it to the expert that Donia didn't omit anything. Donia did leave something out, Kovic countered. After some wrangling it turned out that the expert believed Donia left out a part of the sentence because the sentence ended with three dots. Also, Kovic admitted that he didn't read those or any other minutes from the meetings of the Bosnian Serb Assembly. This didn't stop Kovic from criticizing the prosecution experts' reports dealing with the issue.

At the meeting on 12 May 1992 in Banja Luka, when Republika Srpska was declared, the accused described to the deputies the tactics that was used in Sarajevo: cutting off the water and electricity supply in Sarajevo. Mladic went on to state that he would destroy the supply

facilities and blame the other side. 'That is the kind of diplomacy I'm talking about', Mladic said. The prosecutor also presented an order of a Drina Corps colonel from May 1993 to tear down the water tower in Srebrenica and to blame the enemy for that in public. Asked if that was 'Mladic's diplomacy', Kovic replied that he didn't see any similarity between the two documents.

The witness didn't contest the existence of a document called the Six strategic goals of the Bosnian Serbs. The document envisaged the separation of Serbs from other nations and defined the territory of a future Serb state with the borders on the Una and Neretva rivers and no border on the Drina river. Sarajevo was to be divided and the new state was to have access to the sea. There was nothing controversial in that for Kovic. The prosecutor suggested that the document was a pretext for ethnic cleansing. The evidence the prosecutor presented included the minutes from Assembly meetings stating that the non-Serbs had been almost completely removed from some Sarajevo municipalities as well as from towns like Foca, Zvornik or Bijeljina. The prosecutor also showed evidence on rape, arrests, exchange of civilians and other crimes that, in his view, had led to the departure of non-Serbs. Kovic didn't contest the claim but said that there were crimes against Serbs too, and they weren't discussed in the courtroom.

'Obviously you have difficulties in understanding the procedure. In this case we don't write a history of the entire war; what we will write is a judgment to one particular accused, that is our agenda', the presiding judge Orić said in a bid to make it clear to the defense expert why the crimes against Serbs weren't discussed at Mladic's trial.

Kovic tried hard to justify all the actions of the Bosnian Serb leadership during the BH war, with one exception. It was wrong to change the 'ancient, medieval name' of Foca to Srbinje. At the same time Kovic didn't have any problems with the fact that by September 1992 – according to Mladic's war diary – the municipality had a Serb majority of 99%. Before the war a significant percentage of Muslims had lived in the Foca municipality.

Expert Milos Kovic completed his evidence today. Mladic's trial continues on Thursday afternoon when another defense witness will give evidence via video link.

2015-12-03

THE HAGUE

CONTESTING REPORTS ON SREBRENICA EXHUMATIONS

Ratko Mladic's defense has called David del Pino, a forensic expert from Chile, in a bid to contest the findings from the report produced by the prosecution forensic expert William Haglund on the exhumations of Srebrenica mass graves. The defense has relied on a report by the Supervisory Commission from San Antonio, but as the report concluded that the errors made by Haglund did not in any way compromise the scientific value of his findings, the defense has thus failed to achieve the desired effect

A forensic anthropologist from Chile, David del Pino, testified at the trial of Ratko Mladic via video link from the USA. In 1996, del Pino was a member of the forensic team put together by the Physicians for human rights and he participated in the exhumation of several mass graves that contained the Srebrenica victims. Through del Pino's testimony, the defense intended to contest, or at least diminish, the importance of the findings related to the exhumations coordinated and led by anthropologist William Haglund.



◀ David del Pino, defence witness at Ratko Mladic trial

Mladic's defense counsel Dragan Ivetic referred to a report produced by the Supervisory Commission from San Antonio, which had been charged with checking the criticism against methods Haglund had applied. The defense counsel quoted del Pino who stated in the report that the clothes found in one of the graves were discarded on Haglund's orders. Del Pino noted in the report that Haglund was often absent and that he spent too much time with the media.

Del Pino argued that the clothes from the grave should have been examined because there might have been some identity papers inside. Del Pino didn't know if someone else had verified whether the clothes contained

any documents or other evidence. Haglund's absence 'slowed down' the exhumations, Del Pino noted. It was Del Pino's impression that Haglund spent too much time with journalists, and in fact, he rushed the exhumations to keep the press happy.

In the cross-examination, prosecutor Peter McCloskey highlighted Haglund's conclusions about the exhumation of the Branjevo mass grave. At least 132 bodies were recovered from the mass grave. Eighty-two of the victims had their hands tied and were blindfolded. The investigation showed that the mass grave was related to five secondary graves, the prosecutor noted. In those mass graves 1,611 bodies were identified using DNA analysis. According to the evidence of Drazen Erdemovic, who confessed to having participated in the execution, about 1,200 Bosniaks were killed on 16 July 1995 in Branjevo. That same day, according to Erdemovic, about 500 Muslims were executed in Pilica, the prosecutor recalled.

Del Pino confirmed that the exhumation of the Branjevo grave was very accurate and professional. It was possible to link primary and secondary graves using DNA analysis, del Pino confirmed.

In a reply to Judge Orić's question, the witness said that Haglund's frequent absences caused some problems in terms of coordination but didn't impact the final results and conclusions. The time Haglund spent with the media likewise did not affect the final outcome, del Pino confirmed. As for the quantity of discarded clothes, del Pino said they could fit be in a 40 by 30 cm box.

Finally, Judge Moloto referred to the conclusion of the Supervisory Commission's report that the defense counsel had failed to quote. The Commission concluded that Haglund's failings did not compromise the scientific value of his findings related to the mass grave exhumations. Del Pino agreed with that conclusion.

Ratko Mladic's trial continues on Monday, 7 December 2015.

2015-12-07

THE HAGUE

FROM ISLAMIC DECLARATION TO ISLAMIC STATE

In his evidence in Ratko Mladic's defense, Republika Srpska president Milorad Dodik has blamed the Muslim leadership for the outbreak of the war in BH. According to Dodik, Alija Izetbegovic's policy and the statements he made in his Islamic Declaration were 'precursors to the current ideology of radical Islam'. The prosecutor contested Dodik's claims by quoting from an interview Karadzic gave in 1990, when he said 'there is no need to panic' in BH because local Muslims had all opted for 'the European way of life while following their Islamic faith'



◀ Milorad Dodik, defence witness at Ratko Mladic trial

Current Republika Srpska president Milorad Dodik began today his fourth and final testimony before the Tribunal as Ratko Mladic's defense witness. Dodik already appeared three times – first at the sentencing hearing of Biljana Plavsic in 2002, then at the request of the prosecution in Radislav Brdjanin's case in 2003, and finally in 2013 when he gave evidence in Radovan Karadzic's defense. Today Dodik described the events and presented his impression about the time when he was first a member of the BH Parliament representing the Union of Reformist Forces, and then an independent member of the Bosnian Serb Assembly.

In Dodik's opinion, the war in BH began because of the Muslims' efforts to 'use their majority to outvote' the other nations and declare an independent state. Croats helped Muslims to do that, Dodik agreed. But, Dodik argued, nowadays Croats tell him that they were wrong and that they would never make the same mistake. According to

Dodik, the Muslims tried to dominate the state, they refused to heed anyone else in the Parliament, they abused public functions, set up the Patriotic League and basically they were to blame for all the negative developments in the public sphere before the conflict. Dodik also blamed the Muslims for the event that started the war, the killing of a Serb wedding guest in Sarajevo on 1 March 1992. While he was at it, Dodik also blamed the Patriotic League for the crime against Serb civilians in Sijekovac in late March 1992, although it has been stated many times in the Tribunal's courtrooms that the Croat armed forces had perpetrated that crime.

Mladić's defense lawyers and other defense witnesses have already suggested – particularly after the terrorist attack in Paris – that the Bosnian Muslim political movement in the 1990s was 'close' to the radical Islamist groups of today. Dodik, however, was the first to openly highlight the purported relation between the two. According to Dodik, Alija Izetbegovic was a 'precursor to the current ideology of radical Islam'. The key proof is the fact that in 1970 the former BH president had written the Islamic Declaration, a document in which he proclaimed that the state should be based on the sharia law.

If Islamic declaration was really such a thorn in the Bosnian Serbs' side, it would mean that it had to have been hotly debated in the Bosnian Serb Assembly sessions, the prosecutor noted. The former member of the parliament agreed with the prosecutor, adding that the Islamic declaration was indeed often mentioned. The members would regularly refer to it, saying 'as stated in Alija Izetbegovic's Islamic declaration...'. Dodik explained. The prosecution team had gone through the transcripts of all the assembly sessions and prosecutor Tieger presented the fruit of their labor. The Islamic declaration was mentioned for the first time at 35th Assembly session held on 2 October 1993. Dodik corrected his previous claim saying that the declaration had been discussed outside of the Assembly hall. In the sessions, the members used the term 'Alija's policy', Dodik added.

The prosecutor continued the cross-examination by putting it to the witness that Radovan Karadzic was less hostile to the Bosniaks before the war than Dodik was now. In an interview from 1990 Karadzic said that Islamic fundamentalism came from the people of another race who spoke a different language, not from local Muslims, 'Slavic people of our blood who have opted for the European quality of life while following their Islamic faith', Karadzic said in the interview. The prosecutor asked Dodik if that was yet another indicator of a 'well known fact' that Bosnian Muslims were 'a Europeanized nation'. 'Do you mean to say that the Serbs aren't', Dodik replied with a question. Although the prosecutor usually forbears from responding to the witnesses' comments on his work, this time he 'strenuously reject[ed]' Dodik's suggestion. Dodik finally admitted that the Bosniaks were 'the most secular Muslims in Europe' but in the 1990s they supported Alija Izetbegovic's extremist views.

Contrary to Dodik's suggestion that the steps taken by the BH Serb leadership were a response merely to the Muslim radicalism, the prosecutor stressed that the Serbs had in fact had a pre-agreed plan to implement their strategic goals. The goals, the prosecutor recalled, implied their territorial separation from the other two ethnicities. Also, the prosecutor showed minutes from a SFRY Presidency meeting in December 1991, when Radovan Karadzic addressed the rump body. Karadzic said that his leadership 'planned which steps' to take 'as soon as Alija screws up'.

At the Republika Srpska Assembly session in Bijeljina in January 1993 it was decided that the 'Muslims are not a nation'. Dodik couldn't remember if he had attended the session. If he had, he voted 'yes' because the decision had been passed unanimously. Dodik will continue his evidence tomorrow.

2015-12-08

THE HAGUE

DODIK: SDS PARTY LEADERSHIP INVOLVED IN WAR CRIMES

Republika Srpska president Milorad Dodik claims he didn't know that the Bosnian Serb leadership had planned and implemented the ethnic cleansing of non-Serbs, as he continues his evidence in Ratko Mladić's defense. This prompted the prosecutor to confront Dodik with the fact that the expulsions of Muslims and Croats had been discussed at the Assembly at the time when Dodik was a deputy in the Assembly. In an interview in 2001 Dodik blamed the Serbian Democratic Party leadership for the crimes. Confronted with his own words, Dodik replied that it 'seemed to me that some people from the SDS party leadership were involved in the crimes'

Prosecutor Alan Tieger continued the cross-examination of the current Republika Srpska president Milorad Dodik. Dodik has been called by Ratko Mladić's defense. Today the prosecutor addressed Dodik's claim that during the war the Bosnian Serb leadership did not implement a policy of ethnic cleansing. He was not aware of any plan, written or otherwise, to expel non-Serbs from the territory under the control of Mladić's army. This prompted the prosecutor to show a series of documents which contradict Dodik's claim.

In an interview in the Srpsko Oslobođenje newspaper in January 1995 Radovan Karadzic said that his leadership had a 'list of actions and moves'. They were just waiting for 'the Muslims to make a mistake' before implementing them. At an Assembly session during the war Karadzic said that the plans had been 'brainstormed' before the conflict. Dodik dismissed the claims made by the previous Republika Srpska president, saying that they were just 'a show for the public' and evidence of Karadzic's 'vain gloriousness'. The prosecutor pressed on, noting that even in pre-war intercepted conversations that were not for public consumption, Karadzic said that his leadership 'has a plan for everything' and 'has prepared all the moves in advance'.

The prosecution alleges that numerous speeches in the Bosnian Serb Assembly clearly show what exactly that plan was. During the war Dodik was an independent member of the Assembly. As early as at the 16th Assembly session, held on 12 May 1992, Karadzic presented a document called the Six strategic goals. The document was later published in the Official Gazette. Republika Srpska was declared at that session and Mladic was appointed the supreme military commander. The first goal defined in the document was the territorial separation of Serbs from the other two ethnicities in BH. The other five goals defined the borders of a Serb republic on the rivers Una and Neretva, and the elimination of the border along the Drina river, access to the Adriatic Sea and the annexation of a part of Sarajevo.

Dodik argued that the creation of Republika Srpska was a legitimate endeavor. The prosecutor contradicted Dodik, stressing that the way in which the state had been established was illegal because it required the expulsion of non-Serbs. At an Assembly session in late November 1992 a member complained that all Muslims and Croats 'who had been expelled' could still claim Republika Srpska citizenship because they had been born there. In late August 1993, another member stated at an Assembly session it was noted that for Serbs there 'can be no state in the Bosnian pot' without 'a gradual relocation and transfer' of non-Serbs. In his speech before the Assembly members in January 1994 Karadzic said that before the war Muslims had had a relative majority in Doboj, while it was a '100% Serb town now'.

According to the prosecutor, Dodik had to have heard all of that, but Dodik was adamant that he didn't remember anything. Dodik wanted the prosecutor to check if indeed he had attended all those sessions. The prosecutor ignored Dodik's request at first, but then produced a list showing that independent member Dodik was rarely absent. According to the list, Dodik was present when the expulsion of non-Serbs and a drastic change of the demographic composition of Doboj were discussed.

The current Republika Srpska president wasn't always so generous toward the former Bosnian Serb leadership, the prosecutor noted, reminding him of an interview he had given to the Belgrade news agency Beta on 12 January 2001, when he blamed the Serbian Democratic Party for 'organizing and perpetrating' crimes during the war in BH. 'One should say openly that crimes had been committed under the SDS leadership and they have to be punished. We can expect all the leading party officials at different levels to end up at the Tribunal in The Hague', Dodik said in the interview. Today Dodik repeated what he had said in Radovan Karadzic's defense. It was all part of 'political discourse which was not necessarily based on facts'. Dodik did admit that it 'seemed to me that some people in the SDS party leadership were involved in the crimes', although he would prefer to leave it to the Tribunal to establish the truth of the matter.

In addition to his public appearances, Dodik discussed the politics and the strict hierarchy within the SDS in an interview with an OTP investigator in July 2003 at the Tribunal. Back then Dodik was still cooperating with the OTP in The Hague. In his evidence as a prosecution witness in the case against Radislav Brdjanin Dodik repeated his claims. Parts of Dodik's interview and his evidence were admitted into evidence in Mladic's case yesterday and today.

As the hearing drew to a close, Mladic's defense called another defense witness, Ukrainian lieutenant colonel Sergey Moroz, who was stationed in Sarajevo as an UNPROFOR soldier.

2015-12-09

THE HAGUE

LISBON AGREEMENT – CHANCE FOR PEACE OR PLAN TO DESTROY BOSNIA?

Portuguese diplomat Jose Cutileiro has testified at the trial of Ratko Mladic. Cutileiro said that the Lisbon agreement could have saved peace in BH if Alija Izetbegovic had not been persuaded by the Americans to pull out of it. The prosecutor argued that Karadzic had tricked both Cutileiro and the international community. Karadzic acted as if he was all for peace and negotiations while at the same time he devised plans to capture territory and implement ethnic cleansing there, the prosecutor explained. Also, Karadzic boasted in public that the Lisbon agreement had 'destroyed Bosnia'



◀ Jose Cutileiro, defence witness at Ratko Mladic trial

Portuguese diplomat Jose Cutileiro testified about the Lisbon agreement, which was accepted tentatively by Alija Izetbegovic, Radovan Karadzic and Mate Boban on 18 March 1992. According to Cutileiro, the agreement could have saved the peace in BH if Alija Izetbegovic hadn't pulled out of it.

Cutileiro was questioned by Mladic's defense counsel Dragan Ivetic via video link. The witness said that after the Declaration of Principles was signed in March 1992 the Serb side wanted to go on with the negotiations. The Bosnian side, Cutileiro claimed, stalled until Izetbegovic finally withdrew his signature in June 1992. 'For Serbs and

Croats it was yet another demonstration of Izetbegovic's duplicity as they saw it', Cutileiro explained. According to Cutileiro, Izetbegovic had the support of 'the benevolent outsiders who thought they knew the situation better'. Those 'outsiders' were the US and its ambassador Warren Zimmerman. It was Zimmerman who encouraged Izetbegovic to reject the tripartite plan, Cutileiro stated, and that 'encouraged the Bosnian president to fight for a unitary BH'.

Prosecutor Alan Tieger asked the Portuguese diplomat if it had ever occurred to him that Karadzic had 'simply faked' his willingness to accept the agreement in order to gain a tactical advantage, whereas Karadzic never really accepted the existence of BH as a state and wanted to annex the Serb territories to Serbia. The prosecutor quoted Momcilo Krajisnik who said at an Assembly session in February 1992 that 'there is a chance now to keep the Serb nation in a single state that will be part of the Serb empire'. Cutileiro replied that the Serb representatives did not present such opinions during the negotiations; the only exception was Krajisnik who thought that BH should have three votes in the UN and three flags. 'Karadzic told him to shut up', Cutileiro noted.

The prosecutor quoted Karadzic's address at the 39th Assembly session held on 24 and 25 March 1992. Karadzic said that he and other Serb negotiators 'rejoiced' when Muslims rejected the Lisbon map. At the same time Karadzic praised Krajisnik's 'wisdom', the way in which he 'led' the Muslims to accept the carve-up of BH into three parts based on the ethnic principle, and to agree to a referendum. 'At that moment, Bosnia was done for as far as the international community was concerned', Karadzic noted. Asked if Karadzic told him during the negotiations that in his opinion the Declaration of Principles 'has put an end to Bosnia', Cutileiro replied that the Bosnian Serb leader never told him that.

Noting the Serb leadership's territorial aspirations in BH, the prosecutor quoted from the Constitution of the Serbian Republic of BH, which stipulated that 'any areas where genocide was committed against the Serb nation in the World War II' were also considered as Serb territories, even if Serbs were in the minority there. The prosecutor asked Cutileiro if Karadzic had mentioned that during the talks. Cutileiro replied that Karadzic had not. The basis for the negotiations was the current demographic composition while 'mythological and historical territorial perspectives' were not accepted or discussed at all, Cutileiro replied.

The prosecutor noted that all the while Karadzic had in fact been pulling the wool over the eyes of the international community, leading them to believe that the Serbs' acceptance of the agreement was imminent. Karadzic admitted as much. At the same time, he launched an offensive to create an ethnically clean Serb territory, describing it as 'creating a new reality'.

2015-12-10

THE HAGUE

SNIPERS 'WERE ONLY KIDDING'

In his evidence in Mladić's defense former UNPROFOR member Sergey Moroz has played down the suffering of Sarajevo citizens during the war-time siege. When the prosecutor told him that Serb snipers would open fire at UN troops, Moroz said that he had been targeted too, but in his opinion, the shooters were 'only kidding' and they did not actually want to kill him



◀ [Sergej Moroz, defence witness at Ratko Mladić trial](#)

From October 1993 to October 1994 Sergey Moroz, a lieutenant colonel from Ukraine, headed the UNPROFOR military engineering unit charged with repairing the electricity and water supply facilities in Sarajevo. Just as he did in his previous testimony at Karadzic's trial, today Moroz blamed the BH Army for the incidents in Sarajevo and played down the suffering of Sarajevo citizens. He claimed their plight was not nearly as bad as it is often depicted.

According to Moroz, Muslims were responsible for water shortages because the water supply valves were shut down in the areas they controlled. The power lines were damaged by gunfire from both sides. According to

Moroz's evidence, water shortages were not such a big problem. During his tour of duty, the water supply was cut off for two weeks on only one occasion: that was the longest time that the city had no water. On other occasions, water supply would be cut for two or three days. In most cases, the problem was low pressure in the pipes, Moroz explained.

Moroz accused the BH Army of opening fire at the Serb troops from the city, mostly from the PTT building and the Marsal Tito barracks; the goal was to provoke the Serbs to fire back. Moroz also claimed that a Russian officer by the name of Rumyantsev, who took part in the investigation of the first explosion at the Markale market on 5 February 1994, told him that the explosion wasn't caused by a 120-mm shell and that the Serbs were not responsible.

In the cross-examination, the prosecutor didn't dwell long on the Markale incident. In just a few minutes, the prosecutor established that the witness didn't have any expert ballistic knowledge. Also, Moroz didn't participate in the investigation and didn't even see the official UPROFOR incident report. The rest of the cross-examination dealt with the utilities during the war. The prosecution alleges that the problems the Sarajevans faced were much more serious than the witness recounted in his evidence. The provision of the utilities in Sarajevo in most cases depended on the whim of the Serb leadership.

A World Health Organization report from October 1993 states that the Serbs had cut off the water supply from a well, and the water situation was rendered even more dire because of the power cuts. This resulted in an increase in the number of hepatitis A cases among the Sarajevo citizens. Moroz agreed that this picture 'is indeed quite like' the situation he witnessed in Sarajevo in that period. However, Moroz argued that from February 1994, after the Markale attack and the signing of a cease fire agreement, until his departure in October 1994 the situation was significantly calmer. Moreover, according to Moroz, he and other UNPROFOR staff even took to jogging down the street they nicknamed the 'Sniperstrasse'. The Sarajevo citizens referred to the street as the Sniper Alley.

According to the reports produced both by UNPROFOR and the municipal services, and those published by the foreign press, the worst situation was in September 1994 when water supply was cut for 10 days. The cut was caused in part by a storm that had damaged the power lines and partly by the Serb authorities' decision to divert the water to the areas it controlled. The citizens had to go down to the Miljacka river. As described in a newspaper article from that time, the 'key traffic' involved carts loaded with water canisters. The witness didn't remember the great water shortage, adding that the media often lied.

The witness was confronted with the evidence showing that the Serb side had opened fire at UNPROFOR teams as they worked on repairing the utilities. The Serb snipers in fact opened fire on Moroz himself, he recounted, but it was his impression that they 'were just kidding'. According to Moroz, the bullets hit the ground near his feet; he was sure that if the snipers had wanted to kill him, they could have easily done so. As alleged by the prosecution, the utilities were controlled by the Bosnian Serb authorities headed by Radovan Karadzic and Ratko Mladic. The prosecutor showed several documents corroborating the allegation but Moroz didn't comment on them.

Ratko Mladic's trial continues on Monday.

2015-12-14

THE HAGUE

MLADIC'S EXPERT ON SREBRENICA COLUMN OF SOLDIERS AND CIVILIANS

Dusan Pavlovic testified at the trial of Ratko Mladic today. He had been asked by the defense to write an expert report on the losses of the BH Army during the breakthrough from Srebrenica in the summer of 1995. Through Pavlovic's evidence, the defense tried to prove that the thousands of victims from Srebrenica, exhumed from the mass graves, had in fact been killed in combat



◀ Dusan Pavlovic, defence witness at Ratko Mladic trial

From April 2009 to October 2014, Dusan Pavlovic headed the Exhumation and Identification Department in the Bosnia and Herzegovina Institute for Missing Persons. At the request of Mladic's defense, Pavlovic wrote a report on the losses the BH Army's 28th Division had suffered during the breakthrough from Srebrenica in the summer of 1995.

Having examined the statements of the people who had been in the 10-km long column, Pavlovic concluded that during the breakthrough, the 28th Division was under constant artillery and infantry fire, suffering considerable losses. Mladic's defense counsel Branko Lukic corroborated Pavlovic's conclusion with the

statements of the survivors from the column. On 7 August 1995, Nedžad Ademovic told the State Security Service in Tuzla that the column set off in the morning of 11 July 1995 from Jaglici and encountered an ambush only four hours later, in Buljim. Ademovic recounted 'that every bullet hit its target'. According to the defense expert, that points to the conclusion that it was a site where one 'should go looking for those who were killed'.

Lukic quoted another survivor, Enver Avdic, who recounted that in the Buljim area the column had come under artillery fire. Avdic estimates that 1,000 soldiers and civilians were killed there. The next day the people in the column arrived in the Kamenica area. There they tried to re-form the column in order to cut the Konjevic Polje-Nova Kasaba road, but in the night of 12 July 1995 the column was ambushed once again near Kamenica. The column suffered 'massive losses' and the people in the column even 'started killing each other'.

In his statement, Avdic notes that he saw about people 1,000 die in Kamenica. Kadrija Muratovic mentions the same figure in his statement, adding that the Serb troops used chemical weapons in Kamenica. The defense counsel also noted that two other survivors, Hasan Alic and Sado Ramic, mentioned the exact same figure in their statements. Behadij Krdzic and another person whose name the defense counsel didn't disclose spoke about as many as 2,000 victims. Finally, according to another witness' statement to the OTP investigators, the number of victims killed near Kamenica was as high as '2,000 or 3,000'.

Judge Orie wanted to hear if in his expert report the witness considered whether there were any crime victims among the dead. Pavlovic replied that he didn't specifically take the matter into consideration. His analysis, Pavlovic explained, was aimed primarily at the losses of the BH Army's 28th Division.

Dusan Pavlovic will continue his evidence on Wednesday. Tomorrow the Trial Chamber will examine a protected witness.

2015-12-15

THE HAGUE

SELF-SHELLING FOR 'THE RIGHT CAUSE'

A protected witness called by General Ratko Mladic's defense argues that the shelling of the Markale town market was arranged at a meeting of the former Bosnian Muslim political, military and religious leadership to provoke a 'military intervention of the international community'



◀ Ratko Mladic in the courtroom

In a bid to contest the responsibility of the former commander of the VRS Main Staff for the crimes in Sarajevo and Srebrenica, Ratko Mladic's defense called a witness who testified under the pseudonym GRM 116 and with image and voice distortion to protect his identity. During the war in BH, the witness was a member of the police unit called the Pearls and was in charge of security of the BH Presidency members and building.

In his testimony, that at times sounded like something out of a movie, the witness shifted the blame for the worst of crimes Mladic is charged with to the Bosnian Muslim political, military and religious leaders – including Alija Izetbegovic, Mustafa Ceric, Sefer Halilovic and Naser

Oric. According to the witness, Izetbegovic was a 'very devout person' and mufti Ceric 'influenced his thinking and actions to a large extent'.

The witness claimed that during the war he was present during many meetings of the political and military leadership in the National Bank building. Izetbegovic, his son Bakir and son-in-law Jasmin stayed there for 'security reasons'. The witness claimed that he had been so close to Izetbegovic and his colleagues that 'he was able to hear every word they said'. Also, the witness noted, they 'didn't make any efforts to hide anything'. According to the witness, the Bosnian Muslim leadership thus made no effort to keep secret from him their plans to deploy heavy artillery near kindergartens and hospitals and to open sniper fire from the positions. This would provoke the Serb troops to return fire, allowing the Bosnian Muslims to blame them for civilian victims. The witness explained that 'Alija and Ceric knew well that they couldn't measure up to the Serbs'. As a result, the witness said, the Bosnian Muslims did everything to 'provoke a military intervention of the international community'.

The witness argued that one such move was the shelling of the Markale town market on 5 February 1994. The shell killed 66 persons and wounded more than 140. According to the witness, Ceric told Izetbegovic that 'either way we are losing 50 or 70 men each day to no effect'. All of them, Ceric explained, 'will go to heaven' and that was 'sacrifice for the right cause'. Izetbegovic "smiled" at first but later agreed that it was the right thing to do' because 'there is no alternative to a united Bosnia and Herzegovina'. Sefer Halilovic and Mustafa Hajruhalovic Talijan implemented the idea. According to the witness, Halilovic and Hajruhalovic 'conceived a plan to place some mortars towards Spicasta Stijena'. A shell fired from those mortars would thus be mistaken for 'the Serb fire from the Mrkovici direction'.

As he was questioned by Judge Moloto, the witness stated that the plan worked on the second try. The first time Halilovic and Talijan purportedly 'miscalculated the distance' and the shell fell on 'a roof' near the town market.

A similar scenario was used in the Srebrenica region, where Alija Izetbegovic colluded with Naser Oric, BH Army commander in that part of BH. According to the witness, Oric was ordered to 'form groups of three or four men to provoke unrest in the villages in order to make the Serbs respond with shelling'.

Tomorrow the prosecution will cross-examine Mladic's defense witness.

2015-12-17

THE HAGUE

WHAT CARL BILDt KNEW ABOUT SREBRENICA

In his book Carl Bildt has claimed that ‘probably as many as 4,000 persons or even more were killed when the column of people from Srebrenica was trying to break through the encirclement of the Serb forces. Mladić’s defense expert confirmed that the allegation was ‘referential’. The claim prompted Judge Orić to quote a sentence from the same book stating that ‘in the five days of the massacre Mladić organized an execution of more than 3,000 persons’

At the trial of Ratko Mladić, Dusan Pavlovic continued his evidence today. Pavlovic was the head of the BH Missing Persons Institute Department of Location and Identification and is now working with the Republika Srpska Center for War Crimes Investigation and Search for Missing Persons as an expert for exhumations. At the request of Ratko Mladić’s defense Pavlovic has drafted a report on the losses suffered by the BH Army’s 28th Division during the breakthrough from Srebrenica in the summer of 1995.

Judge Orić in turn quoted from Bildt’s book. ‘In the five days of massacre Mladić organized a methodical execution of more than 3,000 persons left behind as prisoners of war’, Bildt wrote. Given that the witness found Bildt a ‘well-informed person indeed’, the judge wanted Pavlovic to tell him if those allegations were ‘referential’ too. Pavlovic grew evasive, saying only that he focused on analyzing of the losses of the BH Army during the breakthrough and didn’t dwell on the allegations related to the executions of Bosniaks. Nevertheless, Pavlovic did confirm that Bildt was ‘well-informed’ about the events in Srebrenica.

In his expert report Pavlovic notes that the ICMP findings and the statements of the Srebrenica column survivors given to the state investigators in Tuzla indicate that a ‘clean-up operation’ may have been carried out on the orders of the VRS Drina Corps: the bodies of persons killed in combat were gathered and buried in a mass grave. Pavlovic explained that four categories of remains corroborate his theory.

The first category comprised those people whose remains were recovered at two locations, lying on surface along the route the column took and in a mass grave. The second category comprised cases where survivors saw someone get killed during the breakthrough, and their remains were exhumed from mass graves later. The third category consisted of those killed by shells as established later after the exhumation. The last category comprised ‘complete bodies’ from secondary graves that according to Pavlovic did not come from primary graves, because their bodies would have been broken up in the course of the exhumation, transport and re-burial.

The Trial Chamber accepted the witness’ complaint that he wasn’t feeling well. The cross-examination of the defense expert has thus been postponed until early February 2016 when Mladić’s trial will continue after the Tribunal’s winter recess.

2016-02-02

THE HAGUE

CONTROVERSIAL LIST CONTAINS CONTROVERSIAL NAMES

As the prosecutor cross-examined Mladić’s expert witness, he emphasized that the alleged ‘controversial cases’ highlighted on Pavlovic’s list of Srebrenica men who were killed in July 1995 as they were trying to break through towards Tuzla are not controversial at all: the witness merely failed to take into account all the available documents on the fate of those men



◀ Dusan Pavlovic, defence witness at Ratko Mladić trial

Ratko Mladić’s trial continued with the cross-examination of defense witness Dusan Pavlovic, author of an expert report on the losses suffered by the BH Army’s 28th Division as it tried to break out of Srebrenica in the summer of 1995. Prosecutor Jonathan MacDonald recalled the witness’s theory that many of the men who were part of the column moving towards Tuzla were killed in combat or in some other circumstances. Their bodies were then collected in the clean-up operation and buried in mass graves. ‘This is not a theory’, Pavlovic said, noting that his report was based on witness reports and documents.

The prosecutor then brought up the *Overview of individuals known to have been killed in the breakthrough and other controversial cases*, attached

to the witness's expert report. The persons on the list are divided into four main categories: persons whose remains were found in two different places, persons whose deaths were witnessed by other people in the column, persons killed by shells and those whose 'complete bodies' were exhumed from secondary mass graves. According to Pavlovic, the examples show that those people died in the fighting, rather than at execution sites.

The prosecutor also showed documents and statements indicating that Pavlovic's conclusions on the manner and place of death of some of the people on his list were wrong. For instance, the witness claims that the body of Mustafa Mehic was found at two different sites, at Tisova Kosa and the Cancarski Put mass grave. In actual fact, his remains were exhumed from the secondary grave at Cancarski put which is linked with the primary grave in Branjevo, the prosecutor stated. This is corroborated by a letter sent by the International Commission for Missing Persons (ICMP), accompanied by photos explaining how a segment of Mehic's jaw was 'mistakenly' placed among the remains found at Tisova Kosa.

The prosecutor also highlighted the case of Nizam Salkic, whose remains were exhumed from two secondary mass graves. Pavlovic retorted that four names, including Salkic's, were included on the list 'by mistake'. He tried to justify it by saying he had very little time to finish the report and that there was a lot of 'confusion'. He even said that a computer virus might be to blame.

In the end Pavlovic stated that the list he was shown today was not the final list he had given the defense lawyer Branko Lukic. Things got even more complicated when Lukic said he was unaware of any short version of the list he had shown in court. After checking with his team, Lukic confirmed that the defense did in fact have two lists of different lengths. The shorter one was shown to the witness in the course of the examination. The judges ordered the witness to check upon returning to his hotel if he had a third, edited version of the allegedly controversial cases, and if so, to send it to the Registry forthwith.

As the hearing drew to a close, the prosecutor highlighted several other names from the 'controversial list' who had allegedly died in the breakthrough. According to the prosecution's evidence, they were killed in mass executions in the Srebrenica and Zvornik area in the summer of 1995.

Dusan Pavlovic's cross-examination will continue tomorrow morning.

2016-02-03

THE HAGUE

POLICE OFFICER DID NOT CONCERN HIMSELF WITH CRIMES

Mile Matijevic, former employee of the Banja Luka Security Services Center, has claimed at Ratko Mladic's trial that he didn't know anything about the crimes against non-Serbs in Jajce, Banja Luka, Bosanski Novi, Prijedor and Kotor Varos. The witness never heard of Koricanske Stijene, noting that there were some 'clues' indicating that crimes were being committed in the Omarska prison camp, but then, in 1995, he began his career in education



◀ Mile Matijevic, defense witness at the trial to Ratko Mladic

Mile Matijevic continued his evidence at the trial of former VRS Main Staff commander Ratko Mladic today. The witness first worked in the Banja Luka Security Services Center and later joined the crime investigation department in Bijeljina as the deputy chief. He has recently been appointed the dean of the law department at the Business and Financial Studies School in Banja Luka.

In the cross-examination yesterday prosecutor Arthur Traldi stressed that the Banja Luka police had been involved in the operations in Jajce; only about 100 Muslims and Croats remained there after the war. Before the war, as many as 33,000 non-Serbs lived in the municipality. According to Matijevic, there was no 'ethnic cleansing' and people from all ethnic communities were leaving Jajce because of the war. As the cross-examination

continued today, the prosecutor confronted the witness with the crimes of the so-called Serbian Defense Forces in Banja Luka, Bosanski Novi, Prijedor and Kotor Varos. Members of those units later formed the special police unit. Matijevic initially admitted that he had known that the Serbian Defense Forces were a criminal group, but then bent over backwards to deny it.

In his statement Matijevic said that Simo Drljaca was 'removed' from the post of the police chief in Prijedor. This would imply that Drljaca was punished for the crimes. The prosecutor however insisted that Drljaca continued to rise through the police ranks. He corroborated his allegation with a video recording of an interview with Ratko Adzic. After Drljaca was appointed to another position, Adzic stated that he 'wouldn't say Drljaca has been relieved of his duties'. 'We did it the 'Serb way'; given everything he had done, Drljaca could only be promoted', Adzic made it clear in the interview.

In fact, Drljaca was promoted after the crimes in the Omarska, Keraterm and Trnopolje prison camps and after the Koricanske Stijene massacre, the prosecutor noted. The crimes were committed by the Prijedor police. Matijevic admitted that he had heard about the massacre and knew that there had been an investigation but no one was convicted. 'There were some clues' pointing to the crimes in Omarska, Matijevic admitted, but he didn't know anything in particular. As he explained, 'in 1995 I began my career in education' and he didn't press those issues any further.

After that, prosecutor Traldi asked the judges to read out Rule 90 E to the witness. This rule allows witnesses not to answer any potentially incriminating questions, unless the judges compel them to do so. The prosecutor then quoted Colonel Bogojevic's statement to the Tribunal's investigators in which he spoke about the arrests and detention of civilians in Omarska and 'the bad stuff' that happened to them there. Matijevic said that he never talked to Bogojevic about that.

Matijevic didn't know how his name ended up in General Mladic's diary. In an entry on 27 May 1993 Mladic writes that Colonel Bogojevic informed him that Drljaca had asked the military to help remove 'the bodies of about 5,000 Muslims' buried in the Tomasica mine by incinerating or grinding them or in some other way. Matijevic was present at the meeting when Drljaca said that.

The defense will continue its case on Monday, 29 February 2016. Until that time, there will be only one special hearing on 16 February 2016.

2016-02-05

THE HAGUE

PUBLIC HEARING ON SERBIA'S NON-COMPLIANCE SLATED FOR NEXT WEEK

The Tribunal's Trial Chamber I is not happy with the first report from Belgrade specifying actions taken to implement the arrest warrant for the three Serbian Radical Party members who are wanted for contempt of court. The judges have decided to schedule a public hearing for Wednesday, 10 February 2016 to discuss Serbia's non-compliance and the failure of Serbian authorities to comply with a binding order issued by an international court. The Serbian government has been invited to send 'authorized and informed representatives' to the hearing



◀ Vjerica Radeta, Petar Jojic i Jovo Ostojic

Petar Jojic, Jovo Ostojic and Vjerica Radeta, three Serbian Radical Party officials, have been charged with contempt of court for threatening, intimidating, bribing and otherwise interfering with the witnesses in the case against Vojislav Seselj. The three accused wanted to compel the witnesses to refuse testifying for the prosecution, to recant their previous statements and to sign new statements that were dictated to them. According to the indictment, Ljubisa Petkovic was the coordinator of the effort to bring the wayward Radicals back into line. In 2008, Petkovic, former chief of the SRS War Staff, was sentenced to four months in prison for contempt of court.

The indictment against the three Radicals was issued in October 2012 and confirmed in December 2014. The warrants for their arrest and their transfer to The Hague were issued in January 2015.

After waiting in vain for Serbia to act on the warrants for a whole year, the Tribunal's Trial Chamber I ordered the Belgrade authorities to submit monthly reports on the 'efforts they have made' to arrest and transfer the accused.

In the first report, filed on 2 February 2016, the Serbian government stated they were still waiting for the response of the Tribunal's President to its letter of 7 December 2015, in which it proposed that the proceedings against the three Radicals be referred to Serbian courts.

According to the Trial Chamber, the correspondence with the Tribunal's President does not suspend Serbia's obligations under international law and it remains under a legal obligation to execute the warrants issued by the ICTY. Finding that the Serbian authorities' continued non-compliance was unacceptable, the Trial Chamber has decided to schedule a public hearing for the next week, to discuss the non-compliance with the arrest warrant for the three Radicals.

2016-02-08

THE HAGUE

BREAK AT MLADIC'S TRIAL, FOCUS ON SERBIA

Next Week at the Tribunal

Ratko Mladic's trial will be on hold until 29 February 2016. The only events at the Tribunal will be a hearing on Serbia's failure to comply with the arrest warrant for three Serbian Radical Party officials charged with contempt of court, and two status conferences in appellate proceedings.



◀ ICTY Headquarters in The Hague

The trial of the former VRS Main Staff commander Ratko Mladic has been adjourned until Monday, 29 February 2016, due to the difficulties in scheduling the evidence of the few last defense witnesses. The defense has eight witnesses to examine before resting its case. Among them are two experts, one for post mortem examination and another on demography. As presiding judge Orić has indicated, the Trial Chamber's plan, or perhaps just a wish, is to examine the remaining eight witnesses in the first two weeks of March 2016. After that both sides will have rested their cases.

The key event next week will be a public hearing on Serbia's failure to comply with the arrest warrants issued

for three Serbian Radical Party officials. The Serbian Radical Party members have been charged with contempt of court for intimidating, threatening, bribing and otherwise interfering with the witnesses in the case against Vojislav Seselj. The hearing has been scheduled for Wednesday, 10 February 2016, in the morning. The Serbian authorities have been invited to send 'authorized and informed representatives' to the hearing. They would be given an opportunity to explain to the Tribunal why Serbia failed to comply with the binding warrant for the arrest of Petar Jović, Jovo Ostojic and Vjerica Radeta. The warrant was issued in January 2015. Serbian representatives have also been asked to inform the judges about Serbia's plans to meet its international legal obligations.

On Wednesday, there will be two status conferences in appellate proceedings. The first is the case against two former Bosnian Serb police officials, Mico Stanić and Stojan Župljanin, sentenced to 22 years in prison each by the trial chamber, and the second is the case against six former Herceg Bosna officials headed by Jadranko Prlić, sentenced to a total of 111 years in prison for crimes during the Croatian-Muslim conflict in 1993 and 1994.

2016-02-28

THE HAGUE

MLADIC BACK IN COURT

In the final straight of Ratko Mladic's defense case, he will call a former high-ranking UN military observer in a bid to contest the allegation that the VRS fired the mortar shells that hit the Markale market on 28 August 1995, causing the second massacre on the same site

After a one-month break the trial of Ratko Mladic continues on Tuesday, 1 March 2016. The former commander of the VRS Main Staff is on trial for genocide and other crimes during the war in BH by the troops under his command.

Only one witness is slated to testify next week. Norwegian officer Per Oien was a senior UN military observer in Sarajevo at the time of the second Markale massacre in August 1995.

In May 2013, Mladic's lawyers cross-examined Dutch general Nicolai, who was the UNPROFOR chief of staff. The defense showed him a report filed by the UN military observers, which states that on the day of the Markale explosion, Norwegian lieutenant colonel Oien told generals Smith and Nicolai that the preliminary results of the investigation did not indicate which side had fired the fatal rounds that killed 43 and wounded 75 Sarajevans on 28 August 1995. The Dutch general told Mladic's lawyer that he didn't remember either the Norwegian lieutenant colonel or his claim that it was impossible to determine where the mortar shells had been fired from.

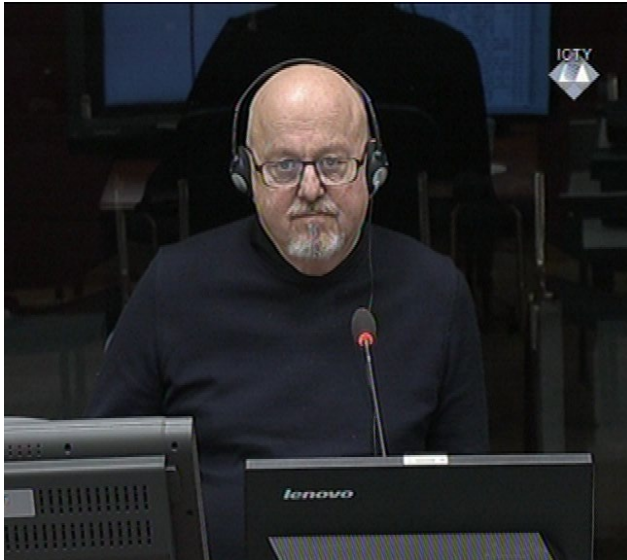
Before the break, the Trial Chamber expressed its hope that the remaining eight Mladic's defense witnesses would be examined in the first two weeks in March 2016. The wish will likely go unfulfilled, given that the defense was able to bring only one witness to The Hague to testify in the first week of March.

2016-03-01

THE HAGUE

MLADIC'S DENIAL

With the evidence of Norwegian officer Per Oien, Ratko Mladić's defense has tried to deny he was responsible for the second Markale incident in August 1995. According to Oien, in their first report UN military observers stated that they couldn't establish which side had fired five mortar shells in the direction of Markale. Oien didn't know if that report was later changed



◀ Per Oien, Defense witness in Ratko Mladić's Trial

After a one-month break, Ratko Mladić's defense case continued today. The former commander of the VRS Main Staff is on trial for genocide and other crimes in BH. The defense called Per Oien, a Norwegian officer who served as a senior UN military observer in Sarajevo, in a bid to contest the allegation that the Serb side was responsible for the Markale incident on 28 August 1995, in which 43 Sarajevo citizens were killed and 75 were injured.

Lieutenant colonel Oien served in Sarajevo from March to October 1995. On the day of the incident, about 20 minutes before the detonation Oien drove past Markale on his way to the UNMO headquarters located in the PTT building. When he learned about the incident, Oien went to the crime scene to make sure that the investigation team would be able to do its job, and then he returned to the headquarters. He did not take part in the investigation.

Mladić's defense counsel Dragan Ivetic focused on the first investigation report drafted by the UN military observers, submitted to the UN command in Zagreb submitted at midnight of 28 August 1995 and signed by Captain Ford. The report states that it was impossible to establish which side had fired the projectile. As far as Oien knew, the report was never amended. As he explained, the military observers didn't carry out any other investigations. Ivetic read out in court the transcript of the evidence of General Nicolai, former chief of staff in UNPROFOR. General Nicolai spoke about a meeting of high-ranking UN officers at which they discussed the preliminary results of the investigation. Nicolai said at that time that the investigation could not rule out the possibility that the Bosniaks had fired the shells at their own people, but he was quick to add that he never saw evidence that would lead to such a conclusion.

Oien explained how in June 1995 he was informed that a man by the name of Hansen, one of his subordinate officers, had gone to see a BH Army liaison officer to tell him to 'stop shelling their own people', adding that his subordinate's actions had been stupid. The Bosnian side then declared the officer a *persona non grata* and he was forced to leave. In the cross-examination Adam Weber noted that the officer was in fact Thomas Hansen from Denmark. In one of his reports Hansen noted that a modified air bomb that hit the TV building on 28 June 1995 had been fired from the BH Army positions.

Prosecutor Weber went on to quote from a Sarajevo-Romanija Corps report of 30 June 1995, signed by General Dragomir Milosevic, in which he relays Mladić's congratulations to the Serb artillery on their 'accurate response to Muslim attacks' and specifically on the direct hit at the Sarajevo TV building. The document describes the TV building as the 'hub of media lies about the just struggle of the Serbian people'.

The defense tried to play down the importance of that prosecution exhibit. The report, the defense suggested, showed that 'many home-made bombs' were used in that period.

After the Norwegian officer completed his evidence the trial was once again adjourned for the time being. Mladić's defense has problems locating the handful of defense witnesses who are still to testify and bringing them to The Hague.

2016-04-18

THE HAGUE

HOW DEFENSE EXPERT CHALLENGES PROSECUTION EXPERTISE

According to Mladić's defense expert Zoran Stankovic, the report on Tomasica drafted by British pathologist John Clark is 'inadmissible' as evidence in the proceedings because of Clark's 'informal' role in the exhumations and post mortems. Stankovic cannot understand how Clark could 'stoop so low' as to take photos of post mortems



◀ Zoran Stanković witness in Ratko Mladić's trial

After a month and a half the trial of Ratko Mladić continued today with the evidence of Dr. Zoran Stanković, a forensic expert from Belgrade. Stanković was asked by the defense to analyze the expert report written by British pathologist John Clark on the post mortem examination of the bodies exhumed from the Tomasica mass grave near Prijedor. The defense also asked Stanković to review and interpret the report drafted by the late Dr. Dusan Dunjic on the exhumations carried out in the Srebrenica area and other locations listed in the indictment against Mladić.

Dr. Stanković 'couldn't understand' how in his evidence for the prosecution Dr. Clark could describe his role in the Tomasica exhumations and post mortems as 'informal'. If that was the case, the defense expert noted, 'any passer-by' could go to Tomasica and say that he wanted to take

part in post mortems. In Dr. Stanković's opinion, Clark's report is 'inadmissible' and 'cannot be used as evidence in court proceedings'. Stanković was at a loss to understand how a pathologist of Clark's standing 'could stoop so low' as to take photos of post mortems – instead of letting crime technicians to do that. Commenting on Clark's statement that he was 'a sort of a guest' of the Bosnian pathologists who were actually conducting the post mortems, Stanković said that he 'can't believe' that the British pathologist could have said something like that. According to Dr. Stanković, the only thing that the prosecution expert could do was to withdraw his report.

Stanković went on to note that there were 'inconsistencies' between the post mortem findings presented by Dr. Clark and by the two Bosnian experts, Dr. Durmisevic and Dr. Sarajlic. In his report, Stanković listed 10 'typical examples' of the inconsistencies. Judge Orić wanted the witness to be more specific and to state the exact number of inconsistencies. Stanković replied that he had compared about 100 post mortem results, noting inconsistencies in 20 cases. When Judge Orić pressed the issue, the defense expert promised he would identify more inconsistencies in the findings of the British and Bosnian pathologists by tomorrow.

Discussing the Srebrenica exhumations report, Stanković said that Dr. Dunjic's findings were 'for the most part correct, well-explained and precise'. Some parts, however, 'are misleading' because they were written 'in bold' or 'capital letters' with too many exclamation and question marks, Stanković said. It seemed as if Dr. Dunjic was 'overwhelmed by emotions' when he was writing parts of the report. This fact did not lessen the weight of Dr. Dunjic's expert report, Dr. Stanković was quick to add. In his opinion, Dr. Dunjic's analysis had all the hallmarks of being written by an 'experienced, professional, educated and responsible expert' who had made an effort to highlight the inconsistencies in the prosecution experts' reports. The prosecution experts should speak about that before the Trial Chamber and it was up to the Trial Chamber to decide which reports to admit, Dr. Stanković specified.

Dr. Zoran Stanković will continue his evidence tomorrow.

2016-04-19

THE HAGUE

DEFENSE EXPERT: TOMASICA VICTIMS COULD HAVE DIED IN COMBAT

Dr. Zoran Stanković, a forensic expert from Belgrade, has again been critical of the findings of the British and Bosnian pathologist who had carried out the post mortems on the victims from the Tomasica mass grave. The defense expert couldn't understand why only 'basic equipment' had been used in the morgue: the staff had not used an x-ray machine or a fluoroscope and they had not consulted the victims' medical charts. Dr. Stanković noted that the victims exhumed from Tomasica may not have been executed but killed in combat

Through the evidence of Dr. Zoran Stanković, forensic specialist from Belgrade, Ratko Mladić's defense is trying to contest the findings of the local and foreign pathologists on the Tomasica mass grave, near Prijedor. In his evidence today, Dr. Stanković referred to the report submitted by British pathologist John Clark, who noted that the conditions in which they identified and autopsied the victims had been 'basic'. The defense expert couldn't understand why a fluoroscope or an x-ray machine hadn't been used in the exhumations and why the team had not consulted the victims' medical charts.

Stanković criticized the British pathologist for failing to explain how 61 per cent of the exhumed bodies were preserved while the remaining 39 per cent were skeletonized. According to Dr. Stanković, the reason might be that 39 per cent of the bodies had been in the open before they were buried. In other words, Dr. Stanković implied that the victims had died in combat. The judges put to him that Clark may have left the issue of varying stages of decomposition unaddressed because he didn't want to speculate. The defense expert agreed with the judges.

Mladić's defense counsel Dragan Ivetic referred to Dr. Clark's statement that some of the exhumed victims had worn several layers of clothes, but that they were an exception. Stankovic focused on those exceptions: according to him, the fact that some victims had too many clothes on implied that they had not been killed in summer. Not all victims died at the same time, Dr. Stankovic concluded. Also, the clothes on six bodies were scorched, leading Dr. Stankovic to wonder where and how those victims had died.

Through Stankovic's evidence, the defense is trying to prove that the Tomasica victims died in combat, i.e. that they were not executed. The fact that the victims wore civilian clothes doesn't mean that they were in fact civilians, Stankovic argued. As far as Stankovic knew, in July 1992 members of the Muslim armed forces didn't wear uniforms and were not well armed. The fact that no weapons were recovered from the grave meant nothing because it was not customary to bury the dead with their weapons.

The defense expert criticized Dr. Clark for failing to categorize the bodies according to their injuries. The location of the injuries on the victims' bodies would have led to the conclusion that the victims had been killed in combat. Because of his military experience, his rank of major general and the fact that he had served as the Serbian defense minister, Stankovic was able to state that in combat, head and chest were usually targeted because those wounds were more likely to be lethal. Most of the victims exhumed from Tomasica had chest or head wounds, Dr. Stankovic noted. When Judge Moloto asked him whether such wounds were not typical in mass executions too, the witness confirmed it.

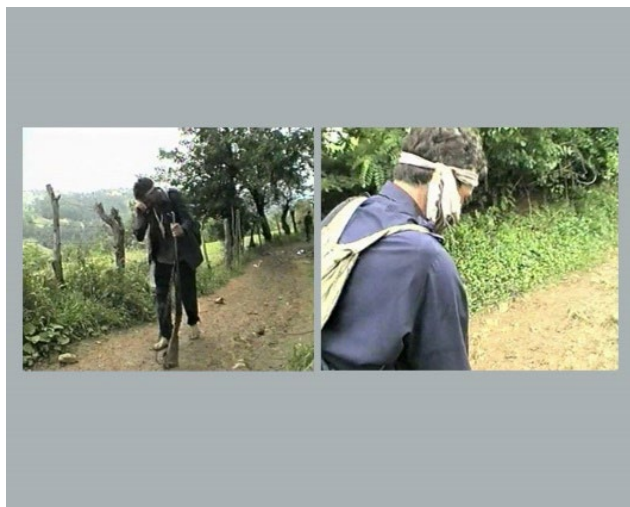
Dr. Stankovic will continue giving evidence tomorrow.

2016-04-20

THE HAGUE

BLINDFOLDED VICTIMS OR FIGHTERS WITH 'BANDANAS'

In the final part of Dr. Zoran Stankovic's examination-in-chief, Ratko Mladić's defense alleged that the Srebrenica victims exhumed from the mass graves may have been killed in combat, and not executed. Strips of cloth found on the victims' heads were not blindfolds but 'bandanas' worn by fighters, the defense argued



◀ Members of the 28th Division of BH Army with "bandanas"

The examination-in-chief of Dr. Zoran Stankovic, a forensic expert from Belgrade, entered its final stage today. Ratko Mladić's defense focused on the exhumations of mass graves in the Srebrenica region and other crime locations listed in the indictment against the former commander of the VRS Main Staff. Dr. Stankovic was asked by the defense to review and comment on the report on the Srebrenica exhumations written by the late Dr. Dusan Dunjic'. The teams that conducted the exhumations were headed by anthropologist William Haglund, archeologist Richard Wright and pathologist John Clark.

Mladić's defense counsel Dragan Ivetic referred to the conclusions reached by British pathologist Clark in relation to the Ravnice, Glogova and Zeleni Jadar mass graves: Dr. Clark stated that most of the people whose bodies were exhumed at those sites had not been killed

in combat. Ivetic went on to quote from a statement given to the investigative bodies in Tuzla by Enver Avdic, who said that the Serb troops in Buljim had opened fire from anti-aircraft guns and anti-tank weapons on the column of Srebrenica men heading towards the free territory. About 1,000 soldiers and civilians had been killed in this manner, Avdic stated. Dr. Stankovic confirmed that the victims' injuries described in Clark's report were consistent with those weapons.

Defense counsel Ivetic put it to Dr. Stankovic that during the war BH Army soldiers in the Srebrenica region habitually wore bandanas. The defense wanted to point out that the blindfolds and hand ligatures recovered from mass graves may in fact have been bandanas worn by fighters in combat. Dr. Stankovic said that it was 'possible' that such strips of cloth would slip down from the forehead to the eyes as soft tissue decomposed. However, the witness stressed that he couldn't be certain about it.

The Belgrade pathologist criticized the work of the international experts involved in the Srebrenica mass grave exhumations. Dr. Stankovic disapproved of the fact that their reports often strayed beyond the limits of their expertise. Defense counsel Ivetic brought up a report of the San Antonio Supervisory Commission from 1997 which analyzed the criticism levied at Haglund's methodology. If the criticism were proven to be justified, the witness said, Haglund's reports would be inadmissible from the forensic point of view.

The defense has referred to the findings of the San Antonio Supervisory Commission several times. In his examination of Chilean forensic anthropologist David del Pino Judge Moloto quoted one of the conclusions reached by the Supervisory Commission: critical remarks levied at Haglund did not discredit his results.

The defense case continues tomorrow: the prosecutor will cross-examine Dr. Zoran Stankovic.

2016-04-21

THE HAGUE

CLOSE TO ACCUSED AND INCONSISTENT IN EVIDENCE

In the cross-examination of Dr. Zoran Stankovic, a forensic medicine expert from Belgrade, the prosecutor highlighted the inconsistencies between his evidence in Ratko Mladic's defense and the claims he made when he testified in other cases in The Hague. The prosecutor also stressed that the accused and the witness were 'close'



◀ Zoran Stanković, witness

In the cross-examination of Zoran Stankovic, forensic medicine expert from Belgrade, prosecutor Jon McDonald highlighted the inconsistencies between his evidence in Ratko Mladic's defense and the claims he made when he testified in other cases before the Tribunal.

The prosecutor addressed the defense's allegation that blindfolds found on victims from the Srebrenica mass graves were in fact bandanas worn in combat by the BH Army fighters. Stankovic had told the defense counsel that such strips of cloth may have slipped down from the forehead to the eyes of the victims as soft tissue decomposed. This prompted the prosecutor to remind the witness of his testimony in Radislav Krstic's defense and in the Seselj case, when Stankovic did not indicate that this was possible. On the contrary, on those occasions the witness explained that the strips of cloth

on the victims' eyes and hands and injuries to soft tissue and bones were 'a certain sign' that the victims had been captured and executed.

As the prosecutor noted, Stankovic was inconsistent when it came to the criticism of British pathologist Dr. John Clark, especially as he had himself done things he criticized Dr. Clark for. In the examination-in-chief, Dr. Stankovic said he couldn't believe that Dr. Clark would 'stoop so low' as to take photos of post mortems in Tomasica himself. At the same time, on at least one occasion the witness did the same thing, the prosecutor alleged. Stankovic confirmed that he had taken photos of the victims while conducting post mortems in Zvornik. It was wartime and he had been forced to do his job in poor conditions, the witness explained.

Prosecutor McDonald put it to the witness that he was 'close' with the accused Mladic. Stankovic said he had met Mladic in 1992 in Sarajevo and then encountered him the second time 'by chance' in Vogosca. Their third encounter was after the death of Mladic's daughter Ana. The witness brought Mladic the bullet and a lock of Ana's hair. After that, according to Stankovic, he and Mladic met about 10 times. The prosecutor noted that Stankovic also met Mladic a few months after the indictment had been issued against the general in The Hague. More specifically, the witness and Mladic met on 9 October 1995 in Banja Luka.

At first, Stankovic couldn't remember the meeting or the fact that he had asked Mladic to meet him. This prompted the prosecutor to read out the relevant parts from Mladic's war diary which confirm the allegation. Stankovic denied that he had discussed the indictment with Mladic and that he had promised he would do all he could to defend Mladic against the charges and 'prevent a life sentence'. The witness denied he had ever discussed the issue with the British intelligence service on a visit to London. As Stankovic explained, he had been invited to come to London by Nora Beloff. During the war, Beloff purportedly worked for the British intelligence service.

The prosecutor confronted the witness with an audio recording of the meeting in Banja Luka where Stankovic and Mladic were heard discussing the indictment. In the recording, Stankovic says that he will try to have the charges against Mladic dropped, that he was in London where he spoke to the British intelligence chief. Mladic recorded all his meetings on a voice recorder and the tapes were recovered when his Belgrade house was searched.

Zoran Stankovic will continue his evidence on Monday, 25 April 2016.

2016-04-25

THE HAGUE

BELGRADE PATHOLOGIST'S 'LONDON CONNECTIONS'

What did Dr. Zoran Stankovic tell Ratko Mladic in October 1995 about the possibility that he might get the Tribunal's indictment against the general withdrawn? Mladic described the meeting in detail in his diary and recorded it on audio tape. In the cross-examination of the defense's expert the prosecutor played the recording

Zoran Stankovic, a forensic expert from Belgrade, completed his evidence at Ratko Mladic's trial today. He had been asked by the defense to analyze the report written by British pathologist John Clark on the post mortems of the bodies recovered from the Tomasica mass grave near Prijedor. Also, Stankovic reviewed and commented on the late Dr. Dusan Dunjic's report on the exhumations of mass graves in the Srebrenica area.

In the final part of the cross-examination, the prosecutor referred to Stankovic's meeting with Mladic on 9 October 1995 in Banja Luka. In July 1995, the Office of the Prosecutor issued the first indictment against Mladic. At first, Stankovic denied that he had told Mladic he would try to persuade his British connections to have the indictment against him withdrawn. 'I am just small fry, I couldn't have said something like that', noted the expert witness. He likewise denied that he had discussed with Mladic the possibility that he might end up sentenced to life in prison.

This prompted the prosecutor to play an audio recording of the meeting. Stankovic can be heard telling Mladic that 'life sentence' was looming. He would meet with some 'very influential people' in London, Stankovic went on, try to get their help in 'withdrawing everything we need to withdraw, so that come tomorrow you can move freely, that you are not declared or called a war criminal'. In a bid to explain the glaring discrepancy between the audio tape and what he told the prosecutor and the judges, Stankovic said that he couldn't readily remember 'all the details'. Also, the expert witness noted that he was simply acting as a 'courier' between Mladic and some 'influential people' in journalist Nora Beloff's circle who were willing to help the accused Bosnian Serb commander-in-chief.

At one point in the recording, Stankovic says 'we have to collect the information which will contradict the accusations against us'. Judge Flugge asked Stankovic who he had meant when he had said 'we'. Stankovic explained that in his view the indictment didn't only charge Mladic with crimes: it also indicted his soldiers. This prompted the judge to note that Stankovic was also a soldier and it would therefore appear as if the witness felt he had to defend the armed forces against the accusations. Asked how this could be reconciled with Stankovic's supposed role as an objective expert witness, Stankovic replied that he did not intend to defend the Serb army or its commander but 'the truth stemming out of generally accepted forensic findings'.

After Stankovic completed his testimony, the defense called Dr. Svetlana Radovanovic, a demography expert. She was asked to write a critique of the expert report authored by the prosecution's expert Ewa Tabeau. In her report Tabeau analyzed the number of victims recovered from the Tomasica mass grave, their identification, the cause of death and links to the victims listed in the annex to the indictment against Ratko Mladic.

While preparing her 'counter-report' Dr. Radovanovic spent some time in The Hague in January 2016 and was able to examine the prosecution materials. Dr. Radovanovic complained that she didn't get everything she had requested. She also noted that she was not allowed to copy and take out of the Tribunal's premises an integrated mortality data base. She wanted to study it at home in more detail. The judges were surprised that the defense hadn't raised the issue with the Trial Chamber to ask for the judges' help.

Dr. Radovanovic will continue her evidence tomorrow.

2016-04-26

THE HAGUE

CONTESTING TOMASICA EVIDENCE

Dr. Svetlana Radovanovic, demography expert called by Ratko Mladic's defense, has challenged the integrity of the prosecution expert Ewa Tabeau. According to Dr. Radovanovic, Tabeau's 'key mistake' was her failure to indicate that some of the victims exhumed from the Tomasica mass grave had died in combat



◀ Svetlana Radovanović, expert witness at the trial of Ratko Mladić

In the final stage of Ratko Mladic's defense case, his lawyers tried to contest the findings of Ewa Tabeau, the prosecution demography expert, on the number, identification and cause of death of the victims exhumed from the Tomasica mass grave near Prijedor. To that end, Mladic's defense called their own expert, Dr. Svetlana Radovanovic from Belgrade. She testified that the prosecution expert had made a number of professional errors in her report. According to Dr. Radovanovic, Tabeau had presented a series of 'absurd' conclusions that jeopardized her professional integrity.

Dr. Radovanovic criticized Dr. Tabeau for failing to indicate that some of the exhumed victims had died in combat. According to Dr. Radovanovic, this would mean that all the victims had been executed. Mladic's

demography expert referred to various documents which speak about the fighting in that area. She also referred to a report on the results of the exhumations carried out in the Prijedor area to date drafted by OTP investigator Nikolas Sebire who presented his findings at the trial of Milomir Stakic in 2002.

Mladić's defense counsel Dragan Ivetic quoted a conclusion from Dr. Tabeau's report that there was 'significant evidence corroborating the conclusion that the Tomasic victims had died a violent death in extremely dramatic circumstances of a broad ethnic cleansing campaign in the Prijedor municipality, which was in turn part of the ethnic cleansing carried out in the Autonomous Region of Krajina (ARK)'.

Radovanovic accused Dr. Tabeau of 'stepping outside the boundaries of professional standards' and 'manifesting obvious bias'. The prosecution's demography expert presented her 'personal views' that lacked scientific foundations, Dr. Radovanovic stressed. Furthermore, Tabeau failed to present her definition of ethnic cleansing.

In her evidence at Mladić's trial, Dr. Tabeau explained that she defined ethnic cleansing as actions directed towards a specific group which then lead to the disappearance of that group from a territory. That, Dr. Radovanovic argued, was not a 'scientifically correct explanation'.

Due to a Dutch national holiday on Wednesday, Ratko Mladić's trial will resume on Thursday, 28 April 2016. Dr. Svetlana Radovanovic will return to the witness stand after the Trial Chamber has heard the evidence of Jan Segers, a Belgian military officer who worked as an intelligence officer in the UNPROFOR headquarters.

2016-04-28

THE HAGUE

WITNESS WITH MEMORY PROBLEMS

Belgian lieutenant Jan Segers testified today in Ratko Mladić's defense. After trying for three hours to establish when specific incidents he mentioned in his evidence had actually happened, it turned out that the witness has memory problems caused by the medication he has been taking

Ratko Mladić's defense called Belgian lieutenant Jan Segers in a bid to bolster its arguments that the Markale incident was caused by a planted explosive device, that the BH forces targeted the Sarajevo TV building and fired mortars from the Kosevo hospital compound to provoke the Serb side to return fire. The proof of the pudding will as always be in the eating: the Trial Chamber will consider and assess the reliability of Segers's evidence. After three hours of wrangling, the witness admitted that he had problems with remembering things in the last two years because he had been undergoing chemotherapy.

From 1991 to 1995, Segers was deployed in the former Yugoslavia: first with UNPROFOR in Sarajevo and Kiseljak, and later as a military observer in Bihac, Daruvar, Zagreb and in Kosovo. In November 1995, Segers gave an interview to a Belgian weekly describing his experience in the Balkans. He spoke about the millions of German marks being delivered to the BH Army 5th Corps in the Bihac pocket, a 'stationary explosive device' planted in the Markale town market, mortars being fired from the Kosevo Hospital and the shelling of the Sarajevo TV building from the BH Army positions.

In his statement in Mladić's defense before the Belgian authorities Segers repeated everything from that interview in 1995. After he confirmed it today before the Tribunal, Segers's statement was admitted into evidence. The defense had no additional questions for the witness.

The witness confirmed that from October 1992 to March 1993 he was in the UN office in Sarajevo, in charge of liaising with the warring factions. He told prosecutor Caroline Edgerton at the beginning of the cross-examination that it had been his task to express concern and to file protests to the Bosnian Serb side for artillery and sniper attacks on the civilians. Segers confirmed that the people in Sarajevo lived in a state of 'panicked fear' because of the attacks they were exposed to as they went about their daily activities.

As regards the Markale explosion in February 1994, in which over 60 people were killed, Segers told the court today the same thing he had stated in the interview to the Belgian weekly. According to him, the UN forces always maintained that they didn't know who was responsible for the explosion but 'almost surely' the Serbs were not to blame. There had been 'rumors' about a stationary explosive device planted under a market stall. When the prosecutor asked him where he had read that, Segers replied that a UN military observer had told him that. The man happened to be at the site of explosion immediately after it happened. According to Segers, the military observer also told him that they couldn't analyze the crater because the explosion had been caused by a stationary device.

Segers claims he was given this information in his office in the PTT building in Sarajevo, on the day of explosion in February 1994, but he had told the judges earlier that he had left Sarajevo by the first half of 1993. When the prosecutor and judges asked him a direct question several times, Segers told them that in 1994 he was no longer in Sarajevo.

Segers's evidence on other incidents was similarly confusing. In the interview, Segers claimed that the Sarajevo TV building was shelled by the BH forces in May 1995, today he said that it happened while he was still in Sarajevo: in the first half of 1993. Finally, when Judge Orić asked him outright, the witness explained the reasons for his poor memory.

2016-05-02

THE HAGUE

DEFENSE: PROSECUTION EXPERT'S 'STATISTICAL EXHIBITIONISM'

Dr. Svetlana Radovanovic continued her evidence at the trial of Ratko Mladic today. The expert witness extended her list of complaints about Dr. Ewa Tabeau's expert report, accusing her of manipulation and deliberate concealment of data. According to Dr. Radovanovic's, parts of Dr. Tabeau's report on the mass grave near Prijedor were an exercise in 'pure statistical exhibitionism'



◀ Svetlana Radovanovic, witness at the Ratko Mladic trial

Demography expert Dr. Svetlana Radovanovic continued her evidence today at the trial of Ratko Mladic. Through Radovanovic's testimony the defense will try to contest the findings of the prosecution expert, Dr. Ewa Tabeau on the Tomasica mass grave near Prijedor. Today, in the final part of her examination-in-chief, Dr. Radovanovic extended her list of complaints against the prosecution expert, describing her report as 'pure manipulation', 'deliberate concealment' and 'statistical exhibitionism'.

Dr. Radovanovic told Mladic's defense counsel Dragan Ivetic that Dr. Tabeau had 'toyed' with him when he cross-examined her, exploiting Ivetic's ignorance of demography to avoid answering his questions. Dr.

Tabeau also 'deliberately concealed' the criteria she used to match the remains of Tomasica victims and presented her data in a manner calculated to 'confuse' those ignorant of statistics and demography. Furthermore, Dr. Tabeau 'counted the bullets' recovered from the bodies of victims, and that, in Dr. Radovanovic's opinion, was 'pure statistical exhibitionism'.

Dr. Radovanovic was cross-examined by prosecutor Jason File. The defense expert said that 'from the perspective of scientific demography' she was compelled to dismiss each and every part of Dr. Tabeau's Tomasica expert report. When the prosecutor asked her to substantiate her opinion of the prosecution expert's work, Dr. Radovanovic invoked 'international standards'. This prompted Judge Moloto to ask Dr. Radovanovic if she had listed the standards in her expert analysis. The defense expert replied that she had not.

Prosecutor File noted that Dr. Radovanovic 'had taken out of context' some parts of the prosecution expert's report and unjustly accused Dr. Tabeau of failing to reveal the matching criteria: in fact, Dr. Tabeau specified the criteria that were used in the process of matching the remains of the Tomasica victims in the annex to her report. The defense expert maintains that the explanation does not meet the standards of scientific demography.

Dr. Radovanovic will continue her testimony tomorrow.

2016-05-03

THE HAGUE

IT DOES NOT MATTER IF VICTIMS WERE ARMED OR NOT, AS LONG AS THERE WAS FIGHTING

Based on a document produced by the VRS 1st Krajina Corps, defense demography expert Dr. Svetlana Radovanovic concluded that there was fighting with the 'extremist' groups in the Prijedor area at the relevant times. When the prosecutor stressed that the document does not state the 'extremist' groups were armed, the defense's demography expert argued that her goal was not to establish 'whether someone was armed or not but whether there was fighting going on'

Dr. Svetlana Radovanovic, the defense's demography expert, completed her testimony at the trial of Ratko Mladic today. Through her evidence, the defense wanted to contest the findings of the prosecution's demographer, Dr. Ewa Tabeau, on the Tomasica mass grave. As the cross-examination continued today, the prosecutor focused on Dr. Radovanovic's claim that in her report Dr. Tabeau 'deliberately neglected' the evidence showing that there was fighting going on in the Prijedor area at the time when the mass grave was made.

Prosecutor Jason File noted that only one of the nine documents Dr. Radovanovic cited in her report actually pertains to July 1992, the time when, the prosecution alleges, most of the Prijedor residents whose remains were exhumed from the Tomasica mass grave had actually gone missing. The document, a combat report of the VRS 1st Krajina Corps of 27 July 1992, specified that the 'efforts to identify extremist groups are underway' and that the Corps didn't suffer any losses.



◀ Svetlana Radovanović, defense expert at the trial of Ratko Mladić

The fact that the document does not mention any resistance on the part of the 'extremists' contradicts Dr. Radovanovic's allegation about fighting in the area, the prosecutor argued. The witness, however, remained firm that there had been fighting going on, which would imply that not all Tomasica victims had been executed in executions. The prosecutor put it to the witness that nothing in the document proved that the 'extremists' had been armed. The expert witness replied that her goal was not to establish 'if someone was armed but to prove if there was any fighting in the area'.

Prosecutor File noted that Dr. Radovanovic had had access to the list of 378 Tomasica victims and the list of BH Army casualties. Asked whether she had verified if there were any matches between the two lists, the

expert replied that her task was to prove that Dr. Tabeau's analysis had not been done professionally. In the *Popovic et al* case Dr. Radovanovic compared lists of the exhumed victims from the Srebrenica mass graves and BH Army casualties that were much longer than the Tomasica one. Today the defense expert explained that in *Popovic et al* case she had been asked by the defense to do so, and Mladić's lawyers had not required the same.

It is still unclear when Ratko Mladić's trial will continue. The evidence of two remaining defense witnesses, Andrei Demurenko and Jasmin Odobasic, has not yet been confirmed.

2016-05-20

THE HAGUE

WHO CAN(NOT) WRITE RATKO MLADIĆ'S JUDGMENT?

Ratko Mladić's defense notes that Mladić was for all intents and purposes convicted already when Radovan Karadzic's judgment was handed down in March 2016, warning the judges not to include legal advisers who worked with the chamber which convicted the former Republika Srpska president in the advisory team which will help Mladić's chamber decide on the general's guilt



◀ Ratko Mladić in the courtroom

The defense of the former Bosnian Serb Army Main Staff commander was alarmed to hear that some of the legal advisors who had been assisting the Trial Chamber that has recently convicted Radovan Karadzic have now been appointed to assist the judges deliberating on Ratko Mladić's guilt. Mladić's defense demands that Mladić be guaranteed a fair trial and the presumption of innocence; otherwise, the defense will call for a mistrial.

Given that the legal advisers had helped the judges analyze the evidence and draft Karadzic's judgment, they might now apply the same views in the case against Mladić, and could thus influence the judges.

According to Mladić's defense, the judgment rendered on 24 March 2016 in the Radovan Karadzic case for all intents and purposes served to convict Ratko Mladić too. The summary of the judgment mentions the general's name no less than 24 times, Mladić's defense notes. In Karadzic's judgment, the judges found that Mladić had participated in all the joint criminal enterprises Karadzic was convicted of. According to the trial judgment, Mladić shared Karadzic's goal which was to permanently eliminate Bosnian Muslims and Croats from the territories claimed by Serbs.

The right of the accused to a fair trial and the presumption of innocence was compromised when the legal advisers who had worked with the Karadzic trial judges were appointed to assist the Trial Chamber which will deliberate on Mladić's guilt.

The defense demands guarantees that Mladić's rights will be protected while the judges deliberate on the verdict, and insists on the formal confirmation that no legal advisers who had been involved in the Karadzic case would be appointed to Mladić's team. Mladić's lawyers also want the confirmation that the people who had worked on Karadzic's judgment have not discussed it with those who are working on Mladić's judgment.

Alternatively, the defense wants to see copies of documents signed by the legal advisors before their appointment to Mladić's Trial Chamber and a detailed description of all the efforts the Trial Chamber has made in this situation to safeguard the rights of the accused.

If this is not done, the defense will call for a mistrial because the chamber has already relied on the assistance of legal advisers who had worked on Karadzic's case.

2016-06-01

THE HAGUE

PROSECUTION: REJECT MLADIĆ'S MOTION

According to the prosecution, the credibility and impartiality of the judges are not jeopardized by the fact that some of the legal advisers appointed to assist the trial chamber in Mladić's case had previously worked with the judges who convicted Radovan Karadzic



◀ Alan Tieger, prosecutor

The prosecution wants the judges to reject the recent motion filed by Ratko Mladić's defense which focuses on the 'alarming news' that some of the legal advisers appointed to assist the trial chamber in Mladić's case had previously worked with the judges who convicted Radovan Karadzic. According to the defense, this will 'compromise' the outcome of the judges' work. The defense wants to be given guarantees that Mladić's right to a fair trial and the presumption of innocence will be safeguarded. If that is not possible, the defense wants the judges to call a mistrial.

In its response, the prosecution states that the defense's claims are unfounded and contrary to the Tribunal's

jurisprudence. It is highly unlikely, in the prosecution's view, that the judges would appoint inept advisers to assist them in their job, which is to consider the evidence and reach the verdict. The prosecution also notes that the jurisprudence has shown the authority of the judges in reaching the verdict has not been reduced or weakened by the assistance rendered by the advisers. In its motion, the prosecution brings up the previous decisions of other appellate chambers which had ruled that even if a judge has deliberated on the same or similar factual allegations (but on the basis of the evidence called at that particular trial), this will not meet the high threshold of proof needed to bring into question the presumption of the judge's impartiality in another case.

2016-06-14

THE HAGUE

CONSPIRACY AGAINST SERBS, UN'S PARTIALITY AND BOSNIAK AGGRESSION

In his evidence in Ratko Mladić's defense, Russian colonel Andrei Demurenko talked about his investigation of the Markale incident of 28 August 1995. A total of 43 citizens of Sarajevo were killed and 75 were injured in the incident. According to Demurenko, the explosion was staged. The United Nations were biased and covered up the 'Bosniak aggression against Serbs'. Bosniaks opened fire on their own people, Demurenko claimed



◀ Andrey Demurenko defense witness in the trial of Ratko Mladić

Retired Russian military colonel Andrei Demurenko gave evidence at the trial of Ratko Mladić. Demurenko spoke about his investigation of the Markale incident. He already testified about the issue twice before the Tribunal – at the trials of Dragomir Milošević and Radovan Karadzic. Both times Demurenko failed to convince the judges and both Trial Chambers rejected his findings, which purportedly proved that the VRS wasn't responsible for the Markale incident.

Today, in his third appearance before the Tribunal, Demurenko explained that he had been permitted by his superior officer, General Bachelet, to conduct the investigation. The statement made by the UNPROFOR

spokesperson, according to whom the Serb side was responsible for the incident, incensed him. Even though the official investigation was still ongoing, Demurenko told Bachelet that he had enough of 'lies' and said he would like to conduct an investigation on his own. Bachelet 'nodded his head' in approval. Demurenko then set up an 'expert group' of Russian artillery officers and toured the Serb positions along the line from which the shell had been fired. In his investigation Demurenko concluded that the Serb troops could not have fired the shell and announced his findings in an interview to the AP news agency.

After the investigation Demurenko went to see General Bachelet and apologized for going public with the results of his investigation without clearing it with the general. Bachelet told him that he 'will undoubtedly face serious problems in the near future'. According to Demurenko, Alexander Ivanko told him that General Smith had ordered his immediate dismissal, but then changed his mind after he was told it would make Demurenko a hero and that Smith would appear as the person trying to obstruct justice in the eyes of the public. Smith purportedly said that Demurenko would be 'killed' anyway. According to Demurenko, Captain Silajdzic, the Bosnian liaison officer with the UN, made a similar threat. Silajdzic purportedly wanted Demurenko to know he had 'just one day to live'.

Yet again, Demurenko said that the odds that a shell would hit such a narrow street in Sarajevo were 'one in a million'. Also, as Demurenko explained, a single shell couldn't have killed so many people given that 'a part of the shell failed to explode'. When he saw that, it occurred to him that the explosion could have been staged to blame the Serbs.

In the first part of his evidence Demurenko also noted that in the opinion of 60 percent of the UN personnel in Sarajevo, Serbs were the aggressors because 'their commanding officers and the media presented it that way'. The remaining 40 percent, most of them French, thought that the 'Muslim religious fanaticism was the main cause of the war, coupled with their unwillingness to accept the other side's opinion and their 'delusion' that they would get support from the Western forces. Demurenko based his view on his 'feeling' that most of the people believed that 'Serbs were to blame for everything'. Also, Demurenko claimed that the Muslim side had opened fire on its own people.

According to Demurenko, UN military observers were 'biased' and they 'covered up the Bosniak aggression' against the Serbs, as evidenced by their reports. They also covered up the fact that weapons were smuggled into the city in humanitarian convoys. When Judge Orić asked Demurenko to corroborate his claim about the military observers' partiality with documents, Demurenko said he couldn't do that. If he had known that he would be asked to produce documents, he would have brought them with him, Demurenko told Orić.

The Russian colonel will be cross-examined by the prosecution tomorrow.

2016-06-15

THE HAGUE

CONFUSED COLONEL AND SOPHISTICATED PROSECUTOR

In the cross-examination, Russian colonel Andrei Demurenko complained about the prosecutors 'skillfully confusing' him with their 'sophisticated questions'. Demurenko argued that he 'cannot follow their logic all the time' because he is just a soldier. The Trial Chamber didn't allow the witness to shake hands with the accused Mladić

The trial of Ratko Mladić continued today with the cross-examination of Russian colonel Andrei Demurenko. The prosecution asked the defense witness about his private investigation of the Markale incident on 28 August 1995, in which 43 Sarajevo citizens were killed and 75 injured. Prosecutor Tieger highlighted the discrepancies between what the witness claimed today and what he had stated in his previous public appearances: first in 1995 in front of the AP news agency cameras and then at the Tribunal as he testified at the trials of Dragomir Milošević and Radovan Karadžić.

In a TV interview in which he announced the conclusions of his investigation, Demurenko said that he and his team visited the entire line from which the Markale shell may have been fired. On the rocky and steep terrain they were unable to find a single location where one could position a mortar. Demurenko had already presented the same conclusion in his evidence at the trial of General Milošević. However, the Trial Chamber in that case ruled that Demurenko's findings were based on a visit of an area along the firing line which was far too narrow to allow for such conclusions. Later, in his evidence in Radovan Karadžić's defense the Russian colonel changed his evidence, claiming that he and his team had visited a 'wider area', about 100 meters from the line, but were again unable to find any positions where a 120-mm mortar could be mounted.

The prosecutor asked Demurenko to explain what exactly he had in mind when he said to Karadžić's defense that the Trial Chamber sitting in the Milošević case 'mistakenly' rejected the conclusions of his investigation. Demurenko told him he was still convinced that it was the case. As he explained, he himself was confused at times because the prosecutors kept asking him 'sophisticated and skilled questions'. 'Being just a soldier, I was not able to follow their logic all the time', the defense witness noted.

The prosecutor stressed that Demurenko applied wrong firing tables when he tried to establish possible mortar positions. Demurenko said 'it is immaterial', and the most important thing was the firing line that he searched in detail. The witness emphasized several times that he had done it 'on foot'. When Judge Flügel asked him about it,

Demurenko said that he had walked six kilometers from Markale, only to state a bit later that he had driven part of the way in an armored vehicle and walked the rest.

During the cross-examination, Demurenko complained several times about the problems with interpretation. The English word **you** in Russian could refer both to the singular and plural and was confusing, Demurenko said. He was never sure if the questions pertained to him or to his whole team. When asked if he remembered the photos taken in the course of the investigation that he handed over when he testified in the Milosevic case, Demurenko again voiced the same complaint. He asked whether the question referred to him or his entire team, and Judge Flugge asked Demurenko who had actually testified in that case. 'Who testified? You yourself or your whole team?', Judge Flugge asked him. Judge Orié cautioned Demurenko not to be obstructive.

As the hearing drew to a close, Demurenko asked the judges for permission to 'shake hands' with Ratko Mladić after completing his evidence. As Demurenko explained, 'I know I won't meet with Mladić again'. The judges denied Demurenko's request, stressing that no contact was allowed in the courtroom between witnesses and the accused.

The prosecutor will complete Andrei Demurenko's cross-examination tomorrow.

2016-06-16

THE HAGUE

DEMURENKO LEFT BEFORE COMPLETING EVIDENCE

Russian colonel Andrei Demurenko failed to show up in court this morning. The witness was expected to continue his evidence in Ratko Mladić's defense. The presiding judge said that Demurenko had left Holland 'after midnight'. The judges asked the defense and the prosecution to present their positions on what should be done with Demurenko's statement and unfinished evidence. Mladić waived his right to attend the hearing and was absent today



◀ Empty chair of Ratko Mladić

Witness Andrei Demurenko failed to show up this morning in court where he was expected to continue his evidence in Ratko Mladić's defense. The Trial Chamber was informed that Demurenko had left Holland last night, after midnight, presiding judge Alphons Orié told the parties.

Demurenko left the country of his own will before completing his testimony at Mladić's trial. The prosecutor was expected to continue with the cross-examination and the defense would have been given an opportunity to re-examine the witness. Instead, Judge Orié thanked the Russian interpreters for their assistance during the first two days of Demurenko's evidence and asked the parties to present their positions on the new situation in writing.

It looks as if Mladić's defense will now rest its case following Demurenko's unfinished evidence. The only outstanding issue is the testimony of witness Jasmin Odobasic from the BH Commission for the Missing Persons. Earlier this week, Mladić's defense indicated that it would seek permission to tender Odobasic's statement into evidence in line with a rule that applies to 'unavailable witnesses'. According to the rule, previous statements of unavailable witnesses can be admitted into evidence without their appearance in the courtroom.

Judge Orié adjourned the trial *sine die*, until further notice. The closing arguments are expected to be scheduled for mid-October 2016.

2016-06-23

THE HAGUE

DEFENSE: POSTPONE CLOSING ARGUMENTS UNTIL JANUARY 2017

Ratko Mladić's defense wants the judges to extend the deadline for the submission of final briefs from 1 September to 7 December 2016. According to the defense, the closing arguments should begin on 12 January 2017. Mladić's defense expects Russian colonel Demurenko to complete his evidence 'some time in July 2016'. Last week Demurenko left home in the middle of his cross-examination



◀ Ratko Mladić in the courtroom

Ratko Mladić's defense has asked the judges to extend the deadline for the submission of final briefs from 7 December 2016 and to postpone the closing arguments, initially scheduled for mid-October 2016, to 12 January 2017. In a motion filed to the Trial Chamber, Mladić's defense has noted many problems it is facing; some of them have cropped up recently but they will nevertheless prevent the defense from preparing effectively its final brief and submit it by the deadline set by the judges, which is 1 September 2016.

The defense's problems stem from a number of procedural, factual and legal issues, the length of the final brief, the complexity of the case and some 'extraordinary

circumstances' beyond the defense's control. Since the opening of the trial in June 2011 a total of 572 witnesses have testified. The defense has not yet rested its case.

The defense hopes that Russian colonel Andrei Demurenko will complete his evidence, 'some time in July 2016 before the Tribunal's summer recess.' Not that long ago, Demurenko left The Hague in the middle of his cross-examination. The defense continues with its efforts to bring Jasmin Odobasic to The Hague to testify. Odobasic is a former member of the BH Commission for Missing Persons. Intensive negotiations are underway between the parties, the Registry, the BH government and the witness.

If they come, it seems that Demurenko and Odobasic would not be Ratko Mladić's last defense witnesses. The defense has noted that it might want to call a few other witnesses, in order to tender some additional exhibits into evidence through them.

2016-07-04

THE HAGUE

MLADIĆ'S DEFENSE MOTION FOR MISTRIAL DENIED

The fact that two legal advisors to the Trial Chamber sitting in the Radovan Karadzic case had assisted the judges who will be deliberating Ratko Mladić's judgment does not call into question the integrity of the trial and the presumption of impartiality of the judges in the case against the former VRS Main Staff commander, the Trial Chamber rules



◀ Trial Chamber at the trial of Ratko Mladić

Judge Orić's Trial Chamber denied Ratko Mladić's defense motion in which he wanted to be given guarantees for a fair trial and the presumption of innocence or, alternatively, a mistrial. Mladić's defense submitted the motion on 20 May 2016.

Mladić's defense filed the motion after learning that a few legal advisors hired to assist the Trial Chamber in the case against Radovan Karadzic had previously assisted the judges who had tried Radovan Karadzic. The legal advisors helped the judges analyze the exhibits and draft Karadzic's judgment, the defense noted in the motion, and could, deliberately or not, apply the conclusions they had reached in the Karadzic case to the Mladić trial. Thus, the legal advisors would be able to influence the judges relying on their help, Mladić's defense stressed.

In their decision denying the defense's motion the judges note that only two legal advisors who had been involved in the Karadzic case are working on the Mladić case. The advisors do legal research, produce drafts and communicate with the parties; the judges are the only ones making decisions.

The Trial Chamber agreed that there is a considerable overlap in the indictments and evidentiary record in Mladić's and Karadzic's cases. Despite that, in their decision denying the defense's motion, the judges concluded that a properly informed and reasonable observer would not, on the basis of the circumstances described in the defense's motion, question the integrity and impartiality of the judges working in Mladić's case. Also, such an observer would not expect the judges to do anything other than rule fairly on the issues before them relying exclusively on the evidence adduced in the present case – even if they or their advisors had been exposed to the relevant evidence in both cases.

2016-07-08

THE HAGUE

DEADLINES FOR FINAL BRIEFS EXTENDED

The new provisional deadline for final briefs in the Ratko Mladic case is 3 October 2016, the judges said at the status conference today. The definitive date will be set once the pending issues related to Mladic's defense case have been dealt with



◀ Bakone Moloto, judge at the Tribunal

At a status conference in the case against the former VRS Main Staff commander Ratko Mladic, Judge Moloto set the new provisional deadline for final briefs: 3 October 2016. The definitive date will be set once all the pending issues related to evidentiary matters have been dealt with.

The prosecution wants to know when the remaining evidentiary issues will be dealt with. One of the issues is whether or not Russian colonel Andrey Demurenko will ever come back to The Hague to complete his testimony begun in mid-June, and the possible evidence of Jasmin Odobasic from the BH Commission for Missing Persons. It has been unclear whether he will come testify for quite some time.

August 16 was mooted at the status conference today as the possible date for Demurenko's testimony to resume. It is unclear whether the Russian colonel will indeed complete his evidence. He cut his evidence short suddenly in the middle of his cross-examination less than a month ago.

The public will likely get more details about the future course of Mladic's defense case through written submissions of the parties and the decision of the Chamber, expected in the two weeks before the summer recess. In the meantime, Judge Moloto concluded the proceedings in the case against Ratko Mladic sine die, until further notice.

2016-07-12

THE HAGUE

MLADIC'S DEFENSE CALLS FOR REVIEW OF TRIAL CHAMBER'S DECISION

Ratko Mladic's defense reiterates the demands it had made in an earlier motion, insisting that Mladic's right to a fair trial and the presumption of innocence are guaranteed, even though the Trial Chamber rejected the original motion. The defense wants a review of the Trial Chamber's decision or, alternatively, seeks permission to appeal against the decision



◀ Ratko Mladic in the courtroom

Ratko Mladic's defense has called for a review of the Trial Chamber's decision to deny its motion in which it sought either to be given guarantees that Mladic's right to a fair trial and the presumption of innocence would be safeguarded or a mistrial. In its motion filed today the defense seeks permission to appeal against the Trial Chamber's decision.

According to the defense, when the Trial Chamber considered the motion, it failed to take into account the things that bothered the accused the most: 'the violation of his right to be presumed innocent'. In the defense's view, a number of conclusions in the recent trial judgment in the case against Radovan Karadzic have

for all intents and purposes convicted Mladic ahead of his judgment. In two paragraphs, the trial judgment concludes that Mladic's involvement in the joint criminal enterprise has been established beyond reasonable doubt.

The defense holds that the Karadzic judgment has also convicted Mladic. The very fact that a number of persons who had taken part in the drafting of Karadzic's judgment are now working with the judges in the Mladic case could significantly impact the outcome of the trial, the defense maintains. Mladic's defense refers to the judges' legal assistants who could apply the conclusions from the case against Karadzic to the Mladic case.

In its decision the Trial Chamber concluded that Mladić's right to a fair trial was not compromised. According to the judges, the fact that two legal advisors who had worked with the trial chamber in the Karadzic case were employed to help the judges in Mladić's case didn't jeopardize the fairness of the trial or the integrity and impartiality of the Trial Chamber hearing the case against the former commander of the VRS Main Staff.

2016-08-16

THE HAGUE

MLADIC'S DEFENSE RESTS ITS CASE

Although Ratko Mladić's defense has maintained he wants to call additional witnesses, the Trial Chamber officially brought the defense case to a close. The former commander of the VRS Main Staff was charged with genocide and other crimes in the BH war. Today Russian colonel Demurenko completed his evidence in Mladić's defense via video link from Moscow. On 15 June 2016, he left The Hague in the middle of his testimony



◀ Colonel Andrey Demurenko, last witness at Ratko Mladić's trial

Ratko Mladić's defense counsel Dragan Ivetić has indicated that he will seek leave to appeal against the confidential decision issued yesterday by the Trial Chamber dismissing the defense's request to be allowed to call another two unidentified witnesses. The Trial Chamber nevertheless decided today to bring Ratko Mladić's defense case to a close.

The decision was taken after prosecutor Alan Tieger completed the cross-examination of Russian colonel Andrei Demurenko. On 15 June 2016, Demurenko suddenly cut short his testimony, left The Hague and returned to Moscow. Speaking to the representatives of the Tribunal's Victims and Witnesses Unit Demurenko said that he had felt 'under pressure' in the courtroom and was treated 'aggressively and unreasonably'. He

was repeatedly insulted and was not allowed to shake hands with General Mladić. Demurenko thus decided not to complete his evidence. The representatives of the Victims and Witnesses Unit representatives warned Demurenko that he could face contempt of court charges if he left. When the defense counsel asked Demurenko who had pressured him and treated him aggressively and unreasonably, the witness asked permission to 'refrain from answering' because he didn't want to cause 'more inconvenience for the esteemed staff of the Tribunal'.

In 1995, Colonel Demurenko was the chief of staff in the UNPROFOR HQ in the Sarajevo sector. After the second Markale incident in August 1995 Demurenko conducted his own investigation into the incident. He established that the shell that killed 43 and wounded 75 persons hadn't been fired from the Serb positions. Demurenko's findings contradicted the conclusions of the official investigation launched by UNPROFOR.

In his evidence at the trials of the erstwhile commander of the Sarajevo-Romanija Corps Dragomir Milošević and of the Republika Srpska president Radovan Karadžić, Demurenko discussed the findings of his investigation. However, the judges rejected his evidence as unreliable. In Dragomir Milošević's judgment the judges concluded that the area covered by Demurenko's investigation had been too small to yield reliable results. After that, at Karadžić's trial the Russian colonel claimed that he had inspected a much wider area, but the Trial Chamber didn't put much stock in his evidence either. It was impossible to visit all the positions around Sarajevo from which the fatal shell could have been fired in such a short time, the judges concluded.

Today the prosecutor quoted the relevant paragraph from Karadžić's judgment where the judges state Demurenko's evidence was unreliable. As Demurenko stated with some resignation, if that is indeed the case, his testimony was 'completely pointless. That only confirms that you are biased and not neutral', Demurenko told Tieger. According to the witness, he could see that clearly when he began his evidence in June 2016, because the presiding judge repeated the prosecutor's question no less than 13 times. By comparison, the presiding judge only repeated the defense counsel's question three times.

2016-08-26

THE HAGUE

MLADIC'S MOTION FOR JUDGES' DISQUALIFICATION DENIED

ICTY president Carmel Agius has dismissed the motion filed by Ratko Mladić's defense seeking the disqualification of judges Orić and Flüggé from the chamber hearing the case against the former VRS Main Staff commander



◀ Carmel Agius, judge at the Tribunal

On 20 July, Ratko Mladić's defense filed a motion asking for the proceedings against their client to be terminated because of the 'systemic bias' evinced by two judges in the Trial Chamber, three judges in the Appeals Chamber, the presidents of the Tribunal and the Mechanism for International Criminal Tribunals, and some high-ranking of the United Nations. As the defense alleged, they all 'neglected the right of the accused to the presumed innocent and convicted him' even before the trial was over. The motion was addressed to the presidents of the two institutions, the Tribunal and the Mechanism for International Criminal Tribunals, judges Carmel Agius and Theodor Meron.

The first to respond to the motion was Judge Meron. As soon as he received the motion, he declared he and the Mechanism he heads lacked jurisdiction to rule on motions that pertain to current trials before the Tribunal.

The Tribunal's president Agius responded today. He also notes that the defense's motion was sent to the wrong address: according to the Tribunal's rules, such motions must first be sent to the judge presiding over the trial chamber which includes the judge whose disqualification is being sought.

Nevertheless, Judge Agius decided to act in the interest of justice and judicial economy and to consider the defense's motion for the disqualification of judges Alphons Orié and Christoph Flügge.

In the decision which was made public today, Agius states that the judges are also entitled to the presumption of innocence; the burden of proof is on the party seeking their disqualification. The defense should therefore proffer evidence of their purported bias. According to Judge Agius, Mladić's defense failed to provide any arguments and evidence in its motion which would lead a reasonable and informed observer to doubt the impartiality of judges Orié and Flügge. The Tribunal's president therefore sees no reason why he should set up a panel of three judges who would then consider the defense's motion for the disqualification of judges.

2016-09-10

THE HAGUE

CLOSING ARGUMENT AT RATKO MLADIĆ'S TRIAL SET FOR DECEMBER 2016

In the case against the former commander of the VRS Main Staff, the prosecution and defence will deliver their closing arguments in December 2016. The trial lasted 523 days; the court heard the testimony of 380 witnesses and admitted almost 10,000 exhibits into evidence. Ratko Mladić is on trial for genocide and other crimes committed in the BH war



◀ Ratko Mladić in the courtroom

The closing arguments of the parties in the case against Ratko Mladić, former commander of the VRS Main Staff, are slated to take place from 5 to 15 December 2016. The prosecution and defence will both have three court days to deliver their arguments. After that, the parties will each have 90 minutes to respond. The prosecution and the defence have to submit their final briefs by 25 October 2016.

The trial of Ratko Mladić for genocide and other crimes in the war in Bosnia and Herzegovina began on 16 May 2012. The prosecution called 172 witnesses and tendered into evidence more than 7,500 exhibits. The defence examined 208 witnesses and presented about 2,000 exhibits.

With a total of 523 court days, this is the Tribunal's longest trial: it is longer than the 'megatrials' of the six former Herceg Bosna leaders or the seven Republika Srpska military and police officers who were charged with the Srebrenica crimes. On the other hand, because of Mladić's ill health, the hearings were half an hour shorter than the usual time.

The judgment in Ratko Mladić's case is planned for late 2017.

2016-09-14

THE HAGUE

MLADIC'S COMPLAINT ABOUT 'SYSTEMATIC BIAS' REJECTED

The Tribunal's President decides not to consider the merits of Mladic's motion in which Mladic accused the judges in the Trial Chamber and the Appeals Chamber of showing 'systematic bias'. Mladic demanded that the proceedings against him be terminated and that a special working group be set up in the UN Security Council to investigate the allegations



◀ Carmel Agius, judge at the Tribunal

On 20 July 2016, Ratko Mladic's defence filed a motion demanding that the proceedings against the Bosnian Serb general be terminated because of the 'systematic bias' shown by two trial judges and three appellate judges, the presidents of the Tribunal and the Mechanism for International Criminal Tribunals as well as high-ranking UN officials. According to the defence, they have all 'set aside the right of the accused to the presumption of innocence and have convicted him'. The defence therefore wants the UN Security Council to set up a working group to investigate the allegations.

According to the defence, trial judges Alphons Orié and Cristoph Fluegge in effect convicted Mladic when they rejected the defence's demand that their client's right to a fair trial and the presumption of innocence be guaranteed. The two judges were compromised: Judge Orié because he had taken part in the Galic and Krajisnik cases and Judge Fluegge because he was one of the judges who tried Tolimir.

According to the defence, the same can be said for the three appellate judges who have been involved in the cases where Mladic was 'already found guilty'. The judges Mladic wants to see disqualified are Fausto Pocar who was on the panel in the case against Popovic et al., and the current president of the Mechanism, Judge Theodor Meron and Judge Jean-Claude Antonetti, who were involved in the case against Tolimir. The current Tribunal's president Judge Carmel Agius is also on the defence's list of unsuitable judges, because he was the presiding judge in the trial chamber in the Srebrenica Seven case, where the accused were all convicted of genocide in Srebrenica and Zepa.

In his decision, Judge Carmel Agius, the Tribunal's President, notes that the defence's motion contains no new argument in support of the demand to disqualify judges Orié and Fluegge. The defence's motion was already rejected on 26 August 2016. As Judge Agius stresses in his decision, the defence failed to present any legal grounds for its decision to address the Tribunal's President instead of the Trial Chamber. According to the Statute, the Trial Chamber is 'primarily responsible for securing a fair trial' for persons accused of war crimes. In light of all those facts, Judge Agius decided not to consider the merits of the motion submitted by Mladic's defence.

2016-09-22

THE HAGUE

MLADIC'S MOTION FOR MISTRIAL DENIED

First the presidents of the Mechanism and of the Tribunal denied Mladic's motion in which he complained about 'the systemic bias' and demanded that the proceedings against him be stayed or that a mistrial be called. Now, Judge Orié's Trial Chamber did the same

Judge Orié's Trial Chamber today denied Ratko Mladic's motion in which his defense demanded the stay of proceedings against the former commander of the VRS Main Staff, or alternatively, a mistrial. The defence cited 'the systemic bias' and violations of the rights of the accused to a fair trial.

On 20 July 2016, Mladic's defense filed a motion seeking the stay of proceedings against their client or a mistrial, citing 'the systemic bias' on the part of two trial and three appellate judges, the president of the Tribunal and the president of the Mechanism for International Criminal Tribunals, as well as some high-ranking UN officials. The defense contended that they 'neglected the right of the accused to the presumption of innocence and found the accused guilty' in advance. The defense submitted its motion to the Trial Chamber hearing the case against Mladic, to the Tribunal's President and to the President of the Mechanism for International Criminal Tribunals.

The first to respond to the motion was Theodor Meron, the Mechanism's President. He declared that he lacked jurisdiction since Mladic was still on trial before the Tribunal.



◀ Alphons Orie, judge at the Tribunal

After that, last week, the Tribunal's President Carmel Agius refused to consider the merits of Mladić's motion. In Judge Agius's view, the defense failed to provide any legal grounds for addressing the Tribunal's President instead of the Trial Chamber. According to the Statute, the Trial Chamber is 'primarily responsible for securing a fair trial' for individuals accused of war crimes.

Finally, the Trial Chamber hearing Mladić's case published its decision today. The motion was rejected because the defense failed to show that Mladić's right to a fair trial had been violated in any way. Consequently, there are no legal grounds to order a stay of proceedings or declare a mistrial.

The closing arguments at the trial of the former commander of the VRS Main Staff for genocide and other crimes in the war in BH have been slated for the first half of December 2016.

2016-09-27

THE HAGUE

DECISION TO END MLADIĆ'S DEFENSE CASE WILL NOT BE RECONSIDERED

The Trial Chamber is busy tying off the loose ends in a bid to bring the trial of the former commander of the VRS Main Staff to an end. Mladić is charged with genocide, crimes against humanity and war crimes in Bosnia and Herzegovina from 1992 to 1995



◀ Ratko Mladić in the courtroom

Following its recent rejection of Mladić's defense motions in which he sought the disqualification of judges and either the stay of the proceedings or a mistrial, Judge Orie's Trial Chamber today dismissed another motion filed by the accused. Mladić's defense wanted the judges to reconsider the decision to end the defense case. The defense's alternative proposal, to be granted leave to appeal against the Trial Chamber's decision, was also rejected.

As the trial judges note, the defense failed to show that the Trial Chamber made a 'clear error in judgment justifying a re-consideration of the decision'. The request for permission to file an appeal was denied because the defense failed to prove how the decision to end the

defense case could have significantly affected the fairness and expeditiousness of the trial or its outcome.

With its decision, the Trial Chamber continues to tie off loose ends in a bid to bring to an end the trial of the former commander of the VRS Main Staff. Mladić is charged with genocide, crimes against humanity and war crimes in Bosnia and Herzegovina from 1992 to 1995.

Two other defense motions are still pending. In the first one, the defense demands to be given guarantees of a fair trial. In the other, they ask permission to call Hakija Meholic, a former member of the Srebrenica war presidency, as a witness. Alternatively, the defense wants the Trial Chamber to admit into evidence Meholic's public statements about the Sarajevo government willingly sacrificing Srebrenica to provoke a NATO military intervention. The Trial Chamber is expected to render its decision of the two motions soon.

The closing arguments at Ratko Mladić's trial are slated to take place from 5 to 15 December 2016.

2016-10-10

THE HAGUE

MLADIĆ SEEKS DISQUALIFICATION OF THREE APPELLATE JUDGES

According to Ratko Mladić's defense, the statements and judgments produced by judges Meron, Agius and Pocar have to a large extent violated the right of the accused VRS Main Staff commander to be presumed innocent. As this gives rise to 'a reasonable apprehension of bias', the judges should be disqualified from the Appeals Chamber which will consider the defense's motion citing violations of their client's right to a fair trial and the presumption of innocence



◀ Judges Fausto Pocar, Carmel Agius, Theodor Meron

Last week the Tribunal's President appointed five judges to consider Ratko Mladić's appeal against the Trial Chamber's decision to reject the defense's motion in which they sought to be given 'guarantees of a fair trial and the presumption of innocence'. Now, the defense of the former VRS Main Staff commander has submitted another motion in which they call for the disqualification of no less than three members of the Appeals Chamber.

Defense lawyers Branko Lukic and Miodrag Stojanovic allege in their motion that judges Theodor Meron, Carmel Agius and Fausto Pocar violated the right of the

accused to be presumed innocent. According to Mladić's defense, the appellate judges did so in the statements they made while they served as the Tribunal's presidents and in the judgments rendered by the trial and appellate chambers on which they sat.

In the motion seeking disqualification of Judge Meron the defense claims that the statement he made in 2003, that it was the Tribunal's mission was to put on trial 'those most responsible for the gravest crimes...specifically Karadzic and Mladić' was prejudicial. Judge Meron also said that the Tribunal's work would not be completed until Karadzic and Mladić were brought to justice. According to the defense, nobody would think to call to 'bring innocent individuals to justice' and such phrasing clearly 'implies guilt'.

According to the defense, judges Pocar and Agius violated the principle of the presumption of innocence in their judgments. Judge Agius was the presiding judge in the case against seven Bosnian Serb military and police officers who were tried for the Srebrenica genocide. In support of their demand for the disqualification of the two judges, the defense lawyers list a number of instances in which when the presumption of Mladić's innocence was violated. The list includes the finding that the criminal plan had originated from the 'highest level of the VRS Main Staff' including Mladić. Furthermore, Mladić acted as the 'central, pivotal force of the joint criminal enterprise' and played a key role in the forcible transfer of population. Ljubisa Beara's trial judgment found that the security chief in the VRS Main Staff was close to Mladić; this was considered as an aggravating circumstance.

According to the defense, all those elements could lead a 'reasonable observer to reasonably apprehend bias', and that would constitute grounds for the disqualification of a judge.

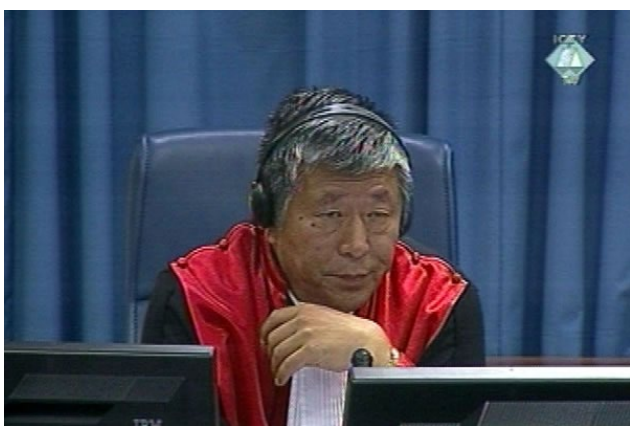
The other two judges in the Tribunal's Appeals Chamber set to consider the original defense's motion are Liu Daqun and Burton Hall.

2016-10-28

THE HAGUE

MLADIĆ'S DEMAND FOR JUDGES' DISQUALIFICATION REJECTED

Judge Liu Daqun, as the acting president of the Tribunal, has rejected the motion filed by Ratko Mladić's defense seeking the disqualification of judges Theodor Meron, Fausto Pocar and Carmel Agius from the Appeals Chamber which is set to rule whether the trial of the former VRS Main Staff Commander has been fair



◀ Liu Daqun, judge in the Tribunal

The acting president of the Tribunal, Judge Liu Daqun, has ruled that Ratko Mladić's defense has failed to prove there is 'a reasonable concern' about the partiality of judges Theodor Meron, Carmel Agius and Fausto Pocar, and thus there is no reason to appoint a panel of three judges to consider whether there are any grounds for their disqualification.

The defense's motion was based on the allegation that the three judges have prejudged the accused to a considerable extent with the various statements they made either in their capacity as the presidents of the Tribunal or as judges in the trial or appeals chamber. The defense demanded that they be disqualified from

the five-judge Appeals Chamber which will consider the defense's appeal against the Trial Chamber's decision to reject the defense's motion in which they sought 'guarantees for a fair trial and the presumption of innocence' of the former VRS Main Commander.

The closing arguments in the case against Ratko Mladić, who is on trial for double genocide and other crimes committed in the war in BH, have been scheduled for the first half of December.

2016-12-05

THE HAGUE

PROSECUTOR: MLADIC KEY PERSON ON 'ROAD TO HELL'

Mladic's 'road to hell' began in the spring of 1992 with a systematic campaign of ethnic cleansing of Bosnian Muslims and Croats from large swathes of Bosnia and Herzegovina. It ended in July 1995 with the killing of almost 8,000 Srebrenica men and boys, the prosecutor noted at the beginning of the closing arguments at the trial of the former VRS Main Staff commander



◀ Alan Tieger, prosecutor

Ratko Mladic was the key person on the 'road to hell and disappearance', as Radovan Karadzic put it in October 1991 when he threatened Bosnian Muslims in the National Assembly. Karadzic promised them they would end up in hell and disappear if they decided to follow the example of Slovenia and Croatia and proclaim independence, prosecutor Alan Tieger said on the first day of the closing arguments at the trial of the former commander of the VRS Main Staff.

Mladic's 'road to hell' began in the spring of 1992 with a systematic campaign of ethnic cleansing of Bosnian Muslims and Croats from large swathes of Bosnia and Herzegovina followed by serious crimes against civilians.

It ended in July 1995 when almost 8,000 men and boys from Srebrenica were killed.

As he launched into the prosecution's closing argument, Tieger commented on some 'strange allegations' made by the defense in its final brief. According to the prosecutor, the defense tried to paint Mladic as a 'permissive, inefficient officer who had tried to protect Muslims against people like Karadzic. But as Mladic played only a secondary role, he had less power than a Corps commander'.

In its final brief the defense argued that Mladic didn't have any control over the commanders of the Sarajevo-Romanija Corps, generals Galic and Milosevic, and General Krstic, commander of the Drina Corps. The Sarajevo-Romanija Corps commanders were convicted of the artillery and sniper terror campaign in Sarajevo, while Krstic was convicted of genocide in Srebrenica.

Today the prosecutor used the familiar footage recorded on 12 July 1995 at the third meeting in the Fontana Hotel in Bratunac to contest the defense's claims. In the video, Mladic is seen dictating to the representatives of Srebrenica refugees the conditions under which they could leave the enclave. Mladic offered the refugees from Srebrenica a choice: 'survive or vanish'. The Drina Corps Commander General Krstin, who sat next to Mladic, never said a word. That, the prosecutor noted, clearly shows who played the dominant role.

The second 'unusual claim', the prosecutor went on to note, was that Mladic had disagreed with the way the Muslims had been treated. This is why, the defense argued, Karadzic 'marginalized' Mladic. A plethora of evidence that contradicts the allegation was called at the trial, the prosecutor stressed. To corroborate his claim the prosecutor showed a recording of Mladic traveling in a car from Pale to Han Pijesak. During the ride Mladic referred to the burned down 'Turkish houses' along the road. The footage also shows Mladic boasting that each time he drove along, 'I drop by to Sarajevo and kill a couple of Turks'. That, the prosecutor clarified, showed Mladic's 'contempt for the victims'.

After Tieger's introduction, Artur Traldi picked up the prosecution's closing argument. Traldi called up the evidence on the so-called comprehensive joint criminal enterprise which covers the ethnic cleansing in large parts of Bosnia and Herzegovina in order to achieve 'the separation of ethnicities, cultures and worlds'. Mladic is charged with three other separate but inter-related joint criminal enterprises: the terror campaign in Sarajevo, taking UN staff hostage, and genocide in Srebrenica. The prosecutor will analyze these issues in the remaining two days it has been given to present its closing arguments.

2016-12-06

THE HAGUE

FROM ETHNIC CLEANSING TO GENOCIDE

The prosecution continued with the closing arguments at the trial of Ratko Mladic, former commander of the VRS Main Staff. According to prosecutor Traldi, Belgrade contributed to the ethnic cleansing campaign carried out in large areas of Bosnian and Herzegovina. In the case of Prijedor and five other municipalities, ethnic cleansing reached the scale of genocide, the prosecutor emphasized



◀ Arthur Traldi, prosecutor

On the second day of the prosecution's closing argument at Ratko Mladić's trial, prosecutor Arthur Traldi dealt in detail with the allegations the defence had presented in its final brief. Mladić's defence had denied the responsibility of the accused for the comprehensive joint criminal enterprise aimed at ethnically cleansing large swathes of Bosnia and Herzegovina. In some municipalities, ethnic cleansing reached the scale of genocide.

The defence argued that the crimes Mladić is charged with were not committed by the troops under his command. In fact, the defence claimed, the out-of-control paramilitary, volunteer, territorial defence and police units as well as groups of civilians wearing military clothes were to blame. The prosecutor used the

testimony of both prosecution and defence witnesses, and a number of military and police documents and other exhibits used in the trial to refute the claim.

Today the prosecutor didn't neglect to stress that 'Belgrade contributed' to the accomplishment of the goals of joint criminal enterprise. Slobodan Milosevic, the then Serbian president and another participant of the various joint criminal enterprises in Croatia and BH, contributed to a significant degree to the effort to arm and train the Serb troops which ultimately implemented the ethnic cleansing. Milosevic initiated the transformation of the army that ended with the establishment of the VRS. Also, the Serbian president attended the meeting at which the decision was made to appoint Mladić the commander of the Main Staff. Milosevic shared the goals of the Bosnian Serb leadership, including the idea that all Serbs should live in an ethnically homogenous state comprising the largest part of BH. In order for the goal to be achieved, all non-Serbs had to be forcibly removed from those territories.

The prosecutor quoted entries from Mladić's war diary which indicate that Belgrade continued supporting the accomplishment of those goals even after Milosevic launched his charm offensive against the West. Milosevic told the Western players that he condemned the Bosnian Serb crimes while on the other hand he allowed Mladić to proceed with the ethnic cleansing by providing military and other assistance.

Today Traldi focused on the Prijedor case, one of the six municipalities where, as alleged by the prosecution, the crimes reached the scale of genocide. Traldi described the attacks of the 1st Krajina Corps artillery and infantry on the villages of Hambarine and Kozarac, the killing of hundreds of non-Serbs and the arrests of thousands of civilians. The prosecutor didn't forget to mention the destruction of the Muslim quarter in Prijedor. As stated in a report received by Mladić's Main Staff, 7,000 non-Serbs were detained following the destruction of the Muslim quarter. All of them were held in inhumane conditions in the prison camps in Omarska, Keraterm and Trnopolje. By September 1992, more than 23,000 Muslims and Croats had passed through those prison camps.

According to Traldi, the prosecution evidence shows clearly that the ethnic cleansing in Prijedor reached its climax in the period between 20 and 25 July 1992, when almost 1,000 people were killed in nine locations in the nine incidents listed in the indictment. Bodies of the victims were found in the mass graves at Tomasica and Jakarina Kosa.

Alan Tieger, the prosecution team leader, completed the Prijedor part of the closing argument. According to Tieger, the Bosnian Serb leadership decided to make Prijedor theirs. The fact that before the World War II Serbs had been in majority in that area was their reason for the decision. Given the ethnic composition of the population in 1992, Traldi noted, that goal had required the army to create a new situation, one that the international community and Muslims would have to accept. According to the prosecutor, the means used were 'brutally efficient': in a short period of time more than 1,500 persons were killed. Thousands were starved, abused, degraded, humiliated, tortured in prisons and prison camps. The victims' homes were destroyed and their mosques razed to the ground. Many of the victims left their homes and were scattered all over the world as refugees. 'The intent to annihilate this community and to prevent its reconstruction is unquestionable, and the term for that is – genocide', Tieger concluded.

2016-12-07

THE HAGUE

PROSECUTOR CALLS FOR LIFE SENTENCE FOR RATKO MLADIĆ

Concluding the prosecution's closing argument at Ratko Mladić's trial, prosecutor Alan Tieger noted that 'any sentence but the gravest one foreseen by the law would be an insult to the victims and an affront to justice'

'The time has come for Ratko Mladić to be held accountable for each of his victims. Any sentence but the gravest one foreseen by the law and the Tribunal's sentencing practice would be inadequate, an insult to the victims, those that had died and those that had survived. The only appropriate sentence is life imprisonment.'



◀ Alan Tieger, Prosecutor

Alan Tieger, the prosecution team leader, used these words to conclude the prosecution's three-day closing argument at the trial of Ratko Mladić. The former commander of the VRS Main Staff was charged with genocide, war crimes and crimes against humanity committed during the war in BH.

Before Tieger's conclusion, prosecution lawyers Adam Weber and Peter McCloskey again went through the evidence on Mladić's responsibility for the artillery and sniper terror campaign against Sarajevo and the genocide in Srebrenica in July 1995.

According to Weber, the purpose of the artillery and sniper campaign in Sarajevo was to terrorize its citizens, to instil fear that the next shell or sniper bullet could hit them or their family. The prosecutor also recalled

an intercepted radio communication of 28 May 1992, in which Mladić ordered his subordinates to shell Sarajevo, especially those parts where there 'aren't many Serbs' in order to 'drive them out of their minds'. Mladić's message was 'quite simple: when the Sarajevo-Romanija Corps cannons opened fire, Mladić was the one pulling the trigger', prosecutor Weber noted.

The prosecutor also showed that the defence's claims that Bosniaks were shelling their own people were based on 'groundless speculations', 'non-existent evidence' and 'false interpretations' of statements of some witnesses or UN officials. The defence based its claim on the implausible and contradictory statements by its expert witnesses. To illustrate the point, the prosecutor referred to Zorica Subotic's report and testimony. Subotic was the defence's ballistic expert. She first argued that the notorious bread queue massacre in Vase Miskina Street had been caused by a planted shell, only to change her story later, stating that the massacre had in fact been caused by mortar shell launched from an area so close to the target that it hit the ground almost at a right angle. As Weber put it, that would mean that the BH Army soldiers had fired a shell right up in the air and it then landed on their heads.

Skimming through the evidence on the Srebrenica crimes committed in July 1995, prosecutor McCloskey focused in particular on the well-known footage in which Mladić clearly showed his 'genocidal' intent. In the first recording taken on 11 July 1995 Mladić announced in the deserted Srebrenica that 'it is time for us to have our vengeance against the Turks'. In the other clip, taken in the Fontana Hotel in Bratunac, Mladić confronted the unwilling representatives of the Srebrenica refugees with a choice to 'survive or disappear'. Bearing in mind what Mladić and his troops accomplished in the days that followed, McCloskey noted, 'those words were to be taken dead seriously'. The prosecutor added that the man representing the refugees was Ibro Nuhanovic. After the meeting Nuhanovic remained in Potocari with his son Muhamed and wife Nasiha. They were all killed and their remains were later recovered as the prosecution noted in its final brief.

The prosecutor described in detail Mladić's movements and actions from the moment he entered Srebrenica on 14 July 1995 to his departure for Belgrade in the evening of 14 July 1995. McCloskey alleged that Mladić 'continued issuing commands to the Republika Srpska Army' from Belgrade. Also, the prosecutor added, even if he 'had been in coma, he would have still been criminally responsible' for what was planned and implemented after the fall of Srebrenica.

Mladić remained in the centre of the events during the entire killing operation, McCloskey said. The accused was seen among the mass of prisoners, his key officers held command posts, all the communication and all the intelligence was streamed to Mladić. According to the prosecutor, it would be 'unthinkable to claim, as the defence did, that Mladić didn't know anything about the events and that he was not involved in them'. On the contrary, McCloskey concluded, 'Mladić is indeed a criminal, but he is not a fool'.

The defence will start its closing arguments on Friday, 9 December 2016.

2016-12-09

THE HAGUE

MLADIĆ'S DEFENSE: PROSECUTION FAILED TO MEET BURDEN OF PROOF

On the first day of its closing arguments, Ratko Mladić's defense argued that the prosecution had failed to meet the burden of proof. According to lawyers Branko Lukic and Dragan Ivetic, the prosecution did not prove Mladić's guilt 'beyond reasonable doubt' and the accused should therefore be acquitted on all counts in the indictment

According to Branko Lukic, lead defense counsel, the prosecutors prosecutors 'distorted and misrepresented the facts' in their case against his client. Lukic alleged that the Trial Chamber had prevented the defense from calling witnesses whose evidence would have proven it. The only way to rectify the error is to acquit Mladić, the defense stated on the first day of the defense's closing argument.



◀ Branko Lukić, defence lawyer of Ratko Mladić

The Tribunal has tried to make sure that the responsibility for the crimes is individualized, in a bid to avoid blaming entire ethnic or religious communities. In the past two decades, however, it was often the accused, especially high-ranking ones, tried hard to 'share' their blame with their ethnic community.

That is exactly what happened today in the case against Ratko Mladic, former commander of the VRS Main Staff, who is on trial for genocide, war crimes and crimes against humanity in the BH war. According to Mladic's defense counsel, Mladic is 'guilty because he is a Serb and because he tried to defend his country and nation in a war instigated by others'. The army headed by the accused 'didn't operate in a vacuum, with Muslims and Croats being innocent', the defense counsel noted. On

the contrary, Mladic's army had to confront many enemies: the Patriot League, the BH Army, the Croatian Defense Council, the Croatian Army, UNPROFOR and NATO.

As the defense argued, Alija Izetbegovic was responsible for the war. Mladic's defense council depicted Izetbegovic as a 'predecessor of ISIL'. Izetbegovic's goal was to establish a united Islamic state consisting of Bosnia and Herzegovina, Kosovo and Sandzak. The defense showed short videos depicting the establishment of the El Jihadi unit, Izetbegovic's visit to the Mujahed honour guard and the decapitation of captured Serbs. 'Today ISIL operates in the same way', the defense counsel concluded.

The defense doesn't deny that 'unfortunate local crimes happened, but they can't be linked to Ratko Mladic'. Also, the crimes didn't always occur in the way described in the indictment. Mladic, the defense counsel added, 'was blamed for the crimes of the other side – Alija Izetbegovic's side – including the shelling Sarajevo in the locations such as Sirokaca or Markale'. 'Rogue VRS members' or members of the police and paramilitary units committed the crimes outside of Mladic's jurisdiction. Therefore, Mladic can't be held responsible for that, the defense argued.

On the first day of the defense's closing arguments, Branko Lukic and Dragan Ivetic contested in broadest strokes the allegations about the ethnic cleansing and genocide in municipalities, the terror campaign in Sarajevo, taking UN staff hostage, forcible transfer of women and children and the killing of more than 7,000 men and boys in Srebrenica. The defense will analyze the issues in greater detail next week. Today, Ivetic noted that the prosecution had not met the burden of proof and had failed to prove Mladic's responsibility beyond reasonable doubt. In fact, as Ivetic said, they tried to shift the burden of proof on Mladic's defense. According to Ivetic, the prosecution failed to prove all four joint criminal enterprises Mladic is charged with. Consequently, Mladic, Karadzic and other co-perpetrators listed in the indictment should all be acquitted as they are clearly not guilty.

The defense will continue presenting its closing arguments next Monday and Tuesday.

2016-12-12

THE HAGUE

A SEARCH OF A BETTER LIFE, NOT GENOCIDE

The army headed by the accused Ratko Mladic did not ethnically cleanse large swathes of BH territory, defense counsel Dragan Ivetic argued as the defense continued presenting their closing arguments. Ivetic also contested the allegation that in Prijedor and some other municipalities the troops under Mladic's command had committed genocide. Non-Serbs didn't leave their homes under pressure and violence but because 'there was no electricity, medicines, water and food'. They left in search of a better life, Ivetic told the court



◀ Dragan Ivetic, defence attorney of Ratko Mladic

On Friday, the first day of the defense's closing arguments, defense lawyers Branko Lukic and Dragan Ivetic contested in very broad terms the prosecution case on Ratko Mladic's responsibility on all counts in the indictment, concluding with a call for their client's acquittal. Today, as they continued presenting their closing arguments, Ivetic analyzed in greater detail the prosecution's evidence on genocide in several municipalities, particularly in Prijedor, and on the so-called 'comprehensive' joint criminal enterprise.

The prosecution, Ivetic noted, uses Prijedor, its prison camps and Tomasica mass graves as a 'model' of

genocide in the municipalities. As alleged in the indictment, the ethnic cleansing reached the scale of genocide not only in Prijedor but also in Ključ, Sanski Most, Kotor Varos, Vlasenica and Foca.

The defense claims that there was no genocide, either in Prijedor or in other municipalities. The residents of Prijedor and the neighboring non-Serb villages left their homes because 'there was no electricity, medicines, water and food'. They left in search of a better life, not because of the pressure and violence of the Serb forces. In Ivetic's words, people 'go where it is better for them'.

Ivetic went on to note that the prosecution had failed to show any orders in which Mladić ordered his troops to commit genocide. Also, Ivetic stressed, the prosecution wasn't able to prove Mladić's intent to 'destroy as such' parts of ethnic and religious groups. Invoking the fact that there had been many Muslims and Croats in the VRS ranks, Ivetic asked whether 'those soldiers and officers participated in genocide against themselves and their families'.

Ivetic alleged that the police was responsible for the Prijedor prison camps; more specifically, he blamed it all on the Prijedor police chief Simo Drljaca. Mladić was not on good terms with Drljaca. Although the defense contests the authenticity of Mladić's war diaries, today his lawyers quoted from them. According to the war diary, Mladić refused Drljaca's request to send the army to help remove about 5,000 bodies of Muslims buried in Tomasica by 'burning or grinding them or in any other way'. 'You killed them, you get rid of them', Mladić told Drljaca. According to Ivetic, the accused thus clearly showed his 'animosity and resentment towards Drljaca'.

Contradicting the prosecution's allegation that the military machinery had been used to dig the Tomasica mass grave, Ivetic argued that the army had nothing to do with that. The military machinery was put to use at a different location, and the Prijedor MUP personnel removed the bodies, Ivetic explained.

Today, Ivetic repeated the claim already presented in the defense's final brief which was interpreted by the prosecution last week as an attempt to shift blame from Mladić to his subordinate Corps commanders. Krstić, Galić and Milosević, three Corps commanders, have all been sentenced to lengthy imprisonment for crimes in Srebrenica and Sarajevo. Today Ivetic stressed that Mladić 'issued orders at a strategic level, and the Corps commanders decided how their subordinates would implement them tactically'. Mladić's 'power was not absolute and he was constrained by the VRS principles and structure', Ivetic added.

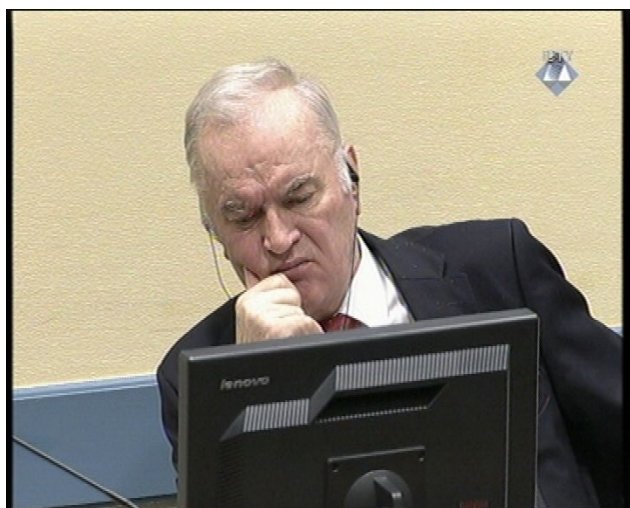
The defense continues its closing arguments tomorrow.

2016-12-13

THE HAGUE

DEFENSE: ACQUIT MLADIĆ OR SENTENCE HIM TO NO MORE THAN 5 TO 15 YEARS IN PRISON

On the last day of the closing arguments, Mladić's defense lawyer Ivetic denied Mladić was responsible for the terror campaign in Sarajevo, genocide in Srebrenica and taking UN staff hostage. According to the defense, Mladić should be acquitted. If, however, the judges do find him guilty, his prison sentence should not exceed five to 15 years



◀ Ratko Mladić

According to Ratko Mladić's defense, the prosecution has failed to prove his guilt beyond reasonable doubt as it was required to and therefore the only just decision would be to acquit him. If, however, the Trial Chamber decides to find him guilty, the sentence should be between five and 15 years in prison and should on no account exceed 20 years, as that was the harshest sentence foreseen by the SFRY's penal code which was in force when the crimes the former VRS Main Staff commander is charged with were committed. As the defense lawyer pointed at the end of the three-day closing arguments, the European Court for Human Rights reaffirmed the principle when it rescinded the judgments issued by the State Court of Bosnia and Herzegovina.

The last day of the defense's closing arguments started with the bid to challenge the prosecution evidence on the artillery and sniper terror campaign in Sarajevo.

According to Ivetic, Sarajevo was 'a defended city' and as such was 'a legitimate military target' for the Sarajevo-Romanija Corps which engaged only in self-defense. dan.

On the other hand, Ivetic went on, the BH Army was a superior force, better armed and highly mobile. It was also 'prone to shooting their own people' and used civilian buildings for military purposes, thereby 'invalidating their protected status'. As the defense lawyer also noted, Karadžić and Krajisnik 'were in cahoots' with the Sarajevo-Romanija Corps commander, General Milosević, meeting him behind Mladić's back. In effect, Mladić was excluded from the decision-making regarding the operations in the Sarajevo theatre of war.

From Sarajevo, Ivetic moved on to Srebrenica, challenging first Mladić's responsibility for the forcible transfer of more than 25,000 women, children and the elderly. As Ivetic said, the decision to evacuate them from Potocari was made by UNPROFOR, which sought Mladić's help to provide buses which were to take the people to the BH Army-controlled area. If anyone's to blame for their transfer, that's the UN, not Mladić, his lawyer said..

According to Ivetic, there were no plans or orders to kill the Srebrenica men. Mladić had ordered that they be treated as prisoners of war and be prepared for an exchange. When the killings took place, Mladić was in Belgrade. Upon his return, Mladić was 'horrified' to learn what had happened, his lawyer told the court. According to him, the killings in Srebrenica were committed by 'people who wanted revenge, local Serbs and rogue security service personnel'.

Ivetic also addressed the accusation that his client was responsible for incidents in which UN staff were taken hostage and used as human shields. According to the defense, their capture was 'justifiable' because they had sided with the enemy and acted as spotters for the NATO planes, helping them target VRS facilities. With the exception of a few cases when the paramilitaries tied the captured blue helmets to the military facilities in order to deter NATO from targeting them, the captured UN staff were treated in line with the Geneva Conventions, Ivetic concluded.

At the end of the hearing today, Ivetic relayed Mladić's request for 'a two-minute silence' for all the victims of the 'senseless war in BH'. The judges refused it, noting that this went 'beyond the scope of its work'.

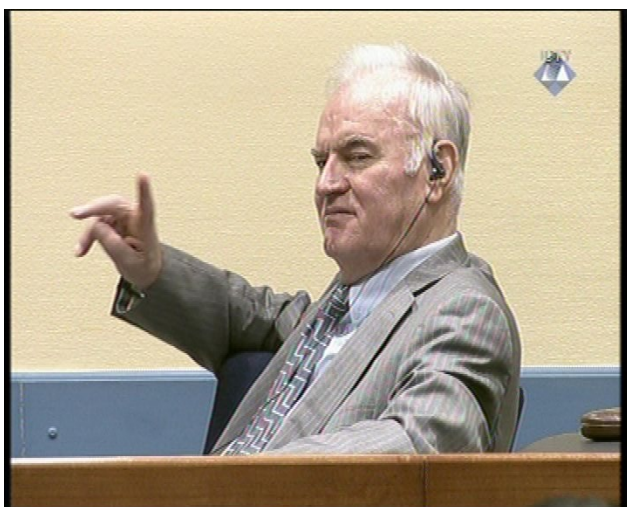
The closing arguments at Ratko Mladić's trial will end on Thursday, when the parties will have 90 minutes each to respond to the arguments presented in the previous six days.

2016-12-15

THE HAGUE

LAST TRIBUNAL TRIAL ENDS

The end of the second round of closing arguments by the prosecution and defense in the case against Ratko Mladić today marked the end of the last trial before the International Criminal Tribunal for the former Yugoslavia. Any future trials (i.e. retrials and contempt of court proceedings) will be held before the Tribunal's successor, the Mechanism for International Criminal Tribunals



◀ Ratko Mladić

The lead prosecutor Alan Tieger landed the first blow in the last round of the closing arguments presented by the parties over seven days. As he challenged the arguments Mladić's defense had put forward in its final brief and the three-day closing arguments, Tieger noted that the defense was relying on evidence that has been mischaracterized, unreliable, taken out of context and even non-existent. Ignoring the four and a half years of the trial and the huge case file which contains numerous witness testimonies and exhibits pointing to the guilt of the accused, the defense instead decided to imply that Mladić was on trial 'simply because he is a Serb' and is using unfounded claims to support its argument.

General Mladić is on trial 'not because he is a Serb and not because he is a military officer. He is on trial because there is evidence proving beyond reasonable doubt that

he is guilty of crimes against humanity, war crimes and genocide', the prosecutor added.

The prosecutor paid particular attention to the arguments presented by the defense describing the Bosnian Muslim leader Alija Izetbegovic as 'a precursor to ISIS' who wanted to 'destroy Serbs with his Islamic war machine'. As Tieger noted, the 'apocalyptic image does not tally with the evidence and cannot be used to isolate General Mladić from being held responsible' for the crimes. The prosecutor recalled Karadzic's description of Bosnian Muslims as 'Europeized Slavs', rather than Islamic fanatics. He also noted that after the first multi-party elections in BH the three ethnic-based parties formed a coalition government. Izetbegovic's Islamic Declaration was mentioned for the first time in late 1993 at a session of the Republika Srpska Assembly.

Mladić's defense lawyer Dragan Ivetic countered by invoking the evidence of Milorad Dodik, Nenad Kecmanovic and Vojo Kupresanin who all testified that the Islamic Declaration and the call to Jihad and the establishment of a Muslim dominance over the infidels it contained caused a great deal of fear among the Bosnian Serbs.

The defense's argument that 'the entire city of Sarajevo was a legitimate military target' was termed 'terrifying' by the prosecutor, who urged the judges to reject it. The defense stuck to its guns and referred to the appellate judgment which acquitted Croatian generals Gotovina and Cermak of the shelling of Knin. The presence of mobile mortars in Sarajevo, Ivetic said, is proof that Sarajevo was 'a defended city'. He also questioned the prosecution's allegations about unlawful indiscriminate targeting of the city.

Tackling the 'insinuation', as he called it, of Mladić's lead counsel Branko Luketic who compared the trial of the former VRS Main Staff commander with 'the Fourth Reich', prosecutor Tieger presented some figures: the trial lasted four and half years, over 400 witnesses testified in the course of the trial, more than half of them in Mladić's defense, and the defense took 700 hours to examine the witnesses, more than the prosecution and the judges. Furthermore, the defense tendered more than 2,000 exhibits, including the three exhibits admitted this week, several months after the expiry of the deadline for the presentation of evidence. All those facts, the prosecutor concluded, indicate that Mladić has had a fair trial. .

In its final response, the defense insisted that the prosecution had failed to prove the guilt of the accused beyond reasonable doubt and that he should therefore be acquitted.

After hearing the final responses presented by the parties, judges Alphons Orié, Bakone Moloto and Christoph Fluegge withdrew to deliberate. The judgment will be delivered next November.

2017-02-28

THE HAGUE

MLADIĆ'S MOTION ALLEGING UNFAIR TRIAL REJECTED

The Tribunal's Appeals Chamber rejected today Ratko Mladić's interlocutory appeal against the Trial Chamber's decision issued in July 2016. As alleged by the defense, the trial decision violated the right of the accused to a fair trial and the presumption of innocence



◀ Ratko Mladić in the courtroom

The defense of the former chief commander of the VRS Main Staff argued that right of the accused to a fair trial and presumption of innocence were jeopardized when several legal advisors to the Trial Chamber sitting in the Radovan Karadžić case were in the meantime engaged to help the Trial Chamber deliberating on Mladić's judgment. In the defense's view, many paragraphs in Karadžić's judgment militate in favor of Mladić's conviction. As an example, the defense highlighted two paragraphs in the Karadžić judgment where the judges found that Mladić's involvement in the joint criminal enterprise had been proven beyond reasonable doubt.

In its decision issued today, the Appeals Chamber with the Judge Carmel Agius presiding first rejected the Mladić's allegations that the controversial decision the Trial Chamber from July 2017 was not 'sufficiently substantiated' because the judges did not specifically find that the presumption of the accused's innocence hadn't been violated. According to the Appeals Chamber, the conclusion in the contested Trial Chamber's decision – that Mladić's right to a fair trial was not violated – clearly implied that Mladić's presumption of innocence also remained intact.

The Appeals Chamber concluded that Mladić's defense had misinterpreted the Tribunal's Rules and jurisprudence and wrongly assumed that the Trial Chamber's advisors were subject to the same standards of non-bias as the judges. The legal advisors, the decision went on to note, were only helping the Trial Chamber in their legal enquiries, and in drafting opinions and decisions. Only the judges were tasked with deciding the guilt or innocence of the accused.

The Appeals Chamber also decided to reject Mladić's defense argument that Mladić's was 'already convicted' in the Radovan Karadžić judgment. The judgment, the decision specified, referred to Karadžić's criminal responsibility, and no one else's. Also, none of the judges involved in drafting the Karadžić judgment is in the Trial Chamber deliberating on Mladić's judgment.

The judgment in the case against the former commander of the VRS Main Staff, charged with double genocide (in the six BH municipalities in 1992 and in Srebrenica in 1995), and with crimes against humanity and violations of laws and customs of war, as indicated previously, will be rendered in November.

2017-03-21

THE HAGUE

MLADIĆ WANTS TO GO TO RUSSIAN HOSPITAL

In its motion, the defense sounds the alarm on the sudden deterioration of the health of the former VRS Main Staff commander and urges the court to allow the accused to travel to Russia urgently, citing humanitarian and medical reasons



◀ Ratko Mladić in the courtroom

The health of the accused Ratko Mladić took a sudden turn for the worse in early March this year. The new symptoms, according to the defense, indicate an extremely heightened risk of a stroke or a heart attack. The defense would therefore like the court to provisionally release Mladić, on humanitarian and medical grounds. He is in the UN Detention Unit awaiting his judgment, which is due to be delivered in November. The defense want Mladić to travel to a Russian hospital whose name has been redacted from the motion made public today. All the information about the general's medical problems have also been redacted.

As can be gleaned from the redacted motion, in mid-March Mladić was transferred to the Bronovo Hospital in The Hague. It is not clear if he is still there or has been brought back to the UN Detention Unit. Some four years ago, Mladić took the floor during his trial to thank publicly everyone, "from the cleaning lady to Bronovo's owner" for saving his life. As he put it, he had come to The Hague 'with one foot in the grave'.

It is not known if in the meantime Mladić has changed his mind about the quality of care he has been receiving in The Hague, but the motion states that three Russian specialists who saw the accused in 2015 expressed 'serious concerns about the quality of medical care and [...] certain lapses in the medical records, as well as in the treatment'. The medical personnel in the UN Detention Unit and the specialists from the Bronovo Hospital are accused on 'deviating from or violating professional standards'.

Unlike the inadequate treatment Mladić is receiving in the Dutch hospital, the Russian hospital where the defense wants Mladić to go will ensure 'an immediate thorough clinical and laboratory control and series of instrumental examinations...' to reduce the risk of an undesirable outcome.

Appended to the motion are the findings of three Russian specialists who saw Mladić in 2015 and the opinions of three Serb physicians who studied his medical file. There is also a letter from the Embassy of the Russian Federation in the Netherlands, confirming that Russian authorities are willing to let Mladić enter the country to undergo medical treatment and agreeing to all the conditions set for his provisional release by the Trial Chamber.

The defense warns the Tribunal ominously of the risk that Mladić might end up like Slobodan Milošević who died in the detention unit awaiting the court's decision on a similar motion in which he too sought to be allowed to travel to Russia for medical treatment.

2017-04-03

THE HAGUE

PROSECUTION: MLADIĆ HAS 'OPTIMAL TREATMENT' IN THE HAGUE

In its response to the defense motion demanding that Ratko Mladić be allowed to travel to Russia for medical treatment urgently, the prosecution notes that the defense of the former VRS Main Staff Commander 'misrepresents the nature of a recent medical intervention in a disingenuous attempt to claim a dramatic new deterioration in the Accused's health'



◀ Alan Tieger, Prosecutor

As was to be expected, the prosecution strenuously opposes the defense's request that Ratko Mladić be granted provisional release and be allowed to travel to Russia for medical treatment.

In an alarmist motion published on 21 March, the defense claimed that the health of the accused had taken a dramatic turn for the worse, demanding that he be allowed to travel to Russia on humanitarian and medical grounds: a clinic in Russia had offered to admit him for treatment, as confirmed in a letter from the Russian embassy in The Hague.

In the public redacted version of the prosecution's response released today, the prosecution notes that Mladić does not meet any of the conditions for provisional release. His 'long history as a fugitive from justice' and the gravity of the crimes he is charged with

clearly demonstrate that he is a substantial flight risk if he is released from detention prior to judgment.

According to the prosecution, the defense's motion is based on a mischaracterization of the opinions of medical personnel who had either minimal and outdated contact with the accused or no contact at all, which means that their findings are likewise outdated. The defense likewise misrepresents the nature of the medical intervention on the accused, 'in a disingenuous attempt to claim a dramatic new deterioration' of Mladić's health.

Contrary to the claims in the defense's motion, the accused is under the regular care of a team of medical professionals committed to providing him with 'optimal' treatment, the prosecution contends.

Challenging the defense's claim about the 'continuous and serious decline' in Mladić's health since his arrest and surrender to the Tribunal, the prosecution recalls that the accused himself and the independent medical experts appointed by the Chamber had nothing but praise for the medical care Mladić had received in the UN Detention Unit. In fact, Mladić publicly thanked the medical staff in the UN Detention Unit and the Bronovo Hospital for 'saving his life'.

2017-04-07

THE HAGUE

DEFENSE: MLADIĆ'S LIFE IN THE HANDS OF JUDGES

In a new motion, the defense of the former VRS Main Staff commander urges the Trial Chamber to allow Ratko Mladić to travel to Russia for medical treatment 'urgently, before it is too late', warning the judges that they will bear responsibility for 'any future deterioration and the final fatal outcome' if they do not let Mladić go



◀ Ratko Mladić

Ratko Mladić's life is now in the hands of the Trial Chamber who will bear responsibility for any future deterioration of his health and the final fatal outcome unless 'things change dramatically'. The 'dramatic change' the defense wants to see is allowing the accused to travel to the Russian Federation to undergo medical treatment in an unidentified medical clinic.

This alarming and ominous warning to the judges was made public today in the public redacted version of the defense's reply to the prosecution's arguments against Mladić's release, submitted last week. The prosecution argued that Mladić had access to 'optimal' health care in The Hague and urged the judges to reject the motion in which the defense asked for Mladić's provisional release on humanitarian grounds until judgment because he needed to go to Russia for medical treatment.

If the situation were not tragic, the prosecution's response would be high comedy, the defense contends, criticizing the prosecution for ignoring the 'effectiveness and strength' of the guarantees proffered by the Russian Federation. According to the defense, they 'preclude any possibility of flight' of the accused. The defense also found fault with the prosecution's purported willingness to underestimate the seriousness of Mladić's health problems and the weight of the medical reports filed by the UN Detention Unit; as the defense alleges, they highlighted several times the negative effects of the trial on the health of the accused. Finally, by emphasizing the seriousness of the crimes Mladić is charged with as a factor militating against his provisional release, the prosecution violates the presumption of innocence, the defense argues.

The defense wants the Trial Chamber to 'urgently, before it is too late' decide to provisionally release Ratko Mladić and allow him to travel to Russia for medical treatment.

2017-05-12

THE HAGUE

MLADIĆ WILL NOT GO TO RUSSIA FOR TREATMENT

Judge Orić's Trial Chamber has rejected Ratko Mladić's defense request to allow their client to travel to Russia to undergo medical treatment, on humanitarian grounds. The judges note that Mladić's health, contrary to the defense's alarmist claims, remains 'consolidated and stable'. The judges are not convinced that the accused would return to The Hague for the judgment in his case, scheduled for November, despite the guarantees offered by the Russian authorities

In March, the defense of the former VRS Main Staff Commander submitted an urgent motion to the Trial Chamber asking the judges to allow the accused to travel urgently to an unspecified clinic in Russia, because of a sudden

deterioration of his health and the extreme risk of a stroke or a heart attack. The defense appended the findings of three Russian specialists who examined Mladic in 2015, and the opinions of three Serb doctors who examined his medical files. The defense attached to their motion a note from the Russian ambassador to the Netherlands, offering guarantees that the Russian authorities will make sure Mladic complies with all the terms of his provisional release and will return him to The Hague when the Chamber orders him to do so.

The Trial Chamber, however, 'is not convinced' that the accused would return to the UN Detention Unit if granted provisional release, recalling that Mladic had spent 16 years on the run – even though he was gravely ill at the time – after his indictment.

Secondly, the health of the accused is constantly monitored by the Tribunal's Registry and the Trial Chamber itself, the judges note in their decision. The judges receive regular medical reports from the Detention Unit medical staff and specialists as required. According to the Trial Chamber, the defense's motion is based on the reports filed by doctors who had examined Mladic almost three years ago, or had not examined him at all, basing their conclusions on his medical files.

As the Chamber notes, a team of independent specialists found that Ratko Mladic's medical treatment over the past few years was in line with the international standards. The medical crisis that occurred on 3 March was dealt with and according to a report filed by the Detention Unit medical staff, in Ratko Mladic's case 'there are no acute medical problems which remain unaddressed'.

All in all, the judges conclude that the defense failed to proffer evidence in support of their claims that the accused does not have proper medical care in the UN Detention Unit. On the contrary, the Chamber is convinced that the health of the accused is not an obstacle to his remaining in custody.

2017-11-22

THE HAGUE

LIFE SENTENCE FOR RATKO MLADIĆ

Former VRS Main Staff commander was found guilty today of the part he had played in four joint criminal enterprises and was sentenced to life in prison. The accused was removed from court while the judgment summary was read out because he loudly complained and cursed the judges. The prosecutor is happy with the sentence Mladic received for the 'most heinous crimes known to humanity', while the defense vows to fight on in the appellate proceedings



◀ Ratko Mladić Judgement 01

Ratko Mladic, former commander of the Republika Srpska Army Main Staff was found guilty today on 10 out of 11 counts in the indictment which charged him with genocide, crimes against humanity and violations of laws and customs of war. Mladic was sentenced to life imprisonment, the severest punishment available to the judges of the International Criminal Tribunal for the former Yugoslavia. The judges described the crimes he was convicted of as being 'among the most heinous crimes known to humanity'.

in the Chamber found that the perpetrators of crimes in Sanski Most, Vlasenica and Foca, as well as some of the perpetrators in Kotor Varos and Prijedor had the genocidal intent to destroy Bosnian Muslims. The Trial Chamber concluded that their attacks 'targeted a relatively small part of the protected group', rather than its 'substantial part', which is a requisite element of the crime of genocide. In his statement after the verdict, the Tribunal's chief prosecutor Serge Brammertz hailed this finding as 'an important new conclusion'.



◀ Ratko Mladić, Judgement 02

Mladic was found guilty on all the counts in the indictment, except for Count 1. In the remaining 10 counts he was charged with and convicted of the Srebrenica genocide, persecution, extermination, murders and inhumane treatment of the non-Serb population in 12 municipalities in Bosnia and Herzegovina that had been ethnically cleansed, the terror campaign and unlawful attacks on civilian residents of Sarajevo and taking UN hostages. All these crimes were committed within four separate but interconnected joint criminal enterprises.

As the judges concluded, Ratko Mladic was one of key participants in the enterprises. Other participants included Radovan Karadzic, Biljana Plavsic and other Bosnian Serb political and military leaders.



◀ Trial Chamber judges Bakone Moloto, Alphons Orié and Christoph Flüggé before rendering the judgement to Ratko Mladić

The delivery of the last trial judgment at the Tribunal, in the case against one of the first persons to be indicted by it (we recall that Mladic was indicted as early as in May 1995) did not proceed smoothly. Despite the alarmist noises made by his defense lawyers prior to the hearing that Mladic might not be able to attend because of ill health, Mladic appeared in court today. He seemed to be in better form physically than at his initial appearance at the Tribunal on 3 June 2011. After 45 minutes of reading the judgment summary, the defense asked for a five-minute recess, which stretched to almost an hour. When the court reconvened, defense counsel Dragan Ivetic

stated that the defendant's blood pressure had been measured during the break: it was so high that there was a risk of fatal consequences. He asked for the reading of the judgment to be suspended, or for the judges to move on to the actual verdict and sentence. The judges conferred briefly and then rejected the request, whereupon Mladic leapt from his seat in the dock, shouting, 'these are all lies' and went on to curse the judges. After the accused refused to sit down, the judges ordered the guards to remove him from the courtroom and then continued reading the summary of the judgment.



◀ Ratko Mladić, judgement 03

In his statement after the hearing, Chief Prosecutor Brammertz categorically rejected claims made by some Republika Srpska politicians and defense lawyers that Ratko Mladic's guilty verdict is in fact 'a verdict against the Serb people'. 'Mladic's guilt is his, and his alone,' the chief prosecutor stressed.

Noting that some people 'will say that Mladic is a hero and was defending his people', Brammertz stressed that the judgment rendered today clearly shows that 'nothing could be further from the truth'. As the chief prosecutor said, 'Mladic will be remembered by history for the many communities and lives he destroyed'.

Mladic's defense lawyers for their part insisted that the Tribunal had failed to deliver justice for the Serb victims, that the accused general had not received a fair trial, that they consider this to be only the end of the first half and that they are determined to fight on in the appellate proceedings.

THE HAGUE NOTEBOOKS

www.sensecentar.org

SENSE Transitional Justice Center

Article Editor: **Mirko Klarin**

Publication Editor: **Mina Vidaković**

Graphic Design: **Sanja Vrzić**

Desktop Publishing: **Sanja Vrzić, Diogo Pereira**

Photography: **SENSE TJC Archive / ICTY press office**

Technical support: **Davor Brigić**

This work is subject to copyright. All rights are reserved. For any kind of use, permission of the copyright owner must be obtained.

© 2024 SENSE TJC