

**SPECIAL COURT FOR SIERRA LEONE**  
OFFICE OF THE PROSECUTOR  
Freetown – Sierra Leone

Before: Judge Teresa Doherty, Presiding Judge  
Judge Richard Lussick  
Judge Julia Sebutinde

Registrar: Mr. Robin Vincent

Date Filed: 22 September 2005

**THE PROSECUTOR**

Against

**ALEX TAMBA BRIMA  
BRIMA BAZZY KAMARA  
SANTIGIE BORBOR KANU**

Case No: SCSL – 2004 – 16 – T

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**PROSECUTION MOTION FOR A *LOCUS IN QUO* VISIT TO KARINA, BOMBALI DISTRICT, THE  
REPUBLIC OF SIERRA LEONE**

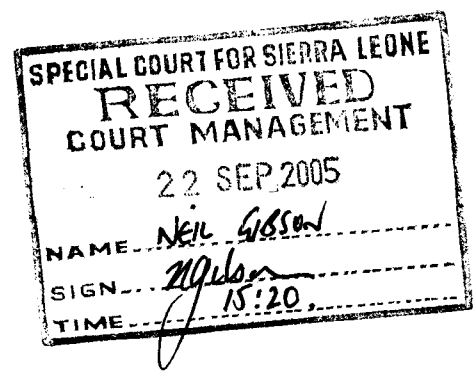
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## I. Introduction

1. On 18 February 2005, the Prosecution filed a Further Amended Consolidated Indictment charging the three Accused with violations of Articles 2, 3, and 4 of the Statute of the Special Court for Sierra Leone, *inter alia*, as a result of crimes perpetrated in Bombali district.<sup>1</sup>
2. Since the commencement of trial, the Prosecution has presented testimonial evidence as to these crimes.<sup>2</sup>
3. As it is nearing the conclusion of its case-in-chief, the Prosecution now files this motion requesting a *locus in quo* inspection of Karina, Bombali District, the Republic of Sierra Leone. The Chamber has heard evidence, unchallenged in cross examination, that the attack upon Karina, and specifically the killing, amputations, burning of houses and abduction of civilians alleged to have occurred there, were ordered by the first accused, Alex Tamba Brima aka Gullit in the presence of the second and third accused.<sup>3</sup> The Chamber has also heard evidence that only civilians were present in Karina during the attack and, specifically, that there were no ECOMOG or Kamajor forces present.<sup>4</sup> The Chamber has further heard evidence that all three accused participated in the crimes alleged to have occurred in Karina.<sup>5</sup>
4. Although the crimes are alleged to have taken place approximately 7 years ago, many physical reminders of the alleged crimes remain in Karina. The Prosecution submits that a site visit is the best and most expedient way to convey necessary information regarding the environs, spatial configuration, and physical character of the locations of alleged criminal acts. The Prosecution submits that such a visit will greatly assist the Chamber in assessing the evidence relating to Karina.

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<sup>1</sup> *Prosecutor v. Brima et al*, Case No. SCSL-04-16-PT, "Further Amended Consolidated Indictment," 18 February 2005, para. 24, 27, 30, 48, 54, 62, 70, and 78.

<sup>2</sup> See evidence of TF1-033, 11-12 July 2005; TF1-055, 12 July 2005; TF1-058, 14 July 2005; TF1-157, 22-25 July 2005; TF1-158, 26 July 2005; and TF1-334, 16 May-22 June 2005.

<sup>3</sup> See evidence of TF1-334, Transcript 23 May 2005 p 57-60.

<sup>4</sup> See evidence of TF1-334, Transcript 23 May 2005, p. 64.

<sup>5</sup> See evidence of TF1-334, Transcript 23 May 2005, pp. 65-77.

## II. Applicable Law

### Rules of Procedure and Evidence

5. Under Rule 4 of the Rules of Procedure and Evidence (“Rules”), “a Chamber or a Judge may exercise their functions away from the Seat of the Court, if so authorized by the President.” Therefore, the Chamber would be able to perform its normal judicial functions in Karina, subject to the authorization of the President.
6. Under Rule 54 the Court may issue such orders as may be necessary for the preparation or conduct of the trial. A *locus in quo* investigation may therefore be ordered pursuant to Rule 54 provided it is necessary for the conduct of the trial.

### Jurisprudence of this Chamber

7. On 16 June 2005, the Defense made an application for a *locus in quo* inspection of the kitchen at State House to challenge the accuracy of witness TF1-224’s evidence about that location.<sup>6</sup> That application was denied because, 1) the witness was cross-examined on the location, and the Chamber found no evidence that conflicted with TF1-224’s testimony in-chief and 2) the early stage of the trial meant there existed the possibility of more evidence regarding that location being tendered.<sup>7</sup> Based on these conclusions, the Chamber did not find the proposed site visit “instrumental in the discovering of the truth.”<sup>8</sup> The Chamber further found that due to the early stage of the proceedings a *locus in quo* inspection undertaken at that time risked being made redundant and unnecessary by evidence introduced at a later stage.<sup>9</sup> Notably, the Chamber recognized that while a *locus in quo* inspection was not necessary at that juncture, such an inspection might be necessary and feasible at a later stage of the proceedings.<sup>10</sup> Thus, the Chamber did not exclude the possibility of site visits as a matter of principle if an application was made in the right circumstances and at the right point in the proceedings.

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<sup>6</sup> *Prosecutor v. Brima et al.*, “Decision on confidential joint defence request to inspect *locus in quo* concerning evidence of witness TF1-024,” 16 June 2005, para. 5.

<sup>7</sup> *Id* at para. 6.

<sup>8</sup> *Id* at para. 8.

<sup>9</sup> *Id* at para. 6.

<sup>10</sup> *Id* at para. 9.

## Jurisprudence of the other International Criminal Tribunals

8. Thus far, two chambers have undertaken *locus in quo* inspections in relation to international criminal trials: the *Bagilishema* Chamber of the International Criminal Tribunal for Rwanda on 1-4 November 1999 and the *Brdjanin* Chamber of the International Criminal Tribunal for the Former Yugoslavia on 14-18 March 2004. The *Bagilishema* Chamber undertook its visit prior to the commencement of trial “in order to see the locations of certain alleged events of relevance in the case, and thus to better appreciate the evidence to be adduced during the trial.”<sup>11</sup> The *Brdjanin* Chamber undertook its site visit after the close of evidence. That Chamber also found the visit helpful in the evaluation of evidence.<sup>12</sup>
9. The need for a site visit, as this Trial Chamber has found, should be assessed with reference to the particular circumstances of each trial.<sup>13</sup> Current jurisprudence recognizes that whether a need exists derives from a balancing of the materiality of the visit to the trial versus the logistical realities and costs of the visit.
10. Other tribunals have ruled that a *locus in quo* inspection is appropriate only where it is *instrumental* in the discovery of the truth and determination of the matter before the Chamber.<sup>14</sup> A *locus in quo* inspection becomes instrumental where other evidence is inadequate to convey the necessary information regarding the site of an alleged crime. It is not a means to revisit or reiterate evidence but has evidentiary value in and of itself.
11. Where site visits have been denied, it has often been because other non-testimonial evidence concerning the location - maps, pictures, and/or sketches - had been tendered as part of the trial rendering a site visit either redundant or merely informative.<sup>15</sup>

<sup>11</sup> *Prosecutor v. Bagilishema*, Case No. ICTR-95-1A-T, “Judgement,” 7 June 2001, para. 10

<sup>12</sup> *Prosecutor v. Brdjanin*, Case No. ICTY-99-36-T, Status Conference Transcript. Judge Agius summed up the Chamber’s experience thusly. “We believe we did the right thing in having this onsite visit. We learned a lot. And it will be – put us in a better position to understand some of the events that we have heard evidence about. And it will put us in a better position when we come to elaborate on our final judgment and reach several decisions that we need to take.”

<sup>13</sup> *Prosecutor v. Simba*, Case No. ICTY-01-76-T, “Decision on defence request for site visits in Rwanda,” 31 January 2005 para. 2; see also *Prosecutor v. Bagosora*, ICTR-98-41-T, “Decision on prosecutor’s motion for site visit in the Republic of Rwanda,” 29 September 2004, para. 4 and *Brima*, *Supra* note 5 at para 6.

<sup>14</sup> *Prosecutor v. Simba*, Case No. ICTY-01-76-T, “Decision on defence request for site visits in Rwanda,” 31 January 2005 para. 3.

<sup>15</sup> *Prosecutor v. Simba*, Case No. ICTY-01-76-T, “Decision on defence request for site visits in Rwanda,” 31 January 2005 para. 2; *Prosecutor v. Bagosora*, ICTR-98-41-T, “Decision on prosecutor’s motion for site visit in the Republic of Rwanda,” 29 September 2004, para. 4

### III. Argument

12. The Prosecution application is distinct from the application made by the Defense in June 2005 on two bases. First, this application is not made in response to evidence tendered by a witness, but upon the evidentiary merits of the site visit itself. A site visit is necessary in order to provide the Chamber with all necessary evidence. Second, the Prosecution case is drawing to its conclusion. To date, 49 witnesses have given evidence before the Tribunal and 48 Exhibits have been tendered, none of which has fully and clearly presented vital physical and spatial information regarding the town of Karina. At this stage in the trial, the Prosecution submits that, unlike the prior motion which was made after the testimony of the first witness, the Chamber should be satisfied that the visit will not be redundant.
13. A *locus in quo* inspection of Bombali District, specifically the town of Karina, is necessary to the conduct of the current trial in order to complete the evidentiary picture. The evidence concerning Karina is relevant to all counts on the indictment and to criminal responsibility of the accused under both Article 6.1 and 6.3 of the Statute of the Special Court for Sierra Leone. It would therefore be both appropriate and within the Chamber's power to grant the Prosecution's request. The Prosecution submits that the proposed visit to Bombali district is instrumental to the discovery of the truth and the determination of the case. A great deal of evidence has been tendered regarding Karina and the events that have allegedly transpired there. The Chamber has heard both civilian witnesses who were present during the attack and former AFRC/junta soldiers who participated in the attack.
14. The Chamber has heard evidence that the attack on Karina occurred as the SLA/junta/AFRC troops were moving from Mansofinia to Rosos. Specifically, the Chamber has heard evidence that immediately prior to the attack the first accused, in the presence of the second and third accused, addressed the troops and gave orders about the attack on Karina. The evidence is that the first accused stated that Karina was the home town of President Ahmad Tejan Kabbah and a strategic point. He said that Karina should be the number one point of demonstration of the junta forces and that the demonstration should shock the whole country and make the international community concerned. He further said that everyone should take part in the demonstration and Karina should be

burnt down, strong men should be captured and amputations should take place.<sup>16</sup> This evidence was not challenged in cross examination.

15. The Chamber has also heard evidence that all three accused participated in the crimes alleged. For example, the evidence is that the second accused gave orders concerning and was present when a house containing civilians was burnt.<sup>17</sup> There is evidence that the first accused participated in the killings of civilians in the mosque.<sup>18</sup> There is evidence that 35 women captured from Karina were handed to the third accused by Woyoh upon arrival at the temporal base immediately after the attack on Karina.<sup>19</sup>
16. A physical inspection of the town and the specific locations of the alleged crimes will inform the Chamber of the spatial configuration of the town – size, relationship of different structures and locations to each other, setting, and environs – and the physical character of the locations and factors that are influenced by, or result from, the physical character of a place such as light and visibility and the conduction of sound. In this context it is noted that the evidence is that the attack on Karina took place in the early hours of the morning.<sup>20</sup> In Karina there remain many partially burnt buildings, the site of completely burnt buildings, the mosque and the two story building from which it is alleged that SLA/junta/AFRC troops threw children.<sup>21</sup> This information as to the physical character of Karina is not merely informative, but necessary to the Chamber for the determination of the truth. The Prosecution submits that such spatial information cannot be adequately conveyed by testimony alone. It has proposed this *locus in quo* inspection so as to ensure all necessary information is properly transmitted to the Chamber.
17. The Prosecution further submits that the proposed *locus in quo* visit as necessary not just for the Karina evidence, but will be helpful in the evaluation of evidence in other areas of the country as well. The seat of this Court is in Freetown. While the Prosecution acknowledges the import of the capital city, Freetown is not representative of the entire

<sup>16</sup> See evidence of TF1-334, Transcript 23 May 2005, pp 57-60. See also evidence of TF1-167, Transcript 15 September 2005, pp. 53-54, TF1-033, Transcript 11 July 2005, p. 18.

<sup>17</sup> See evidence of TF1-334, Transcript 23 May 2005, pp. 66-67 and TF1-167, Transcript 15 September 2005, pp. 54-56.

<sup>18</sup> See evidence of TF1-334, Transcript 23 May 2005, pp. 68-69.

<sup>19</sup> See evidence of TF1-334, Transcript 23 May 2005, pp. 72-77.

<sup>20</sup> See evidence of TF1-334, Transcript 23 May 2005, p. 75, TF1-167, Transcript 19 September 2005, p. 43, TF1-055, Transcript 12 July 2005, p. 132.

<sup>21</sup> See evidence of TF1-058, Transcript 14 July 2005, p. 76, TF1-167, Transcript 15 September 2005, p.56.

nation and the majority of the crimes alleged against the three Accused took place in smaller, less urban settings. Visiting Karina will provide the Chamber with first hand experience of a small, rural Sierra Leonean village. It is the Prosecution's submission that such experience will assist the Chamber with its deliberations in relation to the events in other small, rural Sierra Leonean villages. The Prosecution therefore submits that an inspection of Karina will assist the Chamber in formulating a more complete and balanced picture of the Republic of Sierra Leone as a whole.

18. The Prosecution submits that a *locus in quo* inspection would not be redundant in this instance. As discussed above, testimonial evidence is inadequate to the task of rendering a complete picture of a town. Other evidence such as maps, drawings, or photographs of the area might have been helpful in elucidating some physical aspects of the town and specific crime loci. However, the Prosecution has only been in a position to tender one exhibit, P17, a large map of Bombali submitted on 24 May 2005 pertaining to the physical characteristics of Karina. P17 shows the overall geography of the region and was used by witness TF1-334 to illustrate AFRC movements.<sup>22</sup> The Prosecution has been unable to submit any documentary or visual evidence regarding the spatial configuration, environs, or physical character of Karina. Hence, the *locus in quo* inspection would provide novel location evidence that has not been adequately addressed by prior evidence.
19. Finally, the Prosecution submits that a *locus in quo* inspection of Karina will not be prohibitive in terms of time, cost, or travel. The Prosecution anticipates the entire *locus in quo* inspection can be conducted in one working day. The Prosecution has made preliminary inquiries into travel and security costs. SCSL Security Section has informed the Prosecution that they are unable to estimate costs at this time, but should this motion be granted they will be in a position to assess security and transport needs and will liaise with UNAMSIL to make the necessary arrangements. Apart from transportation and security costs, the Prosecution has no reason to believe that the proposed site visit will require any expenditure beyond the normal operating costs for the Court.

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<sup>22</sup> Trial Transcript, TF1-334, 25 May 2005.

#### IV. Proposed Itinerary

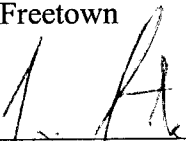
20. The Prosecution proposes that the Chamber, representatives from the Prosecution and Defense, and necessary support and security staff make a one day visit to the town of Karina, Bombali District. The Prosecution submits, therefore, that the proposed visit will cause no delay in the trial. UNAMSIL will convey the Chamber from Freetown to Bombali via helicopter. The Prosecution has scouted several potential helicopter landing sites in Karina. If UNAMSIL deems these sites suitable, the Chamber will be conveyed directly to Karina. If these sites are deemed unsuitable, the Chamber will be flown from Freetown to the helicopter landing site in Makeni and then taken by car to Karina. The route from Makeni to Karina is mostly by sealed highway and takes less than 1 hour.
21. In Karina, the Chamber will tour the town and various specific sites within the town that Prosecution Witnesses have named in their testimony as the loci of specific criminal acts. A map of proposed locations in Karina has been provided in Annex A. The map was drawn by Prosecution investigator Jusu Fomba who will sign a sworn statement attesting to its veracity. The Chamber will be conveyed back to Freetown via UNAMSIL helicopter that evening.

#### V. Conclusion


22. For the reasons stated above, the Prosecution respectfully requests that the Chamber grant this request and make a *locus in quo* inspection of Karina, Bombali district – the number one demonstration point of the junta forces – accompanied by necessary representatives of the Prosecution and Defense. It is the Prosecution’s submission that such a visit is the best means of conveying necessary evidence and will not be unreasonably burdensome on the Court.

Filed this 22<sup>nd</sup> day of September 2005

In Freetown



Luc Côté  
Chief of Prosecutions



Lesley Taylor  
Senior Trial Counsel



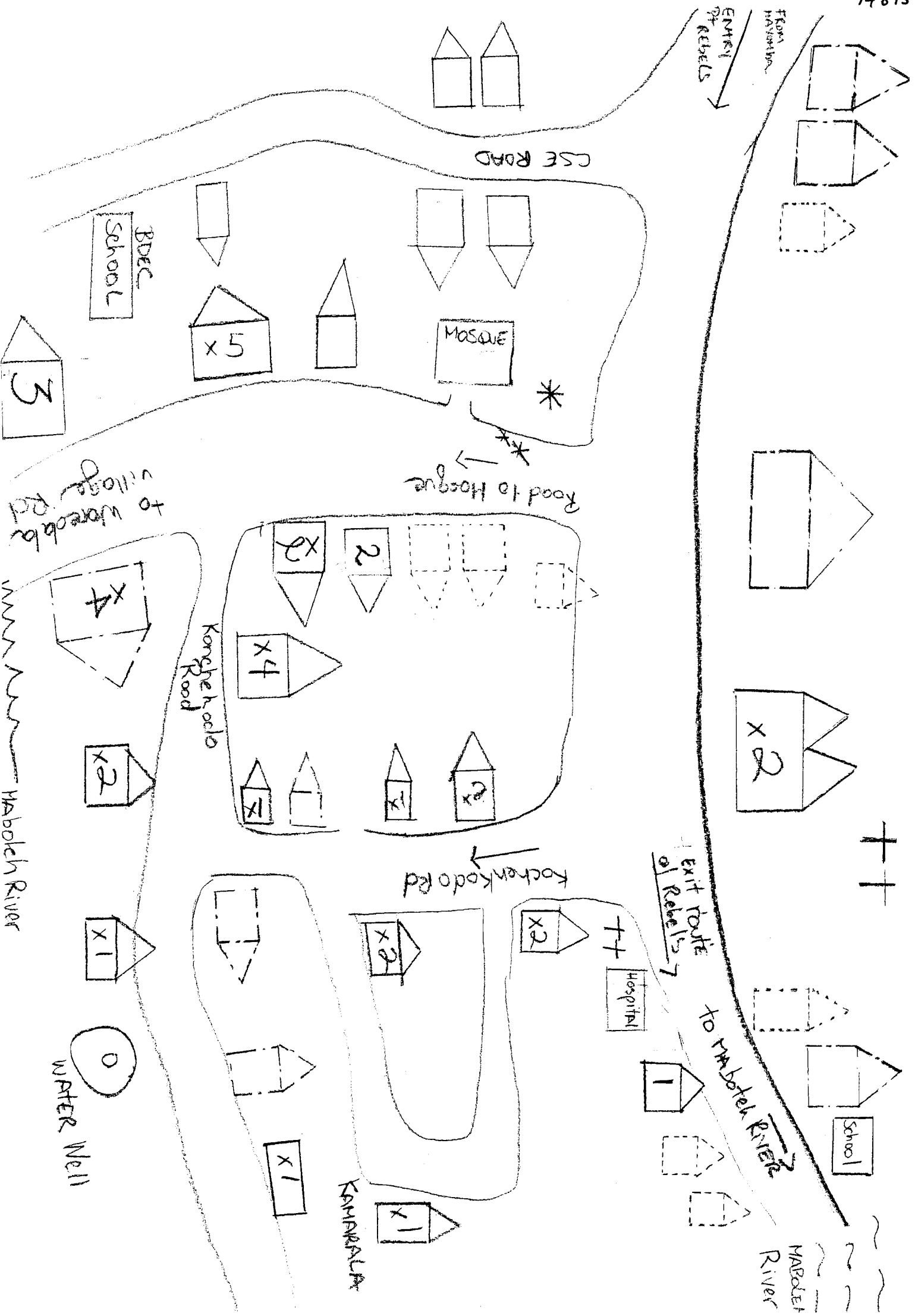
## TABLE OF AUTHORITES

1. *Prosecutor v. Bagilishema*, Case No. ICTR-95-1A-T, “Judgement,” 7 June 2001, para. 10. Available at: <http://ictr.org/ENGLISH/cases/Bagilishema/judgement/index.htm>.
2. *Prosecutor v. Bagosora*, Case No. ICTR-98-41-T, “Decision on prosecutor’s motion for site visit in the Republic of Rwanda,” 29 September 2004, para. 4 and 6. Available at: <http://www.ictr.org/ENGLISH/cases/Bagosora/decisions/290904b.htm>.
3. *Prosecutor v. Brdjanin*, Case No. IT-99-36, Status Conference Transcript. Attached
4. *Prosecutor v. Brima et al.*, Case No. SCSL-04-16-PT, “Further Amended Consolidated Indictment,” 18 February 2005, para. 24, 27, 30, 48, 54, 62, 70, and 78.
5. *Prosecutor v. Brima et al.*, Case No. SCSL-04-16-T, “Decision on confidential joint defence request to inspect *locus in quo* concerning evidence of witness TF1-024,” 16 June 2005, paras. 5,6, 8, and 9.
6. *Prosecutor v. Simba*, Case No. ICTR-01-76-T, “Decision on defence request for site visits in Rwanda,” 31 January 2005 paras. 2 and 3. Available at: <http://www.ictr.org/ENGLISH/cases/Simba/decisions/310105b.htm>
7. Rules of Procedure and Evidence of the Special Court for Sierra Leone, Rules 4 and 54.
8. AFRC Trial Transcript, TF1-033, 11-12 July 2005; TF1-055, 12 July 2005; TF1-058, 14 July 2005; TF1-157, 22-25 July 2005; TF1-158, 26 July 2005; and TF1-334, 16 May-22 June 2005.

ANNEX A

## Legend to the Reduced Map

—————	Flat Land where houses formely occupied by people were burned by rebels/SLA in 1998
-----	Houses burned and looted by rebels/SLA in 1998 that have their frame standing but not yet repaired
- - - - -	Houses burned and looted by rebels/SLA in 1998 that have now been rebuild or repaired.
*	Where Regent Chief was killed
**	Where three people were slaughtered
++	Alleged Mass graves
1	House from which a boy was thrown from top floor and killed
2	Iman's House
3	Town Chief's house, burned and partially rebuilt



BDEC  
School

MOSQUE

x5

3

Road to Mosque

to Weredda Rd

Konghehodo

x4

x2

x2

Kochenkodod Rd

Exit route of Rebels

Haboteh River

Hospital

To Haboteh River

School

WATER Well

KAMARALIA

x1

x1

HABOTEH RIVER

1 Wednesday, 24 March 2004

2 [Status Conference]

3 [Open session]

4 [The accused entered court]

5 --- Upon commencing at 2.21 p.m.

6 JUDGE AGIUS: Good afternoon. Could you call the case, please,  
7 Madam Registrar.

8 THE REGISTRAR: Good afternoon, Your Honours. Case Number  
9 IT-99-36-T, The Prosecutor versus Radoslav Brdjanin.

10 JUDGE AGIUS: Thank you. Mr. Brdjanin, can you follow the  
11 proceedings in a language that you can understand?

12 THE ACCUSED: [Interpretation] Good afternoon, Your Honour. Yes, I  
13 can follow in the language that I can understand.

14 JUDGE AGIUS: I thank you. And good afternoon to you, too.  
15 Appearances, Prosecution.

16 MS. KORNER: Good afternoon, Your Honours. Joanna Korner assisted  
17 by Denise Gustin, case manager.

18 JUDGE AGIUS: I thank you. And good afternoon to you.  
19 Appearances for Radoslav Brdjanin.

20 MR. ACKERMAN: Good afternoon, Your Honours. I'm John Ackerman  
21 with David Cunningham and Aleksandar Vujic.

22 JUDGE AGIUS: I thank you. And good afternoon to you.

23 The purpose of today's sitting is to report on a site visit that  
24 the Trial Chamber made or held between the 14th and the 18th of March of  
25 this year in Bosnia. The purpose of the visit was to view some of the

1 sites which are relevant to the case. This is the first time ever that  
2 such a site visit was held by a Trial Chamber. A few months ago, as you  
3 will certainly recall, during one of the sittings, the Trial Chamber  
4 sounded the parties on such a possibility. And it was after your positive  
5 reaction that we started the ball rolling with a view to establishing  
6 first and foremost if it was at all feasible and possible, both from the  
7 resources aspect as well as from those aspects which are mainly related to  
8 overall security. I need hardly state that holding such an on-site visit  
9 is in many significant respects so much different and so much complicated  
10 than doing the same thing in a domestic jurisdiction, not to mention the  
11 expense involved.

12 From that day until we effectively left for the site visit, the  
13 matter was not given any publicity, and discussions here in the courtroom  
14 on the matter were held in private session. And this was done for a  
15 variety of reasons, particularly, first, because up to a certain stage, we  
16 were not quite sure that this would eventually materialise; and secondly,  
17 because there were security measures that were being assessed at the time  
18 and needed to be established and taken into consideration.

19 I can assure you, however, that in the past months the  
20 preparations for the visit entailed a lot of work on the part of several  
21 persons here at the Tribunal, but also in Bosnia and elsewhere, as I will  
22 explain later on. During the entire visit, the Trial Chamber was  
23 accompanied by the two members of -- by two members of its staff, namely,  
24 Mr. Ken Roberts, Kenneth Roberts, legal officer; and Mr. Reinhold  
25 Gallmetzer, assistant legal officer; as well as by lead counsel for the

1 Prosecution, Madam Joanna Korner; and lead counsel for the Defence, Mr.  
2 John Ackerman. Both lead counsel had an interpreter accompanying them.

3 Very early in the discussions held between the Trial Chamber and  
4 counsel for the Prosecution and for the accused about the best way to  
5 conduct the site visit, it was agreed that the Trial Chamber will, during  
6 the site visit, have assisting it as a guide -- have assisting it a guide  
7 to be agreed upon by the parties. Mr. Paul Grady was the guide chosen,  
8 and he, in fact, accompanied the Trial Chamber during the entire visit.

9 I have mentioned or referred to the discussions that were held  
10 between the Trial Chamber and counsel. A substantial part of those  
11 discussions centred around the precise set of rules or sort of protocol  
12 that everyone taking part on the site visit was or would be expected to  
13 abide by. This was imperative, especially since it was not practical that  
14 the accused would also take part in the site visit. I need not go into  
15 the details of everything that was discussed and decided in the course of  
16 these discussions, which included an ad hoc 65 ter meeting, too. It will  
17 suffice to state here that there was general agreement that throughout the  
18 site visit no submissions will be made by either party and that the visit  
19 to each of the locations selected and the relative explanation by the  
20 guide, Mr. Grady, would not include any mention or reference to any  
21 submission by the Prosecution or to specific facts except insofar as may  
22 be agreed upon between the parties. In view of this, the practice was  
23 adopted throughout the visit to have both counsel sit with our staff  
24 before and in preparation of each daily visit with a view to identifying  
25 what the guide would be explaining to the Trial Chamber on the site of

1 each location visited.

2 It may sound cumbersome, or unnecessarily burdensome at first  
3 sight to have resorted to such a practice, but I can assure you that it  
4 was the best formula under the circumstances; and in addition, that it  
5 made it possible for the site visit to be conducted and concluded without  
6 any significant hitch. There are several other measures that were put in  
7 place, adopted and put in place, relating, for example, to where counsel  
8 were lodged in relation to Trial Chamber as well as to the travel  
9 arrangements on-site, but I do not think I need go into further details.

10 These arrangements overall were important to have in place and to  
11 stick to because we decided to hold this on-site visit in the firm belief  
12 that it was best served -- that it would serve best the interests of  
13 justice in this case, and also the role of this Tribunal in general.

14 Several locations were visited in this manner on three consecutive  
15 days, these being March 15, 16, and 17. The following is a detailed  
16 account of the locations visited by the Trial Chamber.

17 Day one, namely, 15th of March: The Trial Chamber visited Omarska  
18 camp and where it had the opportunity to go around the camp, various  
19 places that it thought fit. We then proceeded to Kevljani village where  
20 we stopped to see the mosque. We then proceeded to Kamicani village,  
21 which we saw from the road, arriving subsequently in Kozarac where we saw  
22 the mosque, Mutnik mosque. And from there, we proceeded to Trnopolje camp  
23 which we saw from the road. We then went to Kozarusa village area, which  
24 we saw from the road, and proceeded in the direction of Prijedor on the  
25 way to Keraterm camp where we stopped for a few minutes. On that



1 occasion, there were also members of the local press present.

2 After that, we proceeded to the city centre in Prijedor. And  
3 there we saw the police station, the municipal assembly building, Stari  
4 Grad, and what was supposed to be the site of the mosque but not much  
5 more. After Prijedor, we proceeded in the direction of Ljubija, and en  
6 route, we saw from the road the villages of Hambarine and Brdo. In  
7 Ljubija, we stopped to see the football stadium, and from there, we  
8 proceeded in the snow to Redak mine area where Mr. Grady indicated to us  
9 what he maintained to be an exhumation site. We did not stop to see the  
10 site, which incidentally was also partly covered with snow.

11 From there, we proceeded to Carakovo where we saw the Zeger  
12 bridge, and from there to Sanski Most where we first of all visited the  
13 Krings factory. From the factory, we proceeded to the Sanski Most sports  
14 hall, which we stopped to visit. And from there, we proceeded by car  
15 through the Mahala area, across the bridge, past Hasan Kikic school, which  
16 we viewed from the road. We drove past the municipal building on towards  
17 the police station where we stopped and which we visited, particularly the  
18 parts of the Sanski Most police station that relate to this case.

19 From there, we proceeded to Betonirka cement factory, and there we  
20 visited the three rooms that were indicated to us. From the Betonirka  
21 factory, we proceeded to the Partisan cemetery, which we viewed from the  
22 road, and drove on to Vrhpolje bridge where we stopped for a few minutes.  
23 We were also shown at Vrhpolje bridge on one of the banks of the river  
24 another exhumation site that Mr. Grady identified and indicated to us.

25 Past Vrhpolje bridge, we proceeded to Hrustovo village. We had an

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1 occasion to view Begici bridge, and particularly the Kukavice -- a house  
2 in Kukavice, which is related to the present case.

3 We left Hrustovo to proceed to Kerani. In Kerani we only viewed  
4 the old mosque. And from there, we proceeded back to our hotel. And that  
5 concludes the first day.

6 The second day, that is, the 16th of March, started with a visit  
7 to Manjaca camp. In Manjaca camp, we had an opportunity to enter into the  
8 administration building, the building which we were informed was the  
9 infirmary, and we visited also several of the so-called stables, both in  
10 the front and in the back row. From Manjaca, we proceeded to the SFOR  
11 base, Maple Leaf Base, in Velecevo -- at ZGON, and there we had a  
12 helicopter flight to and over Vlasic mountain in the Korcani area. En  
13 route, we were shown several other locations, particularly Prhovo and Pec.

14 Back on land, we proceeded to Kljuc, the village of Kljuc. And in  
15 Kljuc, we saw the police station, Nikola Mackic school. And from there,  
16 we proceeded to Pudin Han, which we saw from the road, on our way to  
17 Velegici school area. There, we saw the Velegici school as well as the  
18 monument -- the Velegici school area, because the school does not exist  
19 any more, and the monument that there is now. And from there, we departed  
20 to the direction of Biljani. In Biljani, we saw the mosque.

21 From Biljani, we were assured that the roads were no longer  
22 covered with snow, and we proceeded to Laniste, finding that the roads  
23 were pretty well covered with snow. And in Laniste Mr. Grady pointed to  
24 us another exhumation site. From Laniste, we went back to our hotel,  
25 passing through Sanski Most once more.

1 On day three of the visit, namely, the 17th of March, we visited  
2 first Celinac, which we -- in which we saw the municipal building from  
3 outside and also the hotel that is across the park where the SDS had its  
4 first meeting. We arrived from there in Kotor Varos, where we visited the  
5 sawmill. Then on foot, we walked to the direction of the Croat or  
6 Catholic church, in the vicinity of the sawmill. And we then drove past  
7 the municipality building. We did not see the courthouse, as we had  
8 planned to, because we missed it, and it was not practical to turn back to  
9 see the courthouse, inside of which we had not meant to go in any case.

10 But in Kotor Varos, we also saw the elementary school, and we  
11 visited the police station, particularly the detention cells in the police  
12 station. We also saw the medical centre. We did not go inside the  
13 medical centre. And from the medical centre, we proceeded to Stari  
14 Zatvor. We saw Stari Zatvor gaol from the road, and from there, we  
15 proceeded in the direction of Kotor Varos, seeing the Cirkin Brdo area.  
16 We saw the Hanifici mosque. And from there, from Hanifici village, we  
17 proceeded to Vecici. In Vecici, we spent some time. We saw the mosque,  
18 and also a monument that has been erected in the vicinity of the mosque.

19 From Vecici, we proceeded to Dabovici. In the Dabovici area, we  
20 saw Kukavice and the surroundings areas. We proceeded to Grabovice  
21 school, which is still there, but we were informed that the inside layout  
22 had been changed, and we therefore decided not to go inside. And from  
23 there, we proceeded to Banja Luka.

24 In Banja Luka, we saw the CSB building and the municipal building  
25 from outside. We also had a view of the old 1st Krajina Corps

1 headquarters from the road. We did stop for a while at the Mali Logor  
2 prison where we also had an occasion to meet with a senior member of the  
3 Defence Ministry of Republika Srpska -- of Republika Srpska, who extended  
4 his welcome as well as his full cooperation.

5 That is, in brief, an account of the places which we visited in  
6 the course of our site visit.

7 Now, the whole exercise, and I am sure I have the consensus of  
8 everyone present here, the whole exercise, the whole site visit would not  
9 have been possible and would not have been a success had it not been for  
10 the cooperation of several persons, as well as institutions. And we  
11 therefore wish to express our thanks and gratitude to each and every one  
12 of these persons. I will not mention every single person that  
13 participated in this whole venture and to whom we shall in due course by  
14 means of letters express our thanks but here, publicly, I wish to thank  
15 several persons in particular. And I will start with you, Ms. Korner, and  
16 of course your team; and you, Mr. Ackerman, and of course your team,  
17 because had you not cooperated fully as you did, there's no way we could  
18 have held such a site visit, and there is no way that the site visit  
19 itself would have gone on as smoothly as we all know it did. So my first  
20 thanks go to you.

21 I then need to thank from the bottom of my heart, and that's not  
22 just my heart, but also Judge Janu and Judge Taya, our President, who  
23 encouraged this site visit and who extended his help; the Registrar of  
24 this Tribunal, Mr. Holthuis, and his deputy, Mr. Tolbert, with whom we had  
25 discussions as we went along. Of course, the chief budget officer that

1 had to dig into the finances or the funds of this Tribunal to make this  
2 happen. That's on the side of the -- the management side or  
3 administration side of this Tribunal.

4 On the side also -- on the part of this Tribunal also, there's no  
5 way we could have proceeded with this on-site visit had it not been for  
6 the full cooperation of the security branch. And therefore, I wish to  
7 thank Mr. Nick Innell, the chief of security's operation, and Mr. Peter  
8 Zmiyarch, the security operations officer; and last, but certainly not  
9 least in this area, the four officers that accompanied us during the  
10 visit; namely, Lieutenant Maurice Ford, Officer Dantand, and Sergeants  
11 Lyne and Peoples.

12 I wish, of course, to thank Mr. Paul Grady who guided us through  
13 the various sites according to the agreement that was reached between the  
14 parties from day to day. Mr. Grady, I think, did a wonderful job. And of  
15 course, I wish to thank the field officers. There was more than one field  
16 officer involved, because we were both in Croatia, in Republika Srpska,  
17 and in the Federation. So I wish to thank Mr. Barry Hogan from the Banja  
18 Luka field office; Mr. Jani Aaltonen, security officer, member of the  
19 advance team, also from the Banja Luka field office; and Mr. Thomas Osorio  
20 and his deputy from the Zagreb field office. Not only for their  
21 hospitality, but also for their assistance.

22 During our stay there, also we had the assistance of SFOR, several  
23 people -- several persons involved. I will just mention two of them. One  
24 is Brigadier General Stuart Beare, and the other one is Major Brandon Kew.  
25 The first is responsible for the multinational brigade north-west section,

1 and he left no stone unturned in his efforts to ensure that everything  
2 went according to plan. Major Kew was responsible for the helicopter  
3 flight, and he also hosted us to lunch, the entire group, after we landed  
4 back from our trip to -- over Vlasic mountain. So I thank the brigadier  
5 general and major for their assistance.

6 And I will finish with perhaps the persons who extended not only  
7 their cooperation, their full cooperation, but who also made it possible  
8 for us to be able to go on this site visit. We visited Croatia on our way  
9 to Republika Srpska and the federation. We visited Republika Srpska,  
10 various places in Republika Srpska. We visited also places in the  
11 federation. This involved the cooperation of the authorities in these  
12 areas. It was a pleasure on the first night when we arrived there to see  
13 Mr. Trivun Jovicic, who I also recognise in the gallery today, visiting  
14 us, welcoming us as the Serb minister councillor for Serb nationality and  
15 the Serb liaison officer for Bosnia and Herzegovina. And I wish to thank  
16 you, sir, for all the cooperation that we had in the course of our visit  
17 to the various areas in Republika Srpska. I also want to thank Mr. Amir  
18 Ahmic, who is also Minister Counselor for Bosniak nationality and who is  
19 your counterpart, that is, the Bosniak liaison officer for  
20 Bosnia-Herzegovina. When I say liaison officer, liaison officer with the  
21 ICTY. I thank you both.

22 I also wish to thank Mr. Goran Mihaljevic, Minister Counselor for  
23 Croat nationality and who happens also to be the Croat liaison officer for  
24 Bosnia and Herzegovina with this Tribunal. The three of you cooperated  
25 together, and it was a pleasure for all of us to see the extent of

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1 cooperation that exists in the country between you and your officers.

2 I wish at the same time to express our thanks and gratitude for  
3 your governments, the respective governments of the federation and also of  
4 Republika Srpska. And I also wish to extend our thanks to the chief of  
5 administration for the respective police forces who provided us with  
6 escort throughout our visit in a most efficient manner. I wish to thank  
7 your governments. I also wish to thank the government of Croatia,  
8 Mr. Frene Krnic, Ambassador of Croatia in The Hague, for all the  
9 cooperation that you extended for the purpose of and in the course of our  
10 site visit.

11 On the penultimate day, I had -- we had an occasion to meet with  
12 Mr. Milorad Jelisavac personally. He came to see us, to visit us. We had  
13 practically finished our visit. We only needed -- we had left Banja Luka.  
14 It was very nice of him and very courteous of him to join us and we also  
15 express to him our gratitude, but I do want to mention his name here as  
16 well because most of the time we were in Republika Srpska, and it was no  
17 easy job for the police escort that was provided by Republika Srpska just  
18 as it wasn't easy for the rest.

19 I thank you all. I finish by stating that we think we did the  
20 right thing. We believe we did the right thing in having this on-site  
21 visit. We learned a lot. And it will be -- put us in a better position  
22 to understand some of the events that we have heard evidence about. And  
23 it will put us in a better position when we come to elaborate our final  
24 judgement and reach several decisions that we need to take.

25 Thank you.