

1 Tuesday, 26th August 1997

2 (10.00 am)

3 JUDGE JORDA: Please be seated. Madam Registrar, please
4 have the accused brought in.

5 (Accused brought in)

6 JUDGE JORDA: Is the interpretation booth ready and rested
7 after the hard work of yesterday?

8 THE INTERPRETER: Very well, thank you.

9 JUDGE JORDA: Mr. Blaskic, can you hear me?

10 MR. BLASKIC: Good morning, your Honours, I hear you well.

11 JUDGE JORDA: Are you well, Mr. Blaskic? The detention
12 conditions are convenient? Did you hear me?

13 MR. BLASKIC: Yes, I heard you. I am very well and
14 everything is fine, thank you.

15 JUDGE JORDA: Thank you. You may be seated.

16 Can everyone hear me? The Office of the
17 Prosecutor, the Defence? Very well.

18 Yes, Mr. Hayman?

19 MR. HAYMAN: I can hear you, your Honour, although I do not
20 see a transcript on the video monitor.

21 JUDGE JORDA: Well yes, you are right, everything is fine
22 except that. Before beginning, perhaps we have to
23 correct this problem with the transcript. Mr. Dubuisson,
24 Mme Fauveau?

25 JUDGE JORDA: Is it coming? No. Do you think it will come

1 in a second or two? It is not correct for the judges to
2 sit at the bench. We will suspend the hearing for five
3 minutes; you must let us know when everything is
4 operative. We will rise for five minutes.

5 (10.10 am)

6 (A short break)

7 (10.15 am)

8 JUDGE JORDA: The hearing is resumed. Madam Registrar, is
9 everything functioning now?

10 THE REGISTRAR: Yes, I think so.

11 JUDGE JORDA: Fine, thank you.

12 Mr. Prosecutor, Mr. Kehoe, good morning?

13 MR. KEHOE: Yes, good morning Mr. President, your Honours.

14 The Prosecutor would call Edin Beso. If I can ask the
15 assistance of the usher to escort Mr. Beso in.

16 MR. HAYMAN: While he is arriving, your Honour, a
17 housekeeping matter. The Tribunal directed the Defence
18 to produce the entire statement of Mr. Remi Landry in
19 yesterday's session and I have it. I will tender it to
20 the Registrar. For the record, it is 12 pages in length
21 and it is tendered subject to the objections previously
22 noted by the Defence.

23 JUDGE JORDA: I think we have admitted it as evidence in its
24 totality; is that not so, Mr. Harmon? There is no
25 objection in that regard. We just need the translation,

1 Mme Fauveau.

2 THE REGISTRAR: The document is in English.

3 JUDGE JORDA: Yes, that is why I am asking for the French
4 translation.

5 THE REGISTRAR: Fine, I am sure we will be able to do it.

6 JUDGE JORDA: Fine, I would remind you of that.

7 Mr. Kehoe, Mr. Edin Beso, you have planned two and
8 a half hours for him; is that right.

9 MR. KEHOE: Yes, your Honour, that is it.

10 JUDGE JORDA: Fine, thank you. I think the usher has gone
11 to bring him in.

12 (Witness entered court)

13 JUDGE JORDA: Mr. Beso, will you first tell me whether you
14 can hear me, Mr. Beso? Just a moment. Can you hear me.

15 THE WITNESS: Yes, your Honour.

16 JUDGE JORDA: Can you tell me who you are, please?

17 THE WITNESS: My name is Edin Beso; I was born on 23rd May
18 1971.

19 JUDGE JORDA: Thank you, that is sufficient for the moment.

20 You will be giving those answers to the Prosecutor.

21 I would like to ask you to read the declaration that the
22 usher has just given to you, the document you are
23 holding in your right hand. Can you read it, please, in
24 your language?

25 EDIN BESO (sworn)

1 JUDGE JORDA: Thank you, Mr. Beso. You may be seated now.

2 Mr. Beso, you are addressing the International Criminal
3 Tribunal. You have been cited as a witness by the
4 Prosecutor who will question you first. After that, you
5 will be cross-examined by the Defence. You must speak
6 without any fear, you must have no fear; you are talking
7 to judges and that is what the judges wanted to tell you
8 before we begin.

9 Mr. Prosecutor, it is your witness; you may begin.

10 Examined by MR. KEHOE

11 Q. Thank you, Mr. President. Mr. Beso, after introducing
12 yourself, you were giving us your date of birth. What
13 is your date of birth, sir?

14 A. 23rd May 1971. I was born in Sarajevo.

15 Q. For most of your life, in what municipality did you
16 live?

17 A. Most of my life I lived in the municipality of Vitez.

18 Q. In what part of Vitez?

19 A. For some time I lived in the old part of Vitez which is
20 called Old Vitez, Stari Vitez. From 1982 onwards,
21 I lived in the part of Vitez called Rijeka.

22 Q. Mr. Beso, are you a Muslim?

23 A. Yes.

24 Q. In Rijeka, was that a mixed neighbourhood or was it
25 mostly a Muslim neighbourhood or mostly a Croat

1 neighbourhood? Tell the judges what kind of
2 neighbourhood Rijeka was.

3 A. Rijeka was a mixed neighbourhood. There were quite a
4 few people living there, Croats, Serbs, Muslims and
5 nearby, there was also a gypsy settlement, so it was a
6 mixed neighbourhood.

7 Q. Mr. Beso, if you can look to your left on the easel,
8 Mr. President and your Honours, once again on the easel
9 is a photograph, a copy of Prosecutor's exhibit 56 and
10 I believe, in consultation with Mme Fauveau, this is
11 56B.

12 THE REGISTRAR: Yes, 56B.

13 MR. KEHOE: Mr. Beso and Mr. President, with the court's
14 permission, if you could take the pink marker that is to
15 your left and if you could go up to the photograph and
16 circle your house in Rijeka. May I approach,
17 Mr. President, as well?

18 JUDGE JORDA: Certainly, Mr. Kehoe.

19 A. This is Rijeka. That is where I lived.

20 Q. Okay. You have marked that with the pink; is that
21 right?

22 A. Yes.

23 Q. If you could now take the green and just basically give
24 the general outline of the Rijeka area. It does not
25 have to be exact; just give us some rough approximation

1 of where Rijeka is. Could you fill that in for us, just
2 put a circle around it; make it a little darker so the
3 court can see it? That is good.

4 A. Perhaps it is not very accurate, but that is about it.

5 Q. That would be a rough approximation?

6 A. Yes.

7 Q. If you can just step back, using the pointer, can you
8 point to the area known as Kruscica on the map?

9 A. Kruscica.

10 Q. You can have a seat again, thank you. Mr. Beso, once
11 again, what year did your family move to the house in
12 Rijeka?

13 A. 1982.

14 Q. Mr. Beso, when you were living in the former Yugoslavia,
15 was there an obligation to serve in the Yugoslav
16 People's Army when you reached a certain age?

17 A. Yes, there was.

18 MR. KEHOE: Your Honour, I am not getting a translation
19 through here.

20 What was the obligation of every man to serve in
21 the Yugoslav People's Army?

22 A. There was an obligation if the man was healthy, when he
23 received call-up papers, when he was registered, then he
24 would be sent to a certain place in the former
25 Yugoslavia where he would do his military service for a

1 year, 12 months to be precise.

2 Q. Did you serve in the JNA, Mr. Beso?

3 A. Yes, I did.

4 Q. When did you begin your service and when did you end?

5 A. I went into the Yugoslav People's Army on 18th March
6 1990 and I came back on 8th March 1991.

7 Q. Was your experience of going into the JNA similar to
8 other healthy men in the Vitez area during the 1990s and
9 before that?

10 A. Most probably yes, it was.

11 Q. When you got to the Yugoslav People's Army, did you go
12 through training when you first came into the army?

13 A. Yes, I went through training.

14 Q. Tell the court about the training you received?

15 A. I went for training in the town of Senta in Vojvodina
16 near Subotica. When I came to the barracks we were
17 taken in, of course,, we received uniforms and
18 everything else that we needed and then we had a certain
19 period of adjusting to life in the barracks. Then basic
20 military training started, the usual routine for
21 soldiers like saluting officers. I was in the technical
22 services, in the mechanical units of the infantry, so
23 I did not have proper infantry training, it was very
24 short, five or six days. After that, we had training in
25 classrooms, how to repair rifles, et cetera.

1 Q. Did soldiers in the infantry and the artillery sections
2 have additional training?

3 A. As far as I know, their training was longer. My
4 training was two months and 22 days. Their training was
5 six months.

6 Q. Mr. Beso, after you finished your training, what
7 assignment did you have in the JNA?

8 A. Then I went to Macedonia to the town of Bitolj where
9 I worked on the overhaul and repair of infantry arms.
10 I stayed there until the very end of my military
11 service, 8th March, when I went home.

12 Q. When you say you went home, Mr. Beso, did you come back
13 to Rijeka?

14 A. Yes.

15 Q. When you came back to Rijeka in 1991, Mr. Beso, what did
16 you do? Did you get involved in politics, did you get
17 involved in government, what did you do?

18 A. No, I was not interested in politics. I simply went on
19 with my pre-army life. Naturally I did not have a job;
20 I had completed school before that, so I worked a bit at
21 home. I did a bit of agriculture work, I would go out
22 regularly, to cafes in Vitez, to Travnik, to
23 Novi Travnik, Busovaca, so that is how I spent my time.

24 Q. Were you involved in sporting activities as well?

25 A. Yes, for a certain period of time, even before I went to

1 the army, in the town soccer club of Vitez. I started
2 playing soccer, but after an injury, I had to leave
3 football, so then I played a bit of basketball and then
4 again I went back to soccer, but all of that was very
5 short.

6 Q. Mr. Beso, tell the court a little bit about your own
7 personal circumstances living in Rijeka. Who did you
8 live with; who lived in the same house with you?

9 A. My parents were divorced. My father went on living in
10 Sarajevo where we all lived until then. I was a very
11 small child when I returned to Vitez with my mother and
12 my brother. We lived in Stari Vitez for four years and
13 then we came to Rijeka where my father built a house for
14 us. We lived there on the money that my father sent in
15 regularly; my brother and I received an education, my
16 mother was not employed anywhere, and when we finished
17 school and when my brother came back from the JNA, he
18 got a job in the mine in Zenica where he worked, so our
19 life became a bit easier. That was it, but also nearby
20 there were two houses of our relatives; my aunt lived in
21 one of these houses. My uncle died before the war, I do
22 not know which year, and then also in the neighbourhood
23 was another aunt of mine, my paternal uncle's wife, but
24 my paternal uncle had been killed in a bicycle accident
25 before the war, but we were all very close.

1 Just before the war, my mother's mother came to
2 visit us, but she was an invalid, so she went on living
3 with us until she died. My aunt went to Switzerland
4 just before the war, so she also left us her house and
5 the other facilities she had. My aunt had a cow, so we
6 continued feeding her cow, so that is the way it was,
7 basically.

8 Q. So, Mr. Beso, at the outbreak of the war, you were living
9 in the same house with your brother, your mother and
10 your grandmother; is that right?

11 A. Yes.

12 Q. Let me take you to 1992 when the war broke out. When
13 the war broke out, Mr. Beso, did you join the Armija?

14 A. I was in a special situation; I was younger than my
15 brother. My brother immediately joined the Territorial
16 Defence as it was then called. I continued to help out
17 at home. My granny was disabled, so I stayed there with
18 her and my mother and then after that, I joined the
19 BH-Army, but I cannot remember on what date.

20 Q. Okay. Was it some time in 1992?

21 A. Yes.

22 Q. What job did you have when you joined the BH-Army?

23 A. I asked the command to give me an assignment which would
24 not keep me away from home a lot, because I had many
25 things to do at home and it was only natural that I had

1 to take care of that. In our country in
2 Bosnia-Herzegovina, when the war broke out, the
3 television lines were mostly under the control of the
4 Bosnian Serbs, so from Bosnia to -- from Rijeka to
5 Kruscica, a relay station was made so that Bosnian
6 television from Sarajevo could be seen. My superiors
7 gave me orders to secure that relay station, so I would
8 work there every now and then.

9 Q. When you were working at the TV station, did you come
10 back and forth and stay at home?

11 A. It was nearby, so I would go on bicycle; it was not very
12 far away. I would spend a day there and then a day at
13 home, so I would alternate.

14 Q. Mr. Beso, let me direct your attention to the morning of
15 16th April 1993, the morning the war broke out in
16 Vitez. Do you remember that morning?

17 A. Yes, I do.

18 Q. In your own words, Mr. Beso, tell the judges what
19 happened.

20 A. 16th April 1993 in the early morning hours, my mother
21 woke me up, saying that detonations and shooting could
22 be heard. I went out of the house. Dawn had just
23 broken, and detonations and shooting could be heard from
24 all over. I did not know what was going on, but the
25 situation was strange; you could feel war in the air.

1 I knew that war had broken out. I did not know what to
2 do. The house did not have a cellar, and I told my
3 mother that I would take her and my grandmother to the
4 house next door where there was a cellar and they should
5 stay there until we decided what we should do later.

6 When I took them over to the house next door -- it
7 was right next door, it was owned by Sifet Adilovic. He
8 was temporarily employed in Switzerland and two girls
9 from Zenica lived in his house. They took care of his
10 house, I do not know why they were there. When I took
11 my mother and my granny there, my grandmother was
12 disabled, as I said, so I went back to our home to get
13 her the medicine that she used to take regularly.

14 At one point in time when I was going back to
15 Sifet Adilovic's house, about 50 metres away along the
16 road, I saw a few soldiers in camouflage uniforms who
17 were taking civilians, men, along with them.
18 I recognised my Muslim neighbours, but I did not know
19 where they were going. When I brought in the medicine,
20 my mother told me that I should feed the cow. Naturally
21 I was afraid, but I had to do it. I went back to the
22 house again, I took the keys to the stable and the
23 garage where the cattlefeed was.

24 I climbed on the stables to get some hay for the
25 cow; that is probably when the HVO noticed me. As I was

1 going down from the second floor of the stables, a few
2 members came in, they were all my neighbours, they were
3 wearing uniforms. They said, "Hands up", and they said
4 I should lean against the wall. They searched me, they
5 wanted to know whether I had any weapons, they searched
6 the stables and the garage all over and they told me to
7 change and they told me that I was their prisoner. From
8 there they took me to the veterinary station that was in
9 Rijeka.

10 Q. Let me stop you there for one moment, Mr. Beso. The
11 soldiers that you saw that arrested you, you said that
12 you recognised them, that they were your neighbours.

13 A. Yes.

14 Q. Who were these men?

15 A. One of them was Rajko Matkovic. I knew him for a
16 certain period of time; he was the oldest one of them
17 all. Then there was Krunoslav Bonic, who we used to
18 call Kico, then Karin Goran and another young man;
19 I knew him but I cannot remember his name. He was also
20 from Rijeka. They were all wearing uniforms and they
21 were armed.

22 Q. When you say they were wearing uniforms, what type of
23 uniforms were they wearing?

24 A. They were wearing camouflage uniforms with HVO patches
25 on their sleeves.

1 Q. Mr. Beso, you said that when you first came out of your
2 house, you saw soldiers taking men out of Vares houses
3 in your neighbourhood; is that right?

4 A. Yes.

5 Q. Can you step up to the map and with the pointer just
6 point to the line of houses for the court where these
7 men were being arrested from. Mr. Beso, when you point
8 to it, could you just hold the pointer to the area for
9 one moment so the camera can focus in on it.

10 A. It is this series of houses (indicates).

11 Q. Were all of those houses inhabited by Muslim men?

12 A. They were mixed. There were Muslim houses, Croat
13 houses, there was a Serb house on the other side. There
14 were two Muslim houses, then Croat houses then Muslim
15 houses here, so it was all mixed.

16 Q. Were all the men that were being arrested Muslim?

17 A. Yes.

18 Q. Mr. Beso, have a seat, please. Mr. Beso, you said that
19 after you were arrested, you were taken to the
20 veterinary station.

21 A. Yes.

22 Q. If I might show you a -- Mme Fauveau, exhibit 33, with
23 the assistance of the usher and if we could ask for the
24 ELMO to be put on, I would just like to show you a
25 series of photographs.

1 Mr. Usher, I will be looking at the photographs
2 towards the back of that exhibit, PH225 and PH226.

3 I am sorry, Cedric, I think they were the back
4 photographs.

5 Mr. Beso, looking at the photograph that is on the
6 monitor, do you recognise that, sir?

7 A. Yes, I do. That is the veterinary station.

8 Q. When you were brought to the veterinary station, where
9 were you taken?

10 A. We were taken to the basement of the veterinary
11 station. When I came, the basement was full of
12 Muslims. I do not know exactly how many there were.
13 All of them lived in Rijeka in the Sofa and Podsofa
14 neighbourhood, so I knew all of them because they were
15 neighbours of mine.

16 Q. Can you see the entrance on that photograph that you
17 went into?

18 A. Yes.

19 Q. Can you just point on the ELMO with it, sir, with the
20 pointer if you could?

21 A. (indicates).

22 Q. For the record, you are pointing to the doorway on the
23 right side of the photograph; is that right?

24 A. Yes.

25 Q. If we could just put the other photograph on the ELMO

1 quickly?

2 What does that photograph depict, Mr. Beso?

3 A. This is also the house where the veterinary station was
4 and where we were, that is we, the prisoners from
5 Rijeka.

6 Q. That is simply the other side of the same building in
7 the photograph that we just saw.

8 A. Yes.

9 Q. Thank you, Mr. Usher. Mr. President, I would just ask
10 that the usher not put the exhibit back together again
11 because we are going to be using a couple of photographs
12 later on in the testimony.

13 Mr. Beso, tell us about the conditions in the
14 basement of the veterinary station.

15 A. The conditions were poor. It was cold, it was a dark
16 room; the walls were very damp, they were wet even. We
17 were not allowed to go out for a certain period of time.

18 Q. Were there many other men in the basement with you?

19 A. Only we the Muslims who had been brought there from
20 their homes. We were guarded, there were guards all
21 around the house.

22 Q. Were all these guards members of the HVO?

23 A. Probably, because they were all our Croat neighbours.
24 They had insignia, rifles, uniforms.

25 Q. Tell the judges about what happened to you when you were

1 being kept in the basement of the veterinary station.

2 Were you taken anywhere after a period of time in the
3 station? Tell the court what happened.

4 A. I was there for a certain period of time, I do not know
5 exactly for how long. We would get some food, canned
6 fish, that was too little, we did not get any
7 cigarettes, only if people had taken something from
8 their homes. Later on they would allow Muslim women to
9 bring us food from their homes, some clothes, blankets.
10 I do not know exactly when, but they started taking us
11 out to dig trenches. I was chosen to go along with one
12 of the groups. They mostly included younger people. We
13 were taken to the hill of Sofa, where we dug trenches
14 facing the village of Kruscica.

15 Q. Mr. Beso, who took you out to dig trenches?

16 A. We were taken out to dig trenches, I mean the group that
17 I was in, by Kico Bonic, and another soldier too was
18 there too, but I do not know exactly who.

19 Q. But were they HVO soldiers?

20 A. Yes, they were.

21 MR. KEHOE: Mr. President, if I could ask the witness to
22 approach the overhead again, 56, and if I can approach
23 as well?

24 JUDGE JORDA: Defence may approach as well if they wish.

25 MR. KEHOE: Mr. Beso, you told us previously that the area

1 circled in green is Rijeka and that the area that is
2 moving up to the right of the green is Kruscica. You
3 just mentioned an area that you call Sofa. Could you
4 take the pointer again and just step back and just hold
5 it on there to the area that you call Sofa.

6 A. That is it.

7 Q. Just hold it there for one moment. Okay, sir. You said
8 that you were digging trenches in that area; can you
9 just with the orange marker mark the area that you were
10 digging trenches in.

11 A. We were first digging trenches somewhere around here;
12 these were individual trenches.

13 Q. What do you mean by individual trenches?

14 A. For instance they were not in a single part, we did not
15 have to interlink them, we did not have to do any extra
16 digging. These were simply trenches meant to have
17 individual soldiers in them.

18 Q. Could you mark that a little heavier so the court can
19 see it?

20 A. This is where we were first digging trenches.

21 Q. Is that the line where you were first digging trenches?

22 A. Yes, and then later on we were taken to the gypsy
23 neighbourhood to dig there, that same day.

24 Q. Was there a reason that you were taken to the gypsy
25 neighbourhood to dig trenches later on that day?

1 A. I do not know exactly, but rumour had it that HVO
2 members believed that the BH-Army was stationed in the
3 gypsy neighbourhood, but since they realised that they
4 were not there, they took us to Ciglane facing the
5 Kruscica village to dig trenches over there.

6 Q. Did an HVO commander come on the scene to take you up
7 there to dig those other trenches?

8 A. Yes, when we were digging at the first place, a
9 commander came and he was very angry and he was shouting
10 at his soldier why we were digging trenches there; why
11 did we not dig them closer to Kruscica? Then, about
12 half an hour later, they took us to this other place.
13 As we were digging, they were shooting over our heads
14 towards the Kruscica village and we were out there in
15 the open and we were digging.

16 Q. Who was shooting over your heads?

17 A. Karin Goran, also a person from Rijeka, his surname is
18 Males; I cannot remember his first name. Then the local
19 Serbs who lived in Sofa, they also belonged to the HVO,
20 they were also shooting towards Kruscica.

21 Q. These were HVO soldiers shooting over your head?

22 A. Yes.

23 Q. So for the sake of clarity, this is the first place you
24 were digging trenches, I put the number 1; and this was
25 the second place; is that correct, sir?

1 A. Yes.

2 Q. If you could have a seat again and I will go back to the
3 podium, your Honour.

4 Mr. Beso, how long did you dig trenches towards
5 Kruscica?

6 A. I do not know exactly, but we were taken there in the
7 morning and we were brought back to the veterinary
8 station late in the evening.

9 Q. How many men were out there digging trenches?

10 A. There were about ten of us in the group, I do not know
11 exactly, ten or so.

12 Q. Mr. Beso, you said that late in the evening you were
13 brought back to the veterinarian station. Did you go
14 back to the basement?

15 A. Yes.

16 Q. What happened after that?

17 A. Then a second group was taken there to dig. When we
18 came back, we were given something to eat. I do not
19 know exactly how much more time we spent there and then
20 again it was my turn and I was taken to dig trenches in
21 another place.

22 Q. Where was the next place you were taken to dig trenches?

23 A. It was the village of Pirici.

24 MR. KEHOE: Mr. President, if I could request the assistance
25 of the usher to put up what is now, I believe, a copy of

1 exhibit 50, and I believe at this point we are on 50B.

2 If we could just put this over the other one, that would
3 be very helpful.

4 JUDGE JORDA: Mme Fauveau, it is a copy of which
5 photograph?

6 THE REGISTRAR: It is a copy of 50 and this is document
7 50B.

8 JUDGE JORDA: Thank you.

9 MR. KEHOE: Mr. Beso, tell us about going to Pirici. What
10 road did you follow and how did you get there?

11 A. When we were in the veterinary station and when we were
12 taken out again we were mostly young men. In front of
13 the station, a white Mercedes van was parked. We
14 climbed into it and we were taken along the road passing
15 Rijeka, the railway station --

16 JUDGE JORDA: I do not have the translation. Very well,
17 thank you.

18 A. When we reached Pirici, actually there were two groups,
19 one group got off at Zume and the second group that
20 I belonged to was taken to Pirici. Then we continued
21 working, digging; we were guarded by HVO members.

22 MR. KEHOE: Did HVO members take you from the veterinary
23 station out to Pirici as well?

24 A. Yes.

25 Q. Mr. Beso, if we could turn our attention to the overhead

1 that is on the easel which is 50B, and again,
2 Mr. President, if I may approach, and if you could step
3 up also.

4 Mr. Beso, this is a photograph that has been
5 received in evidence. Is the area that you came to dig
6 trenches in Pirici depicted on this photograph?

7 A. This is the village of Pirici. This is where we were
8 brought.

9 Q. If you could just hold the pointer there for one moment
10 so the camera can see it. When you were taken there,
11 sir, were you forced to dig trenches there?

12 A. Yes.

13 Q. Again using the orange marker on 50B, could you circle
14 the approximate area where you were digging trenches in
15 the Pirici area?

16 A. We were digging in several areas. I do not know
17 exactly, but around here (indicates).

18 Q. Without being exact, those are the approximate areas
19 that you were digging trenches; is that right?

20 A. Yes.

21 MR. KEHOE: For the record, Mr. President, your Honours, there
22 are three orange lines written by the witness on
23 Prosecutor's exhibit 50B.

24 Mr. Beso, if you could have a seat?

25 Your Honour, I will go back to the podium.

1 Mr. Beso, when you got to Pirici to dig trenches,
2 tell the judges what happened.

3 A. When we got there, we were divided up into smaller
4 groups, so the soldiers took us group by group to dig.
5 I do not know exactly for how long we were digging, but
6 we were tired, we had hardly any rest at all, and at one
7 point, while we were digging the trenches, shooting was
8 suddenly heard between the army and the HVO, because we
9 were in between the lines. The lines had not really
10 been formed properly yet, so that a colleague of mine
11 who was captured with me and detained was wounded in the
12 chest on that occasion and he fell.

13 Q. What was his name?

14 A. Salih Sadibasic. He also used to live in Vitez.

15 Q. Was he a Muslim as well?

16 A. Yes.

17 Q. Tell us about how he was shot.

18 A. He was not killed, he was wounded in the chest. When he
19 was taken away, HVO members gave him first aid, they
20 bandaged his wound and transferred him to the hospital
21 in Travnik where he recovered. We continued the
22 digging, and we had taken shelter for a while from the
23 fire, but we could not stay there; we were ordered to
24 continue digging. I do not know exactly for how long
25 this went on. Then they told us to take all our tools,

1 the tools we had been using for the digging, and to go
2 to a house where we would be given something to eat.

3 When we got there, we left our tools aside. We
4 were very tired, so we sat down straight away on the
5 grass. We were given food. Again there were tins,
6 canned fish, some bread. I do not know exactly what it
7 was, some kind of cabbage stew, and we ate it.

8 While eating, we were watched by HVO members who
9 were guarding us, and one of the detainees who was
10 living in Vitez. I know him from before, he was a bit
11 sickly, something mentally, I do not know exactly what
12 it was. Later, talking amongst ourselves, we detainees
13 came to the conclusion that he was so shocked by Salih's
14 injury, he was frightened out of his wits. He looked at
15 the HVO members standing next to us and he noticed that
16 one of them had carelessly left his rifle. He jumped
17 up, took the rifle and he wanted to cock it, but I think
18 he did not know how to use a weapon, and he started
19 running towards the lines held by the army of the
20 Republic of Bosnia-Herzegovina.

21 The HVO members caught up with him, and some of
22 them did not have their weapons on them. They took
23 tools, the implements we had been using, a shovel and a
24 pick, and they started hitting him with these
25 implements. We were close by but we did not dare do

1 anything. We just sat there, because we were threatened
2 and they guarded us with arms, and I saw this man's
3 blood flowing. His head was split, his skull, but he
4 was still on his feet. They snatched away the gun and
5 continued beating him. He started staggering, but he
6 was a strongly-built man, a tall young man.

7 Then suddenly one of the people, I do not know
8 exactly who he was, he had a long leather jacket on him,
9 an elderly man, he took a pistol, I saw well the model;
10 it was a Crvena Zastava 7.62 millimetre. He fired into
11 his stomach, but he was still on his feet. Then the HVO
12 members created a kind of mess; they did not seem to be
13 aware what was happening, there was a big group of
14 them. I did not know all of them well, because I did
15 not go to those parts very often. They called each
16 other by Vares names and then another one came up, also
17 an HVO member, and he killed this man with a burst of
18 fire from a Kalasnjikov and he fell there. We were
19 ordered to move him from there, just to put him next to
20 a wall and they would see later what they would do with
21 him.

22 Q. Mr. Beso, what was the name of the man that was murdered?

23 A. Ibrakovic. We called him Jusa. I am not sure whether
24 his first name was Jusuf but he was his name was
25 Ibrakovic, and we called him Jusa.

1 Q. Did you hear the names of any HVO soldiers that were
2 there at the time?

3 A. Yes, while we were digging trenches, the guards who were
4 there watching us, they probably thought that we were
5 not listening, that we were busy working, so I heard
6 that Slavko Papic was some kind of a commander there in
7 that part. Later, after this killing, they said that
8 Dragan should not have done this and he should have done
9 that, as if Dragan Papic had actually killed Jusuf, but
10 there were quite a number of them there; I did not know
11 all of them.

12 There was a totally unknown man. He had a very
13 good uniform on him, a better quality, much better
14 quality than the others, and he was one of the group.
15 What actually happened after that, we were ordered to
16 lie on the ground on the road leading to Ahmici and that
17 we simply must not move until they decided what to do
18 with us. Then again, later, a soldier came and told us
19 to take our tools and to continue with the digging.

20 As we were moving towards a burnt-down house to
21 dig, this Slavko Papic -- he was an older man, a
22 commander -- said that they needed to kill another one
23 because they were afraid that we might do something. He
24 looked at prisoner Amir Koco. We again resumed digging
25 until late into the night the shooting calmed down, so

1 that we continued digging with some relief. I was in
2 great fear, so that all these events seemed like
3 eternity to me, and it was night already. I remember it
4 was dark, it must have been late.

5 They took us to a cellar. I could not see very
6 well in the dark, but there were the remains of a house
7 that had burned down and there was just the cellar and
8 we were put up there. It was a cellar, there was
9 nothing there. There was some kind of shelf; probably
10 the former owner had kept apples or potatoes there, so
11 they locked us up there; we were dirty from the earth.
12 We could not even talk, we were so terrified, and while
13 there was -- while they were locking us up, one of the
14 members said, "if I hear a sound from you" -- he said he
15 would throw a hand grenade through the window, which is
16 like a big bomb.

17 Perhaps we dozed off after that, but before that,
18 while I was still digging, some HVO members would come
19 up to us as we were guided up into groups. They would
20 offer us cigarettes, and they told us not to be so
21 scared, but I did not trust anyone. I was so scared;
22 I think among all my friends I was frightened most.

23 Then a young man came up to me. He had a uniform
24 and a rifle. He was staring at me while I was digging
25 while another one was guarding me. He told me, "Do not

1 expose yourself so much; bend down while you are
2 digging." I just looked at him, I did not dare talk to
3 him, I did not know who he was. He had a different
4 accent; he did not speak like the rest of us from
5 Vitez. He had a typical kind of accent. I do not know
6 exactly where he was from. He told me he was from
7 Zagreb. Whether he was or not, I do not know.

8 Then later he told some people that he was from
9 Kotor Varos, which is a town in Bosnia-Herzegovina.
10 Then somehow we started talking about insignificant
11 things. We did not talk about the war at all. We spoke
12 about music, the kind of music I listen to, what he
13 liked to listen to, which sport he liked and that sort
14 of thing from our youth. That very morning, this same
15 soldier came to the cellar where we were locked up and
16 he told us to follow him. We were taken from Pirici to
17 the cinema in Vitez, and we were handed over there.
18 When we got to the cinema, I saw a lot of captured
19 Muslims there. I saw several members wearing uniforms
20 who had white belts, and had the insignia of the
21 military police. We were handed over to Anto Kovac,
22 whom we all called Zabac. He took us over and the
23 military police members took us up in the cinema. The
24 hall itself was full, the boiler room was full and there
25 were some offices upstairs, they were all full, full of

1 captured Muslims.

2 JUDGE JORDA: Mr. Prosecutor, if you consider it to be
3 convenient, perhaps we could break now and continue at
4 11.45. Does that suit you?

5 MR. KEHOE: Yes, Mr. President, that is fine.

6 JUDGE JORDA: We will have a break and resume work at
7 11.45.

8 (11.25 am)

9 (A short break).

10 (11.45 am)

11 JUDGE JORDA: The session is continued, please bring in the
12 accused.

13 (Accused brought in)

14 JUDGE JORDA: Mr. Prosecutor?

15 MR. KEHOE: Thank you, Mr. President.

16 Mr. Beso, Ibrakovic Jusa, the man that was murdered
17 up in Pirici, was he a Muslim as well?

18 A. Yes, he was.

19 Q. I am sorry, let me repeat that question and answer. The
20 man that was murdered up in Pirici, Ibrakovic Jusa, was
21 he a Muslim as well?

22 A. Yes, he was.

23 Q. Mr. Beso, just before the break, you told the court that
24 you were taken from Pirici to the cinema; is that
25 correct?

1 A. Yes.

2 MR. KEHOE: Mr. President, with your permission and with the
3 assistance of the usher, I would like to move to
4 Prosecutor's exhibit 33 and the photographs that we have
5 in 33 are PH197, PH198 and PH203.

6 JUDGE JORDA: It is for the same purpose, for expediting the
7 proceedings. Perhaps we could ask the Registrar to see
8 what exhibits will be mentioned in advance, so that we
9 know in advance what are the photographs or the exhibits
10 that will be discussed, if this is possible. Is that
11 convenient to you, Mr. Prosecutor?

12 MR. KEHOE: It is, Mr. President, and Mme Fauveau and I did
13 discuss that at the break, that we were going to move
14 into those photographs and as a result she had those
15 photographs on top.

16 JUDGE JORDA: Fine, thank you. My colleague says the same
17 goes for the Defence too, of course. Please, try to
18 prepare in advance all the exhibits you can. Please
19 continue.

20 MR. KEHOE: Yes, Mr. President. Thank you.

21 Mr. Beso, the photograph that is now on the ELMO,
22 PH197, do you recognise that?

23 A. Yes, that is the cinema, the cinema in Vitez. Before it
24 was called Aradnis Kuravesita, the workers' university
25 of Mosa Pijade in Vitez.

1 Q. If we could just move to photograph PH198 and then after
2 that PH203. Is that likewise a photograph of a
3 different angle of the cinema?

4 A. Yes, it is. That is where the exit was from the cinema
5 hall.

6 Q. The last photograph, PH203. How about that photograph,
7 Mr. Beso? Is that another angle of the cinema from the
8 other side?

9 A. Yes, it is. This was the entrance to the cinema hall
10 and also to the other facilities there.

11 Q. Was that the door that you were brought in when you were
12 brought to the cinema after you were taken from digging
13 trenches in Pirici?

14 A. Yes.

15 Q. I am not going to use the ELMO any more, Mr. Usher, so we
16 can move on from these photographs.

17 Going back, Mr. Beso, tell us about what happened
18 to you when you were taken to the cinema.

19 A. When we arrived in the cinema, as I said, we were taken
20 over by Anto Kovac; his nickname was Zabac. He was some
21 kind of commander in the military police. Then the
22 policemen put us in the rooms where there was room,
23 because the place was crowded. I was in an office on
24 the first floor which was crowded. When the other
25 prisoners saw me, saw me all grimy and dirty from the

1 earth, my jacket and my trousers. They asked me where
2 I had been and I told them that I had been digging
3 trenches. They told me, "People go to dig trenches from
4 here too."

5 Q. Where did they tell you that people were being taken to
6 dig trenches from the cinema?

7 A. They told me that they were taken to Krcevine, towards
8 Kuber, Krizanveve Kuce, the village of Jardol. I cannot
9 remember whether they mentioned any other places too.

10 Q. Okay, Mr. Beso. What happened after that?

11 A. While we were there, I noticed that the Muslim prisoners
12 were allowed to receive visitors. Their relatives would
13 come in, their wives, their mothers, their sisters.
14 They would bring them food, also clothes that people
15 needed, so my family also heard about this, that I had
16 been moved there, and a relative of mine brought me some
17 clothes, coffee, food, cigarettes, so I thought things
18 would be better for me there. I thought that I would
19 not have to go dig trenches anywhere else any more.
20 I got new clothes, so I was not the way I had been
21 before that.

22 I cannot remember the exact date, but I was chosen
23 once again to go and dig trenches in the village of
24 Krcevine near Vitez. A group of us was sent, of younger
25 men, again, naturally. We dug in a forest facing the

1 village of Krcevine. We did whatever had to be done in
2 order to set up a frontline there too. We worked very
3 hard. We would get very little rest. We ate the
4 leftovers from the soldiers who were on the frontline.
5 We were guarded all the time.

6 In the forest that I mentioned, we dug holes and
7 then we would dig trenches to connect them. From the
8 nearby village we would bring in timber boards that were
9 made of beechwood; they were very heavy. Then we would
10 cover the holes, put nylon over them and thus make
11 underground shelter. So every soldier who was there was
12 giving us instructions, what kind of shelter he would
13 like to have and how we should dig this.

14 From that forest to a lone house that stood there,
15 we dug a big trench. This was a clearing, so it was not
16 safe for them to move there. At one moment, while we
17 were carrying boards and coming back, this was in
18 daylight, there was non-stop shooting, so we were
19 actually exposed to this crossfire. At one point, a
20 schoolfriend of mine, with whom I had spent a lot of
21 time -- he was also a Muslim, Gadjun Amir -- he was also
22 a prisoner; he lived in the part of Vitez which was
23 called Kolonija.

24 Q. Is he also a Muslim?

25 A. Yes. When the shooting started, I was standing near

1 him, also another colleague of ours, Almas Zuljevic,
2 another Muslim who was also a prisoner, who was standing
3 nearby too -- we were out there working -- he was hit in
4 the neck, so he fell there on the meadow. I was lost
5 during those very first moments, I did not know what we
6 were supposed to do, so we lay on the ground too. Then
7 somehow with the help of the members of the HVO, we
8 evacuated Amir from there. We moved him behind a house
9 where a soldier gave us you his first aid bag, so we
10 bandaged his neck. He was hit very badly in a bad
11 place.

12 We tried to carry him to a car, to a vehicle,
13 because we were told that he would be taken to a
14 hospital. As we were carrying him there, we saw that he
15 was very weak, he was very dark. We put him down and
16 another prisoner took his tongue out of his mouth
17 because he was suffocating. He only opened his eyes, he
18 briefly looked at us. He just managed to say, "Say
19 hello to my mother for me", and he did not say anything
20 else. He passed away then.

21 Again we were taken back to dig trenches; he was
22 dragged away from there. Later I found out that he was
23 buried in Stari Vitez.

24 Q. Mr. Beso, I know that you do not have a recollection of
25 exact dates, but do you know approximately how long

1 after 16th April this killing of Almir Gadjun took
2 place?

3 A. Believe me, that was the greatest problem I had, to know
4 which day was which, so approximately -- I do not know,
5 about ten or fifteen days later. I cannot tell exactly.

6 Q. When you were taken out to Krcevine, how many men were
7 taken out with you to dig trenches?

8 A. A group that was pretty big, 12 or 15 people. While we
9 were digging, there were no other incidents, only Almir
10 was killed. Some HVO members threatened us; they said
11 we had to work and it was a good thing for them while we
12 had them there and we would really be in trouble if the
13 Jokeri came, and we did not know who the Jokeri were at
14 that time. I even saw some of my schoolfriends up there
15 who were also members of the HVO. When they saw me,
16 they were surprised too; how come that I had been
17 detained? They asked me if I was hungry, whether
18 I needed anything. They gave me cigarettes.

19 Q. Mr. Beso, you said that you were threatened by members of
20 the HVO regarding the Jokeri. Did they mention the
21 Vitezovi as well?

22 A. No, they did not, that group with which I was. They
23 just said, "It will be very difficult for you when the
24 Jokeri come. It is better for you to finish as soon as
25 possible. The sooner you finish, the better for you."

1 We spent a lot of time there digging. We did not really
2 have any rest. We were digging and digging, day and
3 night.

4 Q. Were the soldiers that were guarding you in Sofa, Pirici
5 and Krcevine all members of the HVO?

6 A. Yes, all of them. Only while we were digging at Sofa,
7 I saw the Serbs who lived there too; they were not
8 wearing uniforms. They were wearing civilian clothes,
9 but they had rifles in their hands. They were armed but
10 they were not wearing uniforms.

11 Q. At any time while you were digging trenches, were you
12 guarded by members of the Jokeri or of the Vitezovi?

13 A. No. I never had the opportunity of seeing them while
14 I was digging trenches.

15 Q. After Gadjun Almir was killed and you said you continued
16 to dig, how much longer did you continue to dig before
17 you were brought back to the cinema?

18 A. We continued to dig that day, that night, and the next
19 day, and then we were replaced by other prisoners, and
20 we were driven back to where we had been before, the
21 cinema in Vitez.

22 Q. What happened when you got back to the cinema?

23 A. When we came back to the cinema, we were all sort of
24 lost. Things continued as before; people were taken to
25 dig trenches all the time. I was not taken anywhere any

1 more. I know that some people were being brought in and
2 others were being taken away. At one point in time,
3 some journalists arrived. I do not know where they were
4 from. They filmed us, a lady journalist; she spoke
5 English. She was looking at me and she told the
6 cameraman to film me because I had dirt all over me,
7 earth, and he did that.

8 Once while we were there one evening, I heard some
9 doors slam and I heard some names being read out, and
10 the next morning, I found out that prominent Muslims,
11 engineers, professors, workers who had worked in
12 Slobodan Princip Selo factory at responsible posts, they
13 were all taken away. At that point, I did not know why
14 this was done. The Red Cross arrived that day. They
15 took down all our names, they registered us, they gave
16 us some kind of cards. Then it was different.

17 I did not say that while we were at the cinema, we
18 were regularly fed by the HVO members. The food that
19 was given to us consisted of a tin and a quarter of a
20 bread loaf. After that, they were brought in all the
21 time and once when a visitor came to see me some of my
22 friends and relatives came in, girls, and they were
23 telling me about the Croats expelling people from their
24 houses and that they did not know what to do. Before
25 that, I had heard about this too. I knew that

1 everything was being done by force and that you were not
2 supposed to offer any kind of resistance. I told them
3 to wait, because we had already heard some stories that
4 we would be released, and another girl, a relative, told
5 me that there were a lot of women in our house because
6 they had been driven out of their own homes.

7 I did not know what to tell them then. I just
8 said, "If you want to, you can leave, but if you want
9 to, you can wait until they release me." I always kept
10 thinking of my mother and my grandmother, who was
11 disabled, and I knew that it was difficult to evacuate
12 them towards Zenica and Travnik.

13 One day again the Red Cross had arrived. There
14 were a lot of their vehicles and their cars up there,
15 and soldiers were moving from one room to another, and
16 they were saying that we should pack up, that they were
17 moving us. We all went into the cinema hall; that was
18 the biggest room in the cinema building. We were all
19 lined up. Red Cross workers were sitting at a table.
20 They had lists in front of them, so as you would walk up
21 to them you would show them your card that you had
22 received from them, and then they would ask you where
23 you wanted to go: did you want to go to Travnik -- they
24 were offering Travnik, Zenica, Stari Vitez, Kruscica;
25 and also they would let you go to your home if you

1 wished to. I chose to go home, because there was
2 nowhere else for me to go. I thought that bygones
3 should be bygones and that all things would end well
4 after all.

5 I walked home to Rijeka; I did not have any
6 problems along the way. I saw that a few Muslim houses
7 had been burned down in that area. When I arrived home,
8 I saw what the situation was. The house was full of
9 people who were driven out of their own homes, and that
10 was the only accommodation they could get, in our
11 house. They were all happy when I arrived, but when
12 they started telling me about the things that were
13 happening I realised that things were not good. They
14 would not dare leave the house; they would eat the food
15 they had in the house. Sometimes they would ask a
16 soldier, an HVO soldier, to buy something for them and
17 they would give him money, so there were such cases.

18 I was very ill then; I was physically exhausted.
19 I was upset and nervous while I was detained. I simply
20 did not feel strong enough to walk any more so I lay in
21 bed at home, I did not even go out. Our lady neighbour,
22 a Muslim who worked in the health centre in Vitez, when
23 she saw the condition I was in, she examined me and she
24 gave me some pills and some injections, and she said
25 that I should leave, because she had heard throughout

1 Vitez that all the people who were released and who were
2 allowed to go back to their homes were being rallied
3 again, and up there in the Vitez -- in the health
4 centre, she got some kind of paper for me, a paper
5 saying that I was supposed to go to Travnik at the
6 hospital there.

7 So I left there in an ambulance from the health
8 centre in Vitez. There was a member of the Red Cross
9 there too, and a woman, a Croat who was pregnant, and
10 who had to be taken to Travnik urgently to deliver her
11 baby there, so we arrived in Travnik together. They put
12 me in the hospital immediately. Medical checkups were
13 made and I was sent to the ward for chest patients and
14 I spent a lot of time there.

15 MR. KEHOE: If we can interrupt, Mr. Beso. Judge Riad?

16 JUDGE RIAD: I would just like to ask Mr. Beso a small
17 precision. He mentioned just a few minutes ago that one
18 morning he noticed that prominent Muslims were all taken
19 away. Was that by the Red Cross or were they taken away
20 by the HVO? Prominent Muslims, you said, professors,
21 people of high calibre were taken away.

22 A. Yes. No, later on I found out that the HVO had taken
23 them away. I heard about that later when I was released
24 from prison. They were taken to Kaonik, Busovaca. They
25 spent some time there and afterwards they were released

1 too, but they were not there while we were being
2 registered by the Red Cross.

3 Q. Do you know what happened to them afterwards? Were they
4 taken by the Red Cross after that or did they go back
5 home?

6 A. I do not know.

7 JUDGE RIAD: Thank you.

8 MR. KEHOE: Mr. Beso, going back to the hospital,
9 approximately how much time did you spend in the
10 hospital?

11 A. I was in the hospital for about a month and a half or
12 two months. Conditions were very difficult at the
13 hospital. There was a shortage of medicine and a
14 shortage of food, and I kept wondering about my
15 grandmother and my mother. I did not know what had
16 happened to them. I knew that all the other women who
17 were staying with us were young and they could leave
18 easily. I did not have anyone to ask. The phonelines
19 were not operating. I did not see anyone. I decided to
20 go to the village of Kruscica near Vitez. That is where
21 my brother was and I thought that perhaps he might have
22 some information, but he did not know anything either.

23 Radio amateurs helped us get in touch with them --
24 rather we contacted our relatives in Zenica, but they
25 did not have any information about my mother, and

1 grandmother either. Later, when the cease-fire was
2 signed, we found out that they were in Rijeka all the
3 time, but towards the end of the war my grandmother, who
4 was disabled, had died a natural death. The Red Cross
5 buried her in the village of Gacice near Vitez. From
6 that moment onwards, my mother continued to live there.
7 When the cease-fire was signed, it was the holiday of
8 Bajram, and there was more freedom of movement then.
9 There were checkpoints on the roads, too; she took a bus
10 and she went to visit and she never went back home.

11 She spent some time in Stari Vitez after that. It
12 was held by the army of the Republic of
13 Bosnia-Herzegovina and then she came to Kruscica to stay
14 with us. She told us what it was like for her down
15 there in Rijeka, that she was hiding in the house all
16 the time, that she would not go out. A Croat, a
17 neighbour, took the cow away. He slaughtered it. His
18 brother moved into our house at the insistence of my
19 mother, together with his wife and children. From that
20 moment on, she was helped by these people who were
21 staying at our house. They took care of the food,
22 because she is sick too, she is a heart patient, and
23 they got medicine for her which was very expensive.

24 Q. Mr. Beso, when you got back to your house you said that
25 there were many relatives that were in your house that

1 had been expelled from their houses in the Rijeka area;
2 is that correct?

3 A. Yes. They were mostly women and children, because all
4 the men were imprisoned.

5 Q. Did the HVO expel these women from those homes?

6 A. They were expelled from their homes by people, Croats,
7 who would come from Zenica, who did not have any place
8 to stay. They were expelled from their homes and they
9 would simply move in, so they would simply allow them to
10 take a few basic things, a bag with their personal
11 belongings. They would not allow them to take anything
12 else with them.

13 Q. What happened to the women who were expelled from their
14 homes?

15 A. I do not know exactly. I only know that in these few
16 houses of ours and of our relatives, they stayed there,
17 and later on, they went across HVO and BH-Army lines
18 there in Vitez towards Zenica and they continued living
19 in refugee camps there. They went on foot.

20 Q. With the assistance of the usher, if we could just go
21 back to the previous photograph, which is exhibit 56, it
22 is underneath the photograph that is on the easel.

23 JUDGE RIAD: Mr. Kehoe, perhaps I will take advantage of this
24 minute to have another clarification.

25 Mr. Beso, you said that your mother invited your

1 Croat neighbours to come and live with you; is that
2 right? Were these neighbours Croat who came and helped
3 her and gave her medicine?

4 A. Yes.

5 Q. So the relationship between Croat neighbours and Muslim
6 neighbours were good relations, or did she do that for
7 protection?

8 A. She did that to protect herself. That is why it was
9 done, because the people in Rijeka, some Croats were
10 willing to help, others were not.

11 Q. But you felt safe when this Croat family came and lived
12 with you?

13 A. Not me, I was not there at the time, I was in hospital.

14 JUDGE RIAD: I just meant your family. Thank you.

15 MR. KEHOE: Mr. President, with the court's permission,
16 Mr. Beso, if you could stand up once again at exhibit 56,
17 and if you could use the pointer and point to the area
18 that you described as Krcevine. I believe this is 56B?

19 A. This is the village of Krcevine (indicating).

20 Q. Is the exact place where you were digging trenches off
21 the photograph?

22 A. I cannot really find my way on this map, but it is a
23 little bit removed from the village of Krcevine where
24 the line was formed. I was digging trenches outside the
25 village. There was some kind of a building, something

1 like a chapel there.

2 MR. KEHOE: Your Honour, once again if I could ask the usher
3 to place this map; it can go right on top of those two.

4 This is a copy of exhibit 29.

5 I believe at this point this will be 29F, if I am
6 not mistaken, Mme Fauveau.

7 THE REGISTRAR: Yes, it is 29F.

8 MR. KEHOE: Mr. President, while this map is going up, may
9 I approach?

10 JUDGE JORDA: Yes, of course. It is for the witness to show
11 us where he dug trenches; is that so, Mr. Prosecutor?

12 MR. KEHOE: Yes, your Honour. We are going to use this map
13 to depict on this map exactly where he dug the trenches
14 and that will conclude the examination.

15 Once again, using the orange marker, Mr. Beso,
16 could you mark the three areas or circle the three areas
17 on this map where you dug trenches?

18 A. The village of Krcevine, the village of Ciganluk.

19 Q. You call it Sofa as well?

20 A. Yes. Pirici.

21 Q. You have marked it with three Roman numerals, your
22 Honour, I, II and III. Where else on this map were you
23 told people were digging trenches, if you can recall?

24 A. The village of Jardol.

25 Q. That is fine. Where else?

1 A. We called it Crveno Brdce, near the village of
2 Vraniska. Kuber. I do not know exactly where the lines
3 were, I was not there. When I was in the cinema, the
4 prisoners said that they went near the stadium; in the
5 direction of Stari Vitez, there were dugouts.

6 Q. Could you mark those as well? Did you also mention a
7 village called Krcevine Kuce?

8 A. There is a village known as Krizancevo Selo. Then there
9 are a few houses where the Krisance live, and we call
10 that Crveno Brdce, the red hill. It is near Dubravica,
11 I cannot seem to be able to find it on the map. Here
12 somewhere (indicates).

13 Q. The mark you have put is the approximate area near
14 Dubravica; is that right?

15 A. Yes, near Dubravica. I do not know exactly where the
16 lines were.

17 Q. Okay. Any other areas that you heard of, sir?

18 A. I do not know any more.

19 Q. Thank you. You can have a seat, sir. Mr. Beso, when you
20 went back to your brother's house in Kruscica after your
21 stay in the hospital, did there come a time when you
22 rejoined the army of Bosnia-Herzegovina?

23 A. Yes, I did.

24 Q. And you continue to be in the army of Bosnia-Herzegovina
25 today?

1 A. Yes, I am a professional soldier of the army of the
2 Federation of the Republic of Bosnia-Herzegovina.

3 Q. What rank do you hold in that army?

4 A. I have no rank; I am just a soldier, a private.

5 MR. KEHOE: Mr. President, if I might have one moment to
6 consult with my colleagues? (Pause). Your Honour, at
7 this time I have no further questions of Mr. Beso other
8 than I would like to admit into evidence Prosecutor's
9 exhibit 29F, 50B and 56B.

10 JUDGE JORDA: I see there are no objections on the part of
11 the Defence. In that case, I think that Defence can
12 continue with its cross-examination.

13 Mr. Beso, before you answer those questions,
14 I think the Prosecutor probably told you -- can you hear
15 me?

16 A. Yes.

17 JUDGE JORDA: Before you answer questions put to you by
18 Mr. Nobile, I suppose that the Prosecutor has told you
19 you are a witness for the Prosecution, you are appearing
20 before a court, you have a man who has been accused of
21 grave crimes, he needs to be defended, and you will now
22 be subjected to questions put to you by the Defence
23 lawyer or lawyers. After that, possibly additional
24 questions will be put to you by the Prosecution again,
25 whose witness you are. There always may be a couple of

1 questions put to you by the judges.

2 Mr. Nobile, you have the floor until roughly 1.00
3 pm.

4 Cross-examined by MR. NOBILO

5 Q. Thank you, Mr. President.

6 Mr. Beso, good day. I am Anto Nobile, Defence
7 counsel for General Blaskic. Can you tell me when the
8 people in Bosnia-Herzegovina started en masse to refuse
9 to join the JNA? Could you give us a date?

10 A. Well, when the war in Slovenia and Croatia started.

11 Q. You worked in a mechanics repair shop in the JNA; can we
12 call it a logistics service? What about the other
13 people who were working in logistics like cooks,
14 warehouse, guards and others? Did they undergo the same
15 training as you?

16 A. I do not know exactly, I had the training as I just
17 described it. Of course, they also had specialised
18 training as cooks, quartermasters, bakers.

19 Q. Yes, but I am asking about the infantry training, the
20 short infantry training.

21 A. Possibly, I do not know.

22 Q. Do you know that President Izetbegovic had proclaimed a
23 general mobilisation in Bosnia?

24 A. General mobilisation? Believe me, I do not know
25 exactly. You see, I did not engage in politics at all

1 and I did not watch television.

2 Q. But the question of young men joining the army, did they
3 do so on a voluntary basis or were people simply
4 mobilised to join?

5 A. It was mostly on a voluntary basis, because when it was
6 seen what was happening in Croatia and this was shown by
7 BH television, then, of course, the impressions
8 changed. We all knew that the JNA had withdrawn from
9 Slovenia almost entirely to Bosnia, so we knew something
10 would happen.

11 Q. Yes, but you in Vitez or you personally, were you called
12 up by the defence department, or did you go on your own
13 initiative some place?

14 A. I did get a call-up once. At first I refused and then
15 later on I joined voluntarily.

16 Q. But at first, you were called up. Tell me, what about
17 your colleagues, neighbours, Muslims? I am thinking of
18 the Muslims. Were they also called up; did they also
19 join the army?

20 A. It depended. Some did, some did not. Some went of
21 their own free will, some left Vitez, went abroad; it
22 depended on the personal circumstances.

23 Q. Do you know what was the age for admission to the
24 BH-Army, the minimum and the maximum age limit?

25 A. The main prerequisite was people who had completed their

1 service in the JNA. Later, if you were of age also you
2 could join the army.

3 Q. What was the upper age limit?

4 A. Believe me, I do not know.

5 Q. You were called up by whom, the first call-up papers?
6 Who sent them to you?

7 A. I received this call-up from the Defence Secretariat in
8 Vitez.

9 Q. When was this?

10 A. I do not know exactly, I do not know the date or the
11 period. It must have been when there were some problems
12 around Bosanski Brod. It was then, I think.

13 Q. Was that in 1992, 1993 or 1991? Can you at least tell
14 us the year?

15 A. It was in 1992, I think.

16 Q. Where were the officers of the National Defence
17 Secretariat in Vitez?

18 A. In the municipality building of Vitez.

19 Q. When you joined voluntarily the second time, where did
20 you report to, which building?

21 A. I reported to the building in Stari Vitez. It was the
22 fire brigade building there.

23 Q. When was that; do you remember the year at least?

24 A. Also 1992.

25 Q. Was it the end of 1992 or earlier? Was it winter?

- 1 A. I think it was the autumn, beginning of winter. I do
2 not know, I am not sure.
- 3 Q. When you joined, which unit did you join? We heard that
4 you guarded the relay station, but which unit did you
5 belong to?
- 6 A. How can I explain that to you? I was not in any
7 particular unit, I was simply assigned to that position
8 to secure the relay station. I do not know exactly how
9 many men there were. There were some younger people,
10 some older ones.
- 11 Q. And your brother, did he join the BH-Army voluntarily or
12 was he called up?
- 13 A. He went voluntarily.
- 14 Q. What unit did he join?
- 15 A. It was an infantry unit.
- 16 Q. Where was the command accommodated?
- 17 A. In old Vitez. For a time there was a kind of regional
18 headquarters in the village of Novaci near the
19 impregnacija in an office of the Motoring Society of
20 Vitez.
- 21 Q. And where was your command? Where was your
22 headquarters?
- 23 A. In old Vitez, and alternatively Stari Vitez and
24 Kruscica.
- 25 Q. But where did you report? Did you report to somebody

1 who gave you assignments?

2 A. Believe me, when I came to Stari Vitez, I was told what
3 to do. My duty was simply to go to the relay station
4 from my house. That was all.

5 Q. Did you have a commander, a superior?

6 A. There were three or four of us per shift, so we did not
7 need a commander.

8 Q. And who determined who would take which shift?

9 A. I do not know exactly; we would make our own
10 arrangements depending on our free time, when we were
11 available. That is how we did it.

12 Q. And when you agreed on something, did you report that to
13 somebody?

14 A. No, it was just important that somebody should be there.

15 Q. Did you have a uniform?

16 A. No.

17 Q. Did you have weapons?

18 A. No, I had a pistol, 9 millimetre pistol, with a regular
19 licence issued by the SUP in Vitez long before the war.
20 It was left to me by a relative who left for Switzerland
21 and when I was captured, when they searched my house, an
22 HVO member, Rajko Matkovic, took it away from me.

23 I showed him the licence but he seized it nevertheless.

24 Q. And your comrades who secured the relay station with
25 you, did they wear uniforms?

- 1 A. No, maybe some of them had trousers, but we did not
2 really have uniforms or weapons, nothing.
- 3 Q. What about at the relay station? Did anyone have a
4 rifle?
- 5 A. There was a Russian automatic rifle. We called it the
6 PPS, so it was there, it was always there.
- 7 Q. Did HVO units ever secure the relay station or was it
8 only the BH-Army that secured it?
- 9 A. The relay station was built, I think, in 1986 or 1987,
10 because we were in a kind of valley; we were surrounded
11 by hills, so the reception was not good, particularly in
12 the village of Kruscica, and so I think she
13 self-financed its construction and BH television,
14 Sarajevo studio in those days, helped to finance it.
- 15 Q. Yes, but during the war did the HVO secure the relay
16 station at all or only the BH-Army?
- 17 A. I do not believe that the HVO secured it, because it was
18 in a Muslim village, so the HVO did not come there at
19 all.
- 20 Q. Which was the village close to the relay?
- 21 A. It was the villages of Kruscica and Vraniska.
- 22 Q. In Kruscica, when you went to the relay station, did you
23 pass through Kruscica?
- 24 A. No, I went through Rijeka, and there was a short cut, so
25 it was much closer that way.

1 Q. In Kruscica, were you ever near the Lovac motel in 1992?

2 A. Yes, I had a girlfriend from Kruscica and we used to
3 walk there often.

4 Q. Did you see the HVO in the Lovac motel?

5 A. Yes, they were in the Lovac motel, in the Ribnjak -- it
6 was called the Ribnjak in those days and the Lovac
7 motel, yes, they were there.

8 Q. Do you know who was accommodated in 1992 in the Lovac
9 motel?

10 A. I do not know.

11 Q. Was it a headquarters?

12 A. I do not know. There were vehicles there and troops,
13 but what it was I do not know.

14 Q. Tell me, where were you on 15th April 1993? The
15 16th the shooting started, but the day before, where
16 were you?

17 A. I was at my girlfriend's. We spent a lot of time
18 together. I was in her house in Kruscica. I stayed
19 quite late, it was dark, I did not know anything, and in
20 the evening, about 10.00 or 10.30, I was going alone
21 along the road from Kruscica to my house. It took maybe
22 ten minutes on foot and I did not notice anything, only
23 close to my house, I met two neighbours, Croats, but
24 they were not in uniform, they were in civilian
25 clothes. We just said "good evening" to each other and

1 that is all.

2 Q. And the day before that where were you, on the 14th?

3 A. On the 14th?

4 Q. On the 15th you were with your girlfriend, but the day
5 before where were you?

6 A. Possibly I was at the relay station.

7 Q. Tell me, the 14th or 15th, did you see any convoy of
8 trucks, any large group of soldiers, 100, 200, 300, HVO
9 troops passing by or rallying?

10 A. You see, the situation was extremely tense.

11 Q. But can you please answer my question --

12 MR. KEHOE: Excuse me, counsel. Mr. Nobilo has asked a
13 question and when the witness was answering the
14 question, Mr. Nobilo broke in with another question.
15 I simply ask Mr. Nobilo to allow the witness to finish
16 his answer.

17 JUDGE JORDA: Objection sustained.

18 Mr. Nobilo, please give the witness time to finish
19 his answer.

20 MR. NOBILO: Mr. President, you know I hear the answer faster
21 than you, faster than the rest of the people in the
22 courtroom. The witness started answering something
23 else, so I begged him to answer my question first. My
24 intention was not to interrupt him.

25 Let me repeat. My question was: on 14th or

1 15th April, did you see any convoy of trucks with HVO
2 troops or infantry troops, 100, 200 or 300?

3 A. No, but my answer may be a bit longer. I did not see a
4 column of vehicles or a column of soldiers, but the
5 situation in Vitez in those days was extremely tense,
6 and if you went to the part of Vitez where the cinema
7 was, where the MUP was, there were soldiers there
8 always. HVO soldiers were always there, also near the
9 marketplace, near the health centre and non-stop they
10 would pass by my house in a car going to Kruscica where
11 they stayed in the hotels.

12 Q. But on the 14th and 15th, did you see a large group of
13 troops or not?

14 A. No.

15 Q. You said that there was tension in the air. How could
16 you feel this tension? How did you register this
17 tension? On what grounds could you describe in more
18 concrete terms this tension? What did it stem from?

19 A. Maybe I need a little more time to answer this
20 question. In Vitez, as everywhere else, one goes out in
21 the evening, one goes to cafes. Quite a large number of
22 Muslim cafes had been destroyed. Explosive devices were
23 planted there in the evening, and for a time the use of
24 the Bosnian dinar was prohibited in the marketplace, so
25 that all these events contributed to people staying home

1 or to more troops walking around town. That is the
2 tension I refer to.

3 Q. In Rijeka, was any Croat cafe blown up?

4 A. In Rijeka? I think one was hit, but it did not -- it
5 was not blown up, it continued working. I cannot
6 remember exactly when that happened and who did it.
7 I really do not know.

8 Q. What do you mean, "it was hit"?

9 A. It was hit with a projectile. What weapon was used
10 I really do not know. I did not pass there often
11 because I went towards Vitez passing by Sumarija.

12 Q. But the owner of the cafe was a Croat?

13 A. Yes, but this is just one case, whereas almost all the
14 Muslim owned cafes in Vitez, nothing was left of them.

15 Q. Apart from these cafes and bars in Vitez which were
16 blown up, what about relationships among neighbours?
17 Was there any harassment or mistreatment by your
18 neighbours in Rijeka?

19 A. No, there was no violence, only some people when you
20 said hello to them, they would turn their heads away,
21 but I am not really aware of any violence. Everybody
22 was afraid. There were people with faces masked that
23 would come into houses and loot them, but this did not
24 happen in our village in Rijeka.

25 Q. When you were arrested and later registered by the

1 Red Cross, how did you register, as a soldier or as a
2 civilian?

3 A. They did not even ask us that.

4 Q. They did not ask you?

5 A. No, just they asked you for your name and they give you
6 a number.

7 Q. But you were wearing civilian clothes and nobody asked
8 you whether you were a civilian or a soldier?

9 A. No, they did not, or at least I do not remember. I am
10 not sure.

11 Q. Among the civilians who were with you in captivity, what
12 age were the men; can you remember the age group?

13 A. At first, at the beginning, there were prisoners from 16
14 and I cannot remember the upper age limit. This lasted
15 for some time and then all those who were under age and
16 who were sick were released home.

17 Q. You cannot remember how many days you spent in the
18 veterinary station?

19 A. Believe me, I cannot.

20 JUDGE JORDA: Mr. Nobile, perhaps we can take advantage of
21 your quest for your next question to stop here. We will
22 resume work at 2.30.

23 (1.00 pm)

24 (Adjourned until 2.30 pm)

25

1 (2.30 pm)

2 JUDGE JORDA: The hearing is resumed. Madam Registrar,
3 please bring in the accused.

4 (Accused brought in)

5 JUDGE JORDA: Please sit down, we shall now continue.

6 Mr. Nobilo?

7 MR. NOBILO: Mr. Beso, when you finished your treatment at the
8 Travnik hospital -- actually, can you tell me, during
9 your treatment, under whose control was this hospital,
10 or rather the ward where you were? Which army?

11 A. There was no army there at all; this was the hospital in
12 Travnik. Actually both the BH-Army and the HVO were
13 then in Travnik.

14 Q. In which part of Travnik was the hospital, where the HVO
15 was or where the army was?

16 A. At that time they were together in Travnik.

17 Q. When you went from Travnik, I think you said you went to
18 see your brother in Kruscica?

19 A. Yes.

20 Q. How did you get there, by car, on foot?

21 A. I went through forests; it was a long way to go.

22 Q. That is to say on foot, right?

23 A. Yes, I walked for two days.

24 Q. Under whose control was that area?

25 A. The army of the BH.

1 Q. When you came to Kruscica, under whose control was
2 Kruscica?

3 A. Also the army of the BH.

4 MR. NOBILO: Mr. President, I kindly request that we look at
5 one of the maps. I know that the witness said he was
6 digging trenches, so I am not going to ask him about
7 those places, but I want to expand a bit on that.

8 JUDGE JORDA: Very well. Please proceed, Mr. Nobilo.

9 MR. NOBILO: Mr. Beso, you spoke about trenches --

10 JUDGE JORDA: Mr. Prosecutor, yes?

11 MR. KEHOE: Excuse me, Mr. President, I hate to interrupt, but
12 I thought counsel was going to tell us what we are
13 putting on the board up here. I suspect before we start
14 talking about it we should identify it.

15 JUDGE JORDA: I think Mr. Nobilo said this was a map we would
16 be looking at. However if you could truly identify this
17 map.

18 MR. NOBILO: Zenica 4, which includes the area of Vitez, the
19 Yugoslav People's Army produced this map 1 to 50,000.
20 This is a standard army map that was used in the former
21 Yugoslavia, the same as the ones we have been using so
22 far.

23 MR. KEHOE: May I just take a look at the map, your Honour,
24 please?

25 JUDGE JORDA: Of course, Mr. Kehoe, please do.

1 MR. KEHOE: My only request with regard to the use of this
2 map at any time this map has been used, and it is in the
3 record on numerous other occasions, the map is wrong
4 with regard to this city up in the upper left-hand
5 corner which is known as Han Bila; that is what it is
6 listed as. One of the other maps had a Bila up here.
7 I stand corrected, this one is in fact correct. I am
8 sorry. If I could stand up here Mr. President while this
9 goes on?

10 JUDGE JORDA: Yes, if you so wish, Mr. Kehoe.

11 MR. NOBILO: Mr. Beso, when you were first digging trenches --
12 could you please get up, sir? Which places were held by
13 the HVO; which positions were held by the HVO? So the
14 first time when you went to dig trenches -- could you
15 please get up and show this?

16 A. In the municipality of Vitez?

17 Q. When you went to dig trenches the first time, what was
18 the position of the HVO army? Which positions were held
19 by the HVO en route to the place where you were digging
20 trenches and in the place where you were digging
21 trenches. Could you please show that to us?

22 A. This is Vitez somewhere around here (indicates).

23 Q. You are now showing HVO positions, right?

24 A. I showed it the first time.

25 Q. I am going to mark HVO positions with a blue pen.

1 JUDGE JORDA: Mr. Nobilo, so there should be no ambiguity,
2 your question was to give the positions of the HVO. We
3 do not know whether the witness is a military expert to
4 be able to give you those positions. He answered by
5 saying that he dug trenches. So was your question the
6 military positions of the HVO?

7 MR. NOBILO: Yes, exactly, whether military positions of the
8 HVO were where he was digging trenches. That was my
9 question.

10 Tell me, the positions of the BH-Army, did you see
11 them as opposed to this, what the BH-Army held near the
12 place where you were digging trenches?

13 A. They were then in the village of Kruscica.

14 Q. Can you indicate the village of Kruscica?

15 A. Yes, I can.

16 Q. Can you mark it this way? The second time you went to
17 dig trenches, can you show us the place where you went
18 to dig trenches then?

19 A. (indicating).

20 Q. So I am marking BH-Army positions with a red marker as
21 the witness indicates it and I am showing HVO positions
22 with a blue marker. So who held Pirici?

23 A. Pirici used to be a Muslim village and later they were
24 held by the HVO when I came there to dig trenches.

25 Q. The trench that you were digging and the positions that

1 were held by HVO near Pirici, which village did it face;
2 where was the BH-Army?

3 A. Poculice, Vrhovine.

4 Q. Can you show the positions of the HVO that you saw?

5 A. Above the village of Pirici, I do not know exactly
6 where.

7 Q. From the position where you were digging trenches, could
8 you see the positions of the BH-Army? Could you see the
9 soldiers of the BH-Army?

10 A. No, how could you see them? The HVO soldiers were
11 hiding and the BH-Army soldiers were hiding and we were
12 like a zone in between.

13 Q. Did anybody tell you or did you know where BH-Army
14 soldiers were?

15 A. A member of the HVO explained it to us; just by his
16 hands he was showing us where they were.

17 Q. What did he say? At what distance were the BH-Army
18 soldiers from the place where you were?

19 A. He was not speaking in terms of metres. He was just
20 saying approximately that they were there in that
21 forest, that they are here or there, near this house or
22 that house.

23 Q. How far away was that house and how far away was that
24 forest from the place where you were standing and in
25 what direction?

- 1 A. I was not familiar with the terrain. I just know the
2 village here, Pirici, Ahmici, Sivrino Selo and then
3 Poculica, Vrhovine and further on towards Zenica.
- 4 Q. Who held Poculica and Vrhovine?
- 5 A. The Army of the Republic of Bosnia-Herzegovina.
- 6 Q. Who held Sivrino Selo?
- 7 A. Also the Army of the Republic of Bosnia-Herzegovina.
- 8 Q. Can you indicate Sivrino Selo to me? So we are going to
9 circle it this way, right?
- 10 A. Yes.
- 11 Q. Poculica? When you went to dig trenches for the third
12 time, could you indicate the positions of the HVO to me?
- 13 A. The village of Krcevine.
- 14 Q. Was the village of Krcevine held by the HVO?
- 15 A. Yes.
- 16 Q. Was its position immediately at the very first point in
17 the village?
- 18 A. Further up towards Bocko, Tolovici, Ljubic. I do not
19 know, I do not know the area.
- 20 Q. Can we indicate the HVO army positions here?
- 21 A. Yes.
- 22 Q. Who held Tolovici, can you tell me?
- 23 A. The army.
- 24 Q. Can you show Tolovici? Tell me, above Krcevine, where
25 was the BH-Army to the best of your knowledge?

- 1 A. What do you mean?
- 2 Q. Where were the closest positions of the BH-Army in
3 relation to Krcevine?
- 4 A. I do not know.
- 5 Q. So this was the third time that you were digging
6 trenches. Did you hold any other positions -- did you
7 go to dig trenches elsewhere?
- 8 A. No, I did not go anywhere else, although I heard that
9 there were some groups that went to other places as
10 well.
- 11 Q. Now these groups that you heard about, did they tell you
12 where the BH-Army was and where the HVO was?
- 13 A. No, nobody knew it at the time, because you could not
14 see anything properly, only if you heard something from
15 the soldiers.
- 16 Q. Who held Kuber at the time?
- 17 A. Kuber?
- 18 Q. Yes.
- 19 A. I am not sure, but I know prisoners also went to dig
20 trenches there. Where the lines were, whether they were
21 here, I do not know exactly. They were nearby, near
22 Kuber.
- 23 Q. So the BH-Army and the HVO had their lines in Kuber,
24 right? Can we mark them? Where is Kuber; can you show
25 it to me?

1 MR. KEHOE: Excuse me, your Honour, the witness just said he
2 did not know where the lines were in Kuber and counsel
3 then wants to mark lines on Kuber.

4 JUDGE JORDA: It is the President who is going to
5 intervene. Mr. Beso, will you turn to face me. Do you
6 consider yourself capable of answering the questions?
7 Is it within your competence as a military man to answer
8 the questions put to you by Mr. Nobilo? Will you tell me
9 yes or no.

10 A. Not really. I can show you where Kuber is, but I cannot
11 really show you where the lines were.

12 JUDGE JORDA: Therefore, Mr. Nobilo, please proceed to
13 another question.

14 MR. NOBILO: Mr. Beso, when did you come to Kruscica from the
15 hospital? Can you tell us when this was?

16 A. I do not know the exact date.

17 Q. Can you tell me the month and year?

18 A. Perhaps the beginning of August 1993.

19 Q. So the beginning of August of 1993. Did you immediately
20 join the BH-Army in Kruscica?

21 A. No, I was spared for about two months.

22 Q. So you became a soldier for the BH-Army in Kruscica two
23 months after you arrived there; this was in October?

24 MR. KEHOE: The interpreter cannot hear the witness, what the
25 witness is saying. The witness needs to speak into the

1 microphone.

2 MR. NOBILO: I am repeating my question: is it true that in
3 October 1993 you became a BH-Army soldier in Kruscica?

4 A. That was before the conflict between the HVO and the
5 BH-Army. That was October 1992.

6 Q. Now we are talking about 1993?

7 JUDGE JORDA: Mr. Nobilo, perhaps it would be more
8 comfortable if you do not need the map any more, then
9 the witness could speak from his seat if you do not need
10 the map any more; it may be more comfortable for
11 everyone.

12 MR. NOBILO: But I will need him again after two or three
13 questions by the map too.

14 I asked you, after your return from the hospital,
15 when did you become a soldier of the BH-Army again?

16 A. This was the end of September 1993.

17 Q. Then, as a soldier, were you aware of BH army positions
18 in Kruscica and in the municipality of Vitez in general?

19 A. At that time, I was guarding the waterworks of Elicja.
20 This is also in Kruscica, that is the water works
21 supplying Vitez and Zenica.

22 Q. Do you know which places were held by the BH-Army and
23 which places were held by HVO after you became a
24 soldier?

25 A. You mean in the municipality of Vitez? The Armija was

1 in part of Stari Vitez, the villages of Busovaca --

2 Q. I will mark with a red X the places where the BH-Army
3 was. Ljubic.

4 A. Poculica, the village of Kruscica, Vranjska, Sanovaca,
5 Poculica, Vrhovine.

6 Q. Only the villages?

7 A. I know where the villages were.

8 Q. Tell me, do you know any other places that the BH-Army
9 held?

10 A. Tolovici, as we said; these other villages.

11 MR. NOBILO: Thank you. Mr. President, I wish to indicate
12 that the red pen is BH-Army. I wish to indicate that on
13 the map, the red pen is the BH-Army and the blue pen is
14 the HVO, and I should also like to mark 1993, if you
15 agree.

16 JUDGE JORDA: The position is indicated by the witness, of
17 course, Mr. Nobile, according to the witness.

18 MR. KEHOE: If I may, Mr. President, what the witness said was
19 that he was asked to dig trenches at three different
20 locations and he said that was in April/May 1993, and
21 then counsel jumped ahead to October 1993, to go into
22 positions in October 1993. That is quite different than
23 what Mr. Nobile wanted to put on this chart.

24 MR. HAYMAN: They are marked differently, your Honour, with
25 crosses and some with lines. The map is absolutely

1 clear.

2 JUDGE JORDA: Mr. Hayman. Perhaps what would be simplest,
3 Mr. Nobile, is that you indicate on the map as you have
4 done for each of your exhibits the dates to which these
5 positions of the BH-Army and the HVO correspond with big
6 letters and figures.

7 Mr. Kehoe, would you like to approach the map?

8 MR. KEHOE: Yes, Mr. President, thank you.

9 MR. NOBILO: Mr. Beso, you were digging trenches some time in
10 April 1993 --

11 JUDGE JORDA: Excuse me, Mr. Nobile. The date, because that
12 is what was disputed by the Prosecution. Can you
13 indicate on the map as you have done on other occasions
14 the month and the year to which these indications given
15 by the witness apply. Thank you.

16 MR. NOBILO: Mr. President, that is exactly what I intended to
17 do, but I am just double-checking with the witness.

18 JUDGE JORDA: I apologise in that case.

19 MR. NOBILO: Therefore you were digging trenches in April
20 1993. You joined the army of Bosnia-Herzegovina when,
21 in September, after your treatment in Travnik?

22 A. The end of September 1993, perhaps even the beginning of
23 October.

24 Q. So we have put down October 1993 with an X, the BH-Army
25 with red and the HVO is marked with a blue pen, and

1 April 1993 BH army is red but with a line. Is this
2 clear enough?

3 MR. KEHOE: Your Honour, that is not --

4 JUDGE JORDA: Is that clear, Mr. Kehoe now?

5 MR. KEHOE: Once again, it is not clear, your Honour, and
6 that is not what the witness testified to. What the
7 witness testified to on the blue marks are the locations
8 that he dug trenches at. That is quite different from
9 saying this is the lines. That was what this witness
10 said were the trench-digging locations, nothing more.

11 JUDGE JORDA: No, I am not at all in agreement with you,
12 Mr. Kehoe. The Defence was very clear. He asked
13 questions to the witness regarding the lines of the HVO,
14 and of the BH-Army. In fact, I intervened and asked
15 whether he was capable of answering those questions and
16 we continued without any objections, so Mr. Nobile
17 continued. You can say what you like about it, but
18 I think the situation is very clear. He was not in a
19 position not to be able to answer those questions.

20 For the last time, Mr. Beso, listen to me carefully
21 without any fear. Does this map correspond correctly to
22 the defence lines or the attack lines of each of the two
23 armies as you were able to perceive them while digging
24 trenches. Please, look at the map once again, take your
25 time and tell us whether this fully corresponds to the

1 positions of the Bosnian Army or of the HVO. Does it
2 correspond to what you wish to reply to Mr. Nobile's
3 question? Please be at rest, this is simply for the
4 purpose of clarification.

5 A. It is all right; it is fine.

6 JUDGE JORDA: Mr. Kehoe, the witness has answered. You can
7 now go on to your next question, Mr. Nobile.

8 You may sit down, Mr. Beso.

9 MR. NOBILLO: Mr. Beso, you are a professional soldier. What
10 purpose do trenches serve?

11 A. What purpose does a trench serve? A trench serves the
12 purpose of protection so that a soldier can be protected
13 in a trench.

14 Q. Is a trench used for offensive military actions or for
15 defence?

16 A. It depends. You can get ready in a trench to mount an
17 offensive if you want. That can be your initial
18 position, but naturally it is also used for defence
19 purposes too.

20 Q. As a rule, what are trenches used for in the army? What
21 do they teach you?

22 A. Just as I said right now.

23 Q. All right, thank you. When the young man took you to
24 the cinema hall, once you said that he said he was from
25 Zagreb and on another occasion he said from Kotor

1 Varos. What did he explain to you? Did he have orders
2 to take you?

3 A. We did not have any kind of contact. We did not talk at
4 all. He just came; he picked us up. I do not know
5 whether he had orders or not when we came into the
6 cinema hall. I do not know what it looked like. We
7 were taken over by a military policeman. This man left
8 immediately and I never saw him again.

9 Q. Did you hear about Kotor Varos, Kobojna, a unit of the
10 HVO?

11 A. No.

12 Q. You said that the first position where you were
13 detained, you were fed by the leftovers of the food that
14 the army had. I am interested in where you got these
15 leftovers from, from the plates of the soldiers or from
16 the pot where the dish was prepared?

17 A. No, from the pot, and also wherever we went to dig
18 trenches we always got canned fish too, but naturally
19 you do not get it to take it with you. They come when
20 they think we are hungry so it was not regular meals
21 that we had.

22 Q. When you got food from the pot, does that mean that you
23 were given the same food as the soldiers were?

24 A. Yes, in certain places.

25 Q. When you came to Kruscica, when you became a soldier,

1 what unit did you join?

2 A. I was assigned to guard the Elicja waterworks; that was
3 where I was a guard.

4 Q. That was your duty, but what unit did you belong to?

5 A. What do you mean "what unit"; what brigade or something?

6 Q. Yes, what unit?

7 A. The 325th Brigade.

8 Q. Were its headquarters, its command in Kruscica?

9 A. I do not think so. The command of the brigade was not
10 in Kruscica then; I do not know.

11 Q. The 325th Brigade, how many battalions did it have; do
12 you know?

13 A. I do not know, three or four; I do not know exactly.
14 Perhaps after the war -- I do not know during the war,
15 during the fighting between the army and the HVO, how
16 many there were.

17 Q. I am asking you about the period when you were there in
18 1993, and how many soldiers did the 325th Brigade have?

19 A. I really do not know.

20 Q. As a soldier, you were not directly the member of the
21 brigade but of a battalion; of what battalion?

22 A. Of the 1st battalion.

23 Q. Where was its command?

24 A. In Kruscica.

25 Q. How many soldiers did your battalion have?

1 A. I do not know. Most of these people were locals, from
2 Kruscica.

3 Q. As a soldier, you did not belong to the battalion but
4 probably a unit that was smaller than the battalion, a
5 company?

6 A. I was in the guard service, as I said already.
7 I guarded the waterworks; the waterworks were far away
8 in the forest.

9 Q. But were you the member of a company or the
10 1st battalion of the 325th Brigade?

11 A. No.

12 Q. The people from Zenica, the Croats who were refugees and
13 who expelled certain Muslims from their houses, did they
14 come with their families with their wives and children
15 to live there?

16 A. I do not know. While I was there, there were only
17 soldiers there and later on I think their families came
18 in too, at least that was the situation in the case of a
19 relative of mine. A soldier came and asked him whether
20 he would give him his house and whether he could take
21 over his house in Zenica and so they would take their
22 respective families there, but this relative of mine did
23 not agree upon it, only after he was expelled from the
24 house.

25 Q. You were from Rijeka. Was not Darko Kraljevic your

1 neighbour?

2 A. Yes.

3 Q. Did he live far away from your house?

4 A. He lived nearby.

5 Q. Do you know him personally?

6 A. Yes, him and his brother and their parents.

7 Q. That is Darko Kraljevic who commanded Vitezovi; are we
8 referring to the same person?

9 A. Yes.

10 Q. Tell me, what do you know about Darko Kraljevic?

11 A. I knew Darko before the war. I knew him well; we lived
12 nearby. He went to school with a relative of mine. We
13 even went out together on some occasions. At the
14 beginning of the war, I hardly ever saw him. Whenever
15 I did, he was in uniform, a few times in Vitez by the
16 hotel. At home, whenever I would see him, some soldiers
17 were always there too.

18 Q. What did you hear about these soldiers of theirs, this
19 army of his?

20 A. I know first of all that they were members of the HOS.
21 That is the only thing I heard, and later, that they
22 went out of the HOS and that they became Vitezovi, I do
23 not know why. I heard about that, that HOS in Zenica
24 had joined the army of Bosnia-Herzegovina. I do not
25 know if that was the reason why they got out of HOS;

1 I do not know.

2 Q. Darko Kraljevic, was he violent?

3 A. Not towards me, no. When we met, we would say hello.

4 Q. But what did you hear about him in relation to others?
5 What kind of man was he?

6 A. I do not know. Few people saw him often, at least the
7 people I had any contact with. They did not talk about
8 him.

9 Q. Do you know anything more about this unit and about
10 Darko?

11 A. You mean the Vitezovi?

12 Q. Yes.

13 A. I know that they were some kind of intervention force.
14 They were accommodated in Vitez; I do not exactly know
15 which part of Vitez. I heard it said that when there
16 was a conflict with the HVO, they were in a cafe in
17 Vitez called the Banta.

18 MR. NOBILO: Thank you. I would like to tender this map as
19 evidence of the Defence.

20 JUDGE JORDA: Yes. Mme Fauveau, what will be the number?

21 THE REGISTRAR: D48.

22 JUDGE JORDA: D48. Mr. Prosecutor, you have no specific
23 objections?

24 MR. KEHOE: No objection, Mr. President.

25 MR. NOBILO: Mr. President, we have completed our

1 cross-examination.

2 JUDGE JORDA: Very well. I turn to the Prosecution again.

3 Do you have any re-examination?

4 Re-examined by MR. KEHOE

5 Q. Very, very briefly, your Honour.

6 With regard to Darko Kraljevic, you were asked
7 some questions by Defence counsel concerning Darko
8 Kraljevic and you said you saw him in uniform by the
9 hotel in Vitez. What hotel are you talking about?

10 A. The hotel in Vitez. It was called the Vitez hotel. It
11 did not have any other special name. Vitez hotel.

12 Q. How many times did you see him at the hotel Vitez? I am
13 talking about Darko Kraljevic.

14 A. I did not enter the hotel; I would see him nearby, in
15 front of the hotel. I do not know exactly how often,
16 but several times, not often.

17 Q. You explained, again in response to a question by
18 Defence counsel concerning a relative of yours who was
19 asked to exchange his house and refused and after he
20 refused he was expelled; is that correct?

21 A. Yes.

22 JUDGE JORDA: That question has already been answered.

23 There is no need to insist on it any longer. It has
24 been answered.

25 MR. KEHOE: I am just asking a follow-up question about where

1 that location --

2 JUDGE JORDA: I see, you were preparing a question. There
3 is a question mark in the transcript. Go ahead,
4 please.

5 MR. KEHOE: Mr. Beso, where was it that your relative was
6 expelled when he refused to exchange his house?

7 A. Towards Zenica.

8 Q. Where was he living?

9 A. He was living in the neighbourhood, also in Rijeka.

10 Q. Near your home?

11 A. Yes.

12 Q. You were asked some questions again by Defence counsel
13 concerning the Red Cross, and whether you were asked by
14 the Red Cross if you were a civilian or a soldier. Do
15 you recall that question by Defence counsel?

16 A. I do, yes.

17 Q. Were there civilians as well as soldiers being held in
18 the cinema at the same time?

19 A. No, only civilians. I do not know about soldiers.

20 Q. I believe the map that Defence counsel put into evidence
21 is D48; Mme Fauveau, is that correct, D48?

22 THE REGISTRAR: Yes, that is correct, D48.

23 MR. KEHOE: Thank you. You marked three locations on the map
24 on the easel in response to questions by the Defence and
25 you marked three locations that are marked in blue. Do

1 you see those?

2 A. Yes.

3 Q. Those are the three locations that you were at, digging
4 trenches; is that correct?

5 A. Yes.

6 Q. Do you know every other place that the HVO troops were
7 deployed in that area during the period of time that you
8 were being held in custody both in the veterinary
9 station and in the cinema?

10 A. No, I do not.

11 MR. KEHOE: Mr. President, if I might have one moment to
12 consult with my colleagues. (Pause).

13 Mr. President, we have no further questions of this
14 witness.

15 JUDGE JORDA: Thank you. Let me check with my colleagues
16 whether they have any questions.

17 Yes, Judge Riad?

18 JUDGE RIAD: Mr. Beso, I think if I heard you rightly you
19 said that you were arrested when you went out of the
20 shelter where you were hiding with your mother, I think,
21 and your grandmother. On that date, were you a soldier
22 in the BH-Army or not yet?

23 A. I was, but I was on leave at home.

24 Q. You were not armed; you did not participate in any
25 fighting at that time?

1 A. No.

2 Q. You also said that some local Serbs served in the HVO;
3 is that right?

4 A. Yes, I saw them when I was digging trenches at Sofa.
5 That is where they lived too.

6 Q. Did also some Muslims join the HVO? Shall I repeat?

7 A. No, it is okay. No, I did not notice a single one, nor
8 did I see a single one.

9 Q. You told us the event when Jusuf Ibrakovic tried to
10 escape and you said they split his head and started
11 killing him until he fell down. Then the Commander,
12 Slavko Papic, suggested that they should kill someone
13 else as an example to scare the others. Did they kill
14 other people just to give an example or they did not do
15 that; it was just words?

16 A. Those were just threats. While I was there, there were
17 no more such instances.

18 Q. You also spoke of the death of Almir Gadjun, who was
19 killed when you were digging trenches facing the village
20 of Krcevine, is that right, in the forest? He was shot
21 and then he died when he was carried to the hospital.
22 Was that very close to the front, to the line of where
23 there was exchange of fires? Did you continue after
24 that still digging trenches or did you withdraw?

25 A. Yes, the line was very close, close to where we were

1 diggings the lines of the BH-Army and the HVO, and when
2 all this happened with him, we went on digging and doing
3 what we were told.

4 Q. Was anybody else killed after that?

5 A. Not in my group.

6 Q. In other groups that you know of?

7 A. I do not know.

8 JUDGE RIAD: Thank you very much.

9 JUDGE SHAHABUDDEN: Mr. Beso, I confess to being slow in
10 following maps, so will you be patient with me and help
11 me to follow the map on the easel, exhibit D48?
12 I invite you first of all to look at the indications
13 given for April 1993. You have already explained that
14 you could not tell whether in April 1993 the HVO had
15 other positions, or, if they had, you could not tell
16 where those positions were.

17 Look at the map and see if you agree with my own
18 observation. There are three trench-digging positions
19 which you have indicated for April 1993; is that
20 correct?

21 A. Those were three locations where I was digging.

22 Q. Right.

23 A. There were more locations, and I do not know the exact
24 places.

25 Q. I understand. For April 1993, how many army positions

1 have you indicated on the map?

2 A. I only know about the positions where I was digging.

3 Those are the three that I have indicated in blue ink,
4 in blue marker.

5 Q. What about the ones in red, the red curved lines? What
6 were they intended to indicate? Not the red crosses,
7 the red curved lines.

8 A. Those were in my opinion the positions of the army of
9 Bosnia-Herzegovina. Whether they actually were there,
10 I do not know.

11 Q. Do you count with me four or five of those lines? How
12 many lines do you count like that?

13 A. There are four lines, but this was in answer to one of
14 the questions put to me by Mr. Nobile.

15 Q. I know. Is the red dot intended also to indicate the
16 position of the army in Stari Vitez in April?

17 A. Yes.

18 Q. In April 1993, did the HVO hold a position in Vitez?

19 A. I do not quite understand the question.

20 Q. In April 1993, did the HVO hold a position in Vitez, not
21 in Stari Vitez, but in Vitez proper?

22 A. When on April 16th the conflict started, we who were
23 captured were actually used to inform about certain
24 positions -- were used to form positions.

25 Q. I see. I will not pursue that aspect. Let us turn to

1 October 1993. On the map you have indicated with
2 crosses the positions then occupied by the army. How
3 many crosses have you marked? I count nine.

4 A. This was also in answer to a question by Mr. Nobilo.
5 These are Muslim villages. They are all Muslim villages
6 in the municipality of Vitez, so they are the ones
7 I indicated.

8 Q. You said they are villages. Were they positions
9 occupied by the army?

10 A. Yes. I do not know exactly, all of them.

11 Q. In that same month, October 1993, did the HVO occupy any
12 positions?

13 A. I think so, yes.

14 Q. On that map, for October 1993, have you indicated any
15 HVO positions?

16 A. I did not know at the time where the HVO positions were.

17 Q. Should I understand you then to be saying that on that
18 map, for October 1993, you have not indicated any HVO
19 positions because you did not know where any such
20 positions were; is that your position today?

21 A. I do not know where the positions were.

22 Q. So although on that map for October 1993 you have
23 indicated nine positions for the army and no positions
24 for the HVO, that did not necessarily mean that the HVO
25 did not then occupy any positions?

1 A. The HVO also had positions, only I do not know where.
2 I mentioned here the villages in which the Muslims were
3 in the majority within the Vitez municipality, and there
4 were positions.

5 JUDGE SHAHABUDDEN: Thank you.

6 JUDGE JORDA: Mr. Beso, the Tribunal wishes to thank you. We
7 know that this must have entailed a great deal of effort
8 to revive all those memories. You can now return home,
9 hopefully to find some tranquility and when you are seen
10 out by the Registrar, we can have the next witness.

11 Mr. Usher, will you please see the witness out.

12 (The witness withdrew)

13 JUDGE JORDA: Mr. Prosecutor, next witness.

14 MR. HARMON: Thank you, Mr. President. Good afternoon,
15 your Honours. Our next witness will be Mr. Sulejman
16 Kavazovic.

17 JUDGE JORDA: Mr. Mark Harmon, before the witness comes in,
18 you have indicated approximately, of course, that you
19 will need about two and a half hours; is that so?

20 MR. HARMON: That is correct, your Honour.

21 (Witness entered court)

22 JUDGE JORDA: Good afternoon. Can you hear me, sir in your
23 own language?

24 THE WITNESS: Yes, I hear you well.

25 JUDGE JORDA: Very well. Before reading the statement, will

1 you please give us your name and surname?

2 THE WITNESS: My name is Sulejman Kavazovic.

3 JUDGE JORDA: Thank you. You are going to read the
4 declaration given to you by the usher. Read it,
5 please.

6 SULEJMAN KAVAZOVIC (sworn)

7 JUDGE JORDA: Thank you. Mr. Kavazovic, you may sit down.

8 A. Thank you.

9 JUDGE JORDA: You have been cited by the Prosecution within
10 the framework of a trial against General Blaskic. You
11 are before judges, so you can speak without
12 apprehensions. It will first be the Prosecution that
13 will be asking you questions, then the Defence. For the
14 moment it is the Prosecution.

15 Mr. Harmon, you have the floor.

16 Examined by MR. HARMON

17 Q. Thank you.

18 Mr. Kavazovic, could you please state your age?

19 A. I was born on 15th July 1969. I am 28 years old.

20 Q. Where were you born?

21 A. I was born in Vrhovine, Vitez.

22 Q. Where is that in respect of the village of Ahmici?

23 A. It is three kilometres from the village of Ahmici.

24 Q. In the direction of Zenica?

25 A. Yes, towards Zenica.

- 1 Q. What is your educational background?
- 2 A. I am a traffic technician. This is completed secondary
3 school level.
- 4 Q. Where did you go to high school and to grade school?
5 Could you please inform the Trial Chamber of that
6 information.
- 7 A. I completed my secondary technical education at the
8 Bosta Asta (?) People's University, as it was called, in
9 Belgrade.
- 10 Q. What year was that?
- 11 A. In 1987/1988.
- 12 Q. Before moving to Belgrade, when did you leave the
13 municipality of Vitez to go to Belgrade?
- 14 A. In 1984. 1983/1984.
- 15 Q. After you graduated from school in Belgrade, what did
16 you do?
- 17 A. I joined the Yugoslav People's Army.
- 18 Q. For how long?
- 19 A. For a year.
- 20 Q. What were your duties and responsibilities in the JNA?
- 21 A. I was a squadron leader.
- 22 Q. What type of a squadron was that, Mr. Kavazovic?
- 23 A. It was mountain infantry.
- 24 Q. After you completed your one-year service in the JNA,
25 what did you do?

- 1 A. I went to Belgrade again.
- 2 Q. What did you do in Belgrade?
- 3 A. I worked in a company as the head of the rolling stock
- 4 in a transport company.
- 5 Q. So you were in charge of trucks; is that right?
- 6 A. Yes, something like that.
- 7 Q. How long did you stay in Belgrade before you returned to
- 8 the Vitez municipality?
- 9 A. Until 18th February 1992.
- 10 Q. Why did you leave Belgrade?
- 11 A. Because I was going to be mobilised. I had permanent
- 12 residence in Belgrade, and I expected to be mobilised as
- 13 a reservist into the JNA.
- 14 Q. I take it that is something you did not want to do so
- 15 you left Belgrade and returned to the Vitez
- 16 municipality; is that correct?
- 17 A. I did not want that.
- 18 Q. After you returned to the Vitez municipality, what did
- 19 you do?
- 20 A. For a while, I stayed with my parents, for about ten or
- 21 fifteen days. Then I volunteered into the headquarters
- 22 of the Territorial Defence in Vitez.
- 23 Q. At the time you joined the Territorial Defence in Vitez,
- 24 did Bosnian Croats also join the Territorial Defence?
- 25 A. Yes.

1 Q. Mr. President, I did not get a translation?

2 A. I knew 13 or 14 Croats who were with me in the
3 Territorial Defence.

4 Q. Can you tell me those Bosnian Croats by name, can you
5 identify who joined the TO with you?

6 A. I can. The first was Anto Furundzija, the second Zlatko
7 Nakic, another Vlatko Mladic, Stipo Zigonja, Zeljo
8 Sajevic, Zeljo Vrebac. Number 8 was Dragan Calic;
9 Dragan Matkovic was the ninth; Vladko Malic was the
10 tenth. There was an eleventh one, surname Botic,
11 I cannot recall his first name. I remember his surname
12 was Botic.

13 Q. Who was the commander of the Territorial Defence when
14 you volunteered to join?

15 JUDGE JORDA: Mr. Prosecutor, it is 3.40. I let you ask the
16 first question regarding the basic identification
17 elements. Perhaps it would be a good idea to have a
18 break now until 4.00 pm.

19 (3.40 pm)

20 (A short break)

21 (4.00 pm)

22 JUDGE JORDA: The hearing is resumed. Madam Registrar,
23 please have the accused brought in.

24 (Accused brought in)

25 JUDGE JORDA: Mr. Prosecutor?

- 1 MR. HARMON: Thank you, Mr. President. Mr. Kavazovic, who was
2 the Commander of the Territorial Defence when you joined
3 it after returning from Belgrade?
- 4 A. The Commander of the Territorial Defence upon my return
5 to Belgrade when I volunteered was Major Hakiija Cengic.
- 6 Q. What were your duties and responsibilities in the
7 Territorial Defence after you joined?
- 8 A. When I joined the Territorial Defence, I did not have
9 any special duties, I was a plain soldier.
- 10 Q. Later on, did you have specific duties and
11 responsibilities in the Territorial Defence?
- 12 A. I was the Commander's driver.
- 13 Q. Did you later have additional duties and
14 responsibilities?
- 15 A. On 24th July, I was appointed as head of the
16 transportation unit of the municipal Territorial Defence
17 staff in Vitez.
- 18 Q. Thank you. Mr. Kavazovic, while you were living in
19 Vitez, were you arrested by the HVO?
- 20 A. While I lived in Vitez, I was arrested by the HVO on
21 three occasions. The first time --
- 22 Q. Please tell us about the first time.
- 23 A. The first time, I was a civilian. I was not wearing a
24 uniform, I did not even have anything. I was normally
25 walking around town, and three HVO soldiers stood in

1 front of me, all of a sudden, with Vlado Santic and they
2 asked me to come with them to the hotel Vitez and I came
3 with them to the Vitez hotel. We entered the building
4 from the other side, not from the main entrance; that is
5 to say we used a different entrance. We walked into a
6 room where I was interrogated.

7 Q. Let me ask you about Vlado Santic.

8 JUDGE RIAD: Just a second, excuse me. When was that,
9 exactly, when you were arrested as a civilian? Do you
10 remember the date approximately?

11 A. The date was 7th September, or 8th September, something
12 like that.

13 Q. 1992?

14 A. 1992, yes.

15 MR. HARMON: You mentioned the name Vlado Santic. Did you
16 know Vlado Santic before your arrest?

17 A. I knew Vlado Santic as a policeman in the Yugoslav
18 Police before he joined the police force as a civilian
19 before.

20 Q. At the time he arrested you, was he a member of any
21 particular unit?

22 A. He was a member of the HVO, but I do not know which
23 particular unit. He was in uniform.

24 Q. If I could have exhibit 33 shown to the witness, I am
25 going to refer to specific photographs in exhibit 33.

1 If the usher could place those on the ELMO?

2 JUDGE JORDA: Before you put this on the ELMO, perhaps the
3 usher could also remove the previous exhibits which are
4 on the easel and which we do not need any more, that is
5 provided we do not need them any more. Please do it,
6 Mr. Usher, so we do not lose any time and in the future
7 please take care of these things during the break.

8 Please continue.

9 MR. HARMON: Mr. Usher, I am going to ask you to please place,
10 from exhibit 33, photograph 205 on the ELMO.

11 JUDGE RIAD: In the meantime can I ask? Do you know why you
12 were arrested as a civilian? Did they give you any
13 reason on 7th September 1992, or were they arresting
14 people indiscriminately?

15 A. I do not know why I was arrested, but probably because
16 I was a member of the Territorial Defence. That is the
17 only reason.

18 JUDGE RIAD: Thank you.

19 MR. HARMON: Mr. Kavazovic, can you take a look at the
20 photograph that is on the ELMO and identify that
21 particular photograph?

22 A. I can. This is the hotel Vitez. This is a picture of
23 the hotel Vitez. I came in this way when I was arrested
24 (indicates).

25 Q. When you say "this way", will you use the pointer please

1 and indicate on the photograph the entrance where you
2 were taken. Indicating for the record, your Honour, a
3 door on the right-hand side of the photograph number
4 205.

5 Thank you very much, Mr. Usher. I am finished with
6 that exhibit, it can be removed and the ELMO can be
7 turned off.

8 Mr. Kavazovic, where were you taken in the hotel
9 Vitez after you were arrested?

10 A. After I was arrested, I was taken to room number 1 in
11 the Vitez hotel on the right-hand side on the first
12 floor.

13 Q. Was the hotel Vitez a military headquarters, to your
14 knowledge?

15 A. The hotel Vitez was HVO headquarters. Which one I do
16 not know. At any rate, civilians were not admitted into
17 the building.

18 Q. What happened after you went into this particular room?
19 Would you just explain to the court what occurred to
20 you?

21 A. I was taken to a room which only had a table in it,
22 nothing else; no other furniture was there. I was
23 interrogated there by Vlado Santic, why I was in the
24 Territorial Defence, what the Territorial Defence
25 intended to do further on and how many people there were

1 in the Territorial Defence. I did not give any answers
2 to these questions.

3 Q. How long were you interrogated by Mr. Santic?

4 A. I was in the room for about four hours and he
5 interrogated me perhaps for half an hour and then I was
6 waiting for an exchange to be carried out, because my
7 Territorial Defence headquarters found out through some
8 civilians that I was taken away so they kept me there
9 before my people from the Territorial Defence came to
10 exchange someone for me.

11 Q. Were you eventually released?

12 A. Yes, I was released.

13 Q. Turning to your second arrest, Mr. Kavazovic, when did
14 that occur?

15 A. It occurred on 20th October 1992.

16 Q. Did that occur at the same time there were events
17 occurring between the HVO and Muslims in the city of
18 Novi Travnik?

19 A. Yes, it happened when the town of Travnik was blocked
20 and when the HVO blocked the city of Travnik. Nobody
21 could enter Travnik and in a certain way, this was the
22 situation in Vitez too.

23 Q. Could you explain to the court first of all the events
24 surrounding your arrest?

25 A. That day, on 20th October, I was coming back from

1 Visoko. I was driving a van and I came to my command in
2 Vitez, with my officers there, and on that occasion,
3 I found out -- actually, as I was passing through
4 Ahmici, I realised that houses were burning. I did not
5 understand a thing', I did not know what was happening.
6 Five houses were burning in Ahmici. I arrived in Vitez
7 and I saw that there were many units throughout Vitez,
8 that the city was blocked in a way, that there were many
9 soldiers on corners. We were staying near the high
10 school.

11 When I entered the building, I realised that
12 Territorial Defence members and civilians and Muslims in
13 general did not have any freedom of movement any more.
14 We were not allowed to move anywhere so in a way we were
15 under siege by the HVO. We spent some four hours there
16 until agreement was reached between the Territorial
17 Defence and the HVO.

18 Q. Mr. Kavazovic, let me interrupt you. When you say you
19 were staying there, where is "there"?

20 A. We were in Posdina, in a house where we were
21 accommodated as the Territorial Defence.

22 Q. If I could have the usher, your Honour, place what is a
23 copy of exhibit 45 on the easel and have it marked as an
24 exhibit, I will ask the witness to identify locations on
25 that photograph. I believe, your Honour, this will be

1 Prosecutor's exhibit 45C.

2 JUDGE JORDA: Mme Fauveau, 45C?

3 THE REGISTRAR: Yes, that will be exhibit 45C.

4 MR. HARMON: Mr. Kavazovic, could you take a yellow pen,
5 please, and could you mark the location on Prosecutor's
6 exhibit 45C of two locations. The first is the location
7 where you were and the second is the then headquarters
8 of the Territorial Defence.

9 A. I can do that. Headquarters of the Territorial Defence
10 were in the Srednjoskolski high school in Vitez.

11 Q. Could you just colour the whole building with a yellow
12 pen, please, Mr. Kavazovic?

13 A. This is the high school where the command, the
14 headquarters of the Territorial Defence were. This is
15 where logistics were, in this building. I was here with
16 four of my colleagues from work and this is where the
17 Commander and six or seven other people were with him.

18 Q. When you say "I was here", you were in the logistics
19 building of the Territorial Defence; is that correct?

20 A. The logistics centre, yes.

21 Q. Please have a seat. Thank you. Could you continue on
22 now with relating the events relating to your arrest.

23 A. When I arrived in the logistics centre, this building,
24 on the orders of Hakija Cengic, the then Commander,
25 conditions were created for an agreement between the

1 Army and the HVO for our safe departure from the
2 command; that is to say that we could withdraw from the
3 headquarters in the high school towards Mahala. The
4 command was the first to move out, the Commander and the
5 people with him left the building. They were allowed to
6 leave and they went to Mahala to a private house, where
7 they then stayed. Then the rest were supposed to leave.

8 After that, when we talked to the commander, he
9 ordered us to take out of our initial headquarters
10 whatever we could and to put it in vehicles. We put it
11 into the van, into the Golf and into the Fiat we had.
12 We took the things that we managed to take with us and
13 then we started moving towards Stari Vitez, towards
14 Mahala. However, things were not as they were supposed
15 to be. Between the hotel and the Vitez cinema, we were
16 stopped by HVO members, 15 or more of them. They held
17 RPGs. We were ordered to get out of the cars and we
18 were arrested again. Omerdic Salih was with me in the
19 same car, he was a communications officer and he and
20 I were taken to the Vitez hotel again.

21 Q. Did the soldiers who arrested you include soldiers who
22 had specific identifiable insignia on their shoulders?
23 A. Yes, they all had HVO insignia. Two soldiers also had
24 insignia saying that they belonged to the Ludvig
25 Pavlovic unit. They took him to the terrace where Vlado

1 Santic was who took me over and took me to that office
2 again.

3 Q. What did the insignia of the Ludvig Pavlovic brigade
4 look like?

5 A. There was a leaf that looked like an oak leaf on it and
6 underneath it said "Ludvig Pavlovic". To the best of my
7 knowledge, people in Vitez were saying that this unit
8 was from Herzegovina, that they were from Mostar.

9 Q. Were you wearing any insignia on any kind of a uniform
10 that you had?

11 A. I had a uniform, I had a rifle and I had a pistol on my
12 holster. When I was ordered to get out of the van --
13 I had taken my rifle and one of them showed me the sign
14 "no" -- he pointed a RPG at me and I realised there was
15 nothing I could do; I was forced to get out. On the
16 left-hand side of my uniform, I had a sign showing that
17 I was Territorial Defence. At that moment, one of these
18 two people from the Ludvig Pavlovic unit tore off that
19 patch off my uniform and he cursed, and he said, "What
20 do you need this for? This will never be again", and he
21 stepped on it. Then he grabbed my pistol, he tore it
22 off, together with the holster and he took me to Vlado
23 Santic, to the same stairway when I was first arrested.
24 Then I was taken to another room, to room number 2 on
25 the right-hand side this time.

1 Q. You were taken to the hotel Vitez a second time; is that
2 correct?

3 A. Yes.

4 Q. Did you see any kind of communications equipment in the
5 possession of the soldiers who had arrested you?

6 A. I did. These two had Motorolas, radio stations, these
7 two members of the Ludvig Pavlovic unit, and also Vlado
8 Santic had a Motorola.

9 Q. What is a Motorola?

10 A. A Motorola is something used by the military and the
11 police. It is used as communications equipment like a
12 walkie-talkie. It is part of the equipment.

13 Q. How far away from the hotel Vitez were you when you were
14 arrested?

15 A. About 15 metres away, I believe.

16 Q. Where was Vlado Santic?

17 A. He was waiting for me by the stairs. He stood there,
18 arms akimbo, and then he took me to room number 2
19 together with them.

20 Q. Who did he take you to room number 2 with?

21 A. With those two members of the Ludvig Pavlovic unit.

22 Q. Will you tell the court what happened after you entered
23 that room?

24 A. I entered that room and I was ordered to sit down.

25 I sat down. Then they had found some communications

1 equipment, a radio, in the car and they asked me about
2 that, what it was doing in my car and how come I had
3 this. There were also two snipers that were not
4 functional. You could not shoot with them; they did not
5 have the optical equipment needed. These two snipers
6 were from Zlemen, from the military warehouse which was
7 blown up by the JNA, and that is how we had them; they
8 were supposed to be prepared. So when I was driving
9 this van, I got these snipers with the van without
10 realising they were in there.

11 Then they asked me how come I had this, where
12 I was taking it and what the Territorial Defence
13 intended to do if the HVO attacked. That is what they
14 asked me about. They also asked me how many Mujahedin
15 there were in Mahala and how many weapons there were in
16 Mahala. I did not give any answer to all of that;
17 I kept silent. One of them grabbed my shoulder with his
18 hand and he said, "You will not be around for long."
19 After this interrogation, I was taken to the hotel
20 toilet, a floor underneath, and I was locked up into the
21 women's toilet where water had flooded the floor and
22 I had to stay there until 11.00 pm.

23 Then after 11.00 pm, I was taken to the police
24 headquarters of the HVO, the civilian police of the
25 HVO. They put me in a room where there was no light, no

1 electricity, no nothing. There was parquet on the floor
2 and two blankets, two old dusty dilapidated blankets and
3 also there was a toilet, nothing else.

4 Q. Before I turn my attention to the MUP building and the
5 conditions of detention in the MUP building, while you
6 were in the bottom of the hotel Vitez, were there other
7 Muslim prisoners in the basement or in the restroom
8 area?

9 A. When I was taken there, I was the first person to be
10 taken there, together with Omerdic Salih, who was in the
11 van together with me. We were the first two to be taken
12 to the Vitez hotel toilet. Half an hour later, Patkovic
13 Muhamed, Cazim Patkovic, and these other people who were
14 with me in the Territorial Defence, they were also
15 arrested. When they arrested me, they moved on to our
16 building and they arrested them up there, and Mohammed
17 Patkovic was physically abused. He was beaten up and
18 then they brought him to where we were and we tried to
19 help him out; we splashed him with water. He was
20 bruised and it was difficult to talk to him because he
21 felt faint and from that toilet, we were taken over to
22 the police department, Herceg-Bosna.

23 Q. How long did you remain in the police department,
24 Mr. Kavazovic?

25 A. Three days.

1 Q. Briefly describe the conditions at the police kept.

2 A. The conditions in the police department were
3 non-existent. It was a room of two square metres.
4 There was no furniture; there was only a window and a
5 toilet. There was no water, there was no electricity,
6 we were not allowed to ask for anything. Those were the
7 basic conditions.

8 Q. When were you released from the MUP building?

9 A. On the morning of the fourth day I was exchanged and
10 released. Agreement was reached when the fighting
11 stopped in Novi Travnik. Agreement was reached to
12 exchange prisoners, and on the morning of the
13 fourth day, I was told that I would be exchanged for
14 some other people who were arrested, and I was told that
15 I would simply be released. Rabihić Nihad,
16 a representative of my command, came and took me so
17 I was exchanged.

18 Q. You had been in the hotel Vitez on two occasions as
19 a result of your arrest and you knew the hotel Vitez was
20 a military headquarters. Let me ask you a couple of
21 questions about the hotel Vitez, Mr. Kavazovic. First of
22 all, you are a Muslim, are you not?

23 A. Yes.

24 Q. Did Muslims have free access to the hotel Vitez when it
25 was a military headquarters?

- 1 A. No way.
- 2 Q. Did HVO soldiers have free access to the hotel Vitez?
- 3 A. Yes.
- 4 Q. Do you know a man by the name of Darko Kraljevic?
- 5 A. I do.
- 6 Q. Did you know him from your community?
- 7 A. Yes.
- 8 Q. Did you ever see him in the hotel Vitez?
- 9 A. I saw him three times at the hotel Vitez.
- 10 Q. Approximately when, if you can recall?
- 11 A. I saw him some time in June 1992. I saw him in July and
- 12 in September 1992.
- 13 Q. You saw him going into the hotel Vitez or coming from
- 14 the hotel Vitez?
- 15 A. I saw him getting into the hotel Vitez.
- 16 Q. Okay. Mr. Kavazovic, I would like to turn your attention
- 17 to 15th April 1993, and, focusing your attention on that
- 18 date, you were still living in Vitez, were you not?
- 19 A. Yes, in a private house owned by Resad Burak.
- 20 Q. Did you go to work that day?
- 21 A. On the 15th in the morning I went to work at 7.00 and
- 22 I worked until 3.00 in the afternoon.
- 23 Q. After you finished your work, where did you go?
- 24 A. When I finished work at 3.10, I headed for my house
- 25 where I was living. From Mahala I went in the direction

1 of my house where I was living. Along the route,
2 I noticed that the situation in town was unusual; there
3 seemed to be no civilians. There were groups of the HVO
4 of two to three soldiers in combat gear standing next to
5 buildings, and I thought it was rather strange, so
6 I concluded that the situation was not good; there were
7 no civilians obviously. There were these groups of
8 soldiers next to buildings. I reached the house I was
9 living in, seeing that the situation was serious --

10 Q. Let me interrupt you there for just a minute,
11 Mr. Kavazovic. Could you please approach the large
12 aerial image that is to your left, Prosecutor's exhibit
13 45C. Using a pink highlighter, will you please colour
14 in the location of your house.

15 A. My house was here (indicates). It was a private house
16 I was living in, a private home.

17 Q. Would you put the number 1 next to that house, please?
18 Okay. You can have a seat again, please.

19 A. Thank you.

20 Q. Mr. Kavazovic, after you returned to your house, what did
21 you do?

22 A. I checked to see whether my wife was there. However, my
23 wife was with her parents at their apartment, so I went
24 in the direction of my in-laws' apartment to see my wife
25 and, passing through the park, I saw three or four

1 groups of six to seven soldiers each running in the
2 direction of the hotel.

3 Q. How were those soldiers dressed?

4 A. They were in full combat gear; they had camouflage
5 uniforms, helmets on their heads and automatic rifles.

6 Q. Would you kindly approach Prosecutor's exhibit 45C once
7 again, and with the pink pen do two things: first of all
8 mark the location of the apartment building where your
9 wife was staying, and then, secondly, would you please
10 with the pink pen mark the direction that you took from
11 your house to the apartment building.

12 A. This is my house where I lived, so I arrived from Mahala
13 in civilian clothes. I was not allowed to wear
14 uniform. I had to go in civilian clothes because I was
15 going through a part of the town that was under the
16 control of the HVO, this route that I covered from my
17 house to my in-laws' apartment, so I went in civilian
18 clothes when I left work, because I was not allowed to
19 wear uniform. I did not dare wear uniform because of
20 fear from the HVO as I was living in a part of the town
21 that was under the control of the HVO.

22 This is where my in-laws lived (indicates).

23 Q. Could you please take that pink pen and colour in the
24 building where your in-laws lived and place the number 2
25 next to that building? Using the pointer, Mr. Kavazovic,

1 could you please point to the park where you saw these
2 groups of HVO soldiers running in the direction of the
3 hotel Vitez?

4 A. I was moving from my house, through this park, and from
5 this direction (indicates), from the centre of town.
6 There were three or four groups of six to seven soldiers
7 each running towards the hotel through the park. They
8 were running through the park in the direction of the
9 hotel Vitez.

10 Q. Approximately what time of day was that?

11 A. It was about 3.50 or maybe 4.00 in the afternoon.

12 Q. I take it, Mr. Kavazovic, you do not know whether they
13 were actually running to the hotel Vitez or to another
14 part of the town of Vitez but in the direction of the
15 hotel Vitez; is that correct?

16 A. Yes, they were running. Yes, that is true. They were
17 running in the direction of hotel Vitez. I saw them
18 here, they were running along here, so they were going
19 towards the centre, the part where the hotel is.

20 Q. You can again have a seat. I am going to ask you to get
21 up in a few minutes to make some additional marks on
22 that diagram.

23 After you arrived at your in-laws' apartment, did
24 you find your wife there?

25 A. Yes, I found my wife. She was staying with her father.

1 Q. What happened when you arrived at the apartment
2 building?

3 A. I entered the building of my in-laws, my wife was there,
4 and, entering the building, I saw that the situation was
5 not at all good, that people were in their homes, that
6 some people were walking in haste or running towards
7 home. Wherever they happened to be, they were running
8 home, and I asked my wife to go out with me for a walk
9 to see what was happening and that is what I did.
10 I went out with my wife and we made a tour. We walked
11 round town, and while we were walking the town was quite
12 empty; there were no civilians, no vehicles, nothing.
13 Then I said to my wife that we should go back to my
14 in-laws' because the situation was not at all good.

15 I saw groups of people in front of buildings,
16 soldiers, and seeing soldiers in combat gear I realised
17 that something was wrong, so we went back to my in-laws
18 and when we got there, then my father and mother-in-law
19 had learned that the town was under blockade, that
20 nobody could go in or out, that there was no movement of
21 civilians, and then they proposed that all four of us
22 head towards Mahala, that is the part of the town
23 inhabited by Muslims.

24 We headed for the door, and a colleague of mine
25 came out and said, "Stop, you are not going anywhere.

1 It is over now. The situation is not good at all. A
2 war can break out any moment." I asked him why. He said
3 he did not know but he told me to go back into the
4 apartment and not to budge. In spite of this warning,
5 I walked through the door, went down the steps. About
6 five metres outside the building, I saw enormous numbers
7 of HVO troops that had blocked everything. There were
8 three or four soldiers more or less guarding every
9 building so as to prevent anyone coming out or going
10 in. The roads were blocked with garbage containers. At
11 the entrance to Vitez, at a crossroads, there were two
12 or three containers so that cars could not pass by, and
13 having observed that I felt scared and I went back to my
14 in-laws' apartment, and that is what I did.

15 When I entered the apartment, my father-in-law
16 asked me why I had done that, and I told him that I was
17 interested to see what was happening, and he said, "You
18 have nothing to enquire about. Everything is blocked,
19 so we have to sit tight where we are."

20 Q. Mr. Kavazovic, will you take a green highlighter, please,
21 if there is one at the witness stand, and please
22 approach Prosecutor's exhibit 45C again. With the green
23 highlighter, please mark the direction that you and your
24 wife walked through the town.

25 A. Shall I mark the circle that my wife and I made when we

1 went out for a walk around town?

2 Q. Yes, please.

3 A. This is the circle we made when we went out for a walk.

4 Q. Please take your seat again, Mr. Kavazovic. Let me ask
5 you a couple of questions before I move on to another
6 topic. You said that you were stopped when you and your
7 wife and your in-laws were trying to leave the apartment
8 building. I think you used the term "by a colleague";
9 at least that is the interpretation. Who was that
10 person and how was he dressed?

11 A. It was my colleague. His name was Mirko Mares. He was
12 in uniform and armed with a rifle and he was the guard
13 in that building.

14 Q. Was he a HVO soldier?

15 A. Yes, he was a HOS soldier, a former member of HOS and at
16 the time, HVO. He was in uniform.

17 Q. All right. Now, please, I would like to turn your
18 attention to 16th April 1993. Tell me about 16th April
19 1993. How did the day start for you?

20 A. That evening, the evening of the 15th, when we wanted to
21 leave the town under HVO control, that is my wife and
22 I and my in-laws, we could not leave, so that we were
23 forced to spend the night in my in-laws' apartment. So
24 we went to bed as usual about 10.00 or 11.00, and in the
25 morning, about 5.10, 5.15, an explosion was heard which

1 woke us up, not just us but everybody. At that moment,
2 as I was sleeping with my wife in a room, and I was
3 close to the window, I got up to see what was happening,
4 and I looked and I saw three groups of five or six
5 fighters of the HVO, who were running towards the police
6 station, the building which housed the civilian HVO
7 police.

8 I got up. My father-in-law got up too, and said,
9 "Now this is war. We have to be here whatever happens
10 to us." I went back inside; I looked through the
11 window. There were two members of the HVO armed fully
12 with automatic rifles or Kalasnjikov's and helmets on
13 their hands and complete rifle kits. They were standing
14 next to the doors, probably making sure that nobody
15 should go out or in, I do not know, but I saw next to
16 every building there were two HVO fighters. At that
17 moment, I heard some shelling; alternatively, below my
18 father-in-law's house, there was a commercial centre
19 which during the former Yugoslavia in 1991/1992 they
20 started building and because of the war in
21 Bosnia-Herzegovina it was not completed. There was just
22 one concrete slab and I heard mortars being fired from
23 that slab facing Poculica, Preocica, the villages that
24 were next to Vitez.

25 Q. Can you again approach Prosecutor's exhibit 45C. With

1 the orange pen there, please highlight the area where
2 you heard -- is there an orange pen? Would you indicate
3 the area where you heard the mortars coming from, this
4 commercial centre?

5 A. This commercial centre was here (indicates). That is
6 the commercial centre from which we heard mortars being
7 fired and explosions.

8 Q. How far away is that from your in-laws' apartment
9 building, Mr. Kavazovic?

10 A. Maybe 30 metres, 25 to 30 metres. 50 -- not far anyway.

11 Q. Were you able to distinguish what type of mortar was
12 being fired from that location?

13 A. I do not know whether it was 120 millimetres, but the
14 mortar shell made a very powerful explosion when it was
15 fired, so it was probably a 120-millimetre mortar of the
16 former JNA.

17 Q. Could you determine what direction those mortar shells
18 were being fired?

19 A. From these 35 to 40 metres, these mortar shells were
20 being fired in the direction of Preocica and Poculica,
21 villages inhabited exclusively by Muslims.

22 Q. On 16th April, from the apartment building where you
23 were with your wife and your in-laws, were you able to
24 see any smoke coming from any particular area of the
25 surrounding area?

1 A. Yes, about 1.00 in the afternoon of the 16th, I saw
2 enormous clouds of smoke from Preocica and Poculice
3 because those are the villages that can be seen from the
4 windows of my in-laws and I saw some smoke coming from
5 the direction of Ahmici, enormous big black smoke
6 clouds. Everybody could see them like me.

7 Q. How long did you remain in your in-laws' apartment?

8 A. I stayed there for three days in the apartment of my
9 in-laws, from the 15th in the evening until the 19th, so
10 from the 16th to the 19th.

11 Q. Let me turn your attention to 18th April 1993 and ask
12 you whether you heard a large explosion?

13 A. That day, the citizens of Croatian nationality entered
14 the building and said that we must all go down into the
15 basements because the Muslims were going to fire
16 something called a Sultan, some kind of artillery, and
17 it was not a good idea for us to stay in our
18 apartments. Some people went down; others did not. We
19 sat next to the windows.

20 About 3.30 or 4.00, I do not remember exactly, a
21 strong explosion was heard which broke all the windows
22 in our apartment buildings. The glass fell on our backs
23 as we were sitting near the windows. They said it was a
24 Sultan which the Muslims had fired from Veceriska into
25 Vitez, but about 7.00 or 8.00 in the evening, a woman,

1 her name is Fatima, said that it was not a shell fired
2 by the army or the Territorial Defence, but a truck that
3 was full of explosives and that was sent by the HVO
4 towards Mahala, towards the people in Mahala, that is
5 the TO there, and that this truck had destroyed five
6 houses; it had rased them to the ground.

7 Q. I would like to turn, Mr. Kavazovic, to the circumstances
8 under which you left your in-laws' apartment. Could you
9 please describe those circumstances to the court?

10 A. During my stay in my in-laws', I was not allowed to move
11 at all. I was not even allowed to leave the apartment
12 because all Croats in that building knew that I belonged
13 to the TO and for that reason, I had to hide in my
14 in-laws' apartment. From time to time, people would
15 come in searching apartments, taking telephone sets,
16 looting some things of Muslims that had already left
17 Vitez, so I had to hide in the toilet even so they would
18 not find me, and on the 18th in the evening, a colleague
19 came to me and said it was not a good idea for me to
20 stay there because they were searching houses and
21 collecting all Muslims from 12 to 65 years of age and
22 taking them to camps.

23 I asked him what I should do, because they would
24 take me too and he said he did not know. He said
25 "I will help you as much as I can." That evening

1 no one entered the building. Mirko Males was watching
2 it to prevent people entering but the next day on the
3 19th about 12.00, a colleague of mine appeared who
4 learnt I was staying with my in-laws in their
5 apartment. He came up to my wife and asked her how come
6 I was there and she said that we were walking and that
7 we had nowhere else to go so we came there.

8 Knowing that I was in the Territorial Defence and
9 that I had worked for them, he told me that he could
10 help me by taking me, together with some of his
11 colleagues, to the SDK building for which he was to some
12 extent responsible. I was afraid; I did not know what
13 they would do to me, because I knew that all Muslim men
14 from 12 to 65 years of age had been taken to the
15 secondary school centre, to Rijeka, the veterinary
16 station, to the chess club, to the SDK building, so
17 I thought maybe they wanted to trick me, they would take
18 me somewhere else, so I had this very good colleague of
19 mine and I did not trust him completely, but he promised
20 he would come to pick me up himself with a van and take
21 me out of this building and take me to the SDK, so that
22 is what happened.

23 About 12.00, he came with somebody called Zuti
24 from Trigaza. He covered the whole building, forced all
25 the Muslims out, told them to go down to the first

1 building, so my in-laws' flat was on the first floor and
2 we waited for all the other Muslims to come down. All
3 the Muslims in that apartment building, from 12 to 65,
4 we were lined up and we were told to go to the SDK.
5 I went out. I was taken to the SDK; we were put up
6 there. There were already people there from other
7 buildings. Anyway, there were 63 people there in three
8 very small rooms.

9 Q. Let me ask you a couple of questions. When you say
10 "colleague", without identifying by name who that
11 colleague was, was that colleague a Bosnian Croat?

12 A. He was a refugee from Kotor Varos who had come to Vitez,
13 and as a refugee he made the acquaintance of my
14 girlfriend at the time in 1992, who later became my wife
15 in 1993, and he liked my wife. They were like brother
16 and sister; they were very close friends and he was
17 sorry for me, and he wanted to help me, but he was a
18 member of the HVO civilian police.

19 MR. HARMON: For the record, your Honour, Mr. Kavazovic is
20 prepared to identify that person by name if requested by
21 the court and by Defence counsel, but would prefer doing
22 that in private session. I will not ask Mr. Kavazovic
23 the name at this point in time. I will just proceed
24 with my examination but I merely inform the court of
25 that fact.

1 Mr. Kavazovic, would you kindly take the pink pen
2 again and would you put a big circle around the SDK
3 building and put a circle around the initials SDK --

4 JUDGE JORDA: Just a moment, Mr. Harmon. You would like the
5 name to be given in private session and then the risk
6 may be that it could be repeated later on, or would you
7 prefer it put down on a piece of paper anonymously?
8 Would you like us to hear it in private session? But
9 then there is the risk that the name may slip out later
10 on. Whichever you prefer.

11 MR. HARMON: My preference, Mr. President, is -- I do not
12 intend to ask the name of that colleague of Mr. Kavazovic
13 at all. I merely point out that if counsel intends to
14 make that request or if the court is interested in that
15 name, I would have a preference that we go into private
16 session.

17 JUDGE JORDA: Very well. No objection, no comment?

18 MR. HAYMAN: At this point in the testimony, we do not think
19 it is necessary to enquire as to this individual.

20 JUDGE JORDA: Very well, thank you. Continue, please.

21 MR. HARMON: Mr. Kavazovic, will you take the pink pen please,
22 approach Prosecutor's exhibit 45C again and with the
23 pink pen put a circle around the SDK building, and next
24 to it put the initials SDK, please.

25 A. This is the SDK building, the camp I was in.

1 Q. Will you put the initials SDK next to that building,
2 please.

3 A. I have.

4 Q. Okay, I just cannot see from here. Please, you can have
5 a seat once again. Mr. Kavazovic, did you go to the SDK
6 building freely or were you taken there involuntarily?

7 A. I did not want to go there. It was involuntarily.
8 I had to go there.

9 Q. In addition to your colleague, were there HVO soldiers
10 who escorted you to the SDK building?

11 A. There were two members of the HVO.

12 Q. Could you indicate the ages of the people who were taken
13 to the SDK building along with yourself?

14 A. They were not men; they were guys between 24 and 29.
15 Between 24 and 29 years of age, maybe 30.

16 Q. Could you describe where you were kept in the SDK
17 building, and the conditions of the SDK building?

18 A. We were placed in three rooms in the SDK building. They
19 were about 3 metres long and about 170 or 180 wide.
20 There were these three rooms and there was one toilet
21 with a small corridor that we had to pass along to go to
22 the toilet when we were given permission by the guards.
23 When we were allowed, we went to the toilet. The
24 conditions were poor, there was nothing on the floor and
25 after the explosion when the SDK was looted the windows

1 were broken and there was just the bars, so it was cold
2 and windy. We were allowed to have one blanket each
3 brought to us from home and we lay there one next to
4 another like sardines on the floor.

5 Q. How many detainees were there at the SDK building along
6 with yourself?

7 A. Apart from me, another 62, so there were 63 in all.

8 Q. Mr. Kavazovic, I notice that you wince when I ask you the
9 questions. Is the earset too loud for you?

10 A. No, it is fine.

11 Q. Okay. What were the ages of the detainees,
12 Mr. Kavazovic?

13 A. These prisoners, the youngest was 12 years old and the
14 oldest was 64 years old.

15 Q. Were there guards at the SDK building?

16 A. Yes, there were two military policemen. One of them was
17 with me in the TO, and he guarded us. We were not
18 allowed to go out at all, nor were we allowed to move
19 around and even when we wanted to go to the toilet, we
20 had to ask whether we could leave the room, pass this
21 corridor of 1.5 metres to reach the toilet, so we had to
22 be given permission by the guard to go to the toilet.

23 Q. How long did you remain at the SDK building until you
24 left?

25 A. I remained there three days; from the 19th until

1 22nd April I was at the SDK, until I was sent to dig
2 trenches.

3 Q. Could you describe to the court the circumstances of
4 your departing the SDK building to go to dig trenches?

5 A. In Vitez, in all the camps that were there, some of the
6 military policemen and even members of the HVO, they
7 would come into all of the camps with vans and they
8 would select the people who are supposed to go out and
9 dig trenches. That day, when they took me away, this
10 same colleague of mine came along with Zabac, a military
11 policeman, who said he needed nine people to go to
12 Rijeka to dig trenches.

13 However, at that moment, my colleague who had come
14 with them gave me a sign with his hand showing me
15 I should go to the toilet. I went to the toilet and
16 inside Zabac and this other person were selecting people
17 to go out and dig trenches. However when they chose
18 eight people, Zabac walked into the toilet and said,
19 "What are you waiting for? Get out of there; you are
20 coming along too." So I was the ninth person who went
21 along with them. We were put into this same military
22 van which had brought us in there; this was an HVO
23 military van. It said MP in the front; it was a
24 Volkswagen camouflage. A man called Madzar was in
25 there; he was the driver. He had gloves with the

1 fingers -- black gloves with the fingers cut off and
2 they took us to Rijeka to dig trenches.

3 At Rijeka, they handed us over to a commander of
4 something, I do not know, of some kind of unit, so we
5 were taken over by him. At the very outset, he told us
6 -- as soon as we got out of this van he said, "You are
7 no longer civilians. You are now prisoners and you have
8 to do what we tell you to do, otherwise things will not
9 go all that well for you. If you start running away, we
10 will catch you", meaning that they would kill us.

11 He took us to a clearing 30 metres away from the
12 line between the HVO and Territorial Defence and that is
13 where we were ordered to make a dugout, near a rock, and
14 that is where we had to dig.

15 Q. How long did you dig there?

16 A. We came to Rijeka around 1 pm and we were digging until
17 3 pm approximately. We were digging for about two hours
18 and we were shot at a few times while we were digging.

19 Q. I am going to show you three separate exhibits,
20 Mr. Kavazovic. Let me start with exhibit 29 and it will
21 be Prosecutor's exhibit 29G. It is a copy of a large
22 map.

23 I would ask if the usher could please put it on
24 the easel next to you.

25 Mr. Kavazovic, could you take a pink pen and could

1 you approach Prosecutor's exhibit 29G and mark on that
2 map as best you recall the location where you dug these
3 particular dugouts or trenches in Rijeka. (Witness
4 marks map).

5 You can have a seat once again.

6 If I could ask the usher to superimpose on 29G
7 Prosecutor's exhibit 56C, Mr. Kavazovic, could you
8 approach 56C with that pink pen and, if you can, can you
9 indicate the location where you dug these dugouts in
10 Rijeka. (Witness marks map). You have put a mark or a
11 line on the top of Prosecutor's exhibit 56C; is that
12 correct?

13 A. Yes.

14 Q. Thank you. You can have a seat once again. I would ask
15 that the usher please place on the ELMO Prosecutor's
16 exhibit 29C. Mr. Kavazovic, could you take a look at
17 Prosecutor's exhibit 29C, which is a diagram -- a map of
18 Vitez with a number of concentric circles. The centre
19 point of those concentric circles is the hotel Vitez.
20 I would like to ask you: how far away was this location
21 where you were digging trenches from the hotel Vitez?
22 Can you give us your best estimate, please, by using
23 that particular map?

24 A. I think that the distance from hotel Vitez to Rijeka
25 where I was digging trenches is about 1.5 kilometres,

1 1,500 metres, that much.

2 Q. Mr. Usher, thank you very much. We are going to be using
3 that again in a few minutes, so if you just turn off the
4 ELMO and leave it on the ELMO that would be fine.

5 Mr. Kavazovic, how many other men were digging
6 trenches with you at that location?

7 A. Eight. I was the ninth.

8 Q. You said you stayed there for a couple of hours; is that
9 correct?

10 A. Two hours.

11 Q. Where did you go next?

12 A. Then, around 3.00, the same van that brought us out to
13 Rijeka came back with the same people. Madzar was there
14 driving, the two policemen, and then they told us that
15 we would be going to the bungalow, so we went to the
16 bungalow, to Nadioci, to Rasko Polje.

17 Q. Now if I could have the usher superimpose what will be
18 Prosecutor's exhibit 50C over the exhibits on the easel,
19 then I will ask you, Mr. Kavazovic, to indicate certain
20 locations on that particular photograph.

21 A. Excuse me, could you repeat the question? I did not
22 understand.

23 Q. Mr. Kavazovic, could you approach Prosecutor's exhibit
24 50C and could you indicate the location of the bungalow
25 on that particular exhibit.

1 A. The bungalow was here.

2 Q. Would you take the pink pen please and put a circle
3 around the bungalow? (Witness marks map). Once again,
4 you can have a seat, Mr. Kavazovic.

5 When you arrived at that location, tell the court
6 who you saw and what you saw.

7 A. As we got out of the van, there was a restaurant there,
8 and a terrace in front of it, a concrete terrace with
9 steps leading to it. On the terrace I saw Mr. Vlado
10 Santic who told me as soon as I got out of the van -- he
11 said, "It is you again." Next to him I saw 13 Jokeri
12 standing there, fighters belonging to the Jokeri unit
13 formation.

14 Q. How was Mr. Vlado Santic dressed when you saw him?

15 A. He was wearing a black uniform without any insignia,
16 like the rest of the Jokeri.

17 Q. What time of the day was this when you arrived at the
18 bungalow?

19 A. It was around 3.30 in the afternoon.

20 Q. Did Mr. Santic give any orders to the Jokers who were
21 standing next to him?

22 A. Yes, that we should be lined up over there and that we
23 should all wait for him, so we lined up there on the
24 terrace, we put our hands on our backs and we waited for
25 Mr. Vlado Santic to get out.

- 1 Q. What happened next?
- 2 A. After that, on the orders of Vlado Santic, he ordered
3 five Jokers -- he said, "You, you, you and you", and
4 Zabac and those other two policemen from the van, they
5 took us to Kratine.
- 6 Q. Did it appear to you that Vladko Santic could order the
7 Jokers?
- 8 A. It is not that he was in the position to command them,
9 he personally commanded them; he issued orders. He
10 said, "You, you, you, you, take the van and take them to
11 Kratine."
- 12 Q. Were you taken to Kratine?
- 13 A. Yes.
- 14 Q. How far away was Kratine from the bungalow?
- 15 A. Perhaps about four kilometres, six kilometres away.
16 Five to six kilometres away -- four kilometres.
- 17 Q. What happened when you got to Kratine?
- 18 A. Bralo Mladen took us over there. First I saw Anto
19 Furundzija when I arrived there. Anto Furundzija spat
20 at me. Why, I do not know. Probably because we were in
21 the Territorial Defence together. Then we were lined up
22 there and we were waiting to be received by Mr. Bralo
23 Miroslav called Cicko, to be interrogated in this old
24 house where there was a command, probably Mladen Bralo's
25 command, Cicko's command.

1 We entered the building one by one. He would
2 finish with us quickly, but there were others who were
3 drunk in another room. When I walked into the room, he
4 asked what my surname and name was, because my village
5 was only a few kilometres, 2 or 3 kilometres away from
6 Kratine, and he knew that people of that surname lived
7 there and he asked me about an uncle of mine whom he
8 knew, and he pretended he did not know me.

9 As children, we would see each other when we would
10 go swimming. I knew who Mladen Bralo was. Then he
11 threw me out. He said, "We are going; line up now." We
12 all stood in a line and then he asked us who knew how to
13 cross himself. Ahmic Mirsad was with me, a man who knew
14 how to cross himself, and he ordered him to show all of
15 us how we should cross ourselves and then we all had to
16 cross ourselves after that. He showed us how we had to
17 cross ourselves in the name of the Father, Son and Holy
18 Ghost and we all had to cross ourselves and we had to
19 yell out loud, much louder than I am saying all this
20 now.

21 Cengalovic, a gypsy, he was simply lost, he was so
22 frightened. I was frightened too, but when he was
23 supposed to cross himself, he simply made a mistake and
24 Cicko, Bralo Mladen, there was an axe out there on the
25 grass. He put this axe on his forehead and he said, "If

1 you make a mistake now I am going to cut off your head."

2 Being so frightened, the young man got the words
3 right, and then he threw the axe away and he said, "Take
4 him behind the house and make him wait until I am
5 ready."

6 Q. Is Mladen Bralo Miroslav Bralo?

7 A. Yes, Miroslav Bralo Cicko, called Cicko. Cicko is his
8 nickname. His real name is Miroslav and his surname is
9 Bralo.

10 Q. How was Mr. Bralo dressed when you saw him?

11 A. Mr. Bralo had a black band on his head, longish hair. He
12 also had black leather gloves with metal studs on them.
13 He had a Motorola, a walkie-talkie, a black belt with a
14 pistol too; he had a pistol as well.

15 Q. How about Mr. Furundzija?

16 A. Mr. Furundzija also had black clothes. He had a white
17 belt and he had a rifle and a gun. He also had a
18 pistol.

19 Q. How long did you remain at Kratine?

20 A. I remained in Kratine from the 22nd until the 28th or
21 29th, seven or eight days, I cannot remember.

22 Q. Can you describe to the court what you did during those
23 seven or eight days at Kratine?

24 A. Our stay in Kratine was very strenuous. We had to dig
25 dugouts where they could not dig. We were exposed to

1 fire, HVO fire, even army fire too, because at that part
2 where dugouts were supposed to be dug, where they as
3 soldiers could not dig, we had to dig them all day, and
4 we would clear the forest for them, so when they could
5 not go through the forest, we would have to cut it for
6 them. We carried timber boards; this was heavy physical
7 labour. We dug trenches; we carried out their orders.

8 Q. How many hours a day would you work during those seven
9 or eight days?

10 A. We would work all day until 3.00 at night; that is to
11 say we would rest from 3.00 until 5.00 am and then we
12 would go on all day again. We would only have two hours
13 of rest. We did not sleep in houses. We slept in the
14 meadow on boards, one next to another. We would lie on
15 these boards and they would take blankets off the horses
16 that carried their food for them, and that is what we
17 used for cover.

18 Q. What was the temperature?

19 A. It was cold. It also rained. It was the month of
20 April. It was cold, it was very cold. We wore civilian
21 clothes, the clothes we were arrested in. We did not
22 have anything else and they would not give us anything
23 else. As far as food was concerned, we would get 125
24 grammes of fish at 9.00 am and a quarter of a loaf of
25 bread and that is all we would get until 9.00 am the

1 next day. That was all for 24 hours; that was this fish
2 and the quarter of a loaf of bread.

3 Q. Were the members of the HVO who were present at those
4 locations fed the same rations that you were?

5 A. No, they did not eat that which we ate at all. They had
6 regular meals in the morning, at noon and in the
7 evening. In addition to that, they had cigarettes. We
8 never got cigarettes, and we were not even allowed to
9 smoke. Some of the colleagues we knew could give a
10 cigarette or two to us on the side, but that is all we
11 had. They had juices, they had hot meals, they had
12 pies, they had cans.

13 Q. Did it appear to you, Mr. Kavazovic, that any HVO
14 personnel at those particular positions were underfed in
15 any way?

16 A. No. No reason for that, because they had three meals.

17 Q. You mentioned that you were at positions where you were
18 exposed to hostile fire, hostile gunfire; is that
19 correct?

20 A. We were in a certain part near a chapel, a Serb chapel,
21 near the village of Loncari. We had to build a canal
22 there in a clearing so they could move through it, so
23 the Territorial Defence could not shoot at them; that is
24 the armed forces of the BH then.

25 Q. Were you exposed to rifle fire every day that you were

1 out on the lines at Kratine?

2 A. We were the first three or four days perhaps, we were
3 exposed to fire, but the members of the armed forces
4 then saw that we were people in civilian clothes, that
5 we were not in uniform, and they probably noticed that
6 we were not carrying rifles, that we were digging, and
7 it was known that all Muslim men were put into camps in
8 Vitez, and they probably realised that we had to dig
9 trenches there, so we were not fired at any more, and we
10 continued digging. We had to dig in those places where
11 they could not dig as soldiers.

12 Q. When you say "we", how many people were with you digging
13 trenches?

14 A. Eight people. I was the ninth.

15 Q. Let me ask you, Mr. Kavazovic, what different units of
16 soldiers did you see while you were at the front lines?

17 A. We were digging all along the frontline, about a
18 kilometre and a half, and the first section of the HVO
19 frontline was the civilian police, perhaps 19 or 20 of
20 them, the civilian police; then when we finished
21 clearing the forest for them, then we went out to dig
22 trenches by the Jokers. We were actually digging
23 trenches and dugouts so that they could move safely, so
24 the Territorial Defence could not hit them, so they
25 would be underground. After them, we moved on to the

1 military police of the HVO, and we were digging over
2 there too, so I saw four military formations. Finally,
3 it was the HVO.

4 Q. Did you dig trenches for the HVO as well?

5 A. Yes, for all of them there, whoever was there on the
6 frontline; we were digging all along the line, all the
7 time.

8 Q. As you were digging during those seven to eight days,
9 who guarded you?

10 A. The guards of those people who we were digging for. If
11 we were digging for the civilian people, then their
12 guards were guarding us. When we were supposed to move
13 on to a different place where we were sent to dig, we
14 were sent to the Jokers and then a guard from the Jokers
15 guarded us; he was a big man with a band. He was always
16 angry; he would always curse and he guarded us. Then
17 when we were digging for the HVO, then an HVO soldier
18 guarded us, so someone belonging to these formations was
19 always with us and that is how we went and dug one to
20 another.

21 MR. HARMON: Mr. President, I am prepared to conclude my
22 examination at this particular point and continue
23 tomorrow morning with a brief additional examination.

24 JUDGE JORDA: Yes, I think that is a good point to stop. We
25 are going to stop there and resume tomorrow at 10.00.

1 (5.30 pm)

2 (Court adjourned until 10.00 am the following day)

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