

1 Monday, 5th May, 1997

2 --- Upon commencing at 10 a.m. (Open session)

3 JUDGE KARIBI WHYTE: Good morning, ladies and gentlemen.

4 We are happy to be here this morning, all of us in good  
5 health relatively. I hope we will start the  
6 proceedings as we have been carrying on before.

7 MS. McMURREY: Good morning, your Honour. If I might have a  
8 new introduction here, if you will give me a moment,  
9 I would love to introduce to the court Judge John  
10 Ackerman from the United States, who is a new member of  
11 the defence team. Also on behalf of everyone on the  
12 defence team I would like to express how happy we are to  
13 see Judge Jan back and healthy again.

14 JUDGE JAN: Thank you very much.

15 MS. McMURREY: This is Judge Ackerman from the United  
16 States.

17 JUDGE ACKERMAN: Good morning. I am very pleased and  
18 honoured to be here. It is nice to see you.

19 JUDGE KARIBI WHYTE: Thank you. We welcome you here to  
20 enjoy the company of an excellent team. Can we have  
21 the appearances?

22 MR. OSTBERG: Thank you, your Honour. I am Eric Ostberg.  
23 I appear today, as before, with my learned friends  
24 Mr. Giuliano Turone, Ms. Teresa McHenry and Ms. Elles  
25 van Dusschoten. I also want to express my happiness

1           and welcome back in his seat His Honour Judge Jan.

2           JUDGE JAN:    Thank you very much.

3           JUDGE KARIBI WHYTE:   Can we have appearances on the side of  
4           the defence, please?

5           MS. RESIDOVIC (in interpretation):    Good morning, your  
6           Honour.    I am Edina Residovic, defence counsel of  
7           Mr. Zejnil Delalic.    With me is Professor Eugene  
8           O'Sullivan, Professor from Canada.

9           MR. GREAVES:    Good morning, your Honour.    I am Michael  
10          Greaves.    I act on behalf of the Defendant Zdravko  
11          Mucic.    I am fortunate today to be assisted by Ms. Mira  
12          Taposovic.

13          JUDGE KARIBI WHYTE:    Yes, Mr. Karabdic.

14          MR. KARABDIC (in interpretation):    Good morning, your  
15          Honours.    I am Salih Karabdic, defence counsel of  
16          Mr. Hazim Delic.    With me is Mr. Thomas Moran, attorney  
17          from Houston, Texas.

18          MS. McMURREY:    Good morning again, your Honours.    My name  
19          is Cynthia McMurrey.    I am here on behalf of Esad  
20          Landzo with Judge John Ackerman from the United States  
21          and Mr. Mustafa Brackovic, who is just not present in the  
22          court room at this time, all three representing  
23          Mr. Landzo at this point.

24                    I wanted to ask the court's tolerance.    I have a  
25          matter that will require my absence from the court room

1           tomorrow for the rest of the week, and I am just seeking  
2           approval from the court that I not be present, but  
3           everything will be taken care of and we will feel very  
4           comfortable. Mr. Landzo has approved my absence from  
5           the court room at this time. I just wanted to inform  
6           the court.

7           JUDGE KARIBI WHYTE: Thank you very much, Ms. McMurrey.

8           MS. McMURREY: Thank you.

9           JUDGE KARIBI WHYTE: Now we have before us a motion which I  
10          just was very curious about, because I do not know  
11          whether there can be a ruling on it about the question  
12          of cross-examination and the like. I do not know what  
13          actually it is all about. Counsel have submitted --

14          MR. OSTBERG: I will inform your Honour. Thank you.  
15          Since we filed our motion seeking a decision on the  
16          scope of cross-examination, the Chamber has on 1st May  
17          ruled on a motion on presentation of evidence by the  
18          accused, Esad Landzo. We totally agree with all what  
19          we can read in that decision. In paragraph 22 of that  
20          decision the Trial Chamber says, among other things:

21                 "The object of cross-examination is two-fold:  
22                 first, to elicit information concerning facts in issue  
23                 or relevant to issue, that is favourable to the party on  
24                 whose behalf the cross-examination is conducted."

25                 Then it goes on on that question. The

1 Prosecution takes it that the Trial Chamber thereby has  
2 ruled that cross-examination is indeed permitted on any  
3 relevant issue and that re-examination would be allowed  
4 on any relevant issue, and that re-examination would be  
5 allowed also on the issue arising from the  
6 cross-examination. We, therefore, your Honours,  
7 withdraw our motion.

8 However, we stay with the views presented in our  
9 brief, and it was mainly a brief, and a very short part  
10 of it was a motion, and we hope that it still can be of  
11 some assistance to the Chamber. I will not take up  
12 your time proceeding to reiterate what we have stated in  
13 that brief. Thank you, your Honours.

14 JUDGE KARIBI WHYTE: Thank you very much. Actually  
15 personally I regarded it as a very good position paper,  
16 not necessarily any matter in contention, because I did  
17 not see anything from which a Ruling should be made on  
18 the issues which were raised there, because this  
19 Tribunal I would say is not intended for determining  
20 hypothetical issues. We determine actual issues. If  
21 there should be a contention between counsel arising  
22 from a motion, we should give it every attention.  
23 I did not think it was necessary, but since it was  
24 raised and very good papers were written, even on the  
25 part of the defence, we thought we should give it some

1 hearing.

2 Have you anything about it on the part of the  
3 defence? Do you have anything to say?

4 MR. MORAN: Your Honour, Tom Moran for Hazim Delic. I just  
5 wanted to say we agree with the court that these matters  
6 are things that have to be ruled on as they arise.  
7 There is no reason to write a treatise on the law of  
8 evidence. Rule 89(b) gives the Trial Chamber the  
9 discretion to make these kinds of Rulings as they  
10 arise. Thank you very much, your Honour.

11 MR. GREAVES: I have nothing to add to the response that was  
12 filed on behalf of Mr. Mucic on 22nd April.

13 JUDGE KARIBI WHYTE: Any other views on it? I suppose, the  
14 motion having been withdrawn, I think the less said  
15 about it ...

16 So we can now proceed with the last witness.

17 MS. McHENRY: Your Honour, I believe it was  
18 cross-examination of Mr. Golubovic, and he is here.  
19 Thank you.

20 (Witness entered court)

21 JUDGE KARIBI WHYTE: Kindly remind the witness he is still  
22 on his oath.

23 THE REGISTRAR: You are still under oath.

24 A. (in interpretation): I understand that.

25 MS. McHENRY: Your Honour, I believe it is

1 cross-examination.

2 JUDGE KARIBI WHYTE: Yes. Ms. McMurrey, it is you.

3 MS. McMURREY: I am sorry, your Honours. I cannot see the  
4 witness because this camera is right in the way. Could  
5 I ask somebody to move that, please? (Pause.) Thank  
6 you very much. May I proceed, your Honour?

7 JUDGE KARIBI WHYTE: Yes, you can.

8 MS. McMURREY: Thank you.

9 MR. MIRO GOLUBOVIC

10 Cross-examined by MS. McMURREY

11 MS. McMURREY: Good morning, Mr. Golubovic. Welcome back.  
12 You were such a wonderful witness before we had this  
13 break in responding to the questions that if you do not  
14 understand any question I ask, please feel free to say:  
15 "I don't understand." Also if I ask a question, I am  
16 asking you to please listen to it and just answer the  
17 question I am asking, please. Can we have an agreement  
18 on that?

19 A. Yes, yes, we can.

20 Q. Thank you very much. It was ten days ago we were here,  
21 I think. It is difficult picking up. I am going to  
22 try not to repeat anything.

23 My first question is: before you ever came to  
24 testify, when you were still back at your home, the  
25 Prosecution notified you to make a decision on whether

1           you wanted to discuss your testimony with the defence,  
2           did they not?

3       A.   That is right.

4       Q.   You told them that you did not want to talk to us ahead  
5           of time; is that right?

6       A.   I told them that I do want to talk, but I do not know  
7           what purpose that would have, but I wanted to talk in  
8           the presence of the Public Prosecutor.

9       Q.   So you did tell them that you would visit with us in  
10          their presence?

11      A.   Yes.

12      Q.   Thank you very much.   I would have loved to have had  
13          that opportunity.   You spoke to the prosecution,  
14          I believe it was in November 1996, was it not?

15      A.   Not with the prosecution; with a gentleman who is not  
16          here present in this hall.

17      Q.   So there was not a member of the prosecution team  
18          present, just the investigator?

19      A.   I spoke to this gentleman.   I do not know who he was,  
20          whether -- I don't know what his official post is.   I  
21          don't know.

22      Q.   Since we had this long break in the trial, did you  
23          travel back to your home?

24      A.   I did.

25      Q.   Have you discussed your testimony or the events that

1           happened in Celebici with anybody while you were present  
2           at home?

3       A. No. I didn't see many people. I just met with my  
4           family and I told them how I came here, but nothing  
5           specific about the trial.

6       Q. Thank you very much. Is your occupation still a car  
7           mechanic?

8       A. I am a driver and a mechanic.

9       Q. And driver, you are a taxi driver; is that right?

10      A. I am not driving a taxi, no.

11      Q. In 1992 you were a taxi driver in Konjic, though, were  
12           you not?

13      A. That is right, madam.

14      Q. As a taxi driver in the Konjic area, you got to know  
15           everybody in the area, did you not?

16      A. Yes, yes, madam.

17      Q. And in 1992 Cerici was predominantly a Serbian village,  
18           was it not?

19      A. Not only in 1992. As far back as I can remember it was  
20           a Serb village.

21      Q. Thank you. You were born in Bosnia-Herzegovina, were  
22           you not?

23      A. Yes, in Konjic.

24      Q. In fact, you could have voted or you may have voted in  
25           the referendum that was offered to you all on March 1st,



1 1992; is that right?

2 A. I did not vote. I didn't vote at the other referendum  
3 for the parties even. I didn't vote even then. I  
4 don't know whether I ever actually voted in my whole  
5 life.

6 Q. I believe that you are not a very politically active  
7 person. Is that not what you told us before?

8 A. No, I am not at all.

9 Q. My question is: if you had wanted to vote in the  
10 referendum, you would have been qualified to vote in the  
11 referendum, would you not?

12 A. Of course I had the right to vote. Nobody was  
13 preventing me from doing it.

14 Q. Thank you. You said that you were first arrested on  
15 May 6th, 1992 or some place like that, when you were  
16 driving your taxi near the Motel Konjic; is that  
17 correct?

18 A. Yes, madam.

19 Q. Then they took you to the Motel Konjic and asked you a  
20 lot of questions and searched your apartment. I guess  
21 they were looking for weapons; is that the assumption?

22 A. Yes, that is right.

23 Q. You were detained in the motel for how long?

24 A. Not in the motel; in the public security station, five  
25 or six hours.

1 Q. Yes. The public security station, is that close to the  
2 Motel Konjic?

3 A. Maybe some 3 kms. away.

4 Q. Prior to the outbreak of the war, in May of 1992, you  
5 lived on 15th September Street in Konjic at apartment  
6 number 19, did you not? I guess I got the apartment  
7 right. I do not remember?

8 A. Apartment 24-9.

9 Q. Okay. Thank you. You lived -- this apartment complex  
10 that you lived in was next to the apartment complex that  
11 Esad Landzo lived in, was it not?

12 A. Yes, that is right, madam.

13 Q. In fact, you knew Esad Landzo before the war, did you  
14 not?

15 A. Yes, I knew him, but I knew his younger brother better.

16 Q. His younger brother, Suad, or Sudo I think is his name,  
17 he helped you wash cars and paint a trailer on several  
18 occasions, did he not?

19 A. Yes.

20 Q. In fact, you were so popular that all of the  
21 neighbourhood kids wanted to spend a lot of time with  
22 you, did they not?

23 A. I don't know whether you can call that popularity, but  
24 I liked mixing with children.

25 Q. You said the village of Cerici was attacked on May 19th,

1           was it not?

2           A. I think it was 19th or 20th. I can't remember exactly.

3           Q. And at that time your father had been negotiating with  
4           the HVO for a peaceful surrender of the village; is that  
5           accurate?

6           A. My father and some other neighbours called up people by  
7           phone. I don't know whether it was the HVO, but they  
8           called up Konjic, asking them to stop shelling and to  
9           agree on the surrendering of arms, and for them to come  
10          to Celebici to make statements, and that sort of thing.

11          Q. Your father, his name is -- pardon my massacring the  
12          language -- I think it is Slavajub Golubovic; is that  
13          correct?

14          A. Correct.

15          Q. He peacefully surrendered, did he not?

16          A. Yes. He went to the village, brought his hunting  
17          rifle. He was allowed to go home. Then he was called  
18          up again and they took him to Celebici.

19          Q. Do you remember what day your father was taken to  
20          Celebici, or did you know?

21          A. I think it was one or two days after the village fell.

22          Q. So maybe around May 21st; would that be close? 22nd?

23          A. I know that it didn't go with the first group, but  
24          I can't say exactly what date it was.

25          Q. And at the time that the village fell, you were armed,

1           were you not?

2           A. I was. That is right.

3           Q. I am sorry. I forgot what kind of weapon you said you  
4           had. Could you just tell me again, because I forgot?

5           A. I had a machine gun, 762 mms.

6           Q. Is that a World War II issue machine gun?

7           A. No, it is a more recent production.

8           Q. I am ignorant about weapons pretty much. At the time  
9           that the village fell you became a fugitive at that  
10          point, did you not?

11          A. Yes.

12          Q. And you had the TO, the HVO and MUP looking for you all  
13          at the same time, were they not?

14          A. I didn't notice anyone looking for me, but probably they  
15          were.

16          Q. You did say that you became a member of the SDS in March  
17          of 1992, did you not?

18          A. Somewhere around there, maybe a couple of months before  
19          the war broke out, but there are documents to confirm  
20          this. There is no problem.

21          Q. Well, just because we were not there, would you just  
22          explain to the Trial Chamber what the SDS was to you in  
23          1992?

24          A. For me in March 1992 the SDS was the same for me as HDZ  
25          was for Catholics and SDA for Muslims.. I can give you

1 a popular saying that we have in our land, if I may.

2 Q. Please.

3 A. We would say: "Where all the Turks go, little Mojo goes  
4 as well", which means one goes with the flock.

5 Q. It was the ethnic separation then of the Serbians,  
6 Muslims and Croats basically; is that what you are  
7 telling us?

8 A. Yes, but my participation in the party, you can imagine  
9 how important it was when I joined only a couple of  
10 months. You can imagine how important I was for them  
11 and what kind of function I had. None really.

12 Q. Except I believe you stated that your mother shamed you  
13 into participating in the patrols of your village; is  
14 that right -- not shamed you, but said that you should  
15 do that; it was your duty?

16 A. Yes. That may seem funny or strange, but that is how it  
17 was.

18 Q. It is not funny. You were funny the other day the way  
19 you explained it and I remember that. You also said  
20 that your mother --

21 A. It was my mother who told me to come here to testify.  
22 If it weren't for her, I would never have come.

23 Q. Well, I think Mr. Moran's mother told him to come here  
24 too, so that is why he is here. You say that your  
25 mother negotiated your surrender to the MUP. Was that

1           your testimony a few days ago?

2           A. She negotiated with the military police of the Croatian  
3           defence council.

4           Q. So is it your testimony that you surrendered or you were  
5           captured? Which one?

6           A. I surrendered to the HVO in front of my house in the  
7           village of Cerici.

8           Q. You surrendered with Milovan Kuljanin; is that correct?

9           A. Correct, yes.

10          Q. Also known as Mici; is that his nickname?

11          A. Yes.

12          Q. Your mother was communicating with -- was it Darko  
13          Verkic? Is that his name, a Croat?

14          A. Yes, madam, that is correct.

15          Q. What your belief was and what your mother's belief was  
16          was that she had negotiated with Mr. Verkic to have you  
17          sent on to the safe territory in Croatia? Is that what  
18          she was working on, what her intention in the  
19          negotiation was?

20          A. No, no, no. Her aim was to have me surrender to the  
21          Croatian Defence Council to be taken to Celebici  
22          together with my neighbours to make a statement, as I  
23          had no reason to be afraid of anything, so I was not  
24          afraid to go to Celebici. The only problem was that  
25          I had stayed behind the others some ten days.

1 Q. Well, you said it was ten days today that you were a  
2 fugitive, but you have said before that it was fifteen  
3 days, and if Milovan Kuljanin said it was 20 days, would  
4 he be incorrect?

5 A. Madam, the village fell on 22nd or 21st. I reached the  
6 camp on 6th and all that time I was a fugitive and  
7 Milovan Kuljanin with me too, so there is no problem  
8 there.

9 Q. So if Milovan Kuljanin said you all surrendered on 10th,  
10 11th or 12th, would he be incorrect then?

11 A. That would not be correct. I have on my watch  
12 inscribed the date when I surrendered, on 6th June.

13 Q. Okay. So if Milovan Kuljanin stated that his  
14 understanding was that you all were going to make a  
15 statement to the Croats and then be taken on to a  
16 safe area outside of Bosnia, that would not be correct?

17 A. I don't know how he understood it, but I know what  
18 I thought, what I expected.

19 Q. Thank you. When you arrived at Celebici, were you  
20 interviewed immediately when you arrived there?

21 A. No, I spent a couple of hours in the manhole and then  
22 I was taken to make a statement to Mladen Zovko.

23 Q. That manhole you describe now, is that the one at the  
24 far end of the camp here, I believe? If you want to  
25 stand up, I think it is the one you testified about; is

1           that at the very end of the camp?

2           A. This one here. (Indicating).

3           Q. Yes. Thank you. I would like the record to reflect  
4           that he has pointed at the manhole at the very far end  
5           of Celebici, as far away from the gate as you can get,  
6           I believe. Inside that manhole was dry and there was  
7           no water or anything in there, was there?

8           A. You could feel -- you could smell the urine. There was  
9           a platform, a metal platform, so I wasn't paying much  
10          attention whether there was water or not, but that day  
11          I was not in the water.

12          Q. Did you supply that watch that you inscribed with the  
13          date that you arrived at Celebici to the prosecution?

14          A. No, nobody asked that watch of me. I didn't bring it  
15          with me either and nobody asked it of me. I wasn't  
16          asked to give up either a watch or money in Celebici.  
17          They even left my shoelaces and belt that I wore.

18          Q. But you still have that watch in your possession; is  
19          that correct?

20          A. Yes, my watch I do have on me, in my possession.

21          Q. Your Honour, I would ask that some time in the future,  
22          when Mr. Golubovic is allowed to return to his home that  
23          we be at least provided with some kind of documentation  
24          showing that he --

25          JUDGE KARIBI WHYTE: What is the relevance of that?



1 MS. McMURREY: It goes to alibi. He says he saw Mr. Landzo  
2 the day he came to the camp. He says it is June 6th.  
3 We say it is another date. It is very important, the  
4 inscription on the watch. If it says June 6th, I would  
5 ask the court to provide us with that documentation some  
6 time in the future.

7 JUDGE KARIBI WHYTE: The inscription he made on his watch?

8 MS. McMURREY: Yes, your Honour. May we ask the court to  
9 have that provided to us at a future date?

10 JUDGE KARIBI WHYTE: We are not supposed to do that.

11 I think you ask the prosecution to know what to do about  
12 that.

13 MS. McHENRY: Your Honour, I do not know anything about a  
14 watch or where it is, so I do not ... I do not believe  
15 that anything more is necessary beyond this witness's  
16 testimony.

17 MS. McMURREY: Well, your Honour, we believe that it is  
18 necessary for the defence of alibi that we have raised a  
19 long time ago, and the alibi is that Mr. Landzo was  
20 present in the camp in the middle of June. If he  
21 claims he saw him on the day that he was brought in,  
22 this is very relevant to our defence. I think we have  
23 a right to have that provided for us. We had no idea  
24 that there was documentation until this witness  
25 testified.

1 JUDGE KARIBI WHYTE: It is your own defence, is it not? It  
2 is your own defence?

3 MS. McMURREY: Well, it is Mr. Landzo's defence. I am just  
4 asking -- we would hate to have to call this witness  
5 back again. If that can be provided, we move right  
6 along, and no other problem.

7 MS. McHENRY: It was not clear to me from the witness's  
8 answer. Maybe he can be asked if he has the watch here  
9 in the Hague?

10 MS. McMURREY: He said he had it back at his home. He  
11 doesn't have it with him. I don't know if I have a  
12 ruling on that, but I would like to have that --

13 JUDGE KARIBI WHYTE: I do not see what the business of that  
14 ruling is, whether he is to provide you with your  
15 alibi. That is what you are trying to say.

16 MS. McMURREY: Your Honour, I am just trying to get the  
17 documentation that he just testified about.

18 JUDGE KARIBI WHYTE: He has told you he inscribed it in his  
19 watch and you want the watch in.

20 MS. McMURREY: I would either like the watch in, or just a  
21 photograph of the watch showing the inscription would be  
22 sufficient for us, your Honour.

23 JUDGE KARIBI WHYTE: If he is able to provide it, he is  
24 still here. Ask him.

25 MS. McMURREY: Mr. Golubovic, could you provide me with a

1 photograph of the watch with your inscription of "June  
2 6th, 1992" on it?

3 A. I have the date 6th June, when I arrived there, but I  
4 can give you the watch. It doesn't work any more.  
5 Mr. Landzo was at the door of the camp that evening, and  
6 he had an M-48 rifle with the "TO" inscribed on it.  
7 I know that very well, because Delic wanted to  
8 interrogate me and Landzo wanted to hit me. He said:  
9 "No, no, no, he's my bird. Leave him alone." So I  
10 know that he was there, because when they were burning  
11 me, he was learning it at that time. So please don't  
12 do that now, because this is certain, ma'am.

13 Q. All I am asking is: would you be willing to return here  
14 to The Hague with the watch, if we asked you to?

15 A. Why not, but I can write it or something. What is much  
16 more important, the documents that I can provide, my  
17 release form, when I was taken in and when I was  
18 released. I think that's much more important, but if  
19 you want the watch, I can bring the watch. I wasn't  
20 lying about that watch.

21 Q. I am not accusing you of lying and I appreciate your  
22 strategy for what you think is important in this case,  
23 but I am counsel for Mr. Esad Landzo and I am trying to  
24 determine what is important to build the case over here  
25 also. Please be tolerant with me and understand that I

1 am just doing my job right now. I am sure that we will  
2 be able to work out some documentation to provide for  
3 that in the future. I feel free that you and I will  
4 communicate on that or I will communicate through the  
5 prosecution. Thank you.

6 When you were brought in that day, you said you  
7 were interrogated by Darko Verkic; is that correct, or  
8 not?

9 A. No, I was questioned by Mladen Zovko. I gave my first  
10 statement to Mladen Zovko and there was also another  
11 gentleman there who I did not know.

12 Q. Mr. Zovko also known as Kuhar; is that correct? Is that  
13 his nickname?

14 A. Correct, correct.

15 Q. He was a friend of yours before the war, was he not?

16 A. We grew up together. We grew up in the same street.

17 Q. He did not beat you. There were no problems.. You  
18 were treated correctly at the time you were interviewed  
19 by Mr. Kuhar, were you not?

20 A. Correct. Yes. He took down my statement correctly but  
21 as far as his behaviour is concerned, he was correct  
22 with me.

23 Q. Even though he was a close friend of yours, he placed  
24 you into one of the three categories at Celebici, did he  
25 not?

1 A. Somebody did. I don't know if it was him or someone  
2 else.

3 Q. And the category you were placed in was the most  
4 dangerous category, I think, because you had a weapon  
5 and you were taken to Tunnel Number 9, were you not?

6 A. Correct, ma'am.

7 MS. McHENRY: Can I just object? Can I just clarify exactly  
8 what the question is? It seemed to me there were  
9 several questions in there. I am sorry.

10 MS. McMURREY: That when you arrived at the camp, you were  
11 categorised in one of the most dangerous categories, the  
12 category 3, because you had a weapon; is that correct?

13 A. I don't know. I don't know what category I was.  
14 I know that after the questioning I was taken to Number  
15 22 and then later they mistreated me, and after that  
16 they took me to Number 9, and for the groups I only  
17 heard about those. You said number 3. I have also  
18 heard that I was category number 1 as well.

19 Q. Okay. Just for clarification, you know the HVO left  
20 Celebici you had stated about ten days after you  
21 arrived; is that correct?

22 A. Yes, about ten days. After about ten days I stopped  
23 seeing their soldiers there except for one young man,  
24 who remained there, who became a member of the TO, and  
25 the rest I did not see there after that. They would

1           come every once in a while, but I did not see them  
2           working there or being on duty there.

3       Q.   So would it be correct that the HVO left Celebici some  
4           time around June 19th?

5       A.   Well, it is possible, yes.

6       Q.   Just to go back a few minutes, so if Mici said that you  
7           all surrendered after 20 days, and if he said that you  
8           were brought to Celebici on June 11th, then that would  
9           not be correct?

10      A.   I was brought to Celebici on 6th June together with  
11         Mici.   Maybe they took him somewhere and then brought  
12         him back.   I don't know how he can say that he got  
13         there.

14      Q.   In Konjic during this time there was no free travel for  
15         everybody within the municipality, was there?

16      A.   Some could and some could not.

17      Q.   You were close friends with a Mr. Zivak, were you not?

18      A.   Spaso Zivak?   You mean Spaso Zivak?

19      Q.   All I have is a last name, so I don't know.   Did you  
20         have many friends named Zivak?

21      A.   Yes, I did.   I was friends with all people.

22      Q.   I have realised that.   Thank you.   That is true.   The  
23         weapons that were distributed in Cerici, they were  
24         distributed by former JNA and SDA members, were they  
25         not?

1 A. I don't know about that. I know who I got my weapons  
2 from, but -- and I can't even say how much I can claim  
3 it as my own. It was simply in my possession at that  
4 moment.

5 Q. And you had received your weapon from Strajo Zivak, did  
6 you not?

7 A. No, that is not true. I received it from Dragan  
8 Sinikovic. If you thought about my friendship with  
9 Strajo Zivak, I have to say that we didn't even know  
10 each other. In retrospect I wish that maybe we did  
11 know each other.

12 Q. At that period were you familiar with the political  
13 situation in Donje Selo at the time, since Cerici is  
14 very close to Donje Selo?

15 A. I lived in Konjic, and I would infrequently go to  
16 Cerici, and the political situation, if there was any  
17 there, I don't know what you have in mind. Can you ask  
18 me a different question, something specific?

19 Q. Yes, I will ask you something specific. Were you aware  
20 that the village of Donje Selo held out and had  
21 resistance with the promise from the Serbian forces that  
22 they would come in and assist them in this resistance?

23 A. I don't know about the defence. We didn't have any  
24 trenches or anything. There were some armed  
25 individuals there, maybe about 30 people with the

1 weapons, and they were turned in at Celebici and that  
2 was all the defence, all the organisation. We had no  
3 people who would be able to command. One day it was  
4 one person; another day it was another.

5 Q. When you surrendered, you turned in your weapon and all  
6 the ammunition along with it, did you not?

7 A. Correct.

8 Q. I believe once you mentioned a group called the Lozice  
9 group? Can you tell me what that was? You said you did  
10 not see them when you were a fugitive. L-O-Z-I-C-E?

11 A. I don't know. I don't understand. There was  
12 something missing in the interpretation.

13 Q. You once stated that you did not see this Lozice group  
14 when you were a fugitive. What was this group that you  
15 were referring to?

16 A. I said that I did not see any group that was looking for  
17 me, the HVO, MUP or any other. That's what I said and  
18 I am not familiar with the name of the group that you  
19 just mentioned.

20 Q. Okay. Now when you were interviewed at Celebici the  
21 type of questions that were asked were regarding the  
22 arming of the Serbian population and about your weapons,  
23 were they not?

24 A. They did not. They once asked me whether I drove any  
25 weapons for the SDS, but that is not true. I didn't



1 even have an opportunity for that.

2 Q. You have told us on your direct examination how you were  
3 tortured and beaten when you first came to Celebici.  
4 Are you aware that the sole purpose of that beating was  
5 to locate weapons? Was that the kind of questions they  
6 were asking you?

7 MS. McHENRY: Again, if I may just object to the compound  
8 question, it is not clear to me what the question is, so  
9 the record is clear. May I just ask that there be one  
10 question?

11 MS. McMURREY: I can repeat it, but I think it was one  
12 question with the preface he told us before about the  
13 time that he was seriously beaten by Bato Alkadic  
14 I believe was his name. While he was being beaten, did  
15 they make it clear to him that they were looking for  
16 arms and weapons?

17 A. Bato Alkadic was asking me some questions from our  
18 private lives, while we lived well together, when we  
19 were friends, but he also did ask me where my father's  
20 hunting weapons were, that is correct, and he also asked  
21 me whether I knew him, whether I was lending him money,  
22 whether I was towing his car from Istanbul, those kinds  
23 of questions I was asked by Mr. Alkadic. I told him all  
24 that and he said: "Okay. That's all right. Never  
25 mind that. We are not friends any more and we are not

1 friends and Zjelko Klimenta is not a friend any more."

2 He said, "Kneel down." I knelt and he started to

3 perform his ritual.

4 Q. It is so hard for us to try to understand how one minute

5 you have close friends and the next minute you do not.

6 That must have been very difficult on you too at that

7 moment?

8 A. Had I known that Bato Alkadic was in the Celebici camp,

9 I would not have been a fugitive for ten minutes, let

10 alone ten days. I would have come straight to him.

11 I wouldn't have thought about the Celebici camp.

12 I would have preferred to -- I would have preferred to

13 surrender to Bato Alkadic than to my own father.

14 Q. Now you also told us the other day about how you were

15 burned in the administration building during an

16 interview. The person who tortured you that day --

17 A. Correct.

18 Q. -- his name was Narcis, was it not?

19 A. I don't know if that is his first or last name or his

20 nickname, but I know that he was a warrant-officer in

21 the former JNA. He was the Commander of that Celebici

22 compound before the war.

23 Q. At the time that they were questioning you, they made it

24 clear to you that two policemen had been killed by a

25 sniper and that you were one of the suspects in that

1 case. Did they not say that to you?

2 A. No. They were not mentioning that at that time. Had  
3 they done that that night, I don't think I would have  
4 been able to sit here today.

5 Q. But that was mentioned to you at some time in May, was  
6 it not?

7 A. That was a justification later on, so that they would  
8 justify themselves in front of some friends of theirs,  
9 who were asking them why they did this.

10 Q. You also stated there was no clear organised structure  
11 at Celebici when you arrived. That is true, is it not?

12 A. Correct, as far as I could infer and see.

13 Q. In fact, after the HVO pulled out, there was more chaos  
14 in the camp, was there not?

15 A. During the time when I was in the camp, which was in the  
16 beginning, it was the same every day. After the Red  
17 Cross visit I wasn't there and the inmates say that the  
18 situation did improve later, but between 6th June and  
19 17th July it was the same. You couldn't see any  
20 improvements.

21 Q. You also said that there was no clear indication of who  
22 was commander of the camp during this chaotic period; is  
23 that not true?

24 A. That is right. I did not see the insignia and I didn't  
25 understand them. The policemen had the insignia, but

1 not the soldiers.

2 Q. When you say the policemen, this was the military  
3 police, who were free to come and go at Celebici as they  
4 chose; is that not right?

5 A. That was the civilian police, and I think that it just  
6 grew into the military police. I don't know. Before  
7 the war they were for the most part members of the  
8 civilian police.

9 Q. But it was clear that there were guards and there were  
10 other people who commanded the guards, were there not?

11 A. Everybody was ordering me when I was in Number 9. I was  
12 not able to see the commanding ... People who were in  
13 Number 6 were getting out much more and could see who  
14 was ordering whom and what. I had no opportunity to  
15 see anybody ordering someone to do this or that. To us  
16 it was the guards who were coming to us and they were  
17 taking people out if they needed to be questioned; or if  
18 they needed to beat him, they would take him out.

19 Q. Well, you were what might be called the casual detainee  
20 in Celebici, and I mean by that that you had a lot more  
21 freedom as a detainee there than any of the other  
22 prisoners, did you not?

23 A. I don't know how you mean "casual". I could go out  
24 when I was in the hospital. I could go to the toilet  
25 and to drink water and sometimes I would be taken out to

1 pick up cigarette butts and papers, to clean. I don't  
2 know if you see that as freedom of movement. That was  
3 all.

4 Q. You also were given easier jobs in the camp like  
5 cleaning the weapons. That was one of the jobs, the  
6 duties you performed sometimes, and working on  
7 automobiles. Did you not do both of those at Celebici  
8 too?

9 A. Yes, correct. On one occasion I did clean the rifles  
10 that were found in the field and a few times I did  
11 repair cars; that is correct.

12 Q. In fact, you were allowed to sit outside with the guards  
13 and you visited with them on a friendly basis most of  
14 the time you were there, did you not?

15 A. No, no. I was not talking -- there was no guard in  
16 front of the administration building and Number 22.  
17 There was no guard there. That was close to the  
18 administration building, so there was no need for them  
19 to be there, so I did not talk to them there.

20 Q. But you were able to walk around in that area and be  
21 outside in the sunlight. In fact, you had so much  
22 freedom that Mr. Mucic had asked you not to go near the  
23 fence, because you might get mistaken for someone trying  
24 to escape, did he not?

25 A. Correct, but they would tell me to go and clean near the

1 fence. I never went out -- I never left Number 22 in  
2 order to take a walk, only if I was asked to go and do  
3 something. It would have been very dangerous for me to  
4 go out and take a walk around. Perhaps somebody found  
5 that it was good for me, but my opinion is that it was  
6 not at that moment.

7 Q. But you did get to visit with Mr. Landzo, just visiting  
8 with him outside of Number 22, did you not, during this  
9 time, just cordial greetings?

10 A. As far as I -- did I understand you correctly, that you  
11 said I went to visit Mr. Landzo?

12 Q. No, when he was off duty standing around 22 or the guard  
13 house, that you would all visit and exchange  
14 pleasantries?

15 A. On one occasion I did talk to Landzo. I remember that,  
16 and it had to do with some hunt and some meadow that  
17 could be seen from the camp, but Mr. Landzo did not  
18 mistreat me in the camp, and I think that that is  
19 sufficient. I cannot say that he mistreated me when he  
20 did not. I cannot talk to our cordiality very much.

21 Q. In fact, when you talked about Mr. Narcis, he was putting  
22 the hot whatever it was on you in the administration  
23 building, Mr. Landzo was not present then, was he?

24 A. He was on guard duty in front of the building. He was  
25 not present in the room.

1 Q. And that was night-time, when that occurred, was it not?

2 A. Yes, that was night-time; correct.

3 Q. So because you were not outside of Tunnel 9 very often,  
4 but you did get to see the activities from 22 going on,  
5 was it clear -- it was clear that guards were following  
6 orders most of the time, was it not?

7 A. Probably somebody ordered them some things. Some  
8 things maybe they did on their own, the way they  
9 wanted. I did not hear them being ordered, like:  
10 "Take Golubovic out and beat him by the fence." Had  
11 I heard that, I would have stated that.

12 Q. Your testimony is you did not hear the order, but it  
13 could have been ordered; right?

14 A. Most probably some things were ordered to them. They  
15 can be ascertained. This can be found out.

16 Q. Now I do not remember whether you discussed the food at  
17 Celebici before, but you knew that the food came in a  
18 van from the outside of Celebici, did it not?

19 A. Yes, it was brought there.

20 Q. In fact, that same van brought the same food for the  
21 guards and for the detainees, did it not?

22 A. Whether it was the same I don't know, but when this van  
23 arrived -- actually it was a Lada caravan -- Ustalic was  
24 driving it. I can't remember exactly who it was  
25 later. Whether it was the same food or not I don't

1 know. I think it wasn't. We were given bread mostly;  
2 occasionally some rice and some beans, three spoonfuls  
3 each.

4 Q. Your Honour, I would like to have Prosecution Exhibit  
5 number 1 offered to Mr. Golubovic at this time for his  
6 review, to refer to some of the photographs, if the  
7 usher would please give it to him. (Handed).

8 Mr. Golubovic, these are the photographs that the  
9 prosecution has put into evidence referring to the camp  
10 at Celebici. I am going to ask you, number one, if you  
11 will just take a moment and thumb through and look at  
12 all of the photographs just for a moment and see if that  
13 looks familiar to you. In a moment, so that the  
14 computer people can be apprised, I am going to ask that  
15 we publish on to the monitor Prosecution Photographs,  
16 number 23, 24, 25 and 26, please. Mr. Golubovic -- can  
17 I get those photographs, if possible, or is this too  
18 short notice?

19 MS. McHENRY: I believe, although I cannot speak for them  
20 about the notice, I believe you could certainly put them  
21 on the ELMO from the original exhibit.

22 MS. McMURREY: That would be just fine, if Mr. Usher would  
23 like to put 23 on the -- I think we have a difference  
24 here in numbering. I am not sure. If the usher would  
25 check and see if number 23 is a photograph of Building



1           Number 22.

2           A. Yes, yes.

3           Q. Do we have it on there? Thank you.

4                     Mr. Golubovic, if you could -- you could identify  
5           this as Building Number 22 or the infirmary in June of  
6           1992; is that right?

7           A. Yes, that is that building.

8           Q. You were held in this building longer than you were any  
9           place else while you were in Celebici; is that true?

10          A. Yes, roughly about the same time as in Number 9. More  
11          actually. Yes, you are right.

12          Q. Then could I also have 24, 25 and 26 just displayed?  
13          This is the backside of Building Number 22, is it not?

14          A. Yes.

15          Q. And number 25 and 26, if we might publish those for a  
16          second, those show what is now the inside of Number 22,  
17          but it didn't look like that in 1992, did it?

18          A. That is right.

19          Q. In fact, those shelves were not there and these pump  
20          things were not there in 1992, were they?

21          A. When I reached 22, they were not there.

22          Q. These four photographs, these are the total photographs  
23          that the prosecution has introduced with regard to  
24          Building Number 22, are they not?

25          MS. McHENRY: Your Honour, I am going to object to that.

1           How would this witness know exactly what the prosecution  
2           has and has not put into evidence.

3       MS. McMURREY:   Your Honour, I will clarify that.   In this  
4           document that you have looked at, these are the only  
5           photographs of Number 22 that they have in Prosecution  
6           Exhibit number 1; is that correct?

7       A.   I would have to look through the book again.   There may  
8           be another photograph.   I don't know.

9       Q.   I am going to ask you to look through the book again but  
10           I want you to refer to the photograph that is in front  
11           of you.   The window in number 26 where the pumps -- the  
12           next photograph -- that window goes out to the back of  
13           Building Number 22, does it not?

14      A.   Yes, that is right.

15      Q.   In 1992 those windows on either end were the same milk  
16           glass that is in the middle of these windows, were they  
17           not?

18      A.   I cannot remember that.   I know I was looking through  
19           this window while it was one quarter open, as much as it  
20           could be.   That was the system.

21      Q.   You are looking at photograph number 26, and the window  
22           is open.   That is as far as this window would open, is  
23           it not?

24      A.   Yes, only that far.

25      Q.   You are telling the court right now you cannot remember

1           whether that was clear or milk glass in 1992?

2           A. I cannot remember. I see on the photograph that you  
3           can see through it.

4           Q. But if the other witnesses said in 1992 that this was  
5           milk glass, you would not know whether that was  
6           incorrect or not, would you, because you cannot  
7           remember?

8           A. I am saying again that I cannot remember.

9           Q. Now, this window is maybe 1.9 metres up, is it not? It  
10          is taller than I am in the building, is it not?

11          A. I don't know exactly. It is quite high up, yes.

12          Q. You could not look through that window without standing  
13          on something to peer out; is that not correct?

14          A. Yes. I would stand on the bed.

15          Q. I want to ask you now to look back through all of the  
16          photographs, if you would just quickly. I am asking  
17          you: does the prosecution have a photograph in there  
18          showing what the view is from that window towards Tunnel  
19          9?

20          A. You could see through that window the entrance to Tunnel  
21          Number 9, perhaps some 20 metres to the left, and maybe  
22          even more towards the left, and to the right maybe some  
23          20 metres this tap could be seen, the water tap that we  
24          used to drink from.

25          Q. My question was that there is no photograph reflecting

1 the view from that window towards Tunnel Number 9, is  
2 there?

3 MS. McHENRY: Just a moment. Could we just have the  
4 witness, if he can, tell us the number of the photograph  
5 he is referring to when he says: "You could see this  
6 tap"?

7 A. 45. It's number 45. You could see more than can be  
8 seen on the photograph. The field of vision was  
9 greater than you can see on this photograph.

10 MS. McMURREY: I am sorry. What photograph are you  
11 referring to?

12 A. 45, yes.

13 Q. That is just the front of Tunnel 9, is it not?

14 A. Yes, the entrance to it.

15 Q. My question was: there is no photograph from the window  
16 of 22 to Tunnel 9, is there?

17 A. I don't know who took these photographs and where from  
18 they were taken. It is rather a complicated question  
19 for me. If you can give me a big photograph or you can  
20 take me to Celebici, I can show you how much I could  
21 see. How do I know which photograph was taken and what  
22 kind of technique was used?

23 Q. I do not know how many photographs were taken, but in  
24 this exhibit there is no photograph that is taken from  
25 the point of view -- from the window in Building 22 to

1 Tunnel 9, is there?

2 MS. McHENRY: Objection. Asked and answered. The witness  
3 has said he does not know the answer. I think the  
4 Chamber has already had evidence from the person who  
5 took the photographs about this. The witness has  
6 already answered that he does not know.

7 MS. McMURREY: Your Honour, he has not given me an answer to  
8 the question that I asked. I am just asking: is there  
9 one that reflects that point of view in the  
10 prosecution's exhibit? May I continue?

11 JUDGE KARIBI WHYTE: Yes. Ask him.

12 MS. McMURREY: Thank you. There is no photograph from the  
13 point of view of the window of Building 22 to Number 9,  
14 is there, in this exhibit?

15 JUDGE KARIBI WHYTE: Actually, if you have seen one, kindly  
16 mention it to him.

17 MS. McMURREY: There is none. That is why I want the court  
18 to realise that --

19 JUDGE KARIBI WHYTE: Then why do you ask him?

20 MS. McMURREY: Because I want him to say "no" from where --

21 JUDGE KARIBI WHYTE: Why do you know there is one.

22 MS. McMURREY: Because I have looked at it twice.

23 JUDGE KARIBI WHYTE: Then if you can ask any other  
24 questions.

25 MS. McMURREY: Yes. So my question is: there are no other

1 photographs from that point of view, are there?

2 A. There is this photograph number 23, 26. That could  
3 have been taken from the window in the direction of  
4 Number 9.

5 Q. But it was not, was it?

6 A. It was taken from within Building 22.

7 Q. Okay. I am going to ask you to also look at the front  
8 of the prosecution's exhibit there, and I do not know  
9 what it is called. There is a scale drawing of the  
10 camp like this. (Indicating). It says "Number 1" at  
11 the top, but I am not sure what exhibit this is. Could  
12 you open that for us, please? Does this look like a  
13 scale of Celebici to you?

14 A. Yes.

15 Q. You just testified, just a few moments ago, that you  
16 thought it was about 20 metres from 22 to Tunnel 9; is  
17 that correct?

18 A. No, it is not correct. I testified that from the  
19 window I could see from the entrance to Number 9, 20  
20 metres to one side and 20 metres to the other. We  
21 would always see the entrance, the detainees when they  
22 went to drink water, to bathe, when they went to the  
23 toilet. There was a pit here. You probably know  
24 where this field toilet was. That's what I could see.

25 Q. So this scale drawing we have here reflects the distance

1 from the window at Building Number 22 to Tunnel 9 is  
2 really from about 70-80 metres; is that correct?

3 A. I don't understand how you manage to calculate it, but  
4 it was something like that.

5 Q. I am just using --

6 A. Roughly 50. 50. I don't know how many.

7 Q. Thank you very much. There are certain things on these  
8 drawings and these models that were not reflected on  
9 this model, like the gigantic concrete banks at the end  
10 of the railway station. There were two big banks at  
11 the end of the railway station that are about 3 metres  
12 high, are there not -- not 3 metres, 2 metres?

13 A. There were banks at the end of the rails, and there were  
14 banks of sand on them, and the guards were practising  
15 shooting there. I never saw any kind of embankment  
16 made of concrete or anything else. These were simple  
17 barriers, concrete barriers in case a truck should pass,  
18 and it would stop there, and on top of them were sacks  
19 with sand, which were used as shooting targets.

20 Q. Thank you. You said you were released from Celebici on  
21 July 17th; is that correct?

22 A. Yes.

23 Q. You also stated that the day that you were to be  
24 released Mr. Esad Landzo brought in a Mr. Bosko Samoukovic  
25 into the infirmary; is that correct?

1 A. Yes.

2 Q. When he brought him into the infirmary, that was July  
3 17th then, was it not?

4 A. I was given my discharge papers on 17th July. That is  
5 what it said on the paper. Whether it was 17th, 16th,  
6 15th or 18th I cannot recollect exactly, but the day  
7 I left the camp Mr. Landzo brought Mr. Samoukovic to  
8 Number 22.

9 Q. So you could have gotten your release papers on the  
10 17th, but you could have left Celebici earlier than  
11 that; is that correct?

12 A. Probably I could have left later, not earlier.

13 Q. When Mr. Landzo brought Mr. Samoukovic to Number 22, he  
14 seemed very frightened, did he not?

15 MS. McHENRY: Who is who, just so the record is clear,  
16 Mr. Samoukovic or --

17 MS. McMURREY: I am sorry. Mr. Landzo appeared to be very  
18 frightened, did he not?

19 A. I was lying on the bed and I didn't see them when he  
20 brought him in. I know that he said that they should  
21 treat him and bring him to Number 6 in half an hour.  
22 I think there was other detainees with him, but I don't  
23 know exactly who.

24 Q. So your testimony is you didn't see when he brought  
25 Mr. Samoukovic to Number 22, did you?



1           A. I heard his voice. I didn't see him that very moment,  
2           but I saw him later, when he came in, and asked me why  
3           I was afraid to lie on the bed on which Samoukovic had  
4           died. I was sitting on the bed. I wasn't lying on  
5           it.

6           Q. In July of 1992 Mr. Landzo was very young, was he not?

7           A. I don't know how old Mr. Landzo is.

8           Q. But you knew he had just gotten out of high school, did  
9           you not?

10          A. Of course. It is no secret how old Mr. Landzo is. It  
11          is easy to find out how old he is now and how old he was  
12          then.

13          Q. So how old did you know that he was in July of 1992?

14          A. I didn't know exactly how old he was. I don't even  
15          know now how old he is. I am not quite sure myself how  
16          old I am.

17          Q. You knew in the camp there was a woman named Ismeta  
18          Posder, was there not? Did you know Miss Posder as the  
19          secretary at Celebici?

20          A. I knew Miss Ismeta Posder. I would see her in the  
21          canteen. She gave me some sugar, but I didn't know  
22          what her function was in the camp. She'd give me  
23          cigarettes, too.

24          Q. You knew another detainee named Zarko Mrkajic, did you  
25          not?

1 A. Yes, I knew Zarko Mrkajic. I still know him.

2 Q. He was also a casual detainee, was he not? I mean, he  
3 was allowed freedom as you were, was he not?

4 A. Zarko Mrkajic would come from Number 9. I would take  
5 food and take it to Number 9. I would come to take  
6 water. I would see him.

7 Q. And he would even come into the administration building  
8 and drink with the guards, would he not?

9 A. I didn't see him doing that. It is possible. If  
10 somebody said so or if somebody saw him, then probably  
11 it is true.

12 Q. Do you know what "Zenga" means?

13 A. They were members of the bar of people's guards of the  
14 Croatian army, the people's guards of the Croatian army.

15 Q. Mr. Landzo's nickname was "Zenga", was it not?

16 A. Yes.

17 Q. Does that mean that he was more like the Croatians? Is  
18 that what the name meant, or does it have any other  
19 meaning to you?

20 A. I didn't give him that name, so I really don't know.  
21 Maybe they wanted to be Zengas in those days and not  
22 now.

23 Q. May I have one moment, your Honours, to review?

24 (Pause.)

25 On the exhibit, the model here for Celebici, can

1           you point on the model to the room where Mr. Narcis  
2           interviewed you?

3       A.   I can.

4       Q.   Thank you.

5       A.   Pointing).

6       Q.   That front room there.   That was at night-time; is that  
7           correct -- I am sorry.   Now Mr. Narcis was not a member  
8           of the guards at Celebici, was he?

9       A.   No.

10      Q.   In fact, he was really just a visitor at the camp that  
11         day.   What military group did he belong to?  The  
12         military police?

13      A.   He came with members of the Ministry of the Interior.  
14         Which formations he belonged to I don't know.   They  
15         addressed him as "Captain, sir".

16      Q.   You are aware too that right towards the end of your  
17         stay at Celebici there was an incident where nine  
18         military police were killed, murdered out at Repovci?  
19         Is that the name of the town?

20      A.   Yes, I heard about it while I was in the camp.

21      Q.   Were you aware that Mr. Landzo had a very close friend  
22         that was murdered up there at that time, his neighbour  
23         on 15th September Street?

24      A.   Yes, I knew that.

25      Q.   You told us about the high concrete embankments at the

1 end of the railroad tracks a while ago, and you  
2 described some sand bags that were on there. How high  
3 did the sand bags go from the top of the concrete  
4 embankments?

5 A. They were not on top of the concrete slabs, but they  
6 were piled up against the concrete slabs.

7 Q. Did you not testify that something occurred on the top  
8 of the concrete slabs? I do not remember what it was.  
9 Did they unload things from the top or what was it that  
10 you said about the top?

11 A. They would put bottles and shoot them as practice.

12 Q. Thank you. Your Honours, I am going to ask you your  
13 tolerance. It is break time, and I am about to wrap  
14 this up, but I have one photograph that we have in the  
15 defence room that I would like to question him on when  
16 we return. If we might just break two minutes early, I  
17 will be completely finished within five minutes when we  
18 return, if I can just be allowed to get that  
19 photograph.

20 JUDGE KARIBI WHYTE: We will break for 30 minutes.

21 I think that should give you ample opportunity.

22 MS. McMURREY: Thank you for your tolerance.

23 JUDGE KARIBI WHYTE: The Trial Chamber will rise and  
24 reassemble at 12.

25 (11.30 am)

1 (Short break)

2 (12.00 noon)

3 JUDGE KARIBI WHYTE: Good afternoon, ladies and  
4 gentlemen. Can we have the witness and continue where  
5 we stopped?

6 (Witness returned to court)

7 MS. McHENRY: Your Honour, just while we bring the witness  
8 in, I just want to clarify for the record, not  
9 necessarily with the witness, that defence counsel were  
10 given a letter about the possibility that this witness  
11 might be willing to give a pre-trial interview. It is  
12 not something the witness knows about, the letter, but  
13 I just wanted to clarify that for the record.

14 MS. McMURREY: Yes. Ms. McHenry and I did discuss that.  
15 I never received the letter but I do not doubt it may  
16 have been lost somewhere in our shuffle over here.  
17 I appreciate the fact that she made us aware of that.  
18 Thank you.

19 JUDGE KARIBI WHYTE: Yes. You can now continue your  
20 cross-examination.

21 MS. McMURREY: Thank you very much. If the usher might one  
22 more time provide Mr. Golubovic with the Prosecution  
23 Exhibit number 1, I would appreciate it. I would like  
24 to tell the court once I reviewed our photographs back  
25 here they do not show what we needed to show, so we are

1 going to leave them alone right now. Thank you.

2 Number 8. That should be a photograph, I believe, of

3 the front of the command centre. Yes. Thank you.

4 Mr. Golubovic, does that represent to you the front

5 of the command centre, which is the area facing Building

6 Number 22?

7 A. Yes.

8 Q. Just to go back on one area, the night that Mr. Narcis

9 did those things to you during his interview, would you

10 point on the photograph which room you were located in?

11 Over on the ELMO?

12 A. (Pointing). Here to the left.

13 Q. The location where you see this guard standing or this

14 soldier standing, is that the location that you say you

15 saw Mr. Landzo?

16 A. I saw Mr. Landzo here.

17 Q. Okay. Thank you very much. I would like to have this

18 document marked as Defence Exhibit, if the usher can do

19 so many things at one time. Ask Mr. Roeland to mark

20 that as Defence Exhibit. Could I have it handed to

21 Mr. Golubovic, please.

22 JUDGE JAN: What is this document?

23 MS. McMURREY: It is his statement from Celebici camp, your

24 Honour, with his signature on it. I was going to ask

25 him to clarify that for you. I also have our

1           interpretations of it in English, which, after it is --  
2           I would like to offer these to the court.    The  
3           prosecution has been provided with a copy of this  
4           already.    Thank you.    I did not hear what number that  
5           is marked.

6           JUDGE KARIBI WHYTE:    Let him see them first.    We have not  
7           heard his opinion about them.

8           MS. McMURREY:    Yes.

9                         Mr. Golubovic, do you recognise this document?

10          A.   No.

11          Q.   So this document was not presented to you and that is  
12               not your signature on the back page?

13          A.   This is not my signature.

14          Q.   Well, your Honours, then I will move on.    Just a couple  
15               more questions.

16          JUDGE KARIBI WHYTE:    So what is the proposal?

17          MS. McMURREY:    I cannot introduce it into evidence, if he  
18               does not recognise it, your Honour, so I will withdraw  
19               these at this moment.

20          JUDGE KARIBI WHYTE:    I suppose so.

21          MS. McMURREY:    Thank you.    Your impression of Mr. Landzo was  
22               that he was a young boy who was easily influenced; is  
23               that not correct?

24          A.   You are repeatedly asking this question about the age of  
25               Mr. Landzo.    He was five years younger than now, so that

1           that is not a problem, to establish his age.    If he  
2           could be influenced, I think he would also be influenced  
3           in a positive way, not only in a negative way.    I think  
4           that he probably also feels remorse for some of the  
5           things that he has done.

6        Q.   Okay.   Thank you.   But you would agree that he was  
7           about 18 or 19 years old in 1992; is that not correct?

8        A.   He had -- he was five years younger than he is today.

9        Q.   Okay.   Thank you.   Since you were released from  
10           Celebici on July 17th 1992, you do not know when  
11           Mr. Landzo left Celebici to join the military police, do  
12           you?

13       A.   I don't know that.   I was not coming to town, so I was  
14           not familiar with it.

15       Q.   I pass the witness, your Honour.

16       JUDGE KARIBI WHYTE:   Thank you very much.

17                               Cross-examined by MR. O'SULLIVAN

18       MR. O'SULLIVAN:   Good morning, your Honours.

19       JUDGE KARIBI WHYTE:   Good morning, Professor O'Sullivan.

20           The witness is yours now.

21       MR. O'SULLIVAN:   Thank you.

22                               Good morning, Mr. Golubovic.

23       A.   Good afternoon.

24       Q.   My name is Eugene O'Sullivan and I represent Mr. Zejnil  
25           Delalic.   I will be asking you a few questions to which



1 I will be seeking --

2 A. Go ahead, please.

3 Q. I would like to say, first, that I will be seeking  
4 clarification on certain points you have already spoken  
5 about here in this Tribunal, and for that reason I will  
6 have to go over some details with you about your  
7 previous testimony; all right?

8 A. No problem.

9 Q. Okay. First of all, I would like to ask a little bit  
10 about MUP. We have heard a lot about MUP from you.  
11 It is correct in the municipality of Konjic the police  
12 force was known as MUP; is that correct?

13 A. Yes.

14 Q. And MUP is the police of the Ministry of the Interior?

15 A. Yes.

16 Q. Before the war there were Serb, Croat and Muslim members  
17 of MUP; is that not correct?

18 A. Correct.

19 Q. And to the best of your knowledge, it is correct to say  
20 that in the municipality of Konjic MUP was very powerful  
21 and had full authority in the municipality at that time?

22 A. As in all other municipalitites it was the same case.

23 Q. Let us talk a little bit about your arrest. In June  
24 1992 you said you were arrested by the HVO military  
25 police?

- 1 A. Not arrested. I surrendered to them.
- 2 Q. The people who took you in you knew personally; is that  
3 not correct?
- 4 A. Yes.
- 5 Q. I have a few questions about them. The leader of that  
6 group, Darko Verkic, is a Croat, is he not?
- 7 A. Yes.
- 8 Q. And Mr. Aga Jozic is Croatian, is he not?
- 9 A. Jozic.
- 10 Q. Jozic. Pardon me. He is a Croat as well?
- 11 A. Yes.
- 12 Q. And Mr. Mario Maric is a Croat?
- 13 A. Yes, my neighbour, he is.
- 14 Q. I believe you also mentioned a man named Vranic, who is  
15 also a Croat?
- 16 A. Vranic.
- 17 Q. As well was not Miro Brekalo there when you were taken?
- 18 A. Brekalo.
- 19 Q. He was there?
- 20 A. Yes.
- 21 Q. He was taken?
- 22 A. Yes.
- 23 Q. You would agree with me: at that time the HVO military  
24 police and MUP worked closely together?
- 25 A. No. They were not working closely together.

1 Q. Okay. It is also your knowledge that MUP had its own  
2 command structure with people like a Chief of Police and  
3 a Police Commander?

4 A. Yes.

5 Q. Thank you. I have a few questions about the time that  
6 Mladen Zovko questioned you at Celebici. Mladen Zovko  
7 is a Croat, is he not?

8 A. Yes.

9 Q. You said that he is a police officer, but is it not also  
10 true that he had a law degree?

11 A. That is correct, yes.

12 Q. You said that during your interview with him he behaved  
13 correctly and wrote down what you told him?

14 A. He did.

15 Q. For clarification again, he put you in the first  
16 category of prisoners, the prisoners who were considered  
17 the most dangerous; is that not correct?

18 A. I don't know that. Probably he did. I was detained  
19 in Number 9 and people were saying that we were the  
20 first ones who are going to be executed. Whether we  
21 were dangerous or not I don't know that. I don't think  
22 we were dangerous.

23 Q. I am not asking you whether you thought you were  
24 dangerous, but he put you in the first category and  
25 prisoners in the first category were considered the most

1 dangerous?

2 MS. McHENRY: Objection. Asked and answered. This  
3 witness has already stated, both now and in previous  
4 cross-examination, that he did not know exactly what  
5 category he was put in. He assumed certain things.

6 MR. O'SULLIVAN: Perhaps I can remind the witness of what he  
7 said in November 1996, when he met with the  
8 representative of the Prosecution's Office. At that  
9 time, in November 1996, when you had the meeting with  
10 that individual, you said:

11 "He put me in the first category of prisoners,  
12 that is the most dangerous prisoners."

13 Do you recall saying that?

14 A. It is possible that I did say that, but here I say  
15 another group.

16 THE INTERPRETER: Microphone, please.

17 A. Is it all right now?

18 THE INTERPRETER: Yes.

19 A. Here anything could be written, category 5 or 10. Here  
20 my signature is not correct. The way this is signed  
21 here, it is not how I sign, so I don't know what group  
22 I was put in. I was told that I was in the first  
23 group, when they were mistreating me, and when they  
24 abused me, they were telling me that I was in the first  
25 group.

1 Q. Perhaps there is some confusion here. I am referring  
2 to the statement you made in November, November 11th,  
3 1996, when you were interviewed --

4 A. The interpretation is not coming through. Yes, I can  
5 hear now. There was no interpretation into  
6 Serbo-Croatian.

7 MR. O'SULLIVAN: Sir, I am not referring to that document you  
8 have in front of you. I want to take you back to  
9 November 1996, when you were interviewed by a  
10 representative of the Office for the Prosecutor. At  
11 that time you said in your statement that:

12 "Mladen Zovko put me in the first category of  
13 prisoners, that is the most dangerous prisoners."

14 I am asking you to confirm that.

15 A. It is possible that I did say that, yes.

16 Q. You knew that Mladen Zovko was a member of the military  
17 investigation committee at Celebici, did you not?

18 A. I did not know that. I was questioned by him and what  
19 he was, where he belonged, that I did not know.

20 Q. But you knew there was a military investigation  
21 committee at Celebici?

22 A. At what time are you saying that I knew that? We were  
23 questioned by people. I assumed that there was a  
24 committee, since they had a right to question us, but  
25 I cannot answer that question, who he was, what his

1 function was. I can't speak to that. I know that he  
2 was correct towards me. I saw him then, and then never  
3 before. I don't feel good if he put me in the first  
4 category of prisoners, because he had no reasons to do  
5 that, but if he did it, that's up to His Honour.

6 Q. Fine. My question is this, and to help you answer my  
7 question: you were interviewed by Mladen Zovko and he  
8 took a written statement from you. It is at that  
9 point, I am suggesting to you, that he was acting as a  
10 member of the military investigation committee?

11 MS. McHENRY: Objection. Asked and answered.

12 MR. O'SULLIVAN: No, he has not answered my question.

13 JUDGE KARIBI WHYTE: Are you suggesting to him that is what  
14 his role was?

15 MR. O'SULLIVAN: Yes, and I am asking him if he knew there  
16 was the existence of this military investigation  
17 committee at Celebici.

18 JUDGE KARIBI WHYTE: Do you know about the existence of  
19 such a committee? Put it straight to him.

20 MR. O'SULLIVAN: Sir, did you know that there existed --

21 A. No, I did not know that.

22 Q. Okay. Let us talk a little bit about your release from  
23 Celebici. You know that it was difficult for prisoners  
24 like yourself, who were in category 1, to be released  
25 from Celebici, do you not?

1 A. Most probably it was difficult, but I was only a  
2 detainee of the first category on the paper, not in  
3 reality, so maybe it wasn't as difficult for me to be  
4 released.

5 Q. You know that you were released from Celebici before  
6 most of the other prisoners were released from Celebici?

7 A. That I do know.

8 Q. Last time you were here you spoke about the potential  
9 danger you faced after you left Celebici, and is it not  
10 correct to say that your greatest fear came from MUP,  
11 because they had not authorised your release, and they  
12 might come after you?

13 A. Correct.

14 Q. At the time of your release in mid-July there was a  
15 battle at Borci between the TO forces and Serb forces;  
16 is that not correct?

17 A. I don't know that. That is where the line was, the  
18 front line and they were fighting all the time, and the  
19 line was there for three or four years. So they were  
20 constantly having a conflict.

21 Q. So in mid-July, when you were released, did you know  
22 that there was a battle going on at that time?

23 A. We heard. We heard the shells falling and light arms.  
24 fire. Whether there was a battle going on, that I  
25 don't know, because we knew by those things that there

1           were some war operations, combat operations, going on.

2           Q. This Borci, the mountain at Borci was the dividing line  
3           between the TO forces and Serb forces; is that correct?

4           A. Correct, yes.

5           Q. And Borci is about 10 kms east of the town of Konjic?

6           A. 10-15, yes.

7           Q. I would like to take you back to May 1992 for a  
8           moment.

9                     Your Honours, with the assistance of the technical  
10           unit, I would like to show the witness a short video.  
11           It has already been marked as exhibit D12/1. I will  
12           ask him to identify some of the people that are on this  
13           tape.

14          MS. McHENRY: Just for clarification, may I ask what video  
15           it is? Is it one of the ones that the prosecution has  
16           previously seen?

17          MR. O'SULLIVAN: It has been shown in court. It is D12/1.

18          MS. McHENRY: Thank you.

19          MR. O'SULLIVAN: Before we show the video, Mr. Golubovic, let  
20           me explain what I would like you to do. I would ask  
21           you to watch the video. You will see people speaking  
22           into the camera. At a certain point I will have the  
23           technicians stop the video and ask you if you can  
24           recognise, identify, the people on the video; all right?

25          A. No problem.



1 Q. Perhaps we could show the video clip, please.

2 (Videotape played)

3 INTERPRETER: (Translating video commentary): "I want to  
4 say on behalf of my village of Cerici we are very happy  
5 we acted this way. We did not dirty our hands. We  
6 didn't kill anyone. We didn't shoot anybody. Our  
7 people are conscious we acted wisely although I have  
8 suggested ten days ago we should collect the weapons and  
9 give them back. However, we couldn't influence them  
10 and so the people who led us didn't allow that."

11 MR. O'SULLIVAN: Sir, did you recognise that first person?

12 A. Yes, yes, that is Jovo Sudarusic. For a while he was  
13 sort of like a mini-commander. I don't know.

14 Q. Okay. Yes?

15 MS. McHENRY: I was just going to ask you, if you are going  
16 to show any more of the video, whether or not the sound  
17 is going to be played. If it is solely for purposes of  
18 having him recognise people, I don't believe it is  
19 appropriate to have the sound.

20 MR. O'SULLIVAN: With all due respect to my learned friend, I  
21 am asking the witness to identify people. I think he  
22 can identify people both by seeing and hearing them.  
23 Voice is relevant to identification just as seeing the  
24 person's face. Because we have technology that  
25 provides both the picture and the sound, there is no

1 reason why we should not hear what he has to say as  
2 well.

3 MS. McHENRY: If I may be heard --

4 JUDGE KARIBI WHYTE: If it is necessary for your purposes,  
5 if it is just identification of an individual or also  
6 what he has to say -- we ought to determine why you want  
7 the video. What you have to -- the Trial Chamber is  
8 asking you if it is to identify certain persons.

9 MR. O'SULLIVAN: Quite right.

10 JUDGE KARIBI WHYTE: What you might say might be something  
11 a little different.

12 MR. O'SULLIVAN: Having the witness hear the person's voice  
13 is a means of identification. That supports what the  
14 witness can see. He can identify a person by both  
15 seeing and hearing him. If he hears the person, he may  
16 identify the voice.

17 JUDGE KARIBI WHYTE: You are going a little bit -- the  
18 picture is intended for him to identify certain persons;  
19 is that not so?

20 MR. O'SULLIVAN: I am not asking him to identify the  
21 picture. I am asking him to identify based on a  
22 video. With the video you can have both pictures and  
23 sound. I think it is quite appropriate that identity  
24 can be established two ways.

25 JUDGE KARIBI WHYTE: It might be complicating the evidence

1 more, depending on what may be said on the video. That  
2 is not a proposal for identification. If the proper  
3 background is laid, you should tell the Trial Chamber  
4 why you want the identification before it was played.

5 MR. O'SULLIVAN: I want identification because this man may  
6 be able -- he is from the region, he is from the town.  
7 He is in a position to know who these people are.

8 JUDGE KARIBI WHYTE: Yes. What is the purpose, merely  
9 identifying?

10 MR. O'SULLIVAN: That becomes part of our defence, knowing  
11 who was there, and witnesses who may also confirm the  
12 identity -- if he is one of the prosecution witnesses  
13 who can also identify who the person is. This is the  
14 appropriate witness to identify who the person is from  
15 his village.

16 JUDGE KARIBI WHYTE: He can identify from face.

17 MR. O'SULLIVAN: He can but also, with all due respect --

18 JUDGE KARIBI WHYTE: Let us not argue over things that are  
19 trivial. All he can do is identify a person from  
20 seeing him on the video. His voice is also  
21 irrelevant. I do not think it is necessary.

22 MR. O'SULLIVAN: All right. The technical support people  
23 made stills of the individuals, and for sake of clarity,  
24 because we have a video, I would suggest that we can  
25 perhaps add this to the file, on to the record, to show

1 exactly which person he referred to by name from the  
2 video. The video is the evidence, of course, but this  
3 picture can help confirm, because on this clip there are  
4 about six people, all of whom he may or may not  
5 recognise, but since he has recognised this man, I would  
6 suggest that we mark this in reference to the person he  
7 just recognised for clarity.

8 JUDGE KARIBI WHYTE: Frankly you embarrass me. I am not  
9 part of your case. I do not know what you are driving  
10 at. If he identifies certain persons, he has to  
11 identify them for certain purposes.

12 MR. O'SULLIVAN: Uh-huh.

13 JUDGE KARIBI WHYTE: You have to indicate exactly what all  
14 this is intended to be directed at.

15 MR. O'SULLIVAN: Well, these people are being identified in  
16 regards to the distribution of arms at the relevant  
17 point in time.

18 JUDGE KARIBI WHYTE: Now you have gone to the real point.  
19 If this is what you are saying, you have to put it to  
20 him. He should know now he has identified them that  
21 these are the purposes for which they are being  
22 identified.

23 MR. O'SULLIVAN: Very well. He has already identified the  
24 person.

25 Sir, that is the man you just identified on the

1 video?

2 A. Yes.

3 Q. Which exhibit is that, please?

4 THE REGISTRAR: I marked it as --

5 JUDGE KARIBI WHYTE: From the video.

6 THE REGISTRAR: I marked it as D12/1A.

7 MR. O'SULLIVAN: Okay.

8 So, Mr. Golubovic, could you repeat the name on  
9 that picture which has been identified as D12/1A?

10 A. That is Jovo Sudarusic or Sudar. I don't know  
11 exactly. Sudarusic I think.

12 Q. Can we roll the tape and show the second person on the  
13 tape to Mr. Golubovic, please?

14 (Videotape played)

15 Q. We will stop there. Sir, do you recognise that second  
16 person?

17 A. Could you run it again? The picture was not very clear.

18 Q. Can we show the film of the second person again,  
19 please?

20 (Videotape replayed)

21 Q. Did you recognise that man?

22 A. I cannot recognise him. The picture is not very clear.

23 Q. When you recognised the first man, is it just based on  
24 the picture, or was it also from hearing his voice?

25 A. You are right when you say that I also did recognise him

1 a bit by his voice. Here also I would have had  
2 difficulty in recognising him. Five years have passed.

3 MR. O'SULLIVAN: Your Honours, with all due respect, for  
4 purposes of identification the witness has just  
5 confirmed that hearing the voice may be helpful, given  
6 the quality of the picture. Identity through voice  
7 alone can be made. Here we have the opportunity to  
8 have both the person on screen and the opportunity to  
9 hear his voice. That is why I ask that we play both  
10 the video and the audio.

11 JUDGE KARIBI WHYTE: Yes, you can play the audio.

12 MS. McHENRY: Your Honour, if I may just suggest something:  
13 the prosecution -- the prosecution does not have any  
14 objection to the witness hearing the voice but we would  
15 ask that it not be translated into English, and that the  
16 content of the -- what the person is saying not be  
17 considered as evidence, just merely for the witness to  
18 hear the voice to see if the witness can identify it.

19 JUDGE KARIBI WHYTE: I think I prefer that. All he wanted  
20 to know is whether he can identify a person by voice,  
21 not necessarily what the voice says.

22 MR. O'SULLIVAN: Then, your Honour, we find ourselves in the  
23 curious situation that some people in the court room  
24 understand what is going on and others do not.

25 JUDGE KARIBI WHYTE: Then you might be giving evidence

1 through someone who is not even there.

2 MR. O'SULLIVAN: It does not change the fact that --

3 JUDGE KARIBI WHYTE: It could change a lot. If all he  
4 should do is to identify a person either by seeing him  
5 or hearing his voice, let him do that.

6 MR. O'SULLIVAN: Very well. Would the technical unit run  
7 the second footage and play the sound for Mr. Golubovic?

8 (Videotape replayed)

9 A. This man is not from my village. I do not know him.

10 Q. Thank you. Could we view the third person, please?

11 (Videotape played)

12 Q. Do you recognise this man, sir?

13 A. No, I cannot recognise him.

14 Q. Can we show the next footage, please?

15 (Videotape played)

16 Q. Did you recognise the man who was speaking there?

17 A. No.

18 Q. Did you recognise the man sitting next to him, to his  
19 left?

20 A. In the background I recognised the man in the red  
21 tee-shirt. His name is Spaso Babic from Bjelovcina.

22 Q. Can I ask the usher to show this photo produced from the  
23 film to Mr. Golubovic? (Handed). This has been marked  
24 as D12/1B.

25 THE REGISTRAR: That is right.

1 MR. O'SULLIVAN: Could you confirm for us the name of the  
2 person in the red tee-shirt in that picture?

3 A. This one is Spaso Babic or Spasoje Babic.

4 Q. With the help of the usher could I have you circle the  
5 man's face on the photo? (Pause). Could we continue  
6 with the film, please?

7 (Videotape played)

8 Q. Can we stop there? Do you recognise the man speaking  
9 there?

10 A. I recognise both these people.

11 Q. We will do them one at a time. Could we ... sir, you  
12 are being shown exhibit D12/1C. Could you identify the  
13 man in that photograph, please, that you know and  
14 recognise?

15 A. It is Novica Draganic, a relative of mine, from the  
16 village of Cerici.

17 Q. That is his face on the left of that photograph in  
18 close-up?

19 A. Yes, on the left, yes.

20 Q. Could we roll the film, please?

21 (Videotape played)

22 Q. Do you recognise that man?

23 A. It is Sinikovic Dorde or Doko from my village.

24 Q. Show Mr. Golubovic this still, please. (Handed).

25 MS. McHENRY: The prosecution would just like the



1 opportunity to examine the two last photographs. It  
2 does not have to be before, but just if we could look at  
3 them, please.

4 MR. O'SULLIVAN: Sir, could you confirm for us that this  
5 exhibit marked D12/1D -- could you tell us the name of  
6 the person in that photo taken from the film? Could you  
7 repeat his name?

8 A. This last photo? It is Doko or Dorde Sinikovic. We  
9 called him Doko. He is my neighbour.

10 Q. Thank you. I believe there is one last individual on  
11 this tape. We do not have sound for him. Could you  
12 show the last face to Mr. Golubovic?

13 (Videotape played)

14 Q. Could we freeze on that face, please, the last face? Do  
15 you recognise this man?

16 A. No.

17 Q. Your Honours, at this time I move to have the following  
18 exhibits entered into evidence: D12/1A, D12/1B, D12/1C  
19 and D12/1D.

20 MS. McHENRY: We do not have any objection, but at least  
21 with respect to the last two I would like to see them.

22 MR. O'SULLIVAN: Mr. Golubovic, I have a few questions about  
23 your father. You have told the court on May 19th, 1992  
24 --

25 JUDGE KARIBI WHYTE: Excuse me. Why do you really want to

1 tender them? Because he recognised them?

2 MR. O'SULLIVAN: Yes, and they are connected to the issue  
3 identifying people regarding the distribution of arms.

4 JUDGE KARIBI WHYTE: We do not have evidence about  
5 distribution of arms.

6 MR. O'SULLIVAN: Throughout we have been -- since the  
7 beginning of the trial there has been people saying they  
8 have been armed by neighbours, by friends.

9 JUDGE KARIBI WHYTE: Who gave that evidence?

10 MR. O'SULLIVAN: Mr. Golubovic said he was armed by his  
11 neighbour.

12 JUDGE KARIBI WHYTE: These are the people who are alleged  
13 to have distributed arms to him?

14 MR. O'SULLIVAN: No, they are not, but they are the people in  
15 the region.

16 A. No.

17 JUDGE KARIBI WHYTE: I really cannot see the business of the  
18 introduction of these.

19 MR. O'SULLIVAN: Identification is relevant to the issue of  
20 whether or not people were armed. One of the main  
21 issues here is the arming of --

22 JUDGE KARIBI WHYTE: How this actually ties up with that I  
23 do not see. He has identified certain persons and that  
24 is all the purpose of identifying them.

25 MS. McHENRY: Your Honour, let me clarify. Like your

1 Honours, we do not see at this point the relevance of  
2 these photographs, and certainly we do not agree that  
3 there is any evidence before this court that any of  
4 these people have supplied arms, but to the extent that  
5 the witness has identified them, we do not object to the  
6 record reflecting that the witness has identified these  
7 particular persons. Certainly we entirely agree with  
8 your Honour that there has been no showing of relevancy  
9 or any evidence about these people thus far. Thank  
10 you.

11 JUDGE KARIBI WHYTE: Actually my understanding of his  
12 identification is that they are people who he is able to  
13 identify individually and that is all, not that they are  
14 connected with any other thing in the evidence led so  
15 far.

16 MR. O'SULLIVAN: I ask that they be admitted on that basis,  
17 yes.

18 JUDGE KARIBI WHYTE: On what basis? That he identified  
19 them. That is all.

20 MR. O'SULLIVAN: Yes.

21 A few questions about your father, Mr. Golubovic.  
22 You have told us that on May 19th, 1992, the day of the  
23 liberation of Donje Selo, your father arranged the  
24 surrender of the village by telephone; is that correct?

25 A. Did you call it the day of liberation?

1 Q. Yes.

2 A. Liberation? I don't know who we were liberated of on  
3 that day. That was the day when we lost that village,  
4 and we don't have it to this day.

5 Q. Well --

6 A. I would like liberation day to come, so that I could go  
7 to my home.

8 Q. Very well. It was on May 19th that your father  
9 negotiated a surrender by telephone; is that correct?

10 A. Yes.

11 Q. Your father agreed to surrender in order to avoid  
12 casualties?

13 A. Yes. With Slobodan Draganic, Mirko Cecez. He spoke to  
14 the President of the Municipality, Rusmir  
15 Hadzihuseinovic, because they went to school together,  
16 and his brother had a weekend home in our village, and  
17 they agreed on this to avoid civilian casualties. That  
18 was all. My father was not any kind of commander. He  
19 was just one of the elders in the village, and he spoke  
20 to them on that basis.

21 Q. Very well. In the municipality of Konjic in May 1992  
22 you were aware that an issue had been ordered -- an  
23 order had been issued -- pardon me -- for residents to  
24 surrender their arms; is that not correct?

25 A. We didn't receive that order. There were some

1 negotiations in Donje Selo by certain people discussing  
2 the question of surrendering of arms, but nothing  
3 definitive was agreed. In fact, there were proposals  
4 for mixed guards, joint watch duty and so on, so that I  
5 am not aware of that order. We didn't receive it in  
6 writing or orally, the order to surrender arms.

7 Q. Is that not the reason why your father, the huntsman,  
8 chose to hide his prize rifles, because he did not want  
9 to turn them over, because of these talks to surrender  
10 arms?

11 A. He knew that they would take those arms from him. He  
12 loved those guns. He paid for them. He saved up from  
13 his worker's salary to buy them, so I don't think that  
14 was any kind of sin. I think the fact that they took  
15 them away from him was a greater sin.

16 Q. So the reason why he chose to keep this valued property  
17 of his was because there was this order that residents  
18 turn over their arms. That is what motivated him to  
19 hide his guns?

20 A. He could have been called. The weapons were  
21 licensed. Nobody asked him to go to the police  
22 station. He simply hid them underground. I don't  
23 know that he ever received any call to hand over his  
24 weapons. Maybe he knows. It was his own. It was  
25 his own property. I wasn't aware that he had hidden it

1 or when he hid it, so that's all I can say about the  
2 hunting weapons of my father.

3 Q. Thank you. You told the Tribunal last week and again  
4 this morning that you received your weapon from your  
5 neighbour Dragan Sinikovic?

6 A. That is correct.

7 Q. You also said the last time you were here you did not  
8 know where he got the machine gun he gave you?

9 A. That is right. I didn't know.

10 Q. Is it not, in fact, true you received that machine gun  
11 along with 150 bullets when you joined the SDS in March  
12 of 1992?

13 A. It is not true.

14 Q. Your Honour, I have this morning disclosed photographs  
15 to the prosecution, which I would like to show  
16 Mr. Golubovic, to see whether he recognises the arm, the  
17 weapon, the machine gun, he was issued at that time, or  
18 he received from his neighbour. It is with previous  
19 agreement with the prosecution that these have been  
20 disclosed to my learned friends across the floor.

21 There is a series of them. We will proceed one by  
22 one.

23 JUDGE KARIBI WHYTE: Show it to him.

24 MR. O'SULLIVAN: Would you place that on the ELMO, please?

25 A. That is not that.

1 MS. McHENRY: I just might suggest for purposes of  
2 expediency that the witness be given all the photographs  
3 and just asked to go through them, and if he recognises  
4 one as the same as what he was shown, he can then show  
5 it on the ELMO, just in the interests of moving things  
6 along.

7 MR. O'SULLIVAN: Can we put that weapon on the ELMO first?  
8 I have a question about that. So you were issued and  
9 received a 7.62 mm machine gun; is that correct?

10 A. Yes.

11 Q. Do you recognise what this weapon is, the model?

12 MS. McHENRY: Objection as to relevancy, your Honour.

13 MR. O'SULLIVAN: Question of identification of arms.

14 MS. McHENRY: I -- excuse me.

15 JUDGE KARIBI WHYTE: What is your objection?

16 MS. McHENRY: I would still say, your Honour, that the kind  
17 of weapon it is is irrelevant. I mean, this witness  
18 has said it was not his weapon. I agree there might  
19 arguably be some relevance, although, given that he has  
20 already stated he had this kind of weapon, I am not  
21 convinced of it, but I am willing to state that, but to  
22 have this witness identify other arms when we have no  
23 idea where they are from, much less how this witness  
24 would know, much less the relevance, I object.

25 JUDGE KARIBI WHYTE: The effort is to make him recognise

1 the type which he said was given to him.

2 MS. McHENRY: That is correct, your Honour. I have  
3 previously agreed with defence counsel that the  
4 prosecution did you not object to this witness being  
5 shown photographs of weapons and asking if this was the  
6 kind of weapon evidence. This witness has already  
7 stated that this weapon is not the kind of weapon he  
8 had. I object to any further questions as to  
9 relevance.

10 MR. O'SULLIVAN: The issue of whether or not he recognises  
11 his weapon is one thing, but he may also be in a  
12 position to tell us what model weapon is before him,  
13 given his knowledge of guns.

14 JUDGE KARIBI WHYTE: Why do you need it? Is he a weapons  
15 expert? What is the purpose of him going through a  
16 range of weapons to identify them? . He was not  
17 denying he had a weapon.

18 MR. O'SULLIVAN: No, he is not. I am just testing his  
19 knowledge about weapons to see what he knows about  
20 them.

21 MS. McHENRY: We continue to object as to relevance.

22 MR. O'SULLIVAN: We have heard many people speaking about  
23 different models.

24 JUDGE KARIBI WHYTE: You can ask him whether he recognises  
25 any particular type of weapon. If he does, he will say



1 so.

2 MR. O'SULLIVAN: He may know whether other people had --

3 JUDGE KARIBI WHYTE: If he does not, he does not.

4 MR. O'SULLIVAN: The witness may know whether other people  
5 had such weapons at that time.

6 JUDGE KARIBI WHYTE: You can put it.

7 MR. O'SULLIVAN: Sir, do you recognise that weapon?

8 A. This is not a weapon. This is a piece. Weapons is  
9 served by one man and a piece of this kind you need  
10 several people.

11 Q. Could you describe what that piece is, the model, for  
12 identification? How would you describe it?

13 A. It is a machine gun of some kind. This is a proper  
14 machine gun. I had a rifle machine gun.

15 Q. Can you be more specific in your description of that  
16 gun?

17 JUDGE KARIBI WHYTE: These are the problems of not knowing  
18 what exactly you are asking him.

19 THE INTERPRETER: Microphone, your Honour, please.

20 JUDGE KARIBI WHYTE: The problem of not knowing the  
21 question you are asking him and what answers you expect  
22 of him. If you know what questions you are asking and  
23 the answers you expect from him ...

24 MR. O'SULLIVAN: I am asking whether he knows -- whether he  
25 can describe this gun to the court, if he knows the

1           make, the name given to this gun?

2           A. I don't know the model.

3           Q. Could you place that second photo on the ELMO, please?

4           (Handed).

5                        Sir, do you recognise what's in this photo?

6           A. This is also a kind of machine gun.

7           Q. Can you be more specific?

8           A. I don't know. It may be something that is mounted on a  
9           tank or on another armoured vehicle. In any case it is  
10          one of the larger machine guns.

11          Q. Can you place that third photo on the ELMO, please?

12          (Handed).

13                        Do you recognise what's in this photo?

14          A. It is also an armament of some kind, some kind of  
15          machine gun, anti-aircraft or something. How do I  
16          know? I never saw it before in my life except in this  
17          photograph.

18          MS. McHENRY: Your Honour, given that this witness is  
19          clearly not a weapons expert, I renew my objection as to  
20          relevancy. I would also just point out with respect to  
21          relevancy the prosecution has not denied that certain  
22          people were armed. So that is another reason why  
23          I believe these are entirely irrelevant. I at least  
24          would like the record to reflect our continuing  
25          objection on grounds of relevancy. Thank you.

1 JUDGE KARIBI WHYTE: Thank you very much. I think it is  
2 an appropriate objection. I think we do not have to  
3 waste a lot of time gambling over what an answer could  
4 be. If you know exactly what you want to put to him,  
5 go ahead and do so.

6 MR. O'SULLIVAN: Primarily I want him to see if he recognises  
7 the weapon he had, a 7.62 mm machine gun.

8 JUDGE KARIBI WHYTE: If you have a photograph of that, put  
9 it to him.

10 MR. O'SULLIVAN: I am not sure I do.

11 JUDGE KARIBI WHYTE: You do not?

12 MR. O'SULLIVAN: I think I might.

13 JUDGE KARIBI WHYTE: If you do, show it to him.

14 A. It was this kind of gun that I had, only it didn't have  
15 a butt like this.

16 MR. O'SULLIVAN: Would you place it on the ELMO, please?  
17 (Handed). With the help of our friend from the  
18 Registry, this is ...

19 THE REGISTRAR: It is marked as D15/1D.

20 MR. O'SULLIVAN: Would you confirm that that photograph  
21 represents the 7.62 mm machine gun that you had, except  
22 for the butt?

23 A. It is that type, but it didn't have a wooden butt.

24 Q. Yours had a collapsible butt; is that correct?

25 A. Yes.

1 Q. Right. Thank you. At this point I move that this  
2 last exhibit --

3 THE REGISTRAR: D15/1D.

4 MR. O'SULLIVAN: -- which the witness has identified be  
5 entered into evidence as the weapon he possessed.

6 JUDGE KARIBI WHYTE: He is not denying he had such a  
7 weapon. He has never denied it, in his  
8 evidence-in-chief admitting it.

9 I think the Trial Chamber will rise now and  
10 reassemble at 2.30, after lunch.

11 (1 p.m.)

12 (Luncheon Adjournment)

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1 (Court reconvenes at 2.30 p.m.)

2 JUDGE KARIBI WHYTE: Can we have the witness in? Professor  
3 O'Sullivan is still cross-examining.

4 (Witness returns to court)

5 JUDGE KARIBI WHYTE: Yes, you can continue.

6 MR. O'SULLIVAN: Good afternoon, your Honours.

7 Mr. Golubovic, when we broke for lunch, we were going  
8 through a series of photographs and I was asking you  
9 whether you could identify what was on those  
10 photographs. With the assistance of the usher I would  
11 like to show you the next photo.

12 MS. McHENRY: Your Honour, may I just ask for  
13 clarification? I believe the purpose of showing the  
14 photographs was to see if the witness could identify a  
15 rifle similar to his own, which I believe has already  
16 been done.

17 MR. O'SULLIVAN: I believe my learned friend's objection is  
18 to relevancy. This man's knowledge of weapons and his  
19 ability to identify weapons is relevant for several  
20 reasons. First of all, people in his village were armed  
21 and the Prosecutor admits there were armed individuals  
22 in his village. This witness may have seen people in  
23 his village with arms similar to those which are  
24 represented in the photos. He may be able to connect a  
25 person with a particular weapon. By identifying the

1 weapons, that is relevant as to the issue of where these  
2 weapons came from. Army issue weapons in possession of  
3 someone in the village may have come from the army, all  
4 of which go to relevance.

5 JUDGE KARIBI WHYTE: We got to the stage where he had  
6 identified the particular photograph which looked like  
7 the one he had. That was the stage at which we  
8 stopped. I did not know you were going further than  
9 that to ask for a general recognition of all the weapons  
10 that were used in his village, whether he was a  
11 custodian, whether he was the one dealing with it. I do  
12 not know if you have reasons for doing that. I think  
13 it is a little too much of a wild goose chase. If you  
14 want to go ahead, you can do so.

15 MS. McHENRY: Please just note our objection for the  
16 record. Thank you.

17 MR. O'SULLIVAN: Would you place that photo on the ELMO,  
18 please? Mr. Golubovic, you see four arms represented in  
19 that photograph. Starting off with the top, do you  
20 recognise what that weapon is?

21 A. I don't know these weapons. I pointed to the weapon  
22 that I had in that picture and these weapons I don't  
23 know.

24 Q. Did you see anybody in your village armed with weapons  
25 similar to these?

1 A. No.

2 Q. Okay. Would you place that photo on the ELMO too,  
3 please? Sir, do you recognise what is represented in  
4 this photo?

5 A. A piece of weapon like this I did clean one day in the  
6 camp. It was brought from Bradina. It was from the  
7 Second World War and it was rusty.

8 Q. Can you be more specific as to the description, model,  
9 make, vintage?

10 A. No, I can't do that. I don't know that.

11 Q. Do you know anyone in your village who was armed with a  
12 weapon like this?

13 A. I did not see this kind of weapon in our village.

14 Q. Before continuing, the previous exhibit is?

15 THE REGISTRAR: D15/1F.

16 MR. O'SULLIVAN: I ask that that be admitted into evidence if  
17 it has been identified by the witness. He saw it in  
18 Celebici, from Bradina, I believe.

19 JUDGE KARIBI WHYTE: He did not give an accurate  
20 description of what he had. He said minus the butt,  
21 which was wooden. It looked like what he had. That  
22 does not admit that that was what he had. That is what  
23 he said.

24 MR. O'SULLIVAN: I believe he also added that it was captured  
25 from Serbs in Bradina, the one that he saw in Celebici.

1 JUDGE KARIBI WHYTE: If you want that evidence, ask him.

2 MR. O'SULLIVAN: Sir, the previous photograph?

3 A. Yes.

4 Q. You said that you saw it in Celebici as it had been  
5 captured from Serbs in Bradina; is that correct, a gun  
6 similar to that?

7 A. Yes. It was corroded, and I think that it probably was  
8 from World War II.

9 Q. Yes. On that basis I ask that it be admitted. He  
10 claims. to have seen a weapon similar to this coming from  
11 Serbs captured in Bradina. The connection with this is  
12 the Serbs in Bradina had a weapon like this?

13 THE INTERPRETER: Microphone please, your Honour.

14 JUDGE KARIBI WHYTE: The picture shows weapons similar to  
15 what was happening. What is the meaning of that?

16 MR. O'SULLIVAN: A weapon of this vintage and this style --

17 JUDGE KARIBI WHYTE: No, it does not show that he was then  
18 a custodian of any of those things, so he knew about  
19 these things.

20 MR. O'SULLIVAN: He just told us it came from Serbs who were  
21 brought to Celebici from Bradina and that they were  
22 armed with these weapons.

23 JUDGE KARIBI WHYTE: They look like -- the photographs,  
24 they look like such weapons. If you want to push it,  
25 there is no harm, but really I think the answer is too



1 remote. So many people can tell you that same thing,  
2 not only him.

3 MR. O'SULLIVAN: So you are accepting that it be entered into  
4 evidence then, this last photograph which he has  
5 identified as the weapon that he saw -- similar to the  
6 weapon that he saw in Bradina. I so move then. Just  
7 to clarify for the record that is?

8 THE REGISTRAR: D15/1F.

9 MR. O'SULLIVAN: The next photo, Mr. Golubovic, do you  
10 recognise what is represented there?

11 A. Yes.

12 Q. Tell us what it is.

13 A. That is an automatic rifle.

14 Q. Do you know whether anyone in your village was armed  
15 with a weapon like that?

16 A. I did not see this kind of weapon in my village.

17 JUDGE ODIO BENITO: There are two pieces in this  
18 photograph.

19 THE INTERPRETER: Microphone, your Honour.

20 JUDGE ODIO BENITO: I am sorry. There are two pieces in  
21 this photograph. There are two pieces. I would like  
22 to know if the small one is also a weapon or what kind  
23 of piece is this, because I do not know anything about  
24 weapons.

25 JUDGE KARIBI WHYTE: Whether it constitutes a unit for the

1 purposes of use, whether the two of them constitute one  
2 unit.

3 MR. MORAN: Your Honour, without wanting to become a  
4 witness, that I believe is what would be called a rifle  
5 grenade. It would be fired from the end of a rifle.

6 JUDGE ODIO BENITO: So the small piece is the bullet for  
7 the big piece?

8 MR. MORAN: No, your Honour. The silver piece, is that  
9 what you are talking about? This would fire a grenade  
10 or bullets. There could be an attachment placed on the  
11 barrel of this rifle and it would allow the larger  
12 thing, which would be a rifle grenade, to be fired some  
13 distance almost like a mortar shell or a large hand  
14 grenade.

15 JUDGE ODIO BENITO: It is almost like a cannon.

16 MR. MORAN: That is very much what it is like, a small thing  
17 to -- it would put the round further than something  
18 someone could throw. Again I do not want to become a  
19 witness in this. I am just trying to help the Trial  
20 Chamber.

21 JUDGE KARIBI WHYTE: A sort of amicus.

22 MR. MORAN: Thank you very much.

23 JUDGE ODIO BENITO: Thank you.

24 JUDGE KARIBI WHYTE: Yes, you can continue.

25 MR. O'SULLIVAN: Thank you, your Honour.

1                    Could you place that photo on the ELMO?

2                    Sir, do you recognise what is represented in that  
3                    photo?

4                    A. It is the same kind of rifle, except it has a different  
5                    butt.

6                    Q. Was anyone in your village armed with a weapon like  
7                    that?

8                    A. I did not see this weapon, this type of weapon with  
9                    anyone.

10                   Q. Mr. Golubovic, do you recognise what is represented in  
11                   this photograph?

12                   A. I am not familiar with this kind of weapon.

13                   Q. Was anyone in your village armed with a weapon like  
14                   this?

15                   A. No, I did not see anyone carrying such an arm.

16                   Q. Can we show Mr. Golubovic the next photo, please?

17                                      Sir, do you recognise what is represented in that  
18                   photo?

19                   A. It is probably a rifle that is similar to an automatic  
20                   rifle.

21                   Q. Was anyone in your village armed with such a weapon?

22                   A. I did not see that.

23                   MS. McHENRY:    For the record, I object to this continued  
24                   line of questioning.    I believe that it is necessary  
25                   for this court to have an expeditious trial, and

1 I believe to continue to subject the witness to hour  
2 upon hour of cross-examination like this is unfair and  
3 unnecessary. Thank you.

4 MR. O'SULLIVAN: I have three more photographs, your  
5 Honour.

6 Sir, do you recognise what is represented in that  
7 photograph?

8 A. That is a semi-automatic rifle.

9 Q. Was anyone armed with such a weapon in your village?

10 A. I think that there were a couple of rifles of that type  
11 in the village.

12 Q. Do you know the names of the people who had such  
13 weapons?

14 A. No. They were not turning them in to me. They were  
15 other people to whom they were turning in those weapons.

16 Q. I did not ask you if they turned them in to you.  
17 I asked you if you knew the names of the people who  
18 carried such weapons or had them in their possession?

19 A. I assumed that they had these weapons, but they did not  
20 turn them in to me at Celebici. I was not the  
21 commander, military commander, where I could have a  
22 parade of people and they presented it to me. They  
23 would hide these weapons and I hid my weapon from  
24 others.

25 Q. Sir, you have said you know that certain people in your

1           village had a weapon similar to that one. What were  
2           their names?

3       A. Yes. I don't know these people. I can't remember  
4       those names.

5       Q. Do you recognise what is in this photo?

6       A. Yes. That is the classic rifle, M-48.

7       Q. Was anyone in your village armed with that weapon?

8       A. There was such weapon.

9       Q. Could you tell me the names of the people who had such  
10       weapons from your village?

11      A. I don't know who had them, but could you tell me -- can  
12      you tell me who are the people who killed Professor Duro  
13      Lupovic and his wife and young child.

14      Q. I prefer to ask the questions of you, sir. Could you  
15      give me the names -- give the Tribunal the names of the  
16      people who carried such a weapon?

17      MS. McHENRY: Objection. Asked and answered. He just  
18      stated that he didn't know. Thank you.

19      MR. O'SULLIVAN: Are you sure you do not know, sir?

20      JUDGE KARIBI WHYTE: Did you hear: he said he did not know?

21      A. I am sure that I did not know who carried those weapons  
22      in my village.

23      MR. O'SULLIVAN: Do you recognise the weapon in this  
24      photograph, sir?

25      A. I recognise. That's the photograph that was shown a

1           few minutes ago.    The same type of photograph was shown  
2           before.

3       Q.   What is the weapon?

4       A.   I don't know what weapon it is, but I recognise the  
5           photograph.    It was one of the first photographs that  
6           was shown, first or second photograph.

7       Q.   Was anyone in your village armed with this weapon?

8       A.   I said that it was not and I was looking at this  
9           photograph before, so I don't think that I need to  
10          repeat it twice.

11      Q.   I have one final photograph for you, sir.    Again, do  
12          you recognise what is represented in this photograph?

13      A.   Yes, I do recognise.

14      Q.   Would you tell us what you see?

15      A.   I was issued this type of weapon in the JNA, when I was  
16          there in 1979 as a soldier.

17      Q.   Was anyone in your village carrying such a weapon?

18      A.   I did not see anyone carrying that arm.

19      Q.   Your Honours, it may be expedient at this time, since  
20          all these photographs have been marked for  
21          identification, that they be admitted into evidence to  
22          save time?

23      JUDGE KARIBI WHYTE:   What type of practice is that?

24      THE INTERPRETER:   Microphone, please.

25      MR. O'SULLIVAN:   They have been marked --

1 THE INTERPRETER: Microphone, please.

2 JUDGE KARIBI WHYTE: As what?

3 MR. O'SULLIVAN: They have been marked for identification.

4 JUDGE KARIBI WHYTE: Those he has identified.

5 MR. O'SULLIVAN: Very well. I will move along.

6 Mr. Golubovic, how long before events on May 19th  
7 in your village did your village organise its defence?

8 A. I lived in town, and when I came on 9th May to the  
9 village, when I was arrested, I do not know when it was  
10 organised, nor whether it was organised, nor was I "au  
11 courant".

12 Q. This morning when you identified the person in  
13 photograph D12/1A as Jovo Sudarusic -- do you recall  
14 that?

15 A. Yes, I do.

16 Q. You described him as a person who for a while was a  
17 mini-commander. Do you remember that?

18 A. Yes, I remember. He liked to interfere in certain  
19 things like that.

20 Q. What do you mean he was a mini-commander? Could you  
21 expand upon that for us?

22 A. He wasn't a general.

23 Q. So he was something less than a general but more  
24 specifically --

25 A. Well, the word itself implies the meaning.

1 Q. What kind of duties and responsibilities did he have, to  
2 your knowledge?

3 A. I told you I don't know anything about that. I was a  
4 foreigner in my own village.

5 Q. You do not know when he started to act as  
6 mini-commander, at what point, what date?

7 A. I don't know that. They should have been -- he should  
8 have been questioned about that when he was there.

9 Q. Was Jovo Sudarasic one of the persons who participated  
10 in the arming of the people in your village?

11 A. I don't know that either. I was given my weapon by  
12 Dragan Sinikovic and that is all I know about arming and  
13 the people who gave out weapons.

14 Q. When you were at large between May 19th and your  
15 surrender in early June, did you see Lazar Cecez in the  
16 woods?

17 A. No, I didn't see him, never. I never saw him.

18 Q. You knew that he was a policeman in MUP before the war;  
19 is that correct?

20 A. Yes, I knew that.

21 Q. Do you know whether he supplied arms to people in your  
22 village?

23 A. He was not from my village and I am not aware that he  
24 distributed weapons.

25 Q. You know of a man named Milijan Cecez as well, do you



1 not?

2 A. Yes, I do.

3 Q. He was a Serb?

4 A. He should be.

5 Q. You knew, did you not, that he was responsible for  
6 arming people in your village?

7 A. I did not know that.

8 Q. This morning you also mentioned you knew a man Strajo  
9 Zivak?

10 A. Yes, I knew him while he was director of the post office  
11 in Konjic 20 years ago.

12 Q. Was he not a man who helped arm people in Cerici?

13 A. I told you he didn't give me a weapon. The weapon  
14 I got was from Dragan Sinikovic and that is all I know  
15 about people giving weapons. If Strajo Zivak had given  
16 me the weapon, I would have told you so.

17 Q. My question is this, sir. You have told the court that  
18 you participated in the patrol of Cerici. Is it not  
19 also true that you participated in the patrol and the  
20 defence by using your vehicles to transport arms from  
21 Nevesinje via Borci?

22 A. It is not correct. It is not true.

23 Q. No further questions, your Honour.

24 JUDGE KARIBI WHYTE: No further questions? Thank you very  
25 much. Any other cross-examination? None? Any

1 re-examination?

2 MS. McHENRY: Two questions only, your Honour.

3 Re-examination by MS. McHENRY

4 MS. McHENRY: Sir, first, you testified in cross-examination  
5 that you knew something about Esad Landzo's brothers.

6 Could you tell us the names and nicknames of Esad  
7 Landzo's brothers?

8 A. I knew the youngest brother. He was a boy. He was  
9 maybe 10-12 years old. I didn't even know his name.  
10 I did not know the older brother. I knew him by sight,  
11 but I can't remember his name.

12 Q. Thank you. With respect to Prosecution Exhibit 1, may  
13 I just ask that it be shown to the witness once? I have  
14 one question about that. It would be photograph 36  
15 that I would be asking the witness to look at, which is  
16 on page 28.

17 Can you put it under the ELMO, please, Mr. Usher?

18 Sir, with respect to the railroad car that you can  
19 see in the photograph, can you tell me whether or not  
20 you know if that railroad car was there when you were in  
21 Celebici?

22 A. It was not there when I was in Celebici.

23 Q. No further questions, your Honour. Thank you.

24 MS. RESIDOVIC (in interpretation): May I, your Honour?

25 JUDGE KARIBI WHYTE: Do you want to ask any questions?

1 MS. RESIDOVIC (in interpretation): No, your Honour. I do  
2 not have any questions to address to the witness, but  
3 while he is present, I wish to draw the attention of the  
4 court to a question, if I may.

5 The question may appear of a technical nature, but  
6 I think that it may have certain consequences in the  
7 course of the proceedings, so I thought it would be best  
8 if I make the comment now.

9 JUDGE KARIBI WHYTE: I asked you whether you had any  
10 questions even before it went for re-examination.

11 MS. RESIDOVIC (in interpretation): I have no question for  
12 the witness. Your Honours, I have no question to  
13 address to the witness, but I would like, while the  
14 witness is here present, to address a point which is of  
15 a technical nature, but which I think is of significance  
16 so if I may have your indulgence to say it?

17 JUDGE KARIBI WHYTE: Who is the question addressed to? Who  
18 is the question addressed to, because --

19 MS. RESIDOVIC (in interpretation): Your Honour, it is not a  
20 question. It is a statement which I think is important  
21 and worth making. Following the transcript, I have  
22 noticed that most of the names have not been noted or  
23 have been incorrectly noted. I would not like this  
24 court to enter into a debate about these matters,  
25 because it is not up to the court to do that, but since

1 we are talking about parties in the proceedings speaking  
2 different languages, and we are not always able to  
3 follow the transcript at the same time, because my  
4 working language is French, the witness is speaking  
5 Serbian, we understand Bosnian, and errors made in the  
6 transcript, as we have noted by checking the transcript,  
7 are sometimes of a factual nature.

8 So I appeal to the court that the interpreters and  
9 the record keepers, when they are unable to translate or  
10 take note of a word, to ask the person to repeat the  
11 name, and, if necessary, to spell it, so as to avoid any  
12 errors which could be of great significance for the  
13 defence. We will submit a written request to the  
14 translating service and the Registry indicating all the  
15 errors of this nature. So I am referring to one  
16 example. Instead of the name "Sinikovic" Dorde  
17 something quite different was put down, "Djordjic",  
18 which is absolutely quite different from what the  
19 witness said. For the reasons I have given I wanted to  
20 make this statement before the court, and I would appeal  
21 to the interpreters and the typists to draw our  
22 attention to any difficulties, so that we may correct  
23 them as we go along.

24 JUDGE KARIBI WHYTE: Thank you very much for that  
25 observation. It is very useful. We will take steps

1 to ensure that these things are correctly taken down.  
2 I think we have noticed some of them myself. The full  
3 complement of the corrections do not come up until after  
4 one week or so, so that it is fairly difficult to note  
5 exactly when it is corrected, but I think we will  
6 emphasise that the corrections should be done early or  
7 even at the time it was not heard properly; let us do  
8 that way. We will get back to it and get the corrected  
9 pronunciation for the spellings. Thank you, Madam  
10 Residovic.

11 MS. RESIDOVIC (in interpretation): Thank you, your  
12 Honours.

13 JUDGE KARIBI WHYTE: I think this is all we have for this  
14 witness. He is discharged. You are discharged.

15 (The witness withdrew)

16 JUDGE KARIBI WHYTE: Can we have your next witness?

17 MR. OSTBERG: Thank you, your Honour.

18 The next witness is Mr. G on the witness list.  
19 However, I do not think it is necessary to provide him  
20 with the protection that the court decided to give him,  
21 because he has waived that protection and declared that  
22 he will come forward and give evidence openly to the  
23 court. So I call Mr. Dragan Kuljanin.

24 Mr.s McHenry now this afternoon has other tasks and  
25 asks the permission of the court to leave the court

1 room.

2 JUDGE KARIBI WHYTE: Permission is granted.

3 MS. MCHENRY: Thank you.

4 JUDGE KARIBI WHYTE: Swear the witness.

5 MR. DRAGAN KULJANIN (sworn)

6 Examined by MR. OSTBERG

7 MR. OSTBERG: Thank you. Will you please state your full  
8 name for the court?

9 A. My name is Dragan Kuljanin. My father's name, Sreten.

10 Q. Thank you. Which is your date of birth?

11 A. My date of birth is 29th May 1958 in Bradina.

12 Q. Thank you. What kind of education did you receive?

13 A. My education was first the higher school and then the  
14 faculty of economics.

15 Q. What did that lead up to? What kind of job did you have  
16 or had?

17 A. I did various jobs. First, I was a  
18 hydro-meteorologist. Then my second job was a worker  
19 and then I was independent commercial manager in the  
20 field. I am now working in a factory producing screws.

21 Q. Can you tell us where in the former Yugoslavia you  
22 lived?

23 A. In the former Yugoslavia I lived in several towns.  
24 Most recently when I was working as a commerce  
25 representative I have travelled all over Yugoslavia.

1 I lived in Bradina; I lived in Sarajevo; I lived in  
2 Kula; I lived in Belgrade, and so on.

3 Q. Where did you live in the end of May 1992?

4 A. In April and May I was living in Bradina in my house  
5 with my parents.

6 Q. Did you have a job there also?

7 A. I was a commercial representative, travelling  
8 representative, so I happened to be there from 3rd April  
9 until 27th May.

10 Q. Can you then tell us, please, what happened on 27th May  
11 1992?

12 A. If I may first say what happened on 25th May, if I may.

13 Q. Of course. Start on what date you want, Mr. Kuljanin.

14 A. Thank you. About 3 o'clock on May 25th I was in my home  
15 with my father, my mother and my grandmother, who was  
16 ill. About 3 o'clock the shelling started from all  
17 sides. As the grandmother was ill and almost immobile,  
18 with the help of my parents I made a bed for her in the  
19 basement and I carried her there to protect her from the  
20 shelling. I was there until 26th May about 7 o'clock.

21 On 26th May about 6 o'clock my wife and children,  
22 with a man or two, were fleeing -- not my wife and  
23 children but women and children were fleeing in the  
24 direction of Mt Bjelasnica and I joined the column with  
25 them heading towards Mt Bjelasnica or rather towards a

1 hamlet near Bradina called Jasika.

2 Q. Before this happened, when it happened, was that a  
3 surprise to you, this attack on your village? Were  
4 there any premonitions of any kind?

5 A. Well, let me tell you the whole thing surprised me.  
6 This overall situation surprised me. I could never  
7 expect, I could never dream in my worst dreams that  
8 something like this could happen. There may have been  
9 some attempts. I can't say exactly when. I think  
10 around 9th or 10th May in a place called Preulja, it was  
11 at night, some shooting could be heard. Nobody knew  
12 what was happening and I did not really ask, and then in  
13 a locality called Velika -- I think this was around 20th  
14 May -- again there was some shooting. Therefore, how  
15 do I know? To be quite sincere, I personally never  
16 expected anything like that.

17 Q. Were there any preparations to defend this village  
18 against attacks?

19 A. I am not aware of any kind of preparations. When I was  
20 in the camp too they asked me about these  
21 preparations. I really did not know. Did I have any  
22 idea whether anything was being prepared or what was  
23 being done? I was living in my home with my parents.  
24 Occasionally I would go to one of the cafes, sit around,  
25 because we men were prohibited from going out. Women



1           went to work.   One or two men would.   Then we would  
2           wait in front of the cafe for them to bring us  
3           cigarettes, if they didn't capture them from them at  
4           Ovcari.   So we would sit around and talk and that's  
5           all.   Nothing special.

6        Q.   Did you take any part in the defence of your city -- of  
7           your village?

8        A.   No, no.

9        Q.   Were you ever trained as a soldier before this happened?

10       A.   I did my military service, my regular military service,  
11           like everyone else, in the former Yugoslavia.   Before  
12           that I had training as a student, because for about two  
13           years there were students training after the first year  
14           of study.   This would last about fifteen days, this  
15           training period.   I went for that training in  
16           Nevesinje.   I later served my military service in 1985  
17           and 1986.

18       Q.   Thank you.   Did you have any weapon when the village  
19           was attacked?

20       A.   No, none, neither me, nor my father, nor anyone.   I can  
21           assert that with full confidence.

22       Q.   Were you aware of some armament being delivered to  
23           people in the village?

24       A.   No.

25       Q.   Thank you.   You started to tell us about what happened

1 after the attack. Will you please go on and tell us  
2 what happened to you after you fled the village?

3 A. With this group of women and children I went to the  
4 locality called Jasika near Bradina. It is a hamlet.  
5 There at the time there were about 300, maybe more,  
6 women and children. From all sides there was shooting,  
7 and I consider it a miracle that no one was killed or  
8 wounded. There was a stream and there were bullets  
9 falling in it like marbles. There were women and  
10 children there. They were all lying down along the  
11 stream, and this went on for about two or three hours,  
12 until darkness fell. When it became dark, they stopped  
13 shooting. One could hear some more rifle fire in the  
14 hills, but not here at the women and children.

15 So we spent the night there, and the next day  
16 I was there somewhere until noon. There were five or  
17 six of us. I can't say that we were all young men.  
18 There were some older men with these women and children,  
19 until they set fire -- they set some fires on 26th too,  
20 but they set fire to a house 200 metres from where we  
21 were. Then the women and children panicked and they  
22 said: "Leave us, because if they see men with us, they  
23 will kill us too."

24 Then news came from the women who were joining the  
25 group that a number of men were being killed, and this

1           was true. I didn't want to surrender, and I decided to  
2           cross the mountain Bjelasnica. The women and children  
3           stayed behind. Of course we had to leave. They had  
4           panicked. They kept saying: "Go, go, go." So we left  
5           towards Bjelasnica. At the point called Preulja there  
6           were five of us. On the way there were other men. No  
7           one knew where to go.

8                     We asked -- they asked us: "Can we join you?" We  
9           said "Yes". We ourselves did not know where to go.  
10          They kept firing at us. I kept wondering why they were  
11          shooting. There was no one and yet there was  
12          shooting. At Preulja at a rock there was an  
13          anti-aircraft machine gun that was firing all the time,  
14          and it took about two or three hours for us to manage to  
15          cross this point at Preulja. After that we wandered  
16          across the mountain, Mt Bjelasnica and on 28th May,  
17          about 2 or 3 o'clock, a group intercepted us, armed men  
18          with green bandages across their foreheads. They  
19          stopped us and asked us to surrender. They searched  
20          us. They took all valuables from us. They found some  
21          pork and some bacon, and they threw it away. They said  
22          that was dogs' food. After that they took us down to  
23          the path through the woods. This took about two or  
24          three hours.

25          Q. When you say they did that, you described them by saying

1           they had some green stuff round their head.    Could you  
2           give a little closer description of them.    Were they  
3           uniformed?  Did they have badges?  Could you identify  
4           from where they came, etc.?

5           A.  They were not all in uniform.    Some were in uniform;  
6           others were not.    But they all had small motorolas  
7           I think you call them, like walkie-talkies, like small  
8           transmitters.    I don't know how you call them.    They  
9           were armed.    They forced us to leave our things.

10          Q.  Do you know what kind of army or unit they belonged to?

11          A.  They were -- they said Muslims and we called them  
12          Islamists.    They were saying this as they took us.  
13          They kept talking to us.    They never stopped talking  
14          for two hours.    They were bragging a little,  
15          threatening us.    They would take out one by one after  
16          fifteen minutes.    They would take someone aside  
17          threatening to shoot him and all kinds of things like  
18          that.    They talked a lot and all kinds of things.

19                    After that they took us to this path in the woods  
20          and then a Golf van appeared and a Mercedes.    There  
21          were quite a lot of people there already and they came  
22          saying "Juka, Juka, Juka".    One from our group said it  
23          must be Juka Prazina.    Then they started beating us a  
24          little.    They loaded us on to the truck.

25          Q.  I do not understand what "Juka" is.    What you said

1 I have no idea what that means. I do not think the  
2 court has either.

3 A. They had a well-known criminal. I think he was  
4 killed. His name was Juka Prazina. He was a terrible  
5 criminal from Sarajevo. They were proud of him, you  
6 see. He was treated like a national hero. He was a  
7 bum. He was a person who tortured people, but they  
8 took great pride in him. They admired him for what he  
9 was doing to people.

10 Q. Thank you. Now I think we know what Juka was meant to  
11 say. Please go on.

12 A. After that they took us in front of the Famos Hotel.  
13 They forced us onto the concrete. They beat us.  
14 There were a lot of women. They said all kinds of  
15 things to us. There were two elderly men with us.  
16 They said we were Chetniks, all kinds of -- God knows  
17 what they called us. One cannot even imagine the names  
18 they called us; women. After that we spent the night  
19 there in this motel. After that they took us to the  
20 Tarcin silo. Until then I had not even known there was  
21 a silo there. We spent the night there. They didn't  
22 beat us there. The next day we went for interrogation.

23 Q. Yes. Who were interrogating you?

24 A. I was interrogated by my school friend, Mensur Covic.  
25 We were in the same classroom. We played soccer

1           together. He questioned me and he didn't allow anybody  
2           to beat me. He was telling me what had happened. He  
3           asked me about our common acquaintances, and all in all  
4           he did not beat me, and he wrote down a statement of  
5           sorts, and he said to sign it. So I decided I had to  
6           sign it. Then in the evening, I think it was around  
7           7 o'clock -- I don't know if it was exactly 7 o'clock or  
8           later, but it had grown dark -- they put us on a bus and  
9           started driving us somewhere. They didn't tell us  
10          where they were going. They didn't tell us where we  
11          were going, why, and we stopped at Tarcin in front of  
12          the hall, and I think another five or six people came  
13          on.

14                    I recognised Mladen Mrkajic and Radoslav  
15          Kuljanin. I also recognised Miso Zuza. Before that  
16          we were about 14, so 20 altogether. This bus took us  
17          to Celebici. We stopped in Bradina for a while, for  
18          about ten minutes, and continued on to the entrance gate  
19          at Celebici. There the bus stopped and we waited  
20          I think about half an hour, maybe 45 minutes. They  
21          were talking something, laughing. I recognised Delic  
22          at that time. He was limping. He was saying  
23          something. I don't know what it was. We were also  
24          forbidden to look out of the window, because there were  
25          guards on the bus, but because the window was fogged,

1           and I wanted to clear it with my hand, and then he hit  
2           me. He didn't hit me hard. Then he said it was by  
3           accident.

4                   Then they took us in front of the hangar called  
5           Number 6.

6           Q. At that point, maybe, Mr. Kuljanin, if you would stand up  
7           and have a look at the thing in front of you? Would you  
8           do that, stand up and look at what you have in front of  
9           you on the other side of the table? Can you tell us  
10          what you see? Can you identify what you see? I think  
11          you need to be in the vicinity of the microphones, so we  
12          can hear what you say. The usher is giving you a  
13          longer pointer maybe, I don't know.

14          A. This -- thank you. (Pointing).

15          Q. Please identify the whole thing first so we know if you  
16          are certain where you are.

17          A. I cannot say for everything, but I will say what I do  
18          know. This is the gate. (Indicating). This was the  
19          railroad track here and this was the Sarajevo-Mostar  
20          railroad. (Indicating). That was the village of  
21          Celebici. This was the entrance gate. This was the  
22          command building. That was the reception building.  
23          There was a building there. I don't know what it  
24          was. This here was the passage from the command  
25          building. This is Number 6. This is Number 6,

1           because here we had some kind of a toilet here.    There  
2           were just some holes that were dug up.    This was  
3           Zenga's hole.    I don't know what he was doing there.  
4           He was taking people there.    For days he was digging  
5           something there.    That was some kind of a shelter.  
6           Here in this building that was sort of a mess hall.  
7           There were some tables put up there, and on one occasion  
8           --

9           Q.   We can come back to the different things, but please let  
10          us -- did you enter through the gate?  How did you enter  
11          through the gate?  How did you enter through the gate?  
12          Okay.   You have lost the contact maybe?

13          A.   Yes, okay.

14          Q.   Tell us how you entered the gate into Celebici compound?

15          A.   In the bus.   We entered in the bus and we came all the  
16          way to the entrance of Number 6 in the bus.   We came  
17          all of us together.   Until that point nobody got off  
18          the bus.

19          Q.   Thank you.   Then please do sit down again.   Then you  
20          can continue what happened when you arrived in front of  
21          Number 6?

22          A.   If I can only point where everything was.

23          Q.   Yes.

24          A.   Here was a warehouse (indicating), a depot for  
25          weapons.   This is where they forced me to unload



1           grenades.    There were trucks, larger and smaller  
2           trucks, that were coming there with arms and sometimes  
3           we would unload.    Sometimes we would load the trucks.

4                    This was the railroad track through the camp  
5           (indicating) and then the trucks were coming, when they  
6           were bringing in weapons, they were coming there.  
7           Sometimes the windows were slightly open and I was  
8           sitting all the way there so I could see --

9           Q.   Which building are you pointing at now?  What is the  
10          number of the building?

11          A.   This is Number 6.   This is where we were, Hangar  
12          Number 6 where we were, and I sat there (indicating) and  
13          through the window I could see them passing.    The  
14          trucks were passing here.    They were going to there.  
15          (Indicating).

16          Q.   Okay.   Have you pointed out the things you think is  
17          necessary for us to know? .   Thank you.   Then maybe  
18          you will please -- please sit down.

19          A.   If it is necessary, later I can also show it.

20          Q.   Oh, yes.

21          A.   But just let me tell you:  this was Number 9 here  
22          (pointing).   I was taken to be questioned.   I was  
23          standing here.   Then later they gave me a broom so that  
24          I could sweep in front of the gate, around here and  
25          here, so that I could see.   Myself and I don't know who

1           there was with me, but, in fact, we were two, and that's  
2           what I saw.    On the day when I was taken for  
3           questioning to the command building.

4   MR. MORAN:    Objection.    This is not an answer to the  
5           question.    We object.    This is not in response to the  
6           question that you asked.

7   MR. OSTBERG:   Well, we had a demonstration what he can  
8           remember from what kinds of buildings he saw and I let  
9           him do that without putting a direct question to him.

10                I will now go on, Mr. Kuljanin, and ask you to tell  
11           the court what happened to you when you in the bus  
12           arrived in front of Hangar Number 6?

13   A.   I am sorry.    Can you repeat the question because I could  
14           not hear the question well?

15   Q.   I will put it to you again.    Can you tell the court  
16           what happened when you arrived in the bus in front of  
17           Hangar Number 6?

18   A.   What happened, we waited at the gate for about half an  
19           hour to 45 minutes.    They were talking something  
20           over.    They were preparing something.    Then the bus  
21           went and stopped in front of Number 6.    So that's where  
22           they stopped.    About five or six metres away from the  
23           entrance to the hangar they lined up on both sides.  
24           One of them entered the bus.    The other one was in  
25           front of the bus.    There was a gauntlet of people all

1 the way to the entrance to the hangar.

2 Q. How many people were in these rows of people?

3 A. Let me tell you I could not count, but maybe about  
4 fifteen, at least fifteen people, ten to fifteen,  
5 something like that. I couldn't see because we were  
6 not allowed to look. We had to be like this  
7 (demonstrating). One by one in an order until the  
8 signal was given to bring on the next, and when it was  
9 my turn I stood there. I don't know who was behind  
10 me. On the ground there was another one. He would  
11 kick you as hard as he could and the one who was down  
12 would also meet you with a kick, and you could not  
13 remain on your feet, and so you would fall, and they  
14 would kick and hit with sticks and chains. There were  
15 some handles of -- spade. There were all kinds of  
16 things. It looked to me like an eternity. Maybe it  
17 was fifteen minutes. But not everybody was beaten the  
18 same length of time, but nobody fared well.

19 They asked me what my name was. I had to say --  
20 I said Dragan Kuljanin. They said: "Oh, we have been  
21 waiting for you for ten years." They had been waiting  
22 for me for ten years. Who was waiting for me? Why  
23 were they waiting for me? You could not say anything.  
24 People were moaning. People were wailing. In the end  
25 who could not walk on their own, they would throw in.

1 One was waiting inside in the dark so --

2 Q. Before we arrive in the dark, will you please tell us  
3 exactly what happened to you. You tell us what  
4 happened and how it was done but I would like to know  
5 exactly what happened to you.

6 A. I can repeat this. He kicked me in the back, the one  
7 who was behind me, and the other one, as I staggered  
8 forward and started falling, the other one met me and  
9 hit me -- kicked me in the chest, and I fell down.  
10 Then they started asking: "What is your name?" And  
11 started beating and kicking. That went on for about  
12 fifteen minutes.

13 I recognised Miralem Duracic. He had odd-shaped  
14 legs, and I knew of him. He was a problematic type.  
15 He was a musician. He was singing and playing in  
16 cafes. He was not a real musician. Then there was  
17 Delic and the other ones I could not recognise.

18 Q. Was somebody in charge of the people who formed this  
19 gauntlet?

20 A. At that moment and even today I cannot say that somebody  
21 was commanding them, but they were talking things  
22 over. We couldn't hear what they were saying and what  
23 they were agreeing to do. At one point they told the  
24 driver to start and then -- we were not allowed to get  
25 off the bus until they were lined up. Then the windows

1           were pretty foggy and it was already pretty dark, so we  
2           couldn't and we were not allowed to look. We had to  
3           bow our heads at all times.

4                        So I can't say if there was somebody in charge  
5           there. I really don't know. I can't say that they  
6           were if I didn't know that. Can I continue?

7       Q. Yes, please. I would just ask you how many were you at  
8           this point when you arrived at Number 6 in the bus?

9       MR. ACKERMAN: Your Honour, I have an objection --

10       THE INTERPRETER: Microphone, please.

11       MR. ACKERMAN: I thought I had it on. There it is. By  
12           the way the testimony is proceeding, it appears the  
13           witness has a well-prepared statement that he wants to  
14           give to the court, which is relatively unrelated to the  
15           questions that are being asked. The last question that  
16           was asked of him could have been answered "yes" or  
17           "no". He went into about a five-minute dissertation  
18           that had relatively little to do with the question that  
19           was asked. I hope we could proceed in this court in a  
20           way that the witness will at least listen to the  
21           question that he is asked and attempt to answer that  
22           question rather than proceed off with these long-winded  
23           statements that go off to nowhere. I would hope the  
24           witness could be instructed by the court to listen to  
25           the question and make every attempt to answer that

1 question only and as precisely as possible.

2 JUDGE KARIBI WHYTE: Thank you very much for your  
3 assistance. Try and give questions which the witness  
4 can answer.

5 MR. OSTBERG: Yes.

6 JUDGE KARIBI WHYTE: Let him follow your questions.

7 A. Let me tell you one thing --

8 MR. OSTBERG: Please, I suppose you heard the objection from  
9 the defence and you heard also the comment by the  
10 Presiding Judge, so it is important to give answers to  
11 my answers (sic). I can understand --

12 A. I apologise. I cannot just say simply "yes" and "no".

13 I am not in Celebici. I am not in the silo. I am not  
14 in Musala. I am not in Trnovo. Please allow me to  
15 respond completely in details. If necessary, we can  
16 stay here for one year so that in details we spell  
17 everything out from A to Z. I recognise this court and  
18 I want to tell what I have lived through.

19 MR. OSTBERG: Thank you, Mr. Kuljanin.

20 MR. ACKERMAN: Your Honour, you have now seen a perfect  
21 example of what my objection was about. This witness  
22 has come here with certain things in mind to tell the  
23 court. I suggest very strongly that the court admonish  
24 this witness that he will be removed as a witness if he  
25 cannot listen to the questions and answer the questions;

1 otherwise he has no business being here. This is a  
2 court of law, not a place to make speeches.

3 JUDGE KARIBI WHYTE: I think we will get to the root of  
4 it. We will get him to answer questions which are  
5 related to what he is here to testify for.

6 MR. GREAVES: Your Honour, with great respect, the witness  
7 cannot be allowed to defy the control of the court in  
8 the way he has just done so. That is intolerable and  
9 it is not the way it should be done. In my submission  
10 to your Honour, he must be told in the clearest terms  
11 that he cannot do as he wishes. It must be in answer  
12 to the questions which he is asked and under the control  
13 of learned counsel for the prosecution.

14 JUDGE KARIBI WHYTE: Thank you very much. Occasionally  
15 you meet witnesses of this nature, but I think we will  
16 make him to answer questions directed to him in the way  
17 counsel wants him to answer. I do not think he will  
18 behave differently. He will try and answer.

19 MR. OSTBERG: Your Honour, it is always a problem for a  
20 counsel leading through a witness like Mr. Kuljanin, who  
21 has so much on his mind, and understandably so, but  
22 I see the point. It is also troublesome to interrupt  
23 the witness as soon as he has started to answer a  
24 question, but I will do my best to keep on asking the  
25 questions in as proper a way as possible.

1 I will proceed now with introducing a document and  
2 have it marked for identification and shown to the --

3 JUDGE KARIBI WHYTE: There are three difficulties. Do you  
4 know where actually you have stopped with him?

5 MR. OSTBERG: I know we stopped when he had entered -- yes,  
6 I know, your Honour, indeed -- when he had entered into  
7 Hangar 6 and from there I will bring him further on.

8 JUDGE JAN: I think you had asked him how many persons were  
9 there at that time.

10 MR. OSTBERG: I beg your pardon. Microphone, your Honour.

11 THE INTERPRETER: Microphone, your Honour.

12 JUDGE JAN: You had asked him how many persons were there  
13 at the time. He had already answered that question  
14 earlier. He said about 20.

15 JUDGE KARIBI WHYTE: So we now know where we are.

16 MR. OSTBERG: We move into Hangar Number 6. To do that  
17 I want to introduce this document, with the usher's  
18 assistance, please. This is a sketch attached to his  
19 statement and it will be given to the defence lawyers  
20 now. It is already in your possession. There are two  
21 documents. One is a translation of things written on  
22 the document.

23 Now I ask you, Mr. Kuljanin: do you recognise this  
24 sketch?

25 A. Yes.



1 Q. Who made it?

2 A. Yes. Yes. I did it myself, in my own handwriting.

3 Q. Can you tell the court what is on it?

4 A. This sketch is a sketch of Hangar Number 6 and how  
5 people were arranged there, and also where the dead  
6 people were after they were killed, where they were  
7 thrown in, and then they died there: Cedo Avramovic,  
8 Zeljko Cecez and --

9 Q. The first question I will put to you is this one: how  
10 many -- maybe I should -- now it is authenticated, I  
11 will ask to introduce this as evidence.

12 JUDGE KARIBI WHYTE: Which of them? There are two of them.

13 THE INTERPRETER: Microphone, please.

14 JUDGE KARIBI WHYTE: There are two of his sketches.

15 MR. OSTBERG: The same sketch, but one is translated from  
16 Serbo-Croat into English. That is the same sketch,  
17 just a translation. May I introduce this?

18 JUDGE KARIBI WHYTE: Yes, you can.

19 MR. OSTBERG: Thank you very much. Then I will ask how  
20 many people were in the hangar when you arrived?

21 A. When I arrived there were approximately 50 people. Not  
22 exactly 50, but around 50 people in the hangar, and  
23 about 20 of us, so altogether around 70 people.

24 Q. Thank you. Did anybody tell you where to sit or be in  
25 this location?

1 A. At that point no. No one told us where to sit down or  
2 how to sit down. The one who kicked me made me fall  
3 down and I just crawled to a place, and I didn't know  
4 who was around me and what people were doing there and  
5 why they were there.

6 Q. Can you tell me --

7 MR. ACKERMAN: Your Honour, I am going to probably stop  
8 doing this in a moment, but the question was: "Were you  
9 told to sit in a particular place?"

10 JUDGE KARIBI WHYTE: And the answer was --

11 MR. ACKERMAN: The answer was really simply "no", but we got  
12 another speech about the one who kicked him did this and  
13 the one who did that did that. If the witness could  
14 simply answer the question, we could be through here  
15 much quicker. This is going to take a long time if he  
16 is has to make a speech every time.

17 JUDGE KARIBI WHYTE: Frankly, counsel, you cannot do  
18 without one or two witnesses sometimes behaving in that  
19 particular way. You have to tolerate some of them. I  
20 agree we will try to stop it.

21 MR. OSTBERG: Your Honour, it saved me the next question,  
22 which was: where did you land?

23 JUDGE KARIBI WHYTE: I think we will have a short break for  
24 thirty minutes and then come back and continue.

25 (4.00 pm)

1 (Short break)

2 (4.30 pm)

3 MR. MORAN: Excuse me, your Honour. Mr. Karabdic has been  
4 delayed for a couple of minutes trying to get some  
5 paperwork done. I just wanted to inform the court that  
6 he will be in in a second.

7 JUDGE KARIBI WHYTE: All right. We will accommodate  
8 you.

9 (Witness returned to court)

10 JUDGE KARIBI WHYTE: Mr. Ostberg, you can continue.

11 MR. OSTBERG: Thank you, your Honour. The question I was  
12 going to put to you before the break was: where did you  
13 sit or place yourself in this location? It is now on  
14 the ELMO, so if you can use the pointer and point in  
15 this hangar where you were?

16 A. I apologise. I did not understand the  
17 interpretation. I don't know what language this is.

18 Q. Okay. Try to find the language you can understand.  
19 Maybe you can have help from the usher?

20 A. Yes. Thank you.

21 Q. Okay. My question was: where did you sit in this  
22 hangar?

23 A. In the hangar I sat at this place that is marked here.  
24 The entrance was here and I sat here (indicating).

25 Q. Thank you. Did you remain in the same place during

1           your stay in the hangar?

2           A. Yes.

3           Q. Can you tell us about the general conditions? First of  
4           all, how long did you stay in the hangar?

5           A. I was in the hangar 96 days. After that I was  
6           transferred to the sports hall in Musala.

7           Q. Thank you.

8           JUDGE KARIBI WHYTE: You are referring to Hangar 6?

9           MR. OSTBERG: Hangar 6 are we referring to?

10          A. Yes.

11          Q. I will now ask you to tell us about the general  
12          conditions. Start with -- what about food? How was  
13          the food?

14          A. There was hardly any food.

15          Q. There must have been some? What did you get. Try to  
16          tell us what you get a day?

17          A. In the best of cases we would get sometimes two pieces  
18          of bread, which were so thin that you could almost see  
19          through them. In addition we would get some kind of  
20          soup, but not every day. Sometimes three days would go  
21          by without us getting anything. Then they would give  
22          us something, and then again nothing for a day or so.  
23          Then on one occasion they brought us some kind of liver  
24          paste, which we shared amongst four of us. Another  
25          time when they brought this liver paste eight of us had

1 to share it. In any event there was not enough food.

2 Q. Thank you. Can you tell us if this was the case during  
3 all the 96 days, or if it differed?

4 A. Towards the end it changed a little, because they  
5 allowed women who were somewhere nearby, mostly women  
6 living in Cerici, Celebici or Donje Selo could bring  
7 some food to the gate and hand it in at the gate.  
8 However, what happened was that often, not always, but  
9 often they would take that food and throw it into the  
10 stream.

11 Q. Who is "they"? "They would take the food". Who is  
12 "they"?

13 A. "They" are guards. The people who were near the gates,  
14 the guards, I suppose.

15 Q. What about the drinking supply then? Did you have any  
16 water?

17 A. We would get water occasionally. There was too much  
18 water actually, because when it was cold, Zenga would  
19 pour water on us, and we had to lie down on the  
20 concrete, and when it was hot --

21 Q. Who is Zenga?

22 A. Zenga is from this side the second with earphones on his  
23 head.

24 Q. Thank you. That was not exactly what I asked you.  
25 I asked you who he was. I would like you to say his

1 real name. What was his name?

2 A. I don't know his real name, nor did I ever learn it.

3 They called him Zenga and Landzo.

4 Q. So you know this person by the name of Zenga and Landzo  
5 and that is all?

6 A. Yes. I don't know his real name.

7 Q. Thank you. Was he one of the guards who guarded you  
8 there in the hangar?

9 A. I don't know that.

10 Q. Was he one of the guards for the hangar?

11 MR. MORAN: Objection. Your Honour. Asked and answered.

12 A. Yes. Yes.

13 MR. MORAN: Excuse me. It has been answered again. I am  
14 sorry.

15 MR. OSTBERG: How many guards were guarding the hangar?

16 A. I don't know exactly. They changed often. Some of  
17 them were there for longer periods of time; others for  
18 shorter. In any event, he was there for some time.

19 Q. Thank you.

20 A. I can give you the names that I can remember.

21 Q. Just a moment. I am just finishing with the general  
22 conditions. Can you say something about the toilet  
23 facilities, for instance?

24 A. I showed you that there was a hole, a pit that was dug,  
25 and that is where we went for toilet needs, but often

1           they would not let us go out, so apologies for having to  
2           say this in court, but people would do it in their  
3           pants, and then they would be beaten for it and said:  
4           "What kind of a man are you, you Chetnik?"

5                     They again would not allow people to go to  
6           urinate.    We would be taken out in groups, 10, 15,  
7           20.    It differed.    When we got there, the first person  
8           who got there, he could do his job, but the last man, he  
9           would start or not start and then he would wet his  
10          pants, or they would fire and interrupt him.    So it was  
11          terrible.    It was unbearable, you see.

12        Q.    Yes.

13        A.    Let me also say in connection with the toilet --

14        Q.    We are just looking for an objection now when you start  
15          telling us but I think we would finish, if possible,  
16          with the --

17        JUDGE KARIBI WHYTE:    Let us hear what the objection is.

18        MR. ACKERMAN:    Well, I think that the Prosecutor was  
19          proceeding now to ask another question.    The witness  
20          was going off answering something else.    He said he  
21          then wanted to make a statement and he was proceeding to  
22          make a statement that may or may not have been related  
23          to the question, but the Prosecutor said he immediately  
24          had another question, so I do not have an objection at  
25          this point.

1 JUDGE KARIBI WHYTE: Yes.

2 MR. OSTBERG: I was about to ask you about if there was some  
3 medical care given to you in case of need.

4 A. There were some Serb prisoners, but they could not  
5 decide about anything, nor did they have any  
6 medicines. About ten times I looked for help and the  
7 doctor would come and see me and he would just shrug his  
8 shoulders and say: "There's nothing I can do." He would  
9 say this very quietly. He would whisper this to me.  
10 "It's not up to me", he would say.

11 Q. Thank you. Was there any kind of mistreatment of the  
12 detainees in the hangar?

13 A. There was plenty of it.

14 Q. Start, Mr. Kuljanin, and tell us what happened to you  
15 personally by the way of mistreatment.

16 A. There were a lot of those occasions so I don't know  
17 where to start from. I don't know whether I am even  
18 remembering everything.

19 Q. I think you should easily -- the easiest way is to do it  
20 chronologically. When were you first beaten in the  
21 hangar?

22 A. In the hangar?

23 Q. In the hangar.

24 A. In the hangar I was beaten several times. On one of  
25 those occasions I was taken out by guard Salko. He



1           asked for money from me and gold.   That was just behind  
2           the Hangar Number 6 (pointing).   He took me out here  
3           and he beat me here.

4       Q.   The witness is now pointing on the -- seen from the side  
5           of the court on the left short side of the hangar.  
6           Thank you.

7       A.   He took me out here and he beat me here (pointing).

8       Q.   Tell me in what way he did that?

9       A.   He took me out behind the hangar.   I turned towards the  
10          hangar, had to raise my arms like this, (demonstrating)  
11          and he hit me with his leg.   He kicked me several times  
12          here in the ribs.   I fell.   Then he kicked me again  
13          and with his rifle butt he hit me.   He beat me for  
14          about ten or fifteen minutes, as I had no money or  
15          gold.   They had already taken that from me.   Then he  
16          told me to run to the hangar.   As far as I could,  
17          I went slowly.   I couldn't run.   At that point Zenga  
18          appeared.

19      Q.   The witness is now pointing on the other side of the  
20          hangar, the other short side.   Yes.   What happened  
21          there?

22      A.   (Pointing).   I was heading towards the entrance.   Zenga  
23          appeared and he asked Salko what had happened.   Salko  
24          said: "One of ours was killed and that's why I'm beating  
25          him."   I didn't expect Zenga to hit me, but he hit me

1 five or six times with his butt in the chest and --

2 Q. His "butt" is the butt of what, a butt of -- he hit you  
3 "with a butt" and that is the butt of -- did you lose  
4 the sound? Can you hear me now?

5 A. Yes, I can hear now.

6 Q. He hit you with a butt and I wondered --

7 A. Of his rifle. It is called the Papovka rifle, a  
8 semi-automatic rifle. There was a knife at the end of  
9 it. Anyway, he hit me five or six times and then  
10 I entered the hangar.

11 Q. Was that the first beating you were submitted to --  
12 subjected to?

13 A. I am not quite sure. I am not sure I can remember  
14 chronologically, but I will tell you everything that  
15 happened. Then television station reporters came.  
16 I think they must be the local TV reporters.

17 Q. I did not catch what you said. Who came? Who came?

18 A. A man with a camera. I think he must have been from  
19 the local Konjic TV station. Zenga took me out,  
20 together with Spaso Miljevic, Velimir Dordic and Risto  
21 Vukalo. He made me sit here next to the entrance. He  
22 said to Risto Vukalo: "You will say that you were in  
23 Mostar, that you had killed people, that you had  
24 slaughtered, that you had raped people." To me he said  
25 that I had to say that I was a Chetnik from Serbia, that

1 I had butchered people, that I had raped. To Velimir  
2 Dordic he said --

3 Q. "He" in this account, who is he?

4 A. Zenga, Zenga, Zenga. I said Zenga.

5 Q. Yes.

6 A. As he was working in the military garrison, he was an  
7 electrician, I think by occupation, he had to say that  
8 he had armed the Serbs, that he had given them  
9 ammunition, and I don't know what else. To Spaso  
10 Miljevic again he said that he should say something, in  
11 any event, that he had killed, that he had -- did that  
12 sort of thing. As Risto Vukalo refused to say that, he  
13 took him out of the hangar somewhere. He forced him to  
14 take off his clothes --

15 Q. Was that something you saw or is this something -- did  
16 you see somebody being taken out? Did you see somebody  
17 being taken out of the hangar?

18 A. I saw him take out Risto Vukalo somewhere. I did not  
19 see how he beat him or what he beat him with, but when  
20 he came back he was all blue. Then Risto Vukalo told  
21 me later that he had taken a belt and hit him so hard  
22 with it.

23 MR. ACKERMAN: I object to what Risto Vukalo told him  
24 because we cannot possibly cross-examine Risto Vukalo.  
25 It violates the rules of confrontation, the right of

1 confrontation. Unless Mr. Vukalo is here as a witness,  
2 we cannot possibly challenge what Mr. Vukalo says.  
3 Therefore we object to what he says Mr. Vukalo said.  
4 I have no objection to him talking about what he saw and  
5 what he heard himself but not from a witness who cannot  
6 be here.

7 MR. OSTBERG: To me this is not a valid -- a moment,  
8 Mr. Kuljanin,. Let us settle this first. To me this  
9 is not a valid objection. This belongs to what he  
10 saw. He saw a man being taken out. A man came back  
11 and told what happened to him. That belongs to his  
12 testimony. To me this is something the court should  
13 hear.

14 JUDGE KARIBI WHYTE: Objection: it is what he said Vukalo  
15 told him. That is a different thing from what he said  
16 he observed of Vukalo when he came back. They are two  
17 different things. So what he said he told him would  
18 not be evidence in this respect. Go on.

19 MR. OSTBERG: Yes.

20 A. I understand.

21 Q. Tell the court what you saw on this person who came  
22 back. What did he look like?

23 A. When he entered he was all black and blue, all over the  
24 body entirely and he went to his place and sat down.

25 Q. Did he come back by himself or did somebody bring him

1 back?

2 A. He came by himself, because he wasn't really beaten up  
3 but he hit him with a belt.

4 Q. Okay.

5 A. So you could see the bruises all over from his forehead  
6 to his heels. They were not very strong beatings, but  
7 this is with a belt.

8 Q. Thank you.

9 A. So he came by himself.

10 Q. Thank you. Can you proceed to tell us about the next  
11 mistreatment you were subjected to?

12 A. After that Zenga put a bomb in my mouth and told me that  
13 I had to say what he had told me to say, that I had  
14 killed. I couldn't say that because I hadn't done  
15 it. Then he wanted to kick me by turning around at the  
16 chest, but my reflexes reacted so I somehow protected  
17 myself. He did it twice, and after that he told me:  
18 "Go back to your place. I'll come back at 1 am and  
19 you'll see what lies in wait for you." He used a  
20 swearword. I apologise. He didn't come that night.

21 Then later when the people from Sandzak came, he  
22 took off my shoes and --

23 Q. "He" again; are you still talking about Zenga? Be  
24 careful to tell exactly --

25 A. Yes, Zenga.

- 1 Q. Go on with your --
- 2 A. I am talking about Zenga. I was saying that when the  
3 Sandzak people came Zenga was with them and Delic was  
4 with them too and they came along this side and Delic  
5 with these people from Sandzak and Zenga came along this  
6 side. He reached me. He took my shoes off and with  
7 his boots he stepped on his heel pressing down hard  
8 asking me: "How are you?" What could I do but say: "I  
9 am all right." Then he passed.
- 10 Q. For clarification you named: "He came with ..." and  
11 then the names, some people. What kind of people were  
12 that? You said: "Zenga came with ..." and then you had  
13 a name for the group of people. I did not quite get  
14 what kind of people that was. Were they soldiers or  
15 civilians? What were they?
- 16 A. Soldiers. They were soldiers from the region known as  
17 Sandzak. I know very well the accent all over  
18 Yugoslavia, because I travelled a lot before the war.
- 19 Q. Yes. Were they -- from what kind of army were these  
20 soldiers? What kind of soldiers?
- 21 A. They were -- they belonged to the Muslim army. They  
22 were the TO.
- 23 Q. Did they serve as guards or as something else in the  
24 Celebici detention centre?
- 25 A. They were not guards in the Celebici camp. They came

1 as visitors. They came round to see us and beat us  
2 up. Of course I saw that too.

3 Q. This was one incident, what happened when these soldiers  
4 were there. Can you then proceed if you have further  
5 types of mistreatment to you personally?

6 A. As far as I personally am concerned, yes.

7 Q. Please tell us.

8 A. Delic would come and he would give us all slaps. He  
9 would slap us all. On one occasion Zenga forced me  
10 with a stick, a baseball stick like this, to make -- to  
11 use the -- to do ten push-ups. Then he would hit me.  
12 Another time he did not have the bat, but he kicked me,  
13 usually on the right-hand side, while I was doing --  
14 while we were doing push-ups. Then he would say "up to  
15 ten", and then he would let us go, but usually he would  
16 start beating at 3, 4, 5. Then he would let us go on  
17 until number 8 and then he would hit.

18 Q. Just a moment, Mr. Kuljanin,. Did this take place in  
19 the hangar or somewhere else?

20 A. In the hangar. In the hangar.

21 Q. Can you tell us approximately how many times things like  
22 this with the push-ups happened?

23 A. To me personally twice, and the other people many more  
24 times. Some people only once. Some never, but there  
25 were people who were daily, and I could give you their

1 names too, who were mistreated daily and beaten up, but  
2 it happened to me personally twice.

3 Q. Did you -- did something else happen to you like this  
4 mistreatment more than you have already told us?

5 JUDGE KARIBI WHYTE: He said twice.

6 MR. OSTBERG: Yes, for the push-ups. Go on to other events  
7 apart from the push-ups and what you told us previously?

8 A. He did it very frequently in front of us with Vukasin  
9 Mrkajic, Risto Vukalo.

10 Q. Are you now proceeding to tell us what you saw happened  
11 to other people or are you going to tell us that  
12 something more happened to you personally?

13 A. The other people.

14 Q. Other people. Please tell us what you saw yourself,  
15 what happened to other people and tell us at the same  
16 time who did it, please. You named somebody. Go  
17 on. Give the name again and tell us what you saw  
18 happen to him?

19 A. Vukasin Mrkajic was sitting around here, his back to the  
20 door.

21 Q. Just a moment, so we can see on the ELMO where you  
22 point?

23 A. (Pointing).

24 Q. I cannot find it now. Yes.

25 A. Here. (Indicating). He had his back to the door and



1 I was sitting here so that I could see, you see. Zenga  
2 every day -- I don't know what torture he did not employ  
3 on him. Every day he had to do push-ups. I don't  
4 know what he didn't do. He beat him over the back and  
5 legs with a rifle butt. I am telling everything that  
6 was going on in the hangar. The same with Risto  
7 Vukalo. The same tortures were subjected to him.  
8 Then Dusko Bendjo, he was sitting around here. He was  
9 doing the same things.

10 Q. The interpreters have asked me, when you name people,  
11 you name them slowly so they have a chance to put down  
12 who they really happened to. Now you mentioned a  
13 name. I could not clearly understand what the name was  
14 of this person. Bendo?

15 A. Dusko Bendo.

16 Q. Thank you. What happened --

17 A. Dusan or Dusko. I don't know. One of those two.

18 Q. Yes.

19 A. In any event he was called Dusko.

20 Q. Yes. What happened to him?

21 A. So that is what happened to him every day. They beat  
22 him. They were accusing him of some things. He was a  
23 taxi driver before the war. He had money. On one  
24 occasion Zenga took him out and asked him for money and  
25 -- let me point. (Pointing).

1 Q. You are pointing on the side of -- I could not see where  
2 you did point really. I could not see where you  
3 pointed.

4 A. In front here where I was sitting. I was sitting in  
5 the hangar here and I could hear what he was asking  
6 him. He was asking him for money.

7 Q. When you say "he", is that Zenga you are talking about?

8 A. Zenga.

9 Q. Could you hear through the wall of the hangar?

10 A. It wasn't a wall really. It was a tin plate. It  
11 wasn't very thick. There was a crack underneath.  
12 Somewhere it was 1 cm, somewhere it was more  
13 underneath. So he didn't have money and then he beat  
14 him. He was weeping and he was saying: "There's a car  
15 in front of my house. I don't have any money. Take  
16 the car." That went on for about half an hour. He  
17 brought him back.

18 Q. And "he" again is Zenga in this sentence?

19 A. Yes, Zenga. I am talking about Zenga now. Then later  
20 the others will come up. Then Zenga did that to  
21 Radoslav Kuljanin who sat here close to me. Zenga did  
22 that to Zoran Djordjic, who was sitting close to him,  
23 and I could see it. Next --

24 Q. Did you say what he did to them? I could not see that  
25 on the ...

1 A. Mostly he beat them with a stick. It is like a  
2 baseball bat. He kicked them with his boots, then  
3 forced them to do push-ups and would kick them while  
4 they were doing it. On one occasion he took out two  
5 brothers and he forced them to perform a certain act.

6 Q. Please if you just take a little pause, I will ask the  
7 court that we go into private session for the upcoming  
8 three or four questions on the same grounds that we have  
9 done that before.

10 JUDGE KARIBI WHYTE: Instruct them to do it. The  
11 technicians can do it.

12 (In private session)

13 (redacted)  
14 (redacted)  
15 (redacted)  
16 (redacted)  
17 (redacted)  
18 (redacted)  
19 (redacted)  
20 (redacted)  
21 (redacted)  
22 (redacted)  
23 (redacted)  
24 (redacted)  
25 (redacted)

1 (redacted)

2 (redacted)

3 (redacted)

4 (redacted)

5 (redacted)

6 (redacted)

7 (redacted)

8 (redacted)

9 (redacted)

10 (Open session)

11 MR. OSTBERG: You mentioned many names of people who you saw  
12 being mistreated in the hangar. Have you exhausted  
13 your list or did you see more things that you have yet  
14 not told us?

15 A. There is enough stuff for five days' worth of talking.  
16 See this sketch here, there is Scepo Gotovac here who  
17 was taken out. Then there is --

18 Q. What I am going to do now, I would ask you to separate  
19 these beatings from what we now, I suppose, are going to  
20 discuss, if you saw any killings. Have we exhausted  
21 the list of what you will tell us about beatings in the  
22 hangar? Thank you. Then, your Honour, I want to --  
23 just a moment, Mr. Kuljanin -- I want to introduce a  
24 document, again in two pieces, in Serbo-Croat and in  
25 translation into English. I will show you.

1 A. I apologise.

2 Q. Just a moment. Can we have them marked for  
3 identification? This document is also attached to the  
4 statement so it is already in the possession of the  
5 defence, but they will also have a copy now if they need  
6 it. Just a moment. I will give you --

7 A. I was just not finished with --

8 Q. Do you recognise the document which is now shown to you?

9 A. Yes. I wrote it myself.

10 Q. Will you -- did you also write the text on the top of  
11 the document?

12 A. Yes.

13 Q. And the numbers and the names?

14 A. Yes.

15 Q. The first -- thank you.

16 A. The numbers -- there is a seal, but the numbers  
17 preceding the names I wrote them down myself and the  
18 list of names I also wrote them down myself, except I  
19 was not quite finished with the tortures yet.

20 Q. Okay. Let us do this first before we enter this list  
21 then. Do you have something to add about the  
22 tortures? Please do it now.

23 A. In this short period of time one cannot recall  
24 everything. Let me bring this back. Here in this  
25 place around Spaso Miljevic was sitting and he was

1           tortured quite often.   Often he was called out and  
2           taken out and beaten.   On one occasion he came back.  
3           He had been burned.   You could see.   They were putting  
4           something under his fingernails.   I don't know what it  
5           was.

6        Q.   Please, Mr. Kuljanin, can you tell us who took him out?  
7           Who took him out?   You said "they" took him out.   We  
8           really want to know who did it.

9        A.   Mostly it was the guards who did it.   Sometimes -- and  
10        I will say that later -- but in 90 per cent of the cases  
11        Zenga was the one who was calling them out.   He had a  
12        very characteristic, very specific voice.   You could  
13        not not recognise him, whether it was in the dead of  
14        night or in broad daylight.   In other words, he would  
15        call people out and take them out with a group of his.  
16        I don't know how many there were, or whether he was  
17        alone there.   I cannot say what went on outside, but in  
18        90 per cent of the cases he was the one who called  
19        people out and he would take people out, and every night  
20        --

21       Q.   Who brought them back, these people who were taken out?

22       A.   Some people were able to return on their own and some  
23        were carried in, usually by the people who were sitting  
24        next to the door, and they would say: "Come on.   We  
25        need two to come out and bring him in."   That was not

1           just once. It was very often, at night, and usually it  
2           was the people sitting next to the door. They had to  
3           -- sometimes they would bring the person in. Not  
4           always, but sometimes it would happen that a person  
5           could come in on his own power.

6           Q. One question, Mr. Kuljanin, in this context is: did this  
7           go on during all the time you stayed in the hangar, or  
8           was it on specific times, and I would also be very happy  
9           if you could give the approximate time when different  
10          things happened by naming the month or date, if you can.

11          It is interesting to know. You told us you were  
12          sitting there 96 days. My question would be: did this  
13          happen all the time?

14          A. After the International Red Cross visit, which was on  
15          12th August, 12th August it diminished. In fact, it  
16          let up quite a bit, but until that visit of the Red  
17          Cross the tortures were happening daily. Now whether  
18          it was from a single guard, whether from different  
19          guards or groups. For instance, they would come from  
20          Konjic, people who were not guards there. For  
21          instance, Maca, somebody whose nickname was Maca, he  
22          came there frequently and he beat people, threatened  
23          them. Then in the beginning there was a guard named  
24          Kravar, and then he was transferred, but he would come  
25          in occasionally. Then the groups that would come in at

1 night, they would call people out and beat them,  
2 mistreated them. If they had had an argument and a  
3 quarrel ten or fifteen years previously, any --

4 MR. MORAN: Objection, your Honour. Non-responsive. This  
5 is the same speech-making that we have had before.

6 MR. OSTBERG: Can we confine the answers to exactly what you  
7 saw and not talk about --

8 A. Yes, I can.

9 JUDGE KARIBI WHYTE: Tell us what happened in that place.

10 A. I saw all this.

11 MR. OSTBERG: You saw all this?

12 A. I saw that. I saw Maca when he came and Miljanic.

13 I can't recall his first name. He sat about here.

14 Why and how no one knows. Kravar, Kravar took me out  
15 once.

16 MR. MORAN: It is still non-responsive. The question was:  
17 "Did this happen every day?" or "Did it happen all the  
18 time?" That requires a "yes", "no" or "maybe", or couple  
19 of sentences to explain it. We have had about five  
20 minutes now on: "Did this happen every day?"

21 A. In 96 days there were maybe five or six days when it did  
22 not happen.

23 Q. Thank you. Do you think you have exhausted your very  
24 long list of torture and mistreatment in the hangar?  
25 There could be still more to tell?



1 A. There is more.

2 Q. If you have another example, try to make them short and  
3 name the people which it happened to.

4 A. In short and to make it short and clear, Nedeljko  
5 Samoukovic sat here, who was my friend from school. He  
6 was accused of some things. Delic did it as well as  
7 Zenga. They would come and beat him with sticks.  
8 Next, Momir Kuljanin sat here, close to me, one place  
9 away from me. Zenga called him out one night. Then  
10 he came back and his hand was like this from the  
11 blister, both big and swollen (indicating).

12 Next, Jovo Draganic from Brdjani, he was also  
13 called out. He was beaten. There was a group of  
14 guards. I think he was called out by Hasim Delic.

15 Q. You used the word "I think." You are not sure?

16 A. Jovo Draganic, he was called out one night and was  
17 beaten up.

18 MR. MORAN: Objection, your Honour. It is still  
19 non-responsive. The question was: "Are you sure?"  
20 That response bears no relationship to the question.

21 MR. OSTBERG: The question is: did you see Hasim Delic do  
22 anything to this person? Did you? Did you see Hazim  
23 Delic do anything to this person you named?

24 A. I did not see him do it, but the man was carried in and  
25 he lay down there immobile for two days.

1 MR. MORAN: Objection, your Honour. Non-responsive.

2 JUDGE KARIBI WHYTE: No, he has said he did not see him.

3 MR. MORAN: Yes, your Honour. That was --

4 JUDGE KARIBI WHYTE: That is exclusionary.

5 MR. MORAN: That was fine. It is continuing.

6 MR. OSTBERG: Do you still have examples? I am certain you  
7 could go on, but on the other hand we have been given so  
8 many. We know how awful it all was. If you have some  
9 more, in your mind very illustrative examples, I should  
10 ask you to give them and then we will close this list of  
11 people tortured.

12 JUDGE KARIBI WHYTE: If they are relevant.

13 MR. OSTBERG: If they are relevant, yes.

14 A. Zjelko Klimenta was also called out and after he came  
15 back he lay there for two days and nights. He was  
16 beaten up. I am talking about the guards who were  
17 there. They returned him and he was beaten up and two  
18 or three days later they took him to the infirmary and  
19 he was there for about 20 days. He came back and I saw  
20 his forearms. They were both crooked. He said: "As  
21 long as I am alive, I can fix that," going to surgery,  
22 I guess.

23 Then Radoslav Kuljanin was called out, again by a  
24 group of guards. He was beaten up and he lay here for  
25 two or three days, but motionless. He could not

1           move.   He could not budge.   Nobody could help him.  
2           We had no food or water to give him.

3           Q.   Thank you.   I just gave you the list and you have  
4           authenticated it, and I will ask your Honours to admit  
5           that into evidence.   I will ask Mr. Kuljanin, about  
6           these people on the list.

7           MR. ACKERMAN:   Your Honour, I will object to its admission  
8           into evidence.   It is, of course, an out of court  
9           document.   It is not a document that was prepared here  
10          in this court room.   The question is whether the  
11          information contained on it comes from personal  
12          knowledge or comes from things this witness might have  
13          heard.   There has been no foundation to establish that  
14          what this witness placed on that list came from his own  
15          personal knowledge, and my concern, therefore, is about  
16          the reliability of the names that are put on that list  
17          and where this witness came by the supposed knowledge  
18          that caused him to create this list.   So I think until  
19          there has been a further foundation with regard to  
20          whether or not this witness has personal knowledge of  
21          the information contained on this document, that it  
22          should not be admitted.

23          MR. OSTBERG:   I accept that, your Honour.

24          JUDGE JAN:   This is what I thought Mr. Ostberg was going to  
25          do.   He is going to refer to all these killings.

1 MR. OSTBERG: I will try to substantiate just that one by  
2 one to see if this list is made out of personal  
3 knowledge. I am starting from the beginning and ask  
4 you about Petko Gligorevic. Can you briefly tell us  
5 what you saw happen to him?

6 A. I prepared this list and this was according to my memory  
7 as to how many people were killed.

8 JUDGE KARIBI WHYTE: The question is: what do you know  
9 happened to Petko Gligorevic? That is the question.  
10 Try and tell the Trial Chamber what you know happened to  
11 him. He is taking you through one by one.

12 A. When Petko Gligorevic was brought to the camp, he was  
13 killed right at the beginning. He succumbed to the  
14 beatings.

15 Q. Did you see that?

16 A. No, I did not see that. His son saw it and he was with  
17 me and I know that he was killed in the Celebici camp.

18 Q. Thank you. That concludes it about Petko Gligorevic.  
19 What about Gojo Miljanic?

20 JUDGE KARIBI WHYTE: He said he did not see it.

21 A. Gojo Miljanic was also killed while he was being brought  
22 and again his son was present and he was in the camp.

23 MR. ACKERMAN: I am going to object. The appropriate  
24 question was whether he has any personal knowledge or  
25 not. He is just giving, you know -- who knows where

1           this came from? The Prosecutor said: "We will prove  
2           this up by starting with Petko" and the first answer we  
3           get is he has no idea except what he heard from  
4           somebody. So I think the foundation is not laid unless  
5           the Prosecutor asks the witness: "Do you have personal  
6           knowledge? Did you see? Did you observe? Do you know  
7           of your own personal knowledge?" That is what is not  
8           being done. All of this is coming in through totally  
9           unreliable hearsay, I think.

10          JUDGE KARIBI WHYTE: You are getting overly anxious. We  
11          are trying to show if he has not any personal knowledge  
12          of the list which he had indicated, then it will not be  
13          evidence for the purpose of the list he has given.  
14          That is what we are trying to do.

15          MR. OSTBERG: The first thing --

16          JUDGE KARIBI WHYTE: It is not enough merely to produce a  
17          list like this example. It must be a list based on his  
18          actual knowledge of what happened.

19          MR. OSTBERG: As the learned counsel may have heard,  
20          I started by saying what he knew from personal knowledge  
21          and that was my first question. Then the next one: was  
22          what do you know about number one?

23          JUDGE KARIBI WHYTE: It is a little bit two-way. It could  
24          be information he got somehow. If he did not see these  
25          things, it might not be correct to accept it.

1 MR. OSTBERG: Right. Gojo Miljanic, did you see anything  
2 concerning Gojo Miljanic personally. Answer my  
3 question first: did you see anything personally about  
4 this man, Gojo Miljanic?

5 A. No.

6 Q. Okay. Then I think we will leave him and go to number  
7 3?

8 JUDGE KARIBI WHYTE: Yes, that is what you should do.

9 MR. OSTBERG: Of course.

10 JUDGE KARIBI WHYTE: Because if you look at the heading,  
11 what he indicated is this is a list of killings. He  
12 must be able to justify these things.

13 A. That is the list from my memory of the people who were  
14 killed in the camp.

15 JUDGE KARIBI WHYTE: We have omitted the first three now.  
16 It is not your personal knowledge;. You did not see  
17 them.

18 MR. OSTBERG: Now we can to Zjelko Klimenta, number four.  
19 Did you see personally what happened to Klimenta?

20 A. Zjelko Klimenta --

21 Q. I think it is easier if you start with if you saw  
22 anything personally concerning him instead of telling us  
23 first. Tell us first if you saw it or did not see it.

24 A. Yes. Yes.

25 Q. What did you see concerning Klimenta?

1 A. Relating to Klimenta, the day before his death at 5 or  
2 6 o'clock Kovacic came and brought him a pack of  
3 cigarettes. Hazim Delic came into the hangar and  
4 I personally heard what he was talking to Klimenta. He  
5 brought him this pack of cigarettes and he said:  
6 "Zjelko, here is cigarettes. Have you heard of Ibe?"  
7 He said: "Yes, I have." At that point behind Hasim  
8 Delic said: "Why are you giving him the cigarettes?  
9 Fuck him. He is not going to be alive tomorrow."

10 Q. That you heard personally?

11 A. Yes, personally. I heard the conversation.

12 Q. Fine. Then what happened to Klimenta?

13 A. When he was giving him the cigarettes this one said that  
14 from behind. This was in the evening of 26th July,  
15 27th July in the morning. I don't know the exact time,  
16 4 or 5 in the morning they called out Zjelko Klimenta.

17 Q. Who called him out? Do you remember who called him out?

18 A. I can't recall, but in any event it was the guards.  
19 They called him out together with Predrag Kujundzic and  
20 another one, a third person, but I can't recall who that  
21 was. I can't recall the third person. They took him  
22 out and about ten minutes later a bullet was heard  
23 firing and the other two ran back in with their heads --  
24 with their hands holding their heads. Predrag  
25 Kujundzic was in tears and we know right away what had

1           happened.

2           MR. MORAN:    Objection again.    Non-responsive.    The  
3           question was:    "Do you remember who called him out?"    We  
4           are getting a speech and not an answer to the question.

5           MR. OSTBERG:    I think we got some names.

6           A.    The guards.    It was the guards.    I don't know who the  
7           guards were at that time but it was the guards.

8           MR. OSTBERG:    No name.    You saw him go out after having  
9           been called out.

10          MR. MORAN:    Objection, your Honour.    Leading.

11          A.    Yes.

12          MR. OSTBERG:    He already said it so I do not have to ask it  
13          again.    Do you have anything more to add concerning  
14          Klimenta of your own, things you have seen yourself.

15          JUDGE KARIBI WHYTE:    He did not see anything.    He saw them  
16          call him out and then later he heard a shot.

17          MR. OSTBERG:    Okay.    We go to the next one.

18          JUDGE KARIBI WHYTE:    I think we will have to stop here.

19          We will continue tomorrow morning.

20                                --- Whereupon Court  
21                                adjourned at 5.30 p.m., to be  
22                                reconvened on Tuesday, the 6th day  
23                                of May, 1997 at 10 a.m.

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