

1

Wednesday, 23rd April 1997

2 (10.10 am)

3

Discussion about Motion

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JUDGE KARIBI WHYTE: Good morning, ladies and gentlemen.

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Can we have the appearances first?

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MR. OSTBERG: Good morning, your Honour. I am Eric

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Ostberg. I appear today with my learned colleagues,

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Mr. Giuliano Turone, Ms. Teresa McHenry and Ms. Elles

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van Dusschoten, our case manager. Thank you, your

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Honour.

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JUDGE KARIBI WHYTE: And the defence.

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MS. RESIDOVIC (in interpretation): Good morning, your

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Honours. This morning the defence counsel for

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Mr. Zejnil Delalic consists of Edina Residovic, attorney

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from Sarajevo, and Eugene O'Sullivan, criminal law

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professor from Canada.

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MR. GREAVES: Good morning, your Honours. I am Michael

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Greaves. I appear on behalf of the defendant Mucic and

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I am assisted today by my learned friend Ms. Mira

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Tapuskovic.

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MR. KARABDIC (in interpretation): Good morning, your Honour,

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I am Salih Karabdic, attorney from Sarajevo. Together

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with me in the team is Mr. Tom Moran from Houston,

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Texas. We are defence counsel for Mr. Hazim Delic.

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MR. BRACKOVIC (in interpretation): Good morning, your

1 Honours. I am the attorney Mustafa Brackovic from  
2 Sarajevo. Together with me in the defence of Esad  
3 Landzo is Ms. Cynthia McMurrey, attorney from Houston,  
4 Texas. Thank you.

5 JUDGE KARIBI WHYTE: Now we have a motion this morning  
6 which concerns the admissibility of extra judicial  
7 statements made by accused persons.

8 MR. OSTBERG: Your Honour --

9 JUDGE KARIBI WHYTE: I think on 17th January when it was  
10 discussed at a status conference I made it clear it was  
11 not ripe for consideration of such matters and it should  
12 be discussed at a time when the statement comes to be  
13 determined and I notice that it appears.

14 THE INTERPRETER: Excuse me, your Honour. There seems to  
15 be no interpretation.

16 MS. RESIDOVIC (in interpretation): I apologise, your  
17 Honours. I get no interpretation.

18 JUDGE KARIBI WHYTE: Is there anything going through now?  
19 Still no interpretation? I hear the equipment is  
20 working now; is that right? So we will begin again.  
21 At the beginning I said we have before us a motion this  
22 morning on the consideration of extra judicial  
23 statements of accused persons. When it was first  
24 discussed on 17th January I indicated at that time that  
25 the time was not ripe for consideration of such evidence

1           and the time should be when the statement is  
2           distributed. I still find that there have been -- the  
3           motion is still tabled and I would now like to hear  
4           exactly why we should consider it at this stage.

5           MR. OSTBERG: Yes, your Honour. Yesterday morning I raised  
6           the question whether we should postpone hearing it. We  
7           are, from the side of the prosecution, in no hurry. On  
8           the other hand, with respect to the witness on our last  
9           witness list we submitted to the court, and to the  
10          defence, we would request the court to at least postpone  
11          the hearing on this motion until we have finished this  
12          witness, who is now under cross-examination, and another  
13          three waiting in our witness room to be examined.

14                 So for me it is -- I would prefer a decision from  
15          the court considering this thing to be postponed until a  
16          convenient time in two weeks or something like that.  
17          We do not even have, in my opinion, to set a fixed date  
18          for it today. Thank you, your Honour.

19          JUDGE KARIBI WHYTE: So what is the view on the part of the  
20          defence?

21          MR. GREAVES: Your Honour, the position is this: there  
22          plainly has to be a decision before these statements are  
23          introduced as evidence, and the point of making the  
24          objection at this stage was the prosecution have  
25          indicated they wanted to have those statements

1 introduced fairly soon, and when I filed my -- was  
2 preparing my motion in the week we had away from court,  
3 I anticipated it was going to be fairly soon after  
4 that.

5 The second point is this: the final part of my  
6 motion is this, that the introduction of the statements  
7 halfway through the eyewitness evidence is an  
8 inappropriate time for it to be done, so a decision has  
9 to be reached as to when those statements should be  
10 adduced as evidence, at the end of the prosecution case  
11 or in the middle of it. So I am afraid the time has  
12 come when a decision has to be made. Whether that  
13 should be today or should be put off, as my learned  
14 friend, Mr. Ostberg, has indicated, for sound practical  
15 reasons is, of course, a matter for your Honours and I  
16 do not necessarily dissent from that, knowing it is an  
17 important decision and we are aware of other obvious  
18 difficulties as well that obtain. So I think that is  
19 our view, that we have got to make a decision at some  
20 stage before those statements come in.

21 JUDGE KARIBI WHYTE: I think your strategy is one of an  
22 anticipatory decision of admissibility.

23 MR. GREAVES: One always likes to deal with difficulties  
24 before they have arisen.

25 JUDGE KARIBI WHYTE: Now there are certain hurdles which

1           you do not try to jump before you get to the time.  
2           Here, if your argument is the question of whether it is  
3           admissible at all, my memory is that has been decided  
4           and that it did not conflict with any of the provisions  
5           of the Rules by the Trial Chamber itself. So I do not  
6           know exactly the basis for the argument now, except my  
7           memory does not serve me right, but I think the  
8           prosecution should be able to -- or any of you who was  
9           involved in that argument should be able to testify  
10          whether such a decision has been taken.

11       MR. GREAVES: Your Honour, I know of no such decision, but,  
12       of course, your Honour will recall that I arrived  
13       slightly later than others in these proceedings. Be  
14       that as it may, if a decision has been made, I invite  
15       this Tribunal to reopen it, because it is an important  
16       matter, and important matters are raised absolutely  
17       fundamental to the fairness of this case. If a  
18       decision has not been made on this matter, then plainly  
19       you can now proceed to decide upon it. I invite the  
20       court to do that.

21       JUDGE KARIBI WHYTE: Let us hear from others whether such a  
22       decision has been taken. If not, we agree with you.  
23       It is fundamental. Admissibility is a serious  
24       matter. So if it has not been decided, we can go ahead  
25       and do that, but if it has been, I do not think we will

1           invite it.

2           MS. RESIDOVIC (in interpretation):   Your Honours, by the  
3           submission of the defence counsel for Mr. Delalic, to  
4           exclude the evidence gathered in Munich in the  
5           provisions from these motions can be discussed at a time  
6           when the Prosecutor decides to adduce this evidence  
7           during the presentation of evidence.   In the status  
8           conference in January we again reopened this issue,  
9           because the decision of the Trial Chamber intimated that  
10          this should be discussed at a time when this evidence is  
11          presented, and on the list of witnesses from December  
12          this was -- this also included those that were pursuant  
13          to Rules 42 and 43.   At that point you indicated that  
14          it was premature to discuss the admissibility of this  
15          evidence and that we should discuss this at a time when  
16          the Prosecutor decides which witness statements they  
17          will decide to present.   The Prosecutor has also  
18          submitted in writing that they intend to use this in  
19          evidence, and I completely concur with my learned  
20          colleague that this issue and this motion should be  
21          decided upon, and to take a decision on whether this  
22          evidence is admissible or not.

23                   However, I fully agree that this need not be done  
24                   now.   We did have a discussion on this yesterday with  
25                   Mr. Ostberg, and we are in agreement that we can revisit

1           this issue in about ten, fifteen days after several  
2           witnesses who have been waiting will have been  
3           questioned. But I urge the Trial Chamber to take such  
4           a decision, which has not been taken so far, and that  
5           this should be done in the next ten to fifteen days so  
6           that the defence would know clearly whether the whole  
7           statements made by our clients are admissible before  
8           this Trial Chamber. Thank you, your Honours.

9           MS. McMURREY: If I might, just on the part of Esad Landzo,  
10          your Honour, I am not sure that it is clear to  
11          Mr. Greaves, and it is not clear to me, so I am asking  
12          for -- there are two separate issues on admissibility  
13          that we have before the court at this point, and the two  
14          separate issues are the admissibility or the legality of  
15          the seizure of the evidence with regard to the  
16          defendants Delalic and Mucic, which Esad Landzo has no  
17          standing to challenge, and then the second issue is the  
18          admissibility of the co-defendants' statements as  
19          against each other.

20                 I am not clear which one we are dealing with at  
21          this moment, because they are both before the court at  
22          this time. If it is the admissibility of the  
23          co-defendants' statements as against each other, then  
24          each one of us believes that fundamental rights of the  
25          accused will be affected, and that does need to be

1           decided before the prosecution decides to use any  
2           statements secured from any of the accused, but if it  
3           has to do with the seizure of the material in Munich or  
4           in Vienna, then, of course, that is a different matter  
5           completely. So I am asking for clarification of which  
6           issue of admissibility we are dealing with at this  
7           moment. Thank you.

8           JUDGE KARIBI WHYTE: Actually in the main the court avoids  
9           dealing with accidental or hypothetical questions. The  
10          issue of co-accuseds' statements has not arisen. We do  
11          not know whether it will be introduced or not. Nobody  
12          ever talks about it at this stage. We are more  
13          interested in the admissibility of the statements of  
14          accused persons when they were interviewed, not now.

15          MS. MCHENRY: Your Honour, maybe I can and maybe I cannot  
16          try to clarify what is happening. The prosecution  
17          intends in the very near future to introduce the  
18          statements of the accused when they were interviewed  
19          into evidence, and we intend to do that after Witness I,  
20          which is, I believe, three witnesses away. In  
21          anticipation of some of the legal issues that we  
22          believed would be raised by those and which defence  
23          counsel had raised in some of their motions, we filed  
24          the response, so -- just to give the court advance  
25          consideration of some of the issues.



1           As Mr. Ostberg has said, it is our -- and as I hear  
2           your Honour to say also -- it is our belief that those  
3           issues can be appropriately handled when, in fact, we  
4           introduce the witness who is going to raise those. So  
5           we had not been seeking an anticipatory Ruling, but we  
6           were just trying to give both the defence and the  
7           Chamber some advance notice of our position on the legal  
8           issues. We do anticipate having a witness in a couple  
9           of days.

10           With respect to the prior decisions that have been  
11           made or not made, let me just address that for one  
12           minute. The rules of this Tribunal state that among  
13           the preliminary motions which the accused must bring  
14           within 60 days, or in any event prior to trial, are  
15           motions to exclude evidence, which would include  
16           interviews. In this case, none of the accused, except  
17           for Mr. Delalic, have made such a motion, and, as  
18           I understand, both from that and from their written  
19           submissions there, in fact, is not an argument that the  
20           statements are not admissible against the accused  
21           themselves. The issue is whether or not the evidence  
22           could be considered against co-accused.

23           It is the case with respect to Mr. -- and this is,  
24           in fact, applicable to both the seizure of evidence and  
25           the statements, but for now I will just talk about

1 statements -- it is the case that when Mr. Delalic  
2 initially raised his motion to exclude both the evidence  
3 and the statements, the Trial Chamber dealt with all the  
4 legal issues and rejected them and said they were not  
5 grounds. There was one technical issue, which the  
6 court said it would reserve ruling on until such time as  
7 they were introduced, and I believe that is still  
8 outstanding, and the prosecution agrees that that  
9 particular issue with respect to the first interview of  
10 Mr. Delalic will still be outstanding, but other than  
11 that, as I understand -- so, to summarise, in about  
12 three or four witnesses, within the next several weeks,  
13 we intend to introduce the statements of all the  
14 accused.

15 With respect to the first interview of Mr. Delalic,  
16 there is an issue about whether or not the technical  
17 recording requirements were met. That issue has not  
18 been decided.

19 With respect to the other, I think, arguments of  
20 the accused, as I understand it, the argument is only --  
21 relates to whether or not this evidence may be used  
22 against the co-accused, which is, in fact, something  
23 that we are not going to be asking the court to rule on  
24 even then, but that is sort of the issue raised. I do  
25 not know if that has been helpful or confusing, but that

1 is my summary of the prior Rulings and where I think we  
2 are now.

3 JUDGE KARIBI WHYTE: Thank you very much. I think this  
4 fairly explains the position at which we are. If one  
5 wants to determine the content of this motion, it will  
6 mean re-arguing everything that has been discussed  
7 before now and I really do not see the merit in doing  
8 that at this stage. I believe if there is any reason  
9 why any of the issues ought to be reopened in respect to  
10 a particular accused person, the Trial Chamber will  
11 consider doing that.

12 I think you can invite the witness to continue the  
13 cross-examination.

14 (Witness enters court)

15 Witness N (continued)

16 Cross-examined by Ms. Residovic (continued)

17 JUDGE KARIBI WHYTE: Just remind him he is still on his  
18 oath.

19 THE REGISTRAR: May I remind you that you are still under  
20 oath.

21 JUDGE KARIBI WHYTE: Okay, Ms. Residovic. Take over the  
22 witness.

23 MS. RESIDOVIC (in interpretation): Thank you, your  
24 Honours.

25 Good morning, Mr. N.

1 A. Good morning.

2 JUDGE JAN: He is not hearing.

3 MS. RESIDOVIC (in interpretation): To continue --

4 JUDGE KARIBI WHYTE: He is not hearing.

5 JUDGE ODIO BENITO: He is not ...

6 MS. RESIDOVIC (in interpretation): Can you hear me now?

7 A. Yes, I can hear now.

8 Q. Thank you. Good morning. I would like to ask you,  
9 Mr. N, that we recall that at the end of the questioning  
10 we were discussing yesterday you said that in February  
11 1996 for two days on 23rd and 24th February you made a  
12 lengthy statement to a representative of the  
13 prosecution. You also confirmed that you made a short  
14 statement, which you called differently, to a  
15 representative of the prosecution also, but in  
16 Belgrade. This second statement came after the request  
17 of the prosecution that you should make such a  
18 statement; is that correct?

19 A. Yes.

20 Q. In making this statement during this brief integration,  
21 the interviewer was Mme Sabine Manke and the  
22 representative of the prosecution, Ms. Teresa McHenry;  
23 is that correct?

24 A. Yes.

25 Q. Mr. N, during your first and second statements you signed

1           those statements, saying that they contain all that,  
2           according to your knowledge and recollection, has been  
3           stated, that it was made on a voluntary basis, that it  
4           was truthful and that you are aware that it may be used  
5           in the proceedings before this Tribunal; is that  
6           correct?

7           A. Yes.

8           Q. In your first statement, which is in great detail, and  
9           which contains facts about events and persons, you did  
10          not mention the name of Mr. Zejnil Delalic; is that  
11          correct?

12          A. I do not remember.

13          Q. In your second statement -- I will read to you exactly  
14          what you said about Mr. Zejnil Delalic. You said:

15                        "Zejnil Delalic came several times. He was  
16                        together with armed guards. He just looked around and  
17                        I remember him talking to Delic. I personally saw  
18                        Delalic in the hangar three times."

19                        Is that the statement that you made on 14th  
20                        November 1996 in Belgrade?

21          A. Yes.

22          Q. I am asking you is that what you said. Will you answer  
23          with "yes" or "no"?

24          A. I think I did not say three times.

25          Q. Was the statement given to you yesterday?

1 A. Yes.

2 Q. You identified it?

3 A. Yes. I read yesterday that I said that he came several  
4 times, not three times.

5 Q. Will Mr. N be given his statement that he identified  
6 yesterday? (Handed to witness). I will read it again:

7 "Zejnil Delalic came on several occasions. He  
8 was together with armed guards. He just looked around,  
9 and I remember him addressing Delic. I personally saw  
10 Delalic in the hangar three times."

11 That is the end of your statement; is that  
12 correct? Have I read the last sentence correctly:

13 "I personally saw Delalic in the hangar three  
14 times"?

15 A. Yes.

16 Q. Thank you. Testifying before this Trial Chamber on  
17 pages 1925 and 1926 of the transcript you said that:

18 "Zejnil Delalic came only once and that during  
19 that visit Hazim Delic fired a shot, which fired back at  
20 Davor Kuljanin who was treated medically."

21 Do you remember that?

22 A. Yes. I said that I saw him in person. I didn't know  
23 him and that was when I saw him in person.

24 Q. Do you agree with me that the words: "I personally saw  
25 Delalic in the hangar three times", and "I personally

1 saw Zejnil Delalic once" are quite contradictory  
2 statements?

3 A. I don't know.

4 Q. Will you answer my question? Is "three times" and  
5 "once" a contradiction?

6 A. I think it must have been an error in the translation.

7 Q. Is "three times" and "once" two opposite things?

8 A. I don't know. I don't know what to say.

9 Q. Just now, Mr. N, you said that you do not know Mr. Zejnil  
10 Delalic, or, rather, that you did not know him  
11 personally?

12 A. I didn't know him before. I learned from other people  
13 who knew him that it was Zejnil Delalic. Before that  
14 the guards would warn us that Zejnil Delalic was coming.

15 Q. Therefore, even then when you saw him you had no  
16 personal knowledge of Mr. Delalic?

17 A. Yes. Other people told me that it was Zejnil Delalic.

18 Q. I am repeating: in the statement of November 14th you  
19 said that he came three times. In your testimony  
20 before this Chamber you said once. Both times you said  
21 that you saw him personally. The first time, Mr. N, you  
22 said that each time you saw him, he just looked around  
23 in the hangar. Testifying before this Trial Chamber,  
24 you said that he came to Hangar Number 6 and that one --  
25 a shot that was fired wounded a prisoner. These are

1 details which it is difficult to forget, unless you are  
2 making them up?

3 A. I am not making up anything. I am repeating there may  
4 be an error in the translation. I saw him when he came  
5 to the prison, but learning from others that he had come  
6 three times was what I said. I am sure that then I  
7 didn't say that I personally had seen him three times.  
8 I just said that he had come three times.

9 Q. Will you please answer my questions? You had the  
10 opportunity to answer these questions already in the  
11 direct questioning, so I am now asking you about the  
12 differences between your evidence of 14th November and  
13 your testimony in court.

14 Mr. N, let us go back to some other matters now,  
15 which you may be familiar with. Mr. N, you said that  
16 you were born and bred in the municipality of Konjic; is  
17 that correct? Before your arrest you said you had lived  
18 in the village of Viniste; is that right?

19 A. Yes.

20 Q. In Konjic before the war there were members of at least  
21 three ethnic groups. The majority were Bosnian  
22 Muslims; is that correct?

23 A. Muslims, yes.

24 Q. There were no interethnic conflicts among them before  
25 the war?



1 A. What do you mean?

2 Q. Before the war you did not see any conflicts among those  
3 people on ethnic grounds. They mixed, they worked  
4 together and so on?

5 A. Yes.

6 Q. Mr. N, you know that on April 6th the independence of  
7 Bosnia-Herzegovina was proclaimed?

8 A. No.

9 Q. Do you know that a state of imminent war danger was  
10 proclaimed?

11 A. No, I don't know. I wasn't involved in politics.

12 Q. But you are a military conscript, Mr. N?

13 A. Yes.

14 Q. Were you aware that a general mobilisation had been  
15 called?

16 A. No.

17 Q. As a citizen of Bosnia-Herzegovina, you did not respond  
18 to the call for general mobilisation?

19 A. I had Yugoslav citizenship, but I was living in the  
20 Republic of Bosnia-Herzegovina.

21 Q. Mr. N, I am asking you whether as a citizen of  
22 Bosnia-Herzegovina you responded to the call for  
23 mobilisation; yes or no?

24 A. I did not receive any call-up, and I was a citizen of  
25 Yugoslavia.

1 Q. Did you ever ask to be relieved of your citizenship of  
2 Bosnia-Herzegovina?

3 A. No. Nobody asked that of me.

4 Q. Did you ask to be excluded from citizenship of  
5 Bosnia-Herzegovina?

6 A. I did not have the citizenship of Bosnia-Herzegovina.

7 Q. Can the court allow me to ask this question once again,  
8 if Mr. N can answer? Did you personally ask to be  
9 excluded from the citizenship of Bosnia-Herzegovina?  
10 Will you answer by "yes" or "no", if you can? Did you  
11 ask to be excluded?

12 A. I had no need to be excluded, to ask for exclusion, when  
13 I was not a citizen. I was a citizen of Yugoslavia.

14 Q. So you never asked to be excluded?

15 A. I apologise, but that is not the right question. I was  
16 not a citizen of Bosnia-Herzegovina. I had Yugoslav  
17 citizenship written on all my documents.

18 Q. I will not insist on this question. There is no need  
19 for my learned colleague to object. The regulations of  
20 Bosnia-Herzegovina regulate the question of  
21 citizenship. It is not a question of personal choice,  
22 unless exclusion is requested.

23 So you did not respond to the call for  
24 mobilisation to join the Territorial Defence or the  
25 reserve police force?

1 A. I was never called up.

2 Q. But you knew that a certain number of people had  
3 responded to the call-up and joined the reserve police  
4 force and the Territorial Defence?

5 A. Not in that area.

6 MR. TURONE: May I ask, Ms. Residovic, and the witness, to  
7 slow down in their question and answer, because we  
8 cannot follow well enough. Thank you very much.  
9 Excuse me for interrupting.

10 MS. RESIDOVIC (in interpretation): Thank you, Mr. Turone.

11 Mr. N, are you familiar with the following persons:  
12 Milijan Cecez?

13 A. I heard of him. I learned that they killed his father  
14 and that two of his brothers were killed, nothing more.

15 Q. Are you familiar with Witness F, who testified before  
16 this court 20 days ago?

17 A. I don't know who he was.

18 Q. Do you know Slobodan Cecez?

19 A. No.

20 Q. Do you know Mitar Manivoda?

21 A. No.

22 Q. Do you know Mladen Zivak?

23 A. I don't know which Zivak you are talking about.

24 Q. Mladen.

25 A. No.

1 Q. Mr. N, you said that you knew many people in Konjic and  
2 in the surroundings of your village, and your village  
3 belongs to the local community of Donje Selo?

4 A. Yes.

5 Q. Do you know that Milijan Cecez was a man living in that  
6 territory?

7 A. Yes.

8 Q. Do you know that these other persons, who you do not  
9 know in person, were also living in this area?

10 A. I think not, because there were no Zivaks there.

11 Q. Cecez, Slobodan Cecez?

12 A. No, I don't know of him.

13 Q. Thank you. Mr. N, in January 1992 you applied to join  
14 the reserve force of JNA in the surroundings of Mostar?

15 A. No. In January 1992 -- no, actually in February 1992  
16 I was working for the JNA as a civilian until April 3rd,  
17 1992.

18 Q. Mr. N, you were working in the JNA from January 18th  
19 until March 10th as a reserve soldier of the JNA, and  
20 you were on Mt Hum near Mostar; is that correct?

21 A. No.

22 Q. In that period you received a salary from the JNA?

23 A. I was remunerated as a civilian working for the JNA.

24 Q. You were then in the region of Mostar?

25 A. I was in Mostar.

1 Q. You are aware that on Mt Hum heavy weapons were  
2 positioned?

3 A. I don't know.

4 Q. After March 10th, Mr. N, you went back to Konjic?

5 A. I came to Konjic on April 3rd.

6 Q. You did not bring your rifle from Mostar; is that so?

7 A. No.

8 Q. When you were arrested, Mr. N, you said that your  
9 neighbour, a Muslim, a member of the TO, tried to  
10 protect you, together with some other local people; is  
11 that true?

12 A. Yes.

13 Q. You were arrested by members of the HVO police, among  
14 whom there were both Muslims and Croats; is that true?

15 A. Yes. That evening they took us to that house, but  
16 before that we were taken to Konjic and then released.

17 Q. So this HVO police, consisting of Muslims and Croats,  
18 had white belts; is that correct?

19 A. Not HVO police. There were Croats and Muslims, and  
20 they were wearing white belts, yes.

21 Q. Thank you. Did you then hand in any weapons?

22 A. I didn't own any weapons.

23 Q. Mr. N, if a document or a witness says that you had  
24 weapons, you are claiming that that is not correct?

25 A. When we were arrested, we had no weapons. That is the

1 truth.

2 Q. So if a document or a witness claims otherwise, then it  
3 is not true?

4 A. It is not true.

5 Q. Mr. N, your father and brother were also in Celebici for  
6 a short time?

7 A. My father was not. My brother was.

8 Q. They are at home and they have no problems; is that  
9 true?

10 A. Yes.

11 Q. Yesterday in the Trial Chamber or these past few days,  
12 you said that you were interrogated by Mladen Zovko; is  
13 that true?

14 A. Yes.

15 Q. You said that you knew Milijan Cecez; is that true?

16 A. Yes.

17 Q. So he left Donje Selo before you were arrested; is that  
18 not so?

19 A. Yes.

20 Q. Is it true that Lazar Cecez took over the duties from  
21 Milijan Cecez?

22 A. I don't know. Let me repeat once again: in this  
23 hamlet of Viniste we were together with Croats. We had  
24 connections with our neighbours, our Muslims, and no  
25 other connections. We didn't meet or anything like

1           that.

2           Q. Mr. N, in answer to a question by Mr. Turone of the  
3           prosecution, you told this Trial Chamber about what you  
4           were asked by the interrogators in Celebici. However,  
5           you did not tell us what your answers were. Is it true  
6           that in that statement during the interrogation you said  
7           that you were given by Milijan Cecez an M-48 and 60  
8           bullets?

9           A. I do not remember that, because that day when I was  
10          interrogated by Mladen Zovko, I had been beaten up  
11          before that. I just remember him asking me where I was  
12          from and whether I was armed when I was arrested.  
13          That's all I remember. I don't know what else they  
14          asked me.

15          Q. Do you remember -- let me remind you -- that you said  
16          then that you were in the JNA reserve force for two  
17          months in Mostar?

18          A. No. What I told you just now is what I said then.

19          Q. So you told them that you were working as a civilian for  
20          the JNA?

21          A. Yes, that is what I told them, that I had an eight-hour  
22          working day working as a civilian for the JNA and for  
23          that I had a salary.

24          Q. Mr. N, you stated here that you were beaten up in  
25          Celebici on the second day after your arrival?

1 A. Yes.

2 Q. You also said that you were in a very difficult  
3 condition; is that true?

4 A. Yes.

5 Q. You said that it was difficult for you to eat and before  
6 this Tribunal you said that other prisoners, that is  
7 Jordan Gotovac and the late Zjelko Klimenta, helped you  
8 to swallow some food; is that correct?

9 A. Yes.

10 Q. You also stated in your first statement and also during  
11 your testimony that you were given milk, some liver, to  
12 drink and eat?

13 A. It was liver paste. I couldn't swallow, so he gave me  
14 some with his finger.

15 Q. Mr. N, is this the regular food given to others as well?

16 A. Not milk. A woman, Cedo Cecez's mother-in-law, managed  
17 to smuggle some milk in over the fence and this late  
18 prisoner gave it to me and the small liver paste had to  
19 be shared by three or four prisoners, and that is the  
20 liver paste they gave me. That was while we were in  
21 Number 22.

22 Q. So the milk came from the family of one of the  
23 prisoners?

24 A. Yes, it was passed through the fence.

25 Q. Mr. N, you were in such a condition in Building 22?



1 A. Yes.

2 Q. You pointed out that you found in that building Slobodan  
3 Babic, who was heavily injured. You also said that he  
4 had received those injuries during his arrest; is that  
5 true?

6 A. Yes.

7 Q. You also noted that in that building Mirko Babic was  
8 there too, a cousin of Slobodan Babic. Mirko Babic is a  
9 man from the same village as Slobodan Babic?

10 A. Yes.

11 Q. You said that Branko Gotovac was there too?

12 A. Yes, correct.

13 Q. It is true that you were in the worst condition in the  
14 Building Number 22 with the exception of Slobodan Babic,  
15 of course, but I am talking about that period. Mr. N,  
16 can you agree with me that, in view of your condition  
17 while you were in Building 22, that if Mirko Babic, a  
18 relative and a neighbour, who was arrested together with  
19 Slobodan Babic and Branko Gotovac, in their testimony  
20 give certain details and facts related to the death of  
21 Slobodan Babic in a slightly different way from you,  
22 then what they say is correct?

23 A. I don't know what they said. I said what I saw and  
24 what I heard.

25 Q. You stated what you heard from others?

1 A. Yes.

2 Q. Your condition in Building 22 was worse than the  
3 condition of Mirko Babic and Branko Gotovac; is that  
4 true?

5 A. Yes.

6 Q. Mr. N, in your first statement of February 1996 in  
7 connection with the death of Zjelko Klimenta, you said  
8 that it was the guard Padalovic who fired; is that true?

9 A. Yes.

10 Q. You also said that Padalovic said then that this was an  
11 accident; is that true?

12 A. I did not say that.

13 Q. You said that Padalovic treated the prisoners correctly  
14 and with attention?

15 A. Yes.

16 Q. You also said that after this event he was distressed?

17 A. I didn't say that, because I didn't see him then.

18 Q. Therefore, when you said that he was very distressed,  
19 that he said that it was an accident, that he threw away  
20 his rifle and left and that you never saw him again,  
21 this is something that you did not say in your statement  
22 of February 1996?

23 A. That he was very distressed I didn't say; that we didn't  
24 see him again, that is true, and what else you said --  
25 and what else that I said, that he treated us correctly,

1           that is also true.

2           Q.   If this is contained in your statement of February 1992,  
3           it means that the interrogators put in the statement,  
4           not respecting your will, something that you did not  
5           say?

6           A.   The words that you uttered I did not speak.

7           Q.   If they are contained in this statement, then you claim  
8           that somebody else put them down and that you did not  
9           utter them?

10          A.   It may be an error in the translation.

11          Q.   Thank you, Mr. N.   Yesterday you recognised the  
12          photograph of a man with long hair and a pigtail?

13          A.   Yes.

14          Q.   You confirmed that you saw him in Hangar 6.   Is it true  
15          that you saw him when he came to look for someone to  
16          wash his car?

17          A.   I do not remember that.   I know that he came in with a  
18          group of people.

19          Q.   That man was there also when Delic fired that shot?  
20          Thank you.   I have no more questions.

21          JUDGE KARIBI WHYTE:   Thank you very much, Ms. Residovic.

22          I think this is the last of the questions from the  
23          defence.   Any re-examination?

24                                        Re-examined by MR. TURONE

25          MR. TURONE:   Your Honour, we have no particular questions in

1 re-examination. Simply we had an agreement with the  
2 defence lawyers about the photographs concerning the  
3 injuries of this witness, since the examination, medical  
4 examination report in the meantime arrived, but it has  
5 no photographs attachments. So defence lawyers  
6 inspected the injuries and agreed with us about the  
7 opportunity to have these photographs exhibited,  
8 tendered as an exhibit. So I would like to present  
9 these photographs as Exhibits 94, 95, etc. They are 11  
10 photos.

11 MS. McMURREY: Your Honour, I would just like to bring to  
12 the court's attention that not all defence attorneys  
13 inspected the wounds. I am the only one from the  
14 defence team that did personally inspect the wounds of  
15 Witness N. Because these photographs are being  
16 introduced at this time, I would only like for  
17 clarification purposes to be allowed to ask the witness  
18 one more question that has arisen from this examination  
19 relating to the photographs.

20 MR. TURONE: We have two copies of this bunch of photos for  
21 the Chamber and for exhibition. Thank you.

22 JUDGE KARIBI WHYTE: Now, Ms. McMurrey is interested in  
23 asking further questions.

24 Further Cross-examination by Ms. McMurrey

25 MS. McMURREY: Your Honour, I have seen the photographs. I

1 do not need to have them in front of me at this point.  
2 I just have one question for the witness for  
3 clarification. I believe that the photographs  
4 accurately represent the wounds that I viewed, but  
5 I believe it was on your right hand, Witness N -- we  
6 discussed several marks on your hand, but the most  
7 prominent being a puncture wound in the middle of your  
8 palm. I wanted it to be clear to the court that that  
9 puncture wound was a result of injury that you sustained  
10 after 1992 and after you were released from Celebici; is  
11 that correct?

12 A. Yes, that is correct.

13 Q. No further questions, your Honour.

14 MR. O'SULLIVAN: Your Honour, if I might, there is a question  
15 relating to the transcript. The final question asked  
16 by my colleague was answered and the answer does not  
17 appear in the transcript.

18 JUDGE KARIBI WHYTE: Is that today?

19 MR. O'SULLIVAN: Just now. The answer to the question was  
20 -- the question was -- the answer to the final question  
21 was "Yes". The question was:

22 "That man was there also when Delic fired that  
23 shot?"

24 and the answer was "Yes".

25 The answer does not appear in the transcript.

1 JUDGE KARIBI WHYTE: Let her put the question again. It  
2 will now be part of the record. You can put the  
3 question.

4 MS. RESIDOVIC (in interpretation): (Not translated).

5 A. Yes.

6 MR. TURONE: There is no translation.

7 JUDGE KARIBI WHYTE: I think this satisfies. You mean  
8 there was no translation of that? This is a multiplying  
9 effect of errors. Pose the question again so we can  
10 have a full translation.

11 MS. RESIDOVIC: I apologise.

12 Mr. N, the person that you recognised in the  
13 photograph was present when Mr. Delic accidentally fired  
14 his rifle; is that correct?

15 A. Yes, it is correct.

16 Q. Thank you, and I apologise for these technical  
17 difficulties?

18 JUDGE KARIBI WHYTE: Thank you very much. So we will have  
19 a full translation of all the questions and answers.  
20 I think this is all you have for this witness.

21 MR. TURONE: Just to clarify an ambiguity, this person you  
22 recognised in picture number 3 shown to you yesterday is  
23 one of the persons you saw in Hangar 7 when Delic fired  
24 a bullet?

25 MR. O'SULLIVAN: Objection, your Honour. The question was

1           just asked and answered.

2           JUDGE KARIBI WHYTE: I do not know if there is any Hangar 7  
3           there. I do not remember any Hangar 7.

4           MR. TURONE: Is that the person you previously talked about  
5           as Zejnil Delalic?

6           A. No. That is the person who was accompanying Zejnil  
7           Delalic and was joined by him in Hangar Number 6. That  
8           is the person whose photograph was shown to me  
9           yesterday.

10          Q. How did you get to know that one of those people was  
11          named Zejnil Delalic?

12          MR. O'SULLIVAN: Objection, your Honour. He has answered  
13          that question. He said it was told to him by someone  
14          else. There is no foundation.

15          JUDGE KARIBI WHYTE: Actually he merely recognised the  
16          person as a person he has seen before in Hangar 6. He  
17          did not know his name.

18          MR. TURONE: All right. I have no more questions. Thank  
19          you, your Honour.

20          MS. RESIDOVIC: I apologise, but the comment was that he had  
21          not -- that the witness had not known Zejnil Delalic  
22          before.

23          JUDGE KARIBI WHYTE: That is true. I think the witness  
24          can now be discharged. He is free.

25          MR. TURONE: Yes, your Honour.

1 JUDGE KARIBI WHYTE: The Trial Chamber will now have a  
2 break and come at 11.45, in 30 minutes' time.

3 (11.10 am)

4 (Short break)

5 (11.45 am)

6 JUDGE KARIBI WHYTE: Who is your next witness?

7 MS. MCHENRY: Your Honour, we are ready to proceed with our  
8 next witness. We would call Mr. Golubovic as a  
9 witness.

10 JUDGE KARIBI WHYTE: Invite him.

11 JUDGE JAN: His witness number? You must have numbered the  
12 witnesses. His witness number?

13 MS. MCHENRY: Yes, your Honour, but unfortunately I do not  
14 have the number in front of me. 13. Thank you.

15 JUDGE KARIBI WHYTE: Swear the witness.

16 MR. GOLUBOVIC (sworn)

17 Examined by MS. MCHENRY

18 JUDGE KARIBI WHYTE: You can continue in direct.

19 MS. MCHENRY: Thank you, your Honour. Sir, would you  
20 please tell us your full name?

21 A. (In interpretation): I am Miro Golubovic.

22 Q. May I ask the usher's assistance in moving the ELMO down  
23 so I may see the witness?

24 Sir, can you please tell us your age?

25 A. I was born 19th September 1959.



1 Q. Okay. How far did you go in school?

2 A. I finished the secondary school as an auto mechanic.

3 Q. Where are you from? Where were you born?

4 A. I was born in Konjic.

5 Q. In 1992 where were you living?

6 A. I was living in Konjic in 15th September Street, number  
7 19.

8 Q. At this time in 1992 what kind of work were you doing?

9 A. I was working as a private taxi driver.

10 Q. In 1992 was there a time when you were arrested?

11 A. I was arrested in the month of May. I don't know the  
12 exact date, but in early May.

13 Q. At that time were you still living in Konjic town?

14 A. After that arrest I did not live in the town of Konjic.

15 Q. Prior to the arrest were you living in Konjic town?

16 A. Yes, I lived in the town of Konjic.

17 Q. Please tell us briefly what happened when you were  
18 arrested?

19 A. When I went from my apartment towards my family home in  
20 Donje Selo near the motel at the exit of Konjic I was  
21 stopped by the police and I was detained in the motel.  
22 They searched my car and Amir Begic said that I could go  
23 home. However, the Commander of the police station in  
24 Konjic, Sevko Niksic, said I had an apartment in Konjic  
25 and we needed to go to have a search of the apartment

1 done. We went to my apartment and they searched it,  
2 and they took me to the police station in Konjic.

3 I waited there until 1 o'clock at night, and because of  
4 my father's and some friends' intervention Rusmir  
5 Hadzihuseinovic, who was the principal of the  
6 municipality, allowed me to go to the village.

7 Q. Where did you go after you were released?

8 A. I went to my family home in Donje Selo, in the hamlet of  
9 Cerici.

10 Q. Do you know approximately when in May this was when you  
11 were arrested and then released later that night?

12 A. This was before May 6th, but I don't know the exact  
13 date. It was before 6th May.

14 Q. Was there a time when there was any kind of fighting or  
15 military action in your village or hamlet?

16 A. There was a military action on May 22nd.

17 Q. Prior to the attack were you armed, prior to the  
18 military action -- I am sorry -- were you armed?

19 A. I was armed several days before the armed action.

20 Q. Were you involved in the defence of your village?

21 A. I did not take part in the defence of the village.

22 Q. Prior to the actual military action had you been  
23 involved in any sort of patrols or preparation for  
24 possible military action?

25 A. When I came from the town to the village my mother

1           criticised me for not taking part in these village  
2           watches, because she was ashamed that I would let other  
3           people defend or protect our home.    So several days  
4           before the military action I took part in these watches.

5       Q.   What kind of weapon did you have?

6       A.   I had a machine gun, 762, with a fold-up butt.

7       Q.   Can you tell us briefly what happened to you during and  
8           after the military action in your village?

9       A.   When the military action started, the shells started  
10          falling in the village and people took shelter in the  
11          creeks and surrounding caves, and I was among them.  
12          Then they got in touch with the commanders of the TO and  
13          they negotiated a surrender and turning over of the  
14          weapons, and at that time I didn't have the courage to  
15          surrender myself, and I stayed for ten or fifteen days  
16          in the village until my mother got in touch with the  
17          members of the HVO military police and I surrendered to  
18          them, together with my weapons, and they took me to the  
19          Celebici camp.

20      Q.   Can you just explain a little bit more what you mean  
21          when you say your mother got in touch with the HVO  
22          military police and you surrendered?  Can you just  
23          explain that a little bit, please?

24      A.   Yes, yes, I can.   No problem: there was a person in the  
25          military police who went to school with my sister, and

1           when he saw that I wasn't among the prisoners who were  
2           brought to Celebici, he came to my mother to ask her if  
3           she knew where I was and whether she had any contact  
4           with me, and that it would be better for me to surrender  
5           than to continue on in the woods, because he said that  
6           there would only be some verification process in  
7           Celebici, and since I was not involved in anything  
8           I should be afraid about, then I decided to surrender,  
9           and they gave me a certificate that I would not be  
10          mistreated if I surrendered.

11         Q. Can you just explain who you surrendered to and what you  
12          remember about this certificate, please?

13         A. I surrendered to Darko Verkic, Mario Maric, Miro Vranic  
14          -- Miro or Ante; I don't know the first name exactly --  
15          and then Jozic, whose nickname was Aga, and then there  
16          were several other guys there whose names I don't know.

17         Q. What happened after you surrendered? Who brought you to  
18          Celebici?

19         A. These same persons took me to Celebici.

20         Q. What was the date that you were brought to Celebici?

21         A. I came to Celebici on June 6th, 1992.

22         Q. How long in all did you stay in Celebici?

23         A. I was in Celebici from 6th June until 17th July.

24         Q. During the time that you were in Celebici did you learn  
25          who was in charge of the camp?

1 A. No, I did not learn that.

2 Q. What happened -- please now tell us exactly what  
3 happened when you were brought to Celebici by these  
4 persons.

5 A. When I arrived in the Celebici camp Milovan Kuljanin and  
6 I were waiting in the van until they came out and took  
7 us to the back part of the camp, where the manhole was  
8 and that's where they brought us.

9 Q. Milovan Kuljanin, who is he?

10 A. He was a man who gave himself in together with me.

11 Q. Did you know any of the people who brought you to the  
12 back part of the camp? Was that the same persons who  
13 brought you to Celebici itself or different people?

14 MS. McMURREY: Your Honour, I am going to object. She is  
15 leading the witness. He never said this manhole was in  
16 the back part of the camp.

17 MS. McHENRY: If I may just look at the transcript, the  
18 witness said:

19 "They took us to the back part of the camp, to the  
20 manhole."

21 MS. McMURREY: Oh, I am sorry.

22 JUDGE KARIBI WHYTE: Please continue.

23 MS. McHENRY: Sir, was it the same people who brought you to  
24 the back part of the camp -- was it the same people who  
25 brought you to the camp or different people?

1       A. They were present, but we were taken there by a driver  
2           called Berislav Stanic, and Mr. Hazim Delic was there  
3           present.

4       Q. What happened when you were brought to the back part of  
5           the camp? Please just tell us exactly what happened to  
6           you?

7       A. They locked us up in the manhole and the HVO policeman  
8           intervened, and they opposed this, and they said that in  
9           the certificate it was said that we should be locked up  
10          in a special place, and that this was that special  
11          place.

12      Q. Can I just ask you to explain this to us again. When  
13          you say "they", just explain who you mean. When you  
14          say they locked you up in the manhole and they said it  
15          was in the certificate, can you just explain that, so we  
16          understand exactly who "they" is?

17      A. They were the guards who were in the camp, Celebici  
18          camp.

19      Q. Did you recognise any of them who either put you in the  
20          manhole or who were present when you were placed in the  
21          manhole?

22      A. We entered it ourselves, but Hazim Delic was present and  
23          Bero Stanic. I knew the two of them and I didn't know  
24          the others, and the HVO policemen were there too.

25      Q. Who was it, if you know, who said that it was in the

1 certificate that you should be put in a special place  
2 and the manhole was this special place?

3 A. Darko Verkic said this, because he went to investigate  
4 to see why we had been put there.

5 Q. I am sorry. Did this conversation occur at the time  
6 while you were there being put into the manhole?

7 A. Yes, while we were entering the manhole.

8 Q. I am going to ask, sir, that you look in front of you at  
9 Prosecution Exhibit 2. I am referring to this large  
10 model. I ask if you recognise what it is.

11 A. I do.

12 Q. What is it, please?

13 A. This is a model of the Celebici camp.

14 Q. Sir, I am going to ask, if you can -- the logistics of  
15 this are not very easy -- if you could stand up and then  
16 just leaning over the table, so that the microphone can  
17 still pick up your voice, can you explain to the judges  
18 exactly what parts of the camp that you recognise and  
19 just in detail everything that you recognise about the  
20 camp. If you can, if you can recognise the front gate,  
21 would you please start with the front gate?

22 A. This is the front gate over there. (Pointing). This  
23 is the quarters, the store house, the hospital, the  
24 scales. This was Tunnel Number 9 with other supporting  
25 facilities like the manholes. This part of the camp

1 over here I am not very familiar with. I only know the  
2 manhole I was in here in the corner, but I never entered  
3 the other building, Number 6 and the others, I never  
4 went to.

5 Q. Can you please show us where the manhole you were  
6 brought and put into is?

7 A. The manhole I stayed in at first is this one.  
8 (Pointing).

9 Q. Thank you. You may sit down now. Let me also ask  
10 with the assistance of the technical unit for the  
11 witness to be shown on the computer Prosecution Exhibit  
12 1, page 29, photo 38. Sir, I ask that you look at the  
13 screen in front of you and tell me if you recognise what  
14 that is? Sir, is there a picture in front of you?

15 A. Yes, I see it. I see it.

16 Q. Do you recognise what it is? I am sorry, sir. Do you  
17 recognise what is in the picture in front of you and, if  
18 so, can you tell us what it is?

19 A. I can't hear anything. Oh, it's all right now. It's  
20 all right now. I didn't hear the question. I am  
21 sorry. Something must have been wrong with the  
22 equipment.

23 Q. Thank you. I am asking if you can recognise what is in  
24 the picture in front of you and, if so, can you tell us  
25 what it is?



1 A. It is the manhole I was locked up in on the first day  
2 I arrived at the Celebici camp.

3 Q. How long did you stay in the manhole?

4 A. I stayed in the manhole two or three hours.

5 Q. Was anyone else put in the manhole at the same time as  
6 you?

7 A. With me was Milovan Kuljanin and later a man was brought  
8 in whom I didn't know then, but I learned later that his  
9 name was Vlado Stanojevic.

10 Q. Can you describe what the conditions were like in the  
11 manhole?

12 A. In the manhole we didn't have enough air. We were  
13 afraid. The guards would come and beat on the lid.  
14 They would insult us and utter provocations.

15 Q. After you were put in the manhole was the lid open or  
16 closed?

17 A. When we entered it, it was open, but when we got inside  
18 it was closed and locked.

19 Q. What happened after two to three hours?

20 A. At the time I didn't know how long it was, but I think  
21 it was Mr. Hazim Delic, he called me out to come out of  
22 the manhole, and when I came out, I saw Mr. Zdravko  
23 Mucic, who was sitting on a wooden bed, and I approached  
24 him. He asked me: "Where have you been, Golub?", and  
25 I asked him, if he could, to release me from that

1 manhole, because we didn't have enough air. He said  
2 that he could not do that for me straightaway, that he  
3 had to ask some people who were interrogating the  
4 prisoners to take a statement from me, and then most  
5 probably they would transfer me to another part of the  
6 camp.

7 Q. When you said you were called Golub, can you tell us  
8 what does Golub mean?

9 A. It is my nickname.

10 Q. Does it mean anything? Maybe the interpreters can  
11 help. Does it mean anything, Golub? Is it anything  
12 besides a nickname? Sir, do you know if --

13 A. No, in my life it doesn't mean anything else but my  
14 nickname.

15 Q. Okay. If somebody -- well, that is fine. Did you  
16 know Mr. Mucic from before?

17 A. I did. I knew him by sight. We weren't friends, but  
18 we knew each other well.

19 Q. What happened next, after your conversation with  
20 Mr. Mucic?

21 A. Then I went back to the manhole and Mr. Hazim Delic gave  
22 me a bottle of water, and after some time, maybe half an  
23 hour, Berislav Stanic came for me and he took me to the  
24 headquarters to make a statement.

25 Q. Again I am going to ask if you could just stand up and

1 show, using the model, if you can, and if you have to  
2 move away from the model, you can, first where the  
3 conversation with Mr. Mucic took place and then where you  
4 were brought afterwards?

5 A. There, (pointing), and then they took me this way.  
6 They drove me to the command.

7 Q. Just let the record reflect that the first place the  
8 witness pointed to is known as J on the map. My eyes  
9 are not good enough to see the other one. I believe  
10 there is evidence about where the command centre was.

11 What happened then, sir?

12 A. When I reached the command building, they took me to an  
13 office and there I found Mladen Zovko, known as Kuhar,  
14 and another elderly man, whom I did not know.

15 Q. Then what happened?

16 A. They, after -- since I had grown up with Mladen Zovko,  
17 he said: "Where have you been? Nobody knows anything  
18 about you." Then he asked what I had by way of armaments  
19 and where I had been all that time, and I explained.  
20 I said where I was after the village was captured.  
21 I explained this to him. I can't remember exactly  
22 whether I signed that statement or not. Anyway, he  
23 said he'd finished and I was transferred by the guards  
24 to the part of the camp known as the prison hospital.  
25 I didn't know that at the time, but when I entered,

1 I saw people lying on beds and some doctors, and they  
2 explained to me that it was the prison hospital.

3 Q. Okay. Let me go back for one minute to clarify a few  
4 matters. Was your relationship with -- can you  
5 describe what your relationship with Mr. Mucic was like  
6 prior to the time you were in Celebici?

7 A. I don't know what you mean when you ask about our  
8 relationship.

9 Q. You may have said this before, and I am sorry. I do  
10 not remember. Were you friends with Mr. Mucic  
11 beforehand?

12 A. We didn't -- we were not friends or enemies. He was  
13 close to a relative of mine and they kept company, so we  
14 knew each other through this association between  
15 Mr. Mucic and my relative.

16 Q. How do you feel about Mr. Mucic now?

17 A. I have friendly feelings for Mr. Mucic, as before the  
18 war, for instance, we were not very close. I didn't  
19 have any special feelings for him, nor did he for me,  
20 but after everything that he did for me, I have friendly  
21 feelings for him.

22 Q. Thank you. Sir, I am going to ask the usher's  
23 assistance -- maybe, in fact, if I could just use my  
24 case manager to take the top off what I believe is  
25 referred to as building B. Sir, I am going to direct

1           your attention to the large model to your left.    Tell  
2           me if you recognise what that is?

3           A.   I am sorry.    I didn't hear any of that.

4           Q.   Can you just tell me if you recognise what building B --  
5           I am sorry -- what the model is with number B on it that  
6           is in front of you to your left that does not have a top  
7           on it now?

8           A.   It is a model of the command building of the Celebici  
9           camp.

10          Q.   Okay.    Can you show me -- can you, using that model,  
11          show us where it was that you were interviewed by Kuhar?

12          A.   I was interviewed in this first room, left from the  
13          entrance (pointing).

14          Q.   Would the windows of that room face the interior of the  
15          camp or the exterior of the camp?

16          A.   They face in the direction of the prison hospital.

17          Q.   Thank you.    You may sit down, please.    Thank you.

18          Please go on with what happened to you after your  
19          interrogation, where you were brought and what happened  
20          to you then.

21          A.   I was taken to the prison hospital and I was there until  
22          1.00 am.    I sat by the door and one of the guards  
23          called my name.    I can't remember now who he was and he  
24          took me out, and then I saw a police car in front of the  
25          administrative building, and in the office in which

1           Zovko had interrogated me Sevko Niksic was sitting, the  
2           Commander of the police station, and Jasmin Guska,  
3           Secretary of the Minister of the Interior in Konjic. I  
4           don't know exactly his post but he had a higher rank  
5           than Sevko Niksic.

6           Q. Then what happened?

7           A. They took me to a room at the end of the corridor on the  
8           left and these people who were taking me there were  
9           Jasmin Guska and a JNA man called Miralem Duracic, and a  
10          young man, younger than me, a blond man, whom I didn't  
11          know, and Mr. Hazim Delic would come in occasionally.

12          Q. Then what happened?

13          A. When they entered, they switched off the light. There  
14          was very little light. I don't know where it was  
15          coming from, whether it was from the outside or maybe  
16          there was a light bulb inside. I couldn't see that.  
17          They brought a candle, which they lit on the table.  
18          Mr. Guska Jasmin questioned me about certain things and  
19          asked me certain questions, which I couldn't answer.  
20          He said he had finished and he asked Narcis, whom he  
21          addressed as Captain: "Captain, take things over."

22                 He lit the candle. He had scissors in his hands,  
23                 which he heated in the flames and he burnt me in the  
24                 area of the neck with the red hot scissors, and on the  
25                 upper lip. A number of times with these heated

1           scissors he would point them at me so that I should hold  
2           them, saying: "Cool them off a little." Also present was  
3           Miralem Duracic, known as Dura. Later they told me to  
4           raise my hands and they beat me in the area of the ribs,  
5           Hazim Delic on one side and this boy on the other. The  
6           boy I didn't know.

7           Q. Then what happened, sir?

8           A. Then Hazim Delic took me to the bathroom to wash and he  
9           told me to hurry up. He says: "Hurry up. They'll  
10          kill you.". Then he took me to a room -- I didn't know  
11          that it was a part of the camp known as Number 9. He  
12          opened the door and I went in. By the smell you could  
13          smell urine, and I saw that there were people inside,  
14          and when it dawned, I saw that they were some people  
15          from Bradina.

16          Q. Approximately how long did you stay in this -- can you  
17          describe what this room Number 9 was like?

18          A. It was a tunnel. I don't know exactly how long it was,  
19          but there were about 30 or 40 people in there. It was  
20          narrow. It was narrow. Anyway I couldn't lie down  
21          normally there. I couldn't stretch out widthwise. At  
22          the bottom of the tunnel there was a bucket for our  
23          toilet needs, and there was some liquid on the floor.  
24          It had a stink and there were even some worms there.  
25          Whether it was water or urine I don't know.

1 Q. How long altogether did you stay in Tunnel 9?

2 A. In Tunnel 9 I stayed I think about ten days.

3 Q. What were the food and water facilities in the tunnel?

4 How did you eat and get water?

5 A. The water was okay. It was clean. It wasn't dirty.

6 We were given it in an aluminium can, a military can

7 that used to be used for food. The quantity wasn't

8 sufficient, but it was clean. Food, we would get a

9 piece of bread a day and during the time I was there in

10 Number 9 maybe a couple of times we were given some

11 cooked food, three spoonfuls each.

12 Q. Okay. While you were in the tunnel were you ever

13 subjected to any additional mistreatment other than what

14 you have already testified about?

15 A. After spending two days in the tunnel I was

16 mistreated. One evening they took me out -- the guards

17 took me out of Number 9 and they took me above Number 9

18 maybe some 20 metres away to a plateau, and there there

19 were quite a large number of soldiers. In front of me

20 they took Zaro Mrkajic and after me I learned later,

21 when I returned to Number 9, they took Damir Djordjic,

22 who was there.

23 Q. Can you describe what happened to you at that time?

24 A. At the time when I got there Bato Alkadic was beating

25 Zaro Mrkajic and I was sitting on some kind of concrete



1 plateau. I was sitting there and watching them beating  
2 Zaro. Then I noticed and recognised some people.

3 Q. Who did you recognise?

4 A. I recognised some people among those soldiers and police  
5 then: Jasmin Guska, Sevko Niksic, Dzumhur Sadik known  
6 as "Diksa". Then there was Pero, "Srbija", Blazevic  
7 his surname. I need to mention him because  
8 I recognised his voice, and when Alkadic was beating me,  
9 he was saying: "It's enough. You'll kill him." There  
10 were some other people there that I did not recognise.  
11 There was an older man with grey hair. He hit me a  
12 couple of times, but I don't know him.

13 Q. Then what happened?

14 A. When they finished with Zaro Mrkajic, they took him  
15 away, and then Bato Alkadic approached me and asked me  
16 whether I knew him. I said I did and he asked me about  
17 some good things that we had shared, whether I had done  
18 him any service and he me, and I said I knew about all  
19 that, that we were friends, but he said: "But we are no  
20 longer friends and you are no longer my friend, nor is  
21 Keljo." This is a man who was killed in the camp. His  
22 name was Zjelko Klimenta.

23 He ordered me to kneel and he started hitting me  
24 with his feet. He fired next to my head and at one  
25 point he hit me with his pistol on the forehead and with

1 his knife just below the eye and he made a cut in my  
2 skin. I don't know exactly how long this went on, but  
3 while he was doing all these things I noticed that some  
4 other people would manage to hit me a couple of times,  
5 so that he wasn't quite alone. He wasn't doing the job  
6 all alone.

7 Q. Please continue with what happened to you.

8 A. Before he started beating me, that is Bato Alkadic,  
9 Mr. Hazim Delic came with a flashlight, opened a lid and  
10 asked -- he showed this to Sevko Niksic. He lifted the  
11 lid a little and Sevko nodded. And said yes. Later  
12 I realised he was pointing to the manhole where I was  
13 put in afterwards.

14 Q. Please continue with what happened to you?

15 A. When they put me into this manhole, in fact, I lowered  
16 myself -- as I rolled over, I held on to a rail with my  
17 hands. It was maybe four or five metres deep and  
18 I went all the way down. There was some water there  
19 which had the smell of urine. I washed myself a little  
20 bit.

21 Several hours passed. I heard some steps  
22 approaching. They opened the lid and the voice said:  
23 "Golub, are you alive?" I don't know the person's  
24 first name but his name was Macic, and he asked me  
25 whether I could climb up, so he could give me some

1 water. I asked him to take me back to Number 9,  
2 because my pelvis was injured and I wanted to get some  
3 help from other people. I was afraid that I would lose  
4 consciousness and then I would drown in that water  
5 underneath. Then he said: "No, you can't do it right  
6 now. They are still there. I can't let you go now.  
7 I can't take you back but as soon as they leave", he  
8 said, "I'll take you back to Number 9."

9 So that's what happened. Maybe a number of hours  
10 passed and he took me back to Number 9 and left me there  
11 with the others.

12 Q. Can you please, using again the model, show us where  
13 Tunnel 9 is, show us where you were beaten and, if you  
14 can, show us where the manhole that you have just talked  
15 about is.

16 A. (Pointing). Tunnel Number 9 is here and I was beaten  
17 here and I don't know which of these three manholes it  
18 was that they put me in. I can't say exactly which  
19 manhole.

20 Q. Thank you. You may sit down?

21 JUDGE JAN: That was the manhole you first talked about at  
22 the end of this --

23 THE INTERPRETER: Microphone, your Honour, please.

24 JUDGE JAN: This is another manhole he is now talking  
25 about?

1 MS. MCHENRY: This is another manhole, that is correct.

2 Sir, am I correct that this is a different manhole  
3 than the one you were put in when you were first brought  
4 to the camp?

5 A. Yes, yes.

6 JUDGE JAN: In this picture I only have one manhole, in  
7 these photographs.

8 MS. MCHENRY: Yes, your Honour. Just for your information,  
9 your Honour, if you also want to look at page 37,  
10 photograph 50, I believe that is a photograph of the  
11 area that the witness has just ...

12 During the time that you stayed in Number 9,  
13 Tunnel Number 9, sir, was this the only time that you  
14 yourself were mistreated, what you have just told us  
15 about?

16 A. Yes. That was the only time. The first time was in  
17 the administrative building and that was the second  
18 time, and after that nobody mistreated me in the camp.

19 Q. Were any other prisoners, to your knowledge, subjected  
20 to mistreatment, any prisoners from Tunnel 9 subjected  
21 to mistreatment during the time you spent in Tunnel  
22 Number 9?

23 A. There were acts of provocation and of people  
24 mistreated. There was Rajko Djordjic. He was being  
25 taken to be beaten a number of times, and there was

1 Desimir and Zjelko Milosovic. He was taken from Number  
2 9 and was probably killed. I have never saw him come  
3 back and he was not among the living ones.

4 Q. Can you tell us what you yourself saw or heard with  
5 respect to how Zeljko Milosovic was treated?

6 A. Zeljko Milosovic was frequently taken out and he would  
7 come back all wet. We would give him something to put  
8 on. He was there for several days, three or four days  
9 while I was there, and was taken three or four times and  
10 finally didn't come back.

11 Q. Okay. Sir, what kind of -- what was your physical  
12 condition during the time that you were in Tunnel Number  
13 9, both after the first beating and then after the  
14 second?

15 A. I was in a poor shape. I could not get up. People  
16 had to help me to get up. I couldn't move much, and  
17 I was exhausted, because there was not enough food and  
18 things like that.

19 Q. Did anyone other than the other prisoners ask you about  
20 how you received your injuries or offer you any sort of  
21 assistance?

22 A. We helped each other as much as we could. They knew --  
23 Zarko Mrkajic asked me when I came back to Number 9 --  
24 he asked me whether I knew who beat us. I told him I  
25 didn't know and he said he knew and he was going to tell

1 me, but I knew who beat me. I didn't dare tell him.

2 Q. Besides the other prisoners, did anyone besides the  
3 prisoners ever ask you about your injuries or offer you  
4 any sort of assistance in any way?

5 A. Mr. Zdravko Mucic asked me on one occasion when I was  
6 taken out by the guards. He asked me whether I knew  
7 who beat me. I was afraid to tell him, and I said that  
8 I didn't know. Then he said that he would learn and to  
9 tell me who it was who did it.

10 Q. Can you just please explain to us in more detail exactly  
11 what happened on this occasion that you referred to, if  
12 you know approximately when it was you were in the  
13 tunnel, exactly when the conversation took place, if you  
14 could just please tell us this in detail?

15 A. A day or two after my last beating Zdravko Mucic came  
16 and asked me these things, who beat me and everything  
17 I just said, and among other things, he asked me, since  
18 my father had some hunting rifles and those weapons were  
19 not turned in, and people from the MUP had that as a  
20 basis for beating me, so Zdravko Mucic asked me whether  
21 I knew where these rifles were, so they could be turned  
22 in, so that this mistreatment would stop. Then my  
23 father came, who said that he knew, because he was  
24 detained in Number 6; he came over and he said that he  
25 knew where those were, and that he was going to take

1           them so that they could get it.    So my father was then  
2           taken back home and he probably turned those in to them.

3       Q.   Sir, let me just go back.    First of all, where did this  
4           conversation take place?  Was it inside the tunnel or  
5           outside the tunnel?

6       A.   The conversation, it was outside the tunnel, across the  
7           road, across the entrance -- across the gate to the  
8           tunnel.

9       Q.   How was it that you came to be at that place?  Did  
10          someone ask you?  Did you go yourself?  Can you just  
11          explain that?

12      A.   I was called out and then I was helped to get out by  
13          Branislav Mrkajic and Branislav Kuljanin.  They helped  
14          me to get out.  It was several metres, maybe 3, 4, 5  
15          metres from the entrance to the tunnel.

16      Q.   When they helped you get out, can you just describe: was  
17          Mr. Mucic standing?  Were you standing?  Can you just  
18          please explain the positions of the people and who else  
19          was present.

20      A.   Mr. Mucic was sitting on a fence.  There was a metal  
21          fence, and Hazim Delic was standing next to him, and  
22          I was sitting on the pavement, on the road.

23      Q.   Is it the case that your father just -- how was it that  
24          your father came to be there also?  Did he just -- was  
25          he walking by?  Did someone get him?  Can you just

1 explain that?

2 A. It wasn't by accident he was passing. Mr. Mucic asked  
3 me what was the reason, why were they beating me, "What  
4 are they looking for?", and I told him the main reason  
5 for my being beaten was these weapons, these hunting  
6 weapons that my father possessed. He said did I know  
7 about this, so we would resolve this. I said I didn't  
8 know. He said: "Does Slavko know?", because that was  
9 my father, and I said he probably did because they were  
10 his. Then my father was brought there to tell where  
11 this was.

12 Q. Did Mr. Mucic say anything to your father? Did you hear  
13 that conversation?

14 A. At one point I heard him say -- he said: "What is more  
15 important, these rifles or people's lives?" My father  
16 started crying and he said he knew where this was. It  
17 was buried a few months ago and that he was going to  
18 give it.

19 Q. Who was it who said to your father: "What's more  
20 important, these rifles or people's lives?"

21 MR. GREAVES: He has already answered that question. He  
22 has said: "I heard him say ...", in answer to the  
23 question: "Did Mr. Mucic say anything to your father?"

24 MS. MCHENRY: Counsel is correct. I am sorry. I did not  
25 realise it was clear on the transcript. Thank you.



1                   What happened after that, after the conversation?

2       A.   After this conversation I was taken back to Number 9 and  
3           my father -- and this is what I learned later, when  
4           I came -- when I was released from the camp -- my father  
5           went home and turned in those weapons.   In fact,  
6           Mr. Mucic, when my father turned in these weapons, he  
7           went to Number 9.   He said that the weapons had been  
8           turned in, that there are no problems now, that  
9           I shouldn't worry, that they will have nothing to look  
10          for any more, and then at that time he also brought a  
11          blanket and a shaving kit from my home and Emir Dzajic,  
12          the guard, brought that to me to Number 9.

13       Q.   Thank you.   Did you ever have any other conversations  
14           with Mr. Mucic about your physical condition after the  
15           one that you have just told us about?

16       A.   This was several days after what I just mentioned.   He  
17           came over and asked -- I was moving slowly.   He said:  
18           "What's up, Golub?" I told him I was in poor shape.

19       Q.   Can you --

20       A.   That I had dizzy spells and things like that, and he  
21           said that he would see if he could help me somehow so  
22           that I could be transferred to the prison hospital.   He  
23           said: "Most probably you will be less mistreated there  
24           and you will be more protected there because that is  
25           close to the administrative building and there's always

1           people there", so they won't have an opportunity to beat  
2           me and I wouldn't -- nobody would know who did this.

3           Q.   What happened next?

4           A.   Maybe several -- maybe a day passed, maybe half a day  
5           passed since this conversation, and I was taken to the  
6           prison hospital, Number 22, and I was there until I was  
7           released from the camp.

8           Q.   Who brought you to Number 22, if you remember?

9           A.   I think there were two or three guards and among them  
10          was this Mr. Esad Landzo.

11          Q.   Did you know Mr. Landzo before you were in Celebici?

12          A.   I knew Mr. Landzo.   We lived in the same street in the  
13          town.

14          Q.   Did Mr. Landzo ever mistreat you in the camp?

15          A.   No, never.

16          Q.   Did you ever see Mr. Landzo in the tunnel?

17          A.   I saw him a couple of times.   He came to the door.  
18          Once he brought in a dog to the door.   He did not enter  
19          ever.   I never saw him entering Number 9.

20          Q.   What happened on the occasion he brought the dog to the  
21          tunnel, if anything?

22          A.   He brought him to the door and he was saying something  
23          to us, but I don't recall what he was saying.

24          Q.   Now when you said you were brought to Building Number  
25          22, is that the medical station that you have already

1           referred to in your testimony? Are those the same  
2           place?

3       A. Yes, yes. That's the same place, the hospital and that  
4       Number 22.

5       Q. How long did you stay in Building Number 22?

6       A. I stayed until 17th July 1992.

7       Q. Did you ever perform any work while you were in Building  
8       22?

9       A. I was let out to clean, to pick up the cigarette stubs  
10       and I was cleaning out the kitchen and restaurant area,  
11       but never any heavy physical work.

12       Q. If you know, why were you chosen to do these chores?

13       A. I don't know that. I was probably one of the healthier  
14       people in the hospital, so maybe that was the reason.

15       Q. Okay. Can you just generally describe what conditions  
16       were like when you were in 22, including the food?

17       A. In Building Number 22 the conditions were much better  
18       than in Number 9. We had beds to lie on except for one  
19       mattress, which was on the floor. We had food. Maybe  
20       there were moments or maybe a couple of days when there  
21       was no food, but the conditions were generally much more  
22       tolerable than in Number 9.

23       Q. Do you know where the food for the prisoners came from?

24       A. The food was coming from the town. They were bringing  
25       it in a vehicle.

1 Q. Do you know where the foods from the -- for the guards  
2 came from? Did they eat the same food that the  
3 prisoners ate?

4 A. I think they did not eat the same food, but I don't know  
5 where it was coming from.

6 Q. Did you ever get any food besides the food that you  
7 received as a prisoner, the same food that other  
8 prisoners received?

9 A. Several times I had an opportunity when I was cleaning  
10 the restaurant to eat some food, the left-over food that  
11 was on the plates. On one occasion Mr. Hazim Delic gave  
12 me some bacon to eat, and before my release from the  
13 prison Mr. Pavo Mucic shared from the same plate that he  
14 was eating from, he shared some roast meat with me,  
15 skewered.

16 Q. During the time that you spent in the medical station,  
17 Number 22, did you ever see Mr. Mucic?

18 A. Mr. Mucic came to the hospital several times while I was  
19 in the hospital.

20 Q. Did you ever have occasion to speak with him during  
21 those times?

22 A. I did not talk to him. Sometimes he would smile at me  
23 or wink at me, but mostly we did not talk.

24 Q. Did you ever have any conversations with him when you  
25 were outside doing any chores, doing your work?

1       A. No, I never talked to him about anything. On one  
2       occasion he came -- he had come back from fishing and he  
3       gave me two packs of cigarettes. He said that I was  
4       smoking too much and that I shouldn't do that for health  
5       reasons.

6       Q. When you were out doing your chores, were you allowed  
7       free access to all parts of the camp, allowed to walk  
8       around wherever you wanted, or was it limited?

9       A. We were not allowed to walk around. We would work  
10      where we were told to go to work, so this is where we  
11      would be moving around.

12     Q. Were you allowed to go near the fence, to the outside of  
13      the camp?

14     A. No, and I never left the camp.

15     Q. Were you ever given any instructions about whether you  
16      should or should not approach the fence?

17     A. Yes. On one occasion Mr. Mucic said that even if I was  
18      told to do something, that it would be desirable not to  
19      come close to the fence, because some of the guards  
20      could kill me and could claim that I had tried to  
21      escape. So they could stage that.

22     Q. Okay. Am I correct, sir, that you yourself did not  
23      suffer any mistreatment while you stayed in Building 22?

24     A. In Building 22 nobody ever mistreated me.

25     Q. Your Honour, I am about to enter a new area that will

1           probably take five or ten minutes to discuss.    I do not  
2           know if you would like me to start that or have the  
3           lunch break now.    I am happy to do either.

4           JUDGE KARIBI WHYTE:   It is preferable you have the lunch  
5           break, so we return fresh later.

6           MS. McHENRY:    All right.    Thank you.

7           (1.00 pm)

8   (Luncheon adjournment)

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1 (2.30 pm)

2 MR. OSTBERG: Your Honours, I just want to inform you that  
3 Mr. Turone this afternoon is proofing a witness, so he  
4 cannot be present in the court room.

5 JUDGE KARIBI WHYTE: Okay. Can we have the witness?

6 (Witness re-enters court)

7 JUDGE KARIBI WHYTE: Inform him he is still on his oath.

8 THE REGISTRAR: May I remind you that you are still under  
9 oath?

10 A. I understand that.

11 MS. MCHENRY: May I proceed, your Honour?

12 JUDGE KARIBI WHYTE: Yes, you can.

13 MS. MCHENRY: Thank you. Sir, during the time that you  
14 were in the medical station did you ever observe any  
15 prisoners being mistreated either inside the medical  
16 station or at some location outside the medical station?

17 A. In the hospital I didn't see anyone mistreated, but  
18 I did see it outside, within the camp, what I could see  
19 from the medical station. In the part of the camp that  
20 could be seen from the medical station.

21 Q. Okay. Would you please tell us, if you can, any  
22 specific incidents of mistreatment that you observed  
23 while you were in the medical station of things  
24 happening outside the medical station?

25 A. On one occasion I saw through the window in front of

1 Tunnel Number 9 when Mr. Delic Hazim beat a prisoner,  
2 whose name I learned afterwards was Susic.

3 Q. Can you just please tell us exactly what you observed?

4 A. I saw him beating him with either water or electricity  
5 cable. Then he left it. Then he broke off a piece of  
6 wood and he beat him with that piece of wood.

7 Q. Was there anyone else besides Mr. Delic present during  
8 this beating?

9 A. At the time also present was Mr. Esad Landzo, and later,  
10 when Susic sat on the asphalt, he dragged him by the  
11 arms. I don't know exactly what he was doing to him,  
12 but something with his hands. It was quite far away,  
13 so I couldn't see exactly what he was doing.

14 Q. Your Honours, with the assistance of the technical  
15 people, I would like to show the witness a portion of  
16 Prosecution Exhibit 3, which is the video taken of the  
17 camp. There is already just a 30-second excerpt that  
18 I would like to show the witness, with the assistance of  
19 the video unit.

20 JUDGE KARIBI WHYTE: You can.

21 MS. MCHENRY: Sir, I just ask you to look at the screen in  
22 front of you and watch it and tell me if you recognise  
23 anything.

24 A. I can only see the court room at present, nothing  
25 else. I see now the medical station, the entrance to



1 the prison hospital, and I see the window inside through  
2 which I could see what I just described.

3 Q. Okay. As you look at the film, if you remember, can  
4 you tell us which of the windows it was or what area  
5 approximately it was that you saw this?

6 A. I saw this from the right-hand side window when you  
7 enter the room.

8 Q. Can you describe the kind of window it was and how you  
9 were able to see out?

10 A. The window could be opened only about one quarter of the  
11 way, probably for the purpose of ventilation, and then  
12 one could see the part of the compound in front of  
13 Number 9?

14 Q. Okay. Thank you for the assistance. That is fine.  
15 Sir, if you could just stand up and, using that pointer,  
16 could you just show using the model where it was  
17 approximately that Mr. Susic -- the person that you later  
18 learned was Mr. Susic was being beaten?

19 A. That must have been somewhere here, a little below the  
20 doors of Number 9, here somewhere.

21 Q. Thank you. You can sit down. During the time that  
22 you were in the medical station approximately how many  
23 persons were -- prisoners were also kept in the medical  
24 station?

25 A. I can remember some names, but about 10-12 people were

1 in there all the time.

2 Q. Was -- I am sorry. Could you just explain: when you  
3 say there were about 10-12 people in there all the time,  
4 do you mean the same 10-12 people were always there, or  
5 do you mean that people came and went, with there  
6 generally being around 10 or 12?

7 A. There were people who would come for bandaging. Then  
8 there were people for medical treatment, but there were  
9 about 10 there regularly. There were so many places.

10 Q. Were persons who stayed there ever released from the  
11 infirmary, ever recovered enough such that they left the  
12 infirmary while you were there?

13 A. While I was there no one was released from the  
14 infirmary.

15 Q. When you say "released", do you mean released from the  
16 camp or released from the infirmary to go to another  
17 part of the camp?

18 A. I understood that you were asking whether they were  
19 released home from the infirmary.

20 Q. Do you know -- and I understand your answer to that to  
21 be "no" -- do you know whether or not persons were ever  
22 taken out of the infirmary and placed in other parts of  
23 the camp without being released?

24 A. Yes, there were cases of people being discharged from  
25 the infirmary and transferred to another part of the

1 camp.

2 Q. Do you remember who any of those persons were?

3 A. I remember Milovan Kuljanin and Zjelko Klimenta, when  
4 they were transferred to Number 6.

5 Q. What, if anything, do you remember about their  
6 transfer? Do you know who ordered it, who told them  
7 they were being transferred?

8 A. I don't know who ordered it and who said, but I just  
9 know that Mr. Hazim Delic came for them and told them to  
10 get ready, to pick up their things and to go back to  
11 Number 6.

12 Q. While you were in the medical station, was it ever  
13 visited by any journalist?

14 A. Yes. There were journalists. I think that they were  
15 from some Arab countries. I am not sure. I don't  
16 know exactly, but there were some people of dark skin,  
17 and they spoke a language unknown to me.

18 Q. Can you just describe exactly what you remember about  
19 their visit?

20 A. I remember they came inside and they asked me whether  
21 I had participated in the fighting against the Muslims,  
22 whether I had fired. I said no, and I said that  
23 I couldn't shoot at my neighbours, and he was not  
24 satisfied with my answer, and he stood on my stomach  
25 while he questioned another prisoner.

1 Q. Can you tell us approximately how many journalists there  
2 were or people with the journalist?

3 A. In front of the building there were quite a number of  
4 people. I think that Mr. Mucic was there too and inside  
5 there were two journalists and a photographer and a  
6 translator.

7 Q. Did you hear any conversation between Mr. Mucic and any  
8 of the journalists?

9 A. On one occasion then I heard -- I don't know who he was  
10 talking to -- but he said that he couldn't force anyone  
11 to say something that he had not done.

12 Q. As far as you could tell during your entire time -- the  
13 court's indulgence for one second, please. Sir, during  
14 the entire time you were at the camp both in Tunnel  
15 Number 9 and in Building 22 were there times when you  
16 noticed the treatment either to you or to other  
17 prisoners was better or worse than other times, and, if  
18 so, could you correlate that with anything?

19 A. I never noticed that the treatment was improving while  
20 I was there. It was always the same.

21 Q. Sir, when was it that you were released -- I am sorry.  
22 I believe you have already testified that you were  
23 released on July 17th. Can you please tell us exactly  
24 what happened on the day you were released?

25 A. The day I was released from the camp it was the

1 morning. They brought to the infirmary Bosko  
2 Samoukovic, who had been beaten up.

3 Q. Who brought him to the infirmary, if you remember?

4 A. He was brought in by some prisoners and they were  
5 accompanied by Mr. Esad Landzo.

6 Q. What happened, please?

7 A. And the man was moaning and Esad Landzo said that he had  
8 to recover in half an hour. He told the doctors to get  
9 him well in half an hour. However, he died five  
10 minutes later.

11 Q. Let me interrupt for one minute while you are telling  
12 about the day you were released. Do you remember when,  
13 approximately, the first time you saw Mr. Landzo in  
14 Celebici camp was?

15 A. I saw Mr. Landzo in Celebici camp that evening when they  
16 took me for interrogation. I was taken by Sevko Niksic  
17 and Guska. He was standing at the entrance of the  
18 administrative building of the camp.

19 Q. Please go on, sir, and tell us what happened the day you  
20 were released?

21 A. Bosko died and we put him down on the mattress that was  
22 in the corner next to the door of the Building 22. At  
23 that moment a lady, Jasna Dzuhmur, walked in to take  
24 some paper. We had covered Bosko with a sheet. She  
25 never even asked who it was or what it was, as if it was

1 a dead dog lying there. When Landzo peeped in I was  
2 sitting on the bed. He said: "Why don't you lie  
3 down?", thinking that I was afraid to lie on the same  
4 bed on which a man had died five minutes earlier.

5 At that minute one of the guards called me out and  
6 took me to the prison dining room, where I saw Mr. Mucic,  
7 Bato Alikadic and Pero Blazevic, known as "Srbija".  
8 Mr. Mucic then said: "Look, Golub hasn't eaten for three  
9 days". I smiled a little, because I had eaten. The  
10 previous day I had had some cabbage in the kitchen while  
11 I was cleaning up, and he was eating some meat and he  
12 offered me to eat from his plate, and as I was hungry,  
13 I started to eat normally. Then he said -- he asked  
14 the people to grill some more meat for us, to fry some  
15 more meat for us. Then the cook said she didn't have  
16 any more oil. Then he told me to follow him.

17 When I got to the van I opened the door and saw my  
18 father inside, and my relative, Milorad Golubovic, who  
19 was sitting in the van, and I asked them: "Where are we  
20 going?" They said they didn't know, so I asked Pavo.  
21 I asked him whether I should take my things with me and  
22 he said that I should. So I assumed I was being taken  
23 somewhere and that I would not be returning to Celebici,  
24 since he told me to take my things.

25 So when we left from the camp, we were in the back

1 part of the van. Mr. Zdravko Mucic and a driver from  
2 the camp were sitting in front. He was driving. We  
3 could see through the wind-shield where we were going.  
4 On the way we stopped and picked up some women, who were  
5 carrying food to the camp for their relatives, who were  
6 in prison there. I saw that we were turning in the  
7 direction of my house, and when we stopped, I got out.

8 My mother ran up to me and we sat in front of the  
9 house, and then Mr. Mucic took out paper, or rather the  
10 discharge paper from the camp, and he said to me: "Here  
11 you are. Now you can stay home. I know how good that  
12 is. That is not so good and I am not sure I have  
13 helped you very much, because here you can get killed by  
14 anyone."

15 Q. At that time were you told anything by Mr. Mucic or  
16 anyone else at that time about why you had been chosen  
17 to be released?

18 A. He didn't say anything why I had been chosen to be  
19 released. I was released, my father, and my relative,  
20 Milorad Golubovic.

21 Q. Afterwards were you ever told by Mr. Mucic or anyone else  
22 why you had been released, at any later point?

23 A. No, nobody said why I was released. I always wondered  
24 why I was imprisoned. I never thought why I was  
25 released.

1 Q. Sir, can I ask you: the release -- the discharge paper  
2 you received, can you briefly describe it?

3 I would ask the usher's assistance, please. I am  
4 handing the usher the original and a translation for  
5 exhibition. Here are three copies for the judges.  
6 Defence counsel has already received these. I would  
7 ask that it be marked for identification purposes.

8 JUDGE JAN: Are these release papers?

9 MS. MCHENRY: Yes, your Honour. I believe this is  
10 Prosecution Exhibit 95. If you would just show the  
11 witness the original. The translation is not of  
12 assistance, I believe.

13 Sir, I am showing you what has been marked as  
14 Prosecution Exhibit 95 for identification purposes.  
15 Can you tell us what that is?

16 A. It is this release paper that I received from Mr. Zdravko  
17 Mucic upon leaving the camp.

18 Q. I am sorry. Can I ask the usher again now to put this  
19 on the ELMO. I am sorry?

20 JUDGE KARIBI WHYTE: It is not disputed, is it?

21 MS. MCHENRY: No, your Honour. Well -- I was just going to  
22 ask him a couple of questions about it, but if your  
23 Honours would prefer to look at their copies.

24 Sir, I am going to ask you: do you recognise whose  
25 signature is on -- is that your discharge document?



1 A. Yes, it is my discharge document.

2 Q. Do you know whose signature appears on it?

3 JUDGE JAN: How can he know?

4 MS. MCHENRY: I can ask him if he knows. If he knows, he  
5 can state it; if he does not, he can state it.

6 JUDGE JAN: Is he familiar with the signatures?

7 THE INTERPRETER: Microphone, please, your Honour.

8 MS. MCHENRY: Sir, do you know whose signature is on it?

9 A. It says here in a biro "Zejnil Delalic". I don't know  
10 whether that is his signature, but I know what is  
11 written there.

12 Q. Thank you. Am I correct, sir, that you were not  
13 present when this document was signed?

14 A. No, I was not present.

15 Q. Did your father also receive a discharge document?

16 A. My father received a similar discharge document, but he  
17 doesn't have it on him now. He lost it somewhere.

18 Q. Did you ever see your father's discharge document?

19 A. It was identical to mine.

20 Q. And do you know that because you saw it yourself?

21 A. Yes. Yes, I saw it, only this limitation on movement  
22 was different. In my father's case it applied to the  
23 village of Cerici and in my case to the municipality of  
24 Konjic.

25 Q. Does that mean that you were granted permission to go

1 anywhere you wanted within the Konjic municipality?

2 A. Yes, I could move around, though I didn't. Mr. Mucic  
3 was explaining to me: "It's a good thing that's what it  
4 says." If somebody comes to look for me, then my family  
5 can say I have gone somewhere else within the  
6 municipality of Konjic.

7 Q. Were you ever told why there was a difference between  
8 your -- where you were permitted to go and where your  
9 father was?

10 A. No, never. Simply for the sake of my own security;  
11 that was the explanation I was given.

12 Q. Okay. Your Honour, at this time I would like to move  
13 into evidence Prosecution Exhibit 95.

14 JUDGE KARIBI WHYTE: Yes, you can.

15 MS. MCHENRY: Thank you. After you were released, sir, did  
16 you ever have occasion to see Mr. Mucic again?

17 A. Yes, I saw him four or five times. He would come to my  
18 home.

19 Q. Can you tell us generally why he would come to see you  
20 or just briefly what would the -- what you know about  
21 the circumstances?

22 A. He came several times bringing cigarettes. He brought  
23 medicine for my mother, because my mother is a serious  
24 diabetes patient. He would come by to see what I was  
25 doing. We would talk. I asked him to help me to go

1 to cross over to Serb-held territory, but he kept  
2 persuading me to stay on, not to go, that the worst was  
3 behind us, and then one day when he came, when I made  
4 the same proposal, he said: "It might not be a bad  
5 idea", that the situation had changed, and that I should  
6 go; I should abandon my house.

7 Q. Approximately when was this conversation, if you  
8 remember?

9 A. I think this was about the beginning of November,  
10 because I left some ten days after that on 10th  
11 November, so it was at the very beginning of November or  
12 the end of October.

13 Q. If you know, who assisted in your release? I am  
14 sorry. Who assisted in your leaving Konjic?

15 A. When I was about to leave Konjic Mr. Zdravko Mucic came  
16 and asked me whether I had confidence in a man who was  
17 supposed to take me, and he was Zjelko Mlikota. I said  
18 that yes, I did have confidence in him and I had nothing  
19 against him driving me to Serb-held territory.

20 Q. Is it the case that Mr. Mlikota did drive you to  
21 Serb-held territory?

22 A. Yes, Mr. Mlikota drove me to Ilidza, the Terma Hotel.

23 Q. During any of your conversations with Mr. Mucic after you  
24 were released was Mr. Zejnil Delalic ever mentioned?

25 A. On one occasion Mr. Mucic mentioned Mr. Zejnil Delalic,

1           when I came to collect some Red Cross relief that was  
2           being distributed in the house of Mr. Zoran Cecez.  
3           Mr. Mucic told me that the flour that we had received  
4           could not have been provided by him, had it not been for  
5           Mr. Zejnil Delalic, who had had certain problems on  
6           account of these -- of giving this flour.

7           Q. Did you ever see Mr. Zejnil Delalic in Celebici camp?

8           A. During my stay I never saw Mr. Zejnil Delalic in the  
9           Celebici camp.

10          Q. Did you ever see any of Mr. Zejnil Delalic's brothers in  
11          the camp?

12          A. I saw in the camp when the journalists came that I was  
13          talking about a moment ago; I saw Zejnil Delalic's  
14          brother, Dzemal, and I saw one of his nephews, who was  
15          living in Prizor, who came to the infirmary. I don't  
16          remember his name but I know he belongs to Mr. Zejnil  
17          Delalic's family.

18          Q. Thank you. Sir, I am going to go back for a minute to  
19          the first part of your testimony, when you were in the  
20          first manhole at the end of the camp. When you were  
21          taken out of the manhole, what happened to Mr. Milovan  
22          Kuljanin? Was he also taken out or did he remain in the  
23          manhole?

24          A. He stayed on in the manhole after me. I don't know  
25          what happened to him. I saw him for the first time

1           after that when I was in the infirmary, and he was in  
2           the infirmary.

3           Q. Thank you. Again going back here, you have described  
4           several times when you were asked questions by Mr. Kuhar  
5           and then by some other members of the MUP. Was there  
6           ever any other time when you were asked questions in a  
7           formal kind of way and in a formal interrogation or  
8           something like that?

9           A. I didn't have any formal interrogations except when  
10          I was questioned by Jasmin Guska without any record  
11          having been kept, without any documents or papers.

12          Q. You have mentioned before, sir, that one of the people  
13          who brought you to the camp was Mr. Darko Verkic; did you  
14          ever see him in the camp other than when he first  
15          brought you to the camp?

16          A. Yes.

17          Q. Would you please describe the circumstances under which  
18          you saw him again?

19          A. Darko Verkic?

20          Q. Yes.

21          A. Darko Verkic came to the Celebici camp after he left  
22          me. Two or three days later he took me out. That was  
23          when I was burnt on the neck. He took me outside the  
24          warehouse building in the camp and he asked me who had  
25          done that to me, and I didn't dare tell him, and he was

1 surprised. Afterwards he said that he was trying to  
2 help me, but I never saw him again.

3 Q. Did you have any discussion with him about the  
4 interrogation that had gone on and who was in charge or  
5 who was responsible or involved with the administration  
6 of the camp?

7 A. No, I didn't talk to him about that.

8 Q. So is it correct that you never discussed with Mr. Verkic  
9 anything about the questioning of prisoners and how that  
10 was being handled?

11 A. No, I can't remember, but we didn't talk about that.  
12 He asked me who had beaten me, and he said something to  
13 the effect that he could not help me, that he wasn't  
14 there, but nothing very specific about any of those  
15 things that you are asking about.

16 Q. Am I correct there was also no discussion with Mr. Verkic  
17 about the relationship between the HVO and the TO?

18 MR. GREAVES: My learned friend has taken the horse to water  
19 twice and he has not drunk. I think that is enough.

20 MS. MCHENRY: Your Honour, I think I am allowed in the  
21 circumstances to ask the witness to be sure if he  
22 remembers something. Then I think to the extent that  
23 I have guided him a little more than usual, it would go  
24 to the weight rather than to the admissibility.

25 JUDGE KARIBI WHYTE: Do you ask if you can lead him into

1           it?

2           MS. MCHENRY:    Your Honour, I believe that I am entitled to  
3           clarify whether or not, in fact, his recollection is  
4           exhausted.    I do not believe this is such an extreme  
5           example of leading questions, and I believe if he  
6           answers -- I do not know what his answer will be -- it  
7           would go to the weight rather than to the admissibility.

8           MR. GREAVES:    Well, your Honour, if a witness cannot  
9           remember something, he cannot be cross-examined, because  
10          that is what it is, cross-examined as to his  
11          recollection by the party who has called him.    It is  
12          cross-examination, not leading.    That is not  
13          permissible, in my submission.

14          JUDGE KARIBI WHYTE:    What actually do you want the witness  
15          to answer?

16          MS. MCHENRY:    I want to be clear whether or not this witness  
17          remembers having any conversation with Mr. Verkic about  
18          the relationship between the TO and HVO.

19          JUDGE KARIBI WHYTE:    And he does not remember.

20          MS. MCHENRY:    Your Honour, in general he says he does not  
21          remember much about the conversation.

22          JUDGE KARIBI WHYTE:    I think that is the answer.

23          MS. MCHENRY:    I am sorry.

24          JUDGE KARIBI WHYTE:    I think that is the answer.    If he  
25          does not remember, that is his answer.

1 MS. MCHENRY: I would ask to be allowed to double-check  
2 that, but if your Honours forbid it, it is your  
3 decision.

4 JUDGE KARIBI WHYTE: He has given you his answer. What do  
5 you want him to say?

6 MS. MCHENRY: Do I gather the objection is sustained and  
7 I may not ask that question?

8 JUDGE KARIBI WHYTE: Yes, yes, it is because it was  
9 answered. The question was answered.

10 MS. MCHENRY: Thank you. Sir, do you know whether or not  
11 there were any women in the camp?

12 A. I know that there were women in the camp.

13 Q. How do you know that? Did you yourself ever see the  
14 women?

15 A. Yes, I saw these women personally at the gate when we  
16 came out to have a drink of water and in those moments  
17 I would see some of these women.

18 Q. If you know, who were the women?

19 A. At that time I did not know, but now I know they were  
20 some of my neighbours.

21 Q. Thank you. The court's indulgence. Sir, just  
22 finally, since the time you left Konjic, have you had  
23 any communication with Mr. Mucic?

24 A. I have no communications with Mr. Mucic except for one  
25 occasion when I received a greeting card from



1 Mr. Mucic. I don't know if it was Christmas. In the  
2 meantime a son was born to me and he congratulated me on  
3 that.

4 Q. When approximately was this? Around what Christmas  
5 time? I mean, what year is what I am trying to get.

6 A. This was -- I think it was this last Christmas.

7 Q. Thank you, your Honours. I have no more questions for  
8 this witness.

9 JUDGE KARIBI WHYTE: Have you decided the order for  
10 cross-examination?

11 MR. O'SULLIVAN: Yes, your Honours. We will proceed in this  
12 order. First, counsel for Mr. Delic; second, counsel  
13 for Mr. Mucic; third, counsel for Mr. Landzo; and, fourth,  
14 counsel for Mr. Delalic.

15 JUDGE KARIBI WHYTE: Thank you very much.

16 Cross-examined by MR. MORAN

17 MR. MORAN: May it please the court.

18 JUDGE KARIBI WHYTE: Yes, you can continue.

19 MR. MORAN: Good afternoon, sir. My name is Tom Moran and  
20 I represent Hazim Delic in this case. I am going to  
21 ask you some questions, and. Just so there is no  
22 surprises, I will tell you basically the order I am  
23 going to do things in. First I am going to ask you  
24 some things about your village and the defence of your  
25 village; then I want to talk a little bit about the camp

1           and some of the things that happened there; then I want  
2           to go through my notes about what you testified to. It  
3           may be kind of random. If you do not understand one of  
4           my questions, will you stop me, and I will rephrase the  
5           question so you understand it? Will you do that for me?

6           A. I understand. Yes, I did understand what you said.

7           Q. Your Honour, I am not getting any translation, your  
8           Honour?

9           THE INTERPRETER: Can you hear the English?

10          MR. MORAN: I can hear it now.

11          A. I understood what you have said.

12          Q. You will do that for me. If you will listen to my  
13          question and just answer the question that I asked, we  
14          will all be out of here quicker. Fair enough? The  
15          first thing I want to talk to you about is the weapon  
16          you had. It was a 7.62 mm machine gun; is that right?

17          A. Correct.

18          Q. Where did you get it?

19          A. I got that from my neighbour, Dragan Sinikovic.

20          Q. Do you know where he got it?

21          A. I don't know exactly. He may even have bought it. I  
22          don't know.

23          Q. Were there a lot of weapons like that machine gun around  
24          your village?

25          A. I spent a short period of time in my village. I had

1           this one machine gun and it would have been better had  
2           I not had that one either.

3       Q.   I understand that, sir, but did a lot of other people  
4           have weapons like that around your village?

5       A.   In my village I know that Novica Draganic, who is a  
6           relative of mine on my mother's side, he had a machine  
7           gun like that.   He turned it in and I don't know of any  
8           others.

9       Q.   So, Mr. Draganic?

10      A.   Novica Draganic.

11      Q.   He had a machine gun also?

12      A.   Yes, sir.

13      Q.   About how many people were there besides him that were  
14           in this group you had that was patrolling the village?

15      A.   You mean Novica Draganic?

16      Q.   You said on your direct examination -- I can find my  
17           notes on it -- basically, as I recall, what you said was  
18           there was a group of people that patrolled your village  
19           and your mother talked to you about not being in that.  
20           Do you recall that testimony?

21      A.   Yes, yes, yes.   I remember, yes, I understand you.

22      Q.   About how many folks were in that group?   How many  
23           people were in that group that were patrolling the  
24           village?

25      A.   Three or four persons who would sort of walk through the

1           village, then maybe drink half a litre of brandy and  
2           then went to bed.

3       Q. I can understand. Okay. So it was a rather informal  
4       group, as it were?

5       A. I didn't drink with them, this brandy, because I don't  
6       drink alcohol.

7       Q. I understand. What I said was it was a rather informal  
8       group?

9       A. Yes, sir.

10      Q. There was not anybody in charge of this thing, was  
11      there? There was not anybody that you could sit there  
12      and say: "This guy is in charge of this group"?

13      A. I did not know that there was anybody in charge and  
14      I never followed anybody in my own life, and nobody  
15      could talk me into doing any of these things. I can  
16      blame mostly my mother for having done this and engaging  
17      in this kind of business.

18      Q. Sir, I think your mother probably was like my mother for  
19      telling her sons what to do?

20      A. It's possible.

21      Q. I think it is probable, sir. Your group did not wear  
22      any uniforms, did they, that group in the village?

23      A. No, we didn't have any uniforms. Maybe there were some  
24      uniforms, old ones from the JNA, which we had been  
25      issued as military conscripts of the JNA, under which

1 oath we were, and I am still actually under their  
2 oath. I still haven't broken off my contract with  
3 them.

4 Q. So you have done your national service then, your  
5 military service?

6 A. Yes, I did my military service as a conscript of the JNA  
7 and I had an obligation to respond to any calls from  
8 them, and then you could have sanctions if -- I could  
9 have even been put in jail had I not responded to the  
10 calls, and some people who were there could tell you  
11 about that. We were under oath as long as we were  
12 military age, and as long as we were able to carry arms.

13 Q. On May 19th your village was attacked; is that not  
14 right?

15 A. I can't recall the exact date, but approximately -- I  
16 don't know if it was 19th or 20th. One of those. I  
17 don't know exactly.

18 Q. If the statement you gave to the Office of the  
19 Prosecutor said the 19th, that would be about right,  
20 would it not, give or take a few days?

21 A. Yes. Give or take a couple of days. I can't remember  
22 exactly.

23 Q. Basically what occurred was there was some shelling of  
24 the village and a couple of people were killed by the  
25 shelling, and then your father arranged a surrender; is

1           that not right?

2           A. No, it wasn't my father who arranged for the  
3           surrender. He talked on the telephone together with  
4           another man, with the President of the Municipality, and  
5           he told them that the shelling would stop, that the  
6           military age men should get their weapons and should  
7           start going towards Celebici, and that they would be met  
8           by the TO and the HVO police, and then they would be  
9           sent back home when these formalities about the  
10          surrender of the weapons were completed.

11          Q. So there were about 20 armed men against 1,000 attacking  
12          the village. Is that a fair assessment?

13          A. I don't know how many people in the village were armed  
14          and who could defend the village, but I know that they  
15          did not defend the village, and I also don't know on the  
16          other side how many people did attack. I could not  
17          really count the people who attacked the village.

18          Q. So when you said in your statement to the Office of the  
19          Prosecutor:

20                         "There were about 20 of us against over 1,000  
21          attackers", that was just your best guess; is that  
22          right?

23          A. This is how we felt, which can be seen based on the fact  
24          that we didn't -- maybe this was my impression of the  
25          firing, and you said a moment ago 4,000. I don't think

1           there were 4,000. I don't think they could have that  
2           many people there.

3           Q. Did I say that, sir? If I said 4,000 I apologise.

4           I wanted to say 1,000. About 10 of you slipped away  
5           and did not surrender that day, about 10 armed men; is  
6           that correct, sir?

7           A. In our village at Cerici and Donje Selo together there  
8           were about 10 men total that did not surrender on that  
9           day.

10          Q. And Milovan Kuljanin was one of them, was he not?

11          A. Yes, yes. Milovan Kuljanin was one of those.

12          Q. By the way, did he have a firearm? Did he have a  
13          weapon?

14          A. Milovan Kuljanin did have a firearm.

15          Q. What did he have, sir? Do you recall what type of  
16          weapon it was?

17          A. He had a handgun, which he turned in, and he had a  
18          small-calibre rifle with a sniper.

19          Q. A sniper scope?

20          A. Yes, a small-calibre rifle.

21          Q. Let me jump ahead a little bit to when you got to the  
22          camp, when you got to Celebici; okay? When you got  
23          there, was there any organisation to the camp or was it  
24          like a madhouse over there, with nobody in charge of the  
25          camp?

1 A. I thought that it was worse than a madhouse. I never  
2 had an opportunity to be in a madhouse, but ...

3 Q. There was not any organisation at all to the place, was  
4 there?

5 A. No. I don't think that people could go about in an  
6 organised way doing this to people that they did.

7 Q. And on that first interrogation you had, that was  
8 Mr. Zovko, was it not, nicknamed Kuhar, K-U-H-A-R?

9 A. Yes. It's my childhood friend.

10 Q. Now he is a police officer, is he not?

11 A. Yes. He was an investigator in the Ministry of the  
12 Interior in Konjic. I don't know what he does now.

13 Q. He was a lawyer also, was he not, an advocate?

14 A. I don't recall that. I don't know that he was.

15 Q. And he wrote down what you said and made a record of his  
16 interrogation, did he not?

17 A. Yes.

18 Q. Did you get to see that record of the interrogation?

19 A. I cannot recall that. I was a bit excited then and a  
20 bit scared, but I may have seen the record.

21 Q. That is fair enough. If you do not recall, you do not  
22 recall. He put you in a category of the most dangerous  
23 type of prisoner; is that not right?

24 A. I think that it was. It was strange to me, and I was  
25 disappointed about Mr. Zovko.



1 Q. Now you were at the interrogation and I was not. I am  
2 just going to ask you about your feeling about this.  
3 If you do not know and cannot answer, that is fair  
4 enough. Did you get the impression that the fact you  
5 were captured with a machine gun, a fully automatic  
6 weapon, might have had something to do with him  
7 considering you to be one of the more dangerous  
8 prisoners?

9 A. You would have to ask him about that. I cannot answer  
10 that.

11 Q. That is fair enough, a fair enough answer. Now, you had  
12 been held in that manhole way at the back of the camp  
13 for a couple of hours before that interrogation; is that  
14 not correct?

15 A. Correct.

16 Q. And then after that interrogation you were moved to  
17 Tunnel 9; is that not right?

18 A. After that interrogation I was moved to prison hospital  
19 Number 22, where I was until 1 o'clock after midnight,  
20 when I was taken out by -- when I was taken to Sevko  
21 Niksic and Jasmin Guska.

22 Q. Okay. That was the second interrogation; right?

23 A. That was the second interrogation, but without keeping a  
24 record.

25 Q. Okay. Sevko Niksic and Guska, and there were some

1 other people there, were there not? They were all from  
2 the MUP, were they not?

3 A. Yes, yes. Also Narcis was present there. He was a  
4 Warrant Officer of the JNA, and Miralem and Niksic Sevko  
5 and Jasmin and there was a younger man, whom I did not  
6 know. I don't think he was from the MUP, and there was  
7 also Hazim Delic.

8 Q. Hazim was in and out; is that not right? He was not  
9 there the whole time. That is what you testified on  
10 direct, is it not?

11 A. I think he was not there all the time.

12 Q. Let us talk a little bit about the MUP. I know you are  
13 not an expert on the MUP, but nobody has really  
14 discussed it, and I think it is probably as good a time  
15 as any. The MUP is the Ministry of the Interior; is  
16 that not right?

17 A. Yes.

18 Q. And the MUP includes the secret police, does it not?

19 A. I don't know.

20 Q. Before the break-up of Yugoslavia, there was a secret  
21 police, was there not?

22 A. No, I was not aware there was a secret police. I might  
23 give you an answer that might even offend you, but if  
24 I knew about it, then it would not be a secret police.

25 Q. Sir, that is true. Sir, first, no truthful answer is

1 going to offend me, but there were investigators and a  
2 part of the MUP that investigated special types of  
3 crimes or crimes against the state like espionage,  
4 sabotage, treason, things like that, was there not?

5 A. I am not aware of that. I don't quite understand the  
6 point of your question. I like to talk to you, but I  
7 don't know what to say.

8 Q. Well, for instance, in my country this group would be  
9 called the Federal Bureau of Investigation. In  
10 Mr. Greaves's country, it would be called the Special  
11 Branch?

12 MS. MCHENRY: Your Honour, if I may object, it has been  
13 asked and answered.

14 MR. MORAN: Or perhaps it could have been called State  
15 Security in your country. In any case --

16 A. Yes, there was State Security. That I am familiar with  
17 that name.

18 Q. Was that part of the MUP?

19 A. I don't know that. I really don't know why we are  
20 talking about this. I am a mechanic by trade and I can  
21 talk about the things I know about, not about MUPs and  
22 state security services. These are things that I do not  
23 know. I may give an answer which may not be qualified,  
24 and then I will be put to shame in front of these  
25 people.

1 Q. Sir, that would be the last thing I would want to do.  
2 What I am getting at is: did some of these police  
3 agencies and police organisations, be it the ordinary  
4 police or criminal investigators, or people like that,  
5 have a reputation for perhaps in interrogations using  
6 physical means of getting answers? I am dancing around  
7 and basically I am asking you, whether or not they  
8 actually did, did they have the reputation of beating  
9 confessions out of people?

10 A. I don't know. I was never beaten by anyone until I was  
11 taken to Celebici. They didn't have courage to beat  
12 me.

13 Q. But when you got there and Sevko Niksic and Jasmin Guska  
14 and the others were there, they did beat you, did they  
15 not?

16 A. They burnt me. I said that they burnt me with red hot  
17 scissors.

18 Q. Then the young -- then there was a beating?

19 A. I was beaten by Bato Alikadic and occasionally some  
20 other people would join in that I couldn't see really,  
21 because it's not so easy to watch and to see who is  
22 hitting you, when ten people are hitting you from all  
23 sides at the same time.

24 Q. Sure. That is fair enough. When the beating was over  
25 with and you regained your consciousness, Mr. Delic took

1           you to the bathroom and helped you clean up, let you  
2           clean up, did he not?

3       A.   Yes, that was the first time, and he told me: "Hurry  
4           up.   They'll kill you, you see."  At least, that is  
5           what I understood, that I should hurry up and wash as  
6           soon as possible.

7       Q.   Who were the "they" that were going to kill you?  Did he  
8           tell you?  Was it the MUP people?

9       A.   Probably these people who had been burning me, who were  
10          mistreating me.

11      Q.   He was doing what he could to get you away from those  
12          people that he said were threatening to kill you, did he  
13          not?

14      A.   He took me to wash and he took me to Tunnel Number 9.  
15          That's all he did for me that evening.

16      Q.   And a couple of days later some other people took you  
17          out of Tunnel Number 9, did they not, Bato -- I will  
18          spell his last name -- A-L-I-K-A-D-I-C?

19      A.   I was taken out by the guards and they took me to Bato  
20          Alkadic and the others, whose name I listed a moment  
21          ago.

22      Q.   And again these people were trying to beat you to get  
23          information about some other weapons, were they not?

24      A.   They didn't want to beat me up.  They did beat me up in  
25          order to get information about the hunting weapons of my

1 father, which was buried, and for which he had regular  
2 licence for 30 years, and they also asked me some other  
3 questions that I couldn't answer. I was even asked  
4 questions about my private life by Mr. Alkadic, Bato  
5 Alkadic.

6 Q. He was part of MUP, was he not?

7 A. I don't know. I didn't admit him. He wasn't there  
8 until the war started. I am afraid, I think, some  
9 things are not clear to you. Anybody could be  
10 anything, a captain and a general. For instance, this  
11 Narcis who burnt me, I know he was a Warrant Officer and  
12 Dusko called him "Captain". So, you know, he was  
13 promoted very quickly.

14 Q. That is true. I understand. After those people beat  
15 you, you were put down in the manhole behind Tunnel 9;  
16 is that right?

17 A. Exactly, sir.

18 Q. You were down there not very long before someone took  
19 you out; is that not right?

20 A. Yes. I was there for a couple of hours. I don't know  
21 exactly.

22 Q. You asked to be let out then, and the person that was  
23 talking to you said that he could not let you leave then  
24 right now, because those people were still around. Is  
25 that not basically what he said:

1 "They are still here. I can't let you go now"?

2 A. Yes. That is right, but I do not know who he had in  
3 mind.

4 Q. Were there any other people who were not normally around  
5 the camp besides Bato and his friends, his colleagues  
6 that you had seen earlier in the day or that you had  
7 seen when you were being beaten?

8 A. That night I saw Bato and these others, whose names  
9 I gave, but I don't know whether there were any  
10 others. Maybe there were, but this was 1 o'clock,  
11 after midnight. I could not see all those people.

12 Q. That is right. It was very dark. I understand,  
13 sir. A few hours later you were then released from the  
14 manhole and returned to, what, Tunnel Number 9 at that  
15 point?

16 A. Exactly.

17 Q. And a few days later -- was it about one or two days  
18 later -- Pavo Mucic and Hazim Delic brought you out of  
19 Tunnel 9 and asked you what happened?

20 A. Yes.

21 Q. And at that point you were taken to Building 22, which  
22 is the medical facility?

23 A. Not on that day, but a couple of days later.

24 Q. And you received what medical care was available? Is  
25 that true: you received whatever medical care was

1 available for your injuries in the camp?

2 A. They just tried to treat my ear, nothing else, because  
3 they didn't have anything. They gave me some drops for  
4 my ears and I had no other medicine.

5 Q. Well, that was because that is all they had, is that not  
6 right? All the doctors had to treat you with was what  
7 they had. Is that fair, a fair assessment? Is that a  
8 fair statement of what happened?

9 A. I think they had some medicines -- if they had some  
10 medicines, and as they were Serb doctors, they wouldn't  
11 have let me die, I assume.

12 Q. So you received the best medical care that was available  
13 at the camp at the time? Is that a fair statement, sir?

14 A. I told you among all the injuries that doctors can  
15 treat, all I used were eardrops.

16 Q. And at some point about this time your father --

17 JUDGE KARIBI WHYTE: Mr. Moran, I think let us rise for 30  
18 minutes.

19 MR. MORAN: Yes, your Honour. Thank you very much.

20 (3.45 pm)

21 (Short break)

22 (4.15 pm)

23 (Witness re-enters court)

24 JUDGE KARIBI WHYTE: Remind him he is on his oath.

25 THE REGISTRAR: Mr. Golubovic, may I remind you that you are



1 still under oath?

2 MR. MORAN: May it please the court.

3 A. I understand that.

4 JUDGE KARIBI WHYTE: Yes.

5 MR. MORAN: Good afternoon again, sir. A few quick  
6 questions and I think we are probably going to be done.  
7 Let me jump back to Guska Jasmin. Did anyone from MUP  
8 or maybe even Mr. Jasmin himself accuse you of making  
9 threats to kill him, to kill Mr. Jasmin?

10 A. Maybe he mentioned it somewhere, but he didn't mention  
11 it to me.

12 Q. Okay. Fair enough. Pero Mrkajic, do you know about  
13 him, about his death?

14 A. No. I know that that man died in the camp, but he was  
15 never in contact with me during my stay in the camp.

16 Q. On your direct examination you said that on at least one  
17 occasion Mr. Delic gave you some bacon or some ham to  
18 eat. That is not the only time he gave you food, is  
19 it?

20 A. The only time was when he gave me this bacon and a  
21 couple of times he gave me a cigarette to light.

22 Q. He never gave you a beer?

23 A. No. Once, I just remembered, Mr. Delic came into Number  
24 9, after I had been beaten up and burnt, and he brought  
25 some brandy in a bottle, and he offered me to take a

1 sip, and as I didn't because I don't drink, then he told  
2 me to use it to wash my wounds.

3 Q. That was after the people from MUP beat you up?

4 A. Yes.

5 Q. After you were released, did you have any other contact  
6 with Mr. Delic?

7 A. I saw Mr. Delic in Donje Selo once. I think I and  
8 Dragan Sinikovic were putting a windshield on his car,  
9 Sastava 750.

10 Q. So you worked on his car after you were released?

11 A. We were not working on his car, but we were helping him  
12 to change the glass. I happened to be there by chance  
13 and I helped them do it, because it had been broken  
14 obviously.

15 Q. A couple of other quick questions. In Building 22, the  
16 hospital facility, the windows in that building, were  
17 those windows clear glass like the glass behind you, or  
18 was it glass that you could not see through?

19 A. Partly it was glass that you couldn't see through, but  
20 the window could be opened up to a quarter. It  
21 couldn't be opened entirely, but it could be folded, as  
22 we say.

23 Q. So when the window was closed, you could not see out the  
24 windows; is that right? When the window was closed, it  
25 was impossible to see out of the window?

1       A. I had the chance to look through that window a couple of  
2       times, and it was open then.

3       Q. When it was closed, you could not see through?

4       A. As I said, I watched once when some prisoners were being  
5       bathed with a hose, and the second time was when I saw  
6       this incident with Mr. Susic, but I never even looked  
7       through those windows. There may have been a pane that  
8       you could see through and others that you couldn't, but  
9       I can't recollect exactly now. I had worse problems.  
10      I couldn't clean and look through windows all the time.

11      Q. I understand, sir. The job you had outside, cleaning  
12      up around the area, that was fairly light work, was it  
13      not? It was picking up cigarette butts, pieces of  
14      paper, that kind of thing; is that right?

15      A. Yes. Sometimes I would push the garbage can out, but it  
16      wasn't hard work.

17      Q. And, in fact, that job was kind of a special privilege,  
18      because it gave you more time outside in the fresh air;  
19      is that not right?

20      A. I didn't like to go out really, because whenever you  
21      went out, you were exposed to the danger of being  
22      beaten, so it wasn't an advantage. For some people it  
23      might have been an advantage, but for me I didn't see it  
24      that way.

25      Q. Sir, the two hunting rifles that your father had -- it

1           was two, was it not, hunting rifles that your father had  
2           hidden?

3       A.   Yes.  My father had on his licences for weapons two  
4           hunting rifles -- three -- two hunting rifles, one  
5           small-calibre rifle and a pistol.

6       Q.   And those hunting rifles, they had telescopic sights,  
7           scopes on them, did they not?

8       A.   Yes.

9       Q.   And about the time you were arrested, the MUP had two of  
10          its people killed by a sniper, did they not?

11      A.   I don't know of that.  When I was arrested, two people  
12          were killed with sniper fire?  I am not aware of that.

13      Q.   About the time that you and your father were taken into  
14          custody.  If you do not know about it, that is just  
15          fine.  Did the people from MUP ever accuse you or your  
16          father, to your knowledge, of being involved with being  
17          snipers and shooting two MUP members?

18      A.   I am not aware of that.  My father and me were both  
19          hunters and, of course, it was normal for us to use  
20          those weapons while hunting.  We didn't use them for  
21          killing people.  Such a thought never occurred to us.

22      Q.   Sir, I am not accusing you of doing it.  I am just  
23          saying did MUP accuse you of doing it?

24      A.   If they did, then that is their affair.  They must have  
25          proof for such things and probably they wouldn't have

1           let me go if they believed I had done it.

2           Q. Now, last question: you testified on direct examination  
3           that at some point Mr. Mucic told you that getting you  
4           out of the camp may not have helped you much, because  
5           you could get killed by anyone; remember when you  
6           testified to that on direct?

7           A. I do remember, yes, that is what he told me.

8           Q. Did he tell you that, sir, or did he tell you, as you  
9           recount in your statement, because the men from MUP or  
10          others could come and kill you more easily at home than  
11          in the camp?

12          A. I don't remember that I said men from MUP. That may be  
13          an error in the translation. It could have been men  
14          from MUP or anybody else who could come home and kill  
15          me.

16          Q. By the way, have you talked about your testimony here  
17          with anyone except Ms. McHenry, what you were going to go  
18          testify to?

19          A. No. I didn't talk to anyone.

20          Q. Did you talk to anyone before you came to The Hague  
21          about what your testimony was going to be?

22          A. No.

23          Q. Thank you very much, your Honour. I pass the  
24          witness.

25          JUDGE KARIBI WHYTE: Thank you very much, Mr. Moran.

1 Cross-examined by MR. GREAVES

2 JUDGE KARIBI WHYTE: It is Mr. Mucic's turn.

3 MR. GREAVES: May it please your Honour.

4 Mr. Golubovic, I represent Pavo Mucic in this case,  
5 and I am going to ask you some questions, if I may, upon  
6 his behalf. If you do not understand my question, do  
7 not be shy. You tell me straight away and get me to  
8 repeat it or make it a better question; all right?

9 A. All right.

10 Q. Mr. Golubovic, I want to ask you, first of all -- you  
11 have told us a little bit about how well you knew Pavo  
12 Mucic before the war, but can we just put a little bit  
13 more detail into that, if we may? You have told us that  
14 he was friendly with, I think, a relative of yours; is  
15 that right?

16 A. Yes.

17 Q. I do not want to know the relative's name, but how close  
18 a relative to you was that? Cousin or brother, or  
19 what? Is that something which distresses you,  
20 Mr. Golubovic? I will not pursue the matter, if that is  
21 the case?

22 MS. MCHENRY: Your Honour, I would just ask that we offer,  
23 with your Honour's permission, the witness just a  
24 five-minute break if he would like it?

25 A. It's not necessary. I can continue.

1 MR. GREAVES: Just help me about this, Mr. Golubovic: for how  
2 long before the war had you known Pavo Mucic through  
3 that relative?

4 A. I knew him some ten years.

5 Q. Would you meet him other than through the relative that  
6 you have talked about, in other places apart from with  
7 that relative?

8 A. No, we never met. I would see him driving by. We  
9 would say: "Hello." I don't know whether we talked  
10 altogether twice.

11 Q. You have told the court that you were not really friends  
12 and you would not describe your relationship as one of  
13 friendship, merely of acquaintance. Is that a fair  
14 description, simply someone you knew as an acquaintance?

15 A. Yes. We somehow didn't look very kindly upon each other  
16 actually.

17 Q. Well, that was going to be my next question. The  
18 reality was that you did not really like him before the  
19 war?

20 A. True.

21 Q. I will come towards the end of my questioning to how you  
22 feel about him now, but perhaps we can just move on to  
23 some of the events which led you to change your attitude  
24 towards him. I want to ask you a little bit about the  
25 incident where you were put down the manhole,

1 Mr. Golubovic, and ask you some questions about that.

2 When you were brought out and you saw Pavo Mucic  
3 outside -- I think you have described it as being on a  
4 wooden bed -- you have told us that he indicated to you  
5 that he would like to release you from the manhole,  
6 because you did not have enough air, but that he was not  
7 able to do so; is that right?

8 A. Correct. He said that he was going to go and request  
9 some people to question me, so that he could release me  
10 from the manhole. Simply put, to intervene on my  
11 behalf.

12 Q. So he had to go and get permission from somebody else  
13 before he could do that; that is what he was saying to  
14 you?

15 A. My understanding was that he had to see that they didn't  
16 have people there who -- since in the certificate from  
17 the HVO it stated that I had to be put in a separate  
18 room, so I had to stay in the manhole and that he could  
19 not take me out of there.

20 Q. It was not his decision, and he had no control over  
21 that?

22 A. Most probably so, since he was not able to let me out.

23 Q. I think it is right that at that point he was able to  
24 persuade those who were also there to give you some  
25 water. Do you remember that? Would you accept that?



1 A. I agree, because we did get water.

2 Q. Help me about this, please, Mr. Golubovic. It was then  
3 during the night that policemen from Konjic, MUP  
4 policemen, arrived at the camp; is that right?

5 A. Correct, correct.

6 Q. I did not end it with a question and I am sorry. It is  
7 right, is it not, that that night Pavo Mucic was not in  
8 the camp; is that right?

9 A. I did not see Pavo Mucic at the camp that night.

10 Q. As far as you knew, he never slept there; is that right?

11 A. As far as I know. Maybe he even did, but I didn't see  
12 his vehicle very frequently. When I was in Number 22,  
13 I could see his vehicle parked in front, but I never saw  
14 him at night or sleeping there or coming into the  
15 camp. He never even entered into this infirmary during  
16 the night, so it is most probable that he didn't sleep  
17 there.

18 Q. And is it not the case that you, when you were aware  
19 that he was in the camp, you and your fellow prisoners  
20 knew that you could sleep peacefully and have proper  
21 rest; is that not right?

22 A. That is correct. That was the feeling that I had.  
23 I cannot speak for others, because everybody has to say  
24 what their opinion is, but my feeling was that Mr. Mucic  
25 was there, I felt fairly secure, more so than when he

1           was not around.

2           Q. On the day after you were assaulted by MUP policemen he  
3           came to see you; is that right?

4           A. Correct.

5           Q. And he wanted to know what had happened to you, did he  
6           not?

7           A. Yes.

8           Q. Mr. Golubovic, I am about to ask you about whether you  
9           had the courage to tell him or not. It is not a  
10          reflection on your bravery, you will understand, but  
11          I want to ask you this: you did not have the courage to  
12          tell him what had happened to you, did you?

13          A. I did not have the courage to tell him, because he was  
14          maybe asking me -- I didn't know what his intentions  
15          were, but if I told him, then he would tell them, and  
16          then they would come back and mistreat me again, and so  
17          that's why I didn't tell him.

18          Q. Did he tell you that he would try and find out anyway,  
19          even if you wouldn't tell him?

20          A. Yes, he said that.

21          Q. When MUP had left the night before, had they threatened  
22          to come back again?

23          A. Correct. They said that they would come back in 24  
24          hours, but they did not come back in 24 hours. They  
25          only arrived at the following day in the evening.

1 Q. It was then, I think, that the incident with the  
2 bullets, the pistol being fired, that is when that took  
3 place; is that right?

4 A. Yes. I don't know exactly what incident you are  
5 referring to.

6 Q. I think a man called Bato Alkadic assaulted you, having  
7 ordered you to kneel down and kicked you with his boots;  
8 is that right? Do you remember that?

9 A. Yes, yes, correct. That is correct.

10 Q. And on that occasion fired some bullets from his pistol  
11 close to your head? ?

12 A. Correct.

13 Q. As far as you know, Pavo Mucic was not in the camp that  
14 night either, was he?

15 A. I think he was not there.

16 Q. And, indeed, you did not see him for several days after  
17 that; is that right?

18 A. I did not see him three, four -- no, two, three days  
19 after that.

20 Q. And I think that when you next saw him, you were busy  
21 washing your face; is that right?

22 A. That is correct. We were going out to wash up. There  
23 was a faucet there towards the gate.

24 Q. When he spoke to you, I think you were perhaps hobbling  
25 a bit, unable to walk perfectly; is that right?

1 A. That is correct, because my pelvis was injured.

2 Q. He wanted to know what had happened to you; is that  
3 right?

4 A. We discussed that just now.

5 Q. Again you felt unable to tell him, because you were  
6 still uncertain as to what his attitude was going to be  
7 and what his role was?

8 A. Correct.

9 Q. I want just to deal now with some incidents that  
10 happened during the time that you were in the camp,  
11 Mr. Golubovic, please. Can I ask you about this: did  
12 you on one occasion hear him speaking to the guards  
13 within the camp if the prisoners had been given some  
14 food on a particular occasion? I think this was when  
15 you were in the hospital.

16 A. I heard him, yes, correct. This was when Mr. Mucic --  
17 I heard his voice on that occasion and he asked: "Did  
18 you give them food?" They said: "No." He said: "Let the  
19 guard not get any food but give these people in the  
20 infirmary food right away."

21 Q. And the guard, I think, replied something along the  
22 lines of: "They have not been given food, because it has  
23 been impossible to get food from the town due to  
24 shelling and war activity." That is a summary of what  
25 was said. Can you just perhaps confirm that?

1       A. I can't recall now. There was always some conversation  
2       in front of the door, so I did not register everything,  
3       but I think that maybe on one occasion there was a talk  
4       about how the food could not be delivered because of the  
5       shelling of the town.

6       Q. Pavo Mucic said something along these lines, did he not:  
7       "It may be the guards do not get any food, but the sick  
8       people and the people in the camp should get food,  
9       whatever the difficulties." Would that be right?

10      A. I said that just a while ago.

11      Q. And you were then in the hospital and after that you  
12      were largely left alone or completely left alone; is  
13      that right?

14      A. That is correct and I stated that in my statement.

15      Q. Did you speak with Mr. Mucic when you were in the  
16      hospital on a number of occasions?

17      A. When he would come to the infirmary, he would sort of  
18      make jokes and sometimes he would bring some medicine.  
19      Then he would bring some fresh clothes to the doctors.  
20      Maybe we did speak, but there was nothing of importance  
21      so that I would remember it.

22      Q. I was not going to suggest anything of importance,  
23      simply that he would come and pass the time of day with  
24      you. Would that be right?

25      A. He would usually when he would come, he would, you know,

1           smile at me or wink at me, things like that.

2           Q. Apart from the occasion you have described, when he  
3           shared some roast meat with you, would you accept that  
4           on occasions he also brought food to you in the  
5           hospital, and indeed his food?

6           A. I remember on one occasion there was some food.  
7           I think there may have been some cakes. I don't know  
8           if it was his food, but he did bring it and give it to  
9           me.

10          Q. I think that you had some skills as a car mechanic; is  
11          that right?

12          A. Yes.

13          Q. And I think on occasions he asked you if you would do  
14          some work on his car; is that right?

15          A. Sometimes I did, but mostly I would just pour gas with  
16          another guy, and on one occasion I was putting away his  
17          scuba-diving equipment and let it dry. I never was  
18          doing any hard physical labour and was not asked to do  
19          that either by Mr. Mucic or by the other guards.

20          Q. What I wanted to ask you was this: on those occasions  
21          when you were doing something in relation to the car, it  
22          is right, is it not, that he gave you some cans of food  
23          or a can of food; would you accept that?

24          A. Yes, he gave me two tins with fish. He gave me.

25          Q. And some cigarettes on another occasion?

1 A. I have already stated that in the statement.

2 Q. You will have to forgive me for going over old ground,  
3 Mr. Golubovic, but you will understand that it is  
4 important to the case I am putting before the court.

5 A. If I said it once, I just thought that it was  
6 unnecessary to re-state it.

7 Q. Well, I stand criticised, Mr. Golubovic; all right? On  
8 those occasions when he gave you either food or  
9 cigarettes, did he sometimes also say he wished he could  
10 give you some bread instead of what he was giving you?

11 A. He was saying that in reference to the cigarettes.

12 Q. Can you help me about this: on the occasions when you  
13 saw him in the area of the camp, would he sometimes wear  
14 civilian clothes when you saw him?

15 A. Yes. I saw him a number of times wearing civilian  
16 clothes.

17 Q. And sometimes he would be wearing military-style clothes  
18 but without insignia of any kind?

19 A. Correct. He had a camouflage shirt and he had boots  
20 and pants. He had a pistol on his belt, things like  
21 that.

22 Q. But no badges of rank and things like that?

23 A. No, he had no insignia and no rank.

24 Q. Apart from the car that he had and that you did some  
25 bits and pieces for, was there also a motorcycle that

1           you saw him using?

2           A.   Yes.  He did come on his motorcycle.

3           Q.  Can you help me about this, please?  Was there an  
4           occasion when he was speaking to you and said something  
5           along these lines, that he would try to protect you as  
6           far as he could, but he could not do that in relation to  
7           MUP, and he had no control over MUP?

8           A.  Correct.

9           Q.  And the reason for that was MUP were a law unto  
10          themselves and had free run of the place, did they not?

11          A.  He said that they could come whenever they want and get  
12          in there and they would not need to report to anyone,  
13          and to do these searches and questionings and that they  
14          didn't have to account to anyone.

15          Q.  I want to turn now to the incident involving you being  
16          beaten over these hunting rifles, Mr. Golubovic.  You  
17          have told the court that both you and your father were  
18          hunting people?

19          A.  Correct.

20          Q.  Can I just explain this to you: I am also someone whose  
21          father was a hunting person and I go hunting and I hope  
22          my son will follow me afterwards, so I understand about  
23          these things.  Hunting rifles are very important to  
24          hunting people, are they not?

25          A.  Correct.  My grandfather was a hunter, my father was



1           and so am I.

2           Q.   And hunting people look after their weapons with great  
3           care and great love, do they not?

4           A.   That is how it should be, correct.

5           Q.   That is exactly how it should be, and no doubt they had  
6           been buried with that in mind; is that right?

7           A.   Sorry.   I did not understand the question.

8           Q.   The hunting rifles had been buried somewhere.   Is that  
9           what had happened to them?

10          A.   Yes.   The rifles were buried -- but I didn't know where  
11          they were buried; only my father knew that -- two months  
12          before the attack to our village.

13          Q.   MUP had obviously found out about the existence of these  
14          rifles, and that is why they were very anxious to know  
15          where they were; is that right?

16          A.   The rifles were properly registered, so they could find  
17          that in their files, and my father was known by  
18          everyone.   Everybody knew that he was a hunter.   So it  
19          would not have been a problem to find that out about  
20          him.

21          Q.   What Mr. Mucic was trying to do was to persuade you to  
22          tell them where the rifles were in order to get the  
23          beatings to stop?

24          A.   That is correct.   He told my father if the rifles were  
25          more important than someone's lives, and that people

1           were getting beaten up for that, because apparently my  
2           father had told him that the rifles had been stolen.  
3           So he didn't want to part with them. He had given the  
4           small-calibre rifle to Midhat Pirkic, but he wanted to  
5           keep those too.

6           Q. This was because it was MUP who were beating you up,  
7           over whom he had no control; is that not it?

8           A. Correct.

9           Q. Similarly some good advice was given to you, and --  
10          sorry to go repeating this -- good advice was given to  
11          you about not going anywhere near the fence?

12          A. That is right. I also mentioned that and there is no  
13          need for me to repeat it twice.

14          Q. I want to ask you just about one thing, if I may.

15                        Would your Honour just give me a moment, please,  
16          because I have lost it in my notes? (Pause).

17                        I think you know the name Petko Grubac; is that  
18          right?

19          A. Yes.

20          Q. Do you remember that he did something on behalf of Petko  
21          Grubac on occasions, helped him get some new clothes and  
22          so on?

23          A. I remember that he brought him some iron shirts and some  
24          cakes, and I think that Petko's wife had brought that,  
25          but he spoke to him much more than he did to me.

1 JUDGE JAN: What are "iron shirts"?

2 MS. McHENRY: I think he means shirts that had been ironed,  
3 so "freshly ironed" is how I interpreted it.

4 JUDGE JAN: It says "iron", not "ironed." I was just  
5 wondering: was he bringing some armour or what?

6 MR. GREAVES: Mr. Golubovic, I want to turn now, if I may, to  
7 the circumstances in which you were released from the  
8 camp, and the date, I think, was 17th July 1992?

9 A. That is right.

10 Q. You went into the camp kitchen and you found a guard  
11 eating in the camp kitchen; is that right?

12 A. Zdravko Mucic was sitting there and eating.

13 Q. Was it the case that he told you to go to the van but  
14 did it quietly and discreetly?

15 A. I don't remember.

16 Q. Nevertheless you went to the car and found there Slovko  
17 Golubovic, that is your father, the huntsman, and your  
18 cousin, Milovan?

19 A. Right.

20 Q. And you got in the car and you asked your father where  
21 you were going?

22 A. Yes.

23 Q. And Pavo showed up five minutes later and you all drove  
24 away from the camp?

25 A. That is right.

1 Q. On the way on that journey is it right that you met a  
2 number of women who were returning from the camp and  
3 they had been taking some food to their relatives; do  
4 you remember that?

5 A. Yes, I already stated that a little while ago. Those  
6 were women -- those women were Gosa Cecez, Radojka Suka  
7 and several other. Maybe five or six of them.  
8 I can't recall all the names.

9 Q. You thought at that stage that you were going to the  
10 sports hall at Musala; is that right?

11 A. My father told me that he thinks -- when I asked him  
12 where are we going, he said: "Most likely we are going  
13 to the sports hall."

14 Q. But, in fact, it was to -- in front of your own home in  
15 Donje Selo that you went?

16 A. That is correct.

17 Q. And not only did he give you your release paper, but  
18 I think your father and cousin also got theirs at the  
19 same time; is that right?

20 A. Not my brother, but my father and my cousin.

21 Q. I think I only mentioned your father and cousin, but if  
22 I mentioned brother, then I didn't mean to. Sorry,  
23 Mr. Golubovic.

24 It was then that you had the conversation with  
25 him, was it not, that he was not sure that he had done

1           the right thing for you, and that you might actually be  
2           in more danger at home than you would be in the camp.

3       MS. McHENRY:    Your Honours, I just -- I understand that  
4           sometimes you have to repeat things to get to the --  
5           sort of the new point you are making, but just in the  
6           interest of having a fair and expeditious trial, with  
7           all due respect, I must object to the repetitive  
8           questioning that is going on, although it is being done  
9           in -- not a harrassing manner, I believe.    It is  
10          unnecessary and unnecessarily prolonging this trial and  
11          this witness' testimony.

12       JUDGE KARIBI WHYTE:    I am sorry.    I am being fair to  
13          counsel.    He is conducting his case in a way that is  
14          bringing some effect to his questioning.    You do not  
15          have to object to that.

16       MR. GREAVES:    This leads me to the next point,  
17          Mr. Golubovic.    It is now this: that it was at this time  
18          that you began to change your attitude towards Mr. Mucic;  
19          is that not right?

20       A.    Yes.

21       Q.    You began to realise that there was a different side to  
22          the man that you had known before the war?

23       A.    Yes.

24       Q.    It was at that time that you began to realise that you  
25          probably owed your life and your family members owed

1           their lives to Pavo Mucic?

2           A. I don't know about your question, what you mean by it,  
3           but I could make it very short to say that I am very  
4           thankful to Mr. Pavo Mucic for releasing me and that he  
5           got involved and made an effort to find people who would  
6           take me to the Serb-held territory, and I don't think  
7           I would be sitting here had it not been for him.

8           Q. Concerning the day of your release, was anybody else,  
9           apart from you and your father and cousin, released that  
10          day?

11          A. I don't know on that day, but to our village only the  
12          three of us were released.

13          Q. The vehicle that you were taken in from Celebici to  
14          Donje Selo, was sort of vehicle was it? A van or a  
15          truck or what?

16          A. It was a van of Iveco make.

17          Q. Was Pavo Mucic the only person in the van or was there a  
18          driver or anybody else with him?

19          A. There was a young man who drove the van.

20          Q. When you got to your home village were there some  
21          photographs taken on a video recorder of some sort?

22          A. When I went there, nothing was videotaped, but I was in  
23          the village when another group of prisoners arrived and  
24          Mucic did tape with his video camera at that time.

25          Q. How long after you had gone home was that?

1 A. Maybe about ten days later.

2 Q. Would your Honour just give me a moment, please?

3 Did you have any conversation on that day when the  
4 video was taken about Pavo Mucic?

5 A. Yes.

6 Q. What did he say about the prisoners who were being  
7 released? Did he say anything about them?

8 A. I don't remember what he told me about those prisoners.

9 Q. Did he say anything as to why you were -- why he was  
10 photographing them?

11 A. He said he thought I minded why he was doing that,  
12 because those people were in terribly poor shape, and he  
13 said to me: "Golub, this tape may perhaps save your life  
14 and mine."

15 Q. You have told us that a number of prisoners were brought  
16 back ten days later. Were there other occasions when  
17 prisoners were brought back by Pavo Mucic to your  
18 village, apart from that one?

19 A. I saw those prisoners being brought back. I may  
20 remember a couple of names of those people.

21 Q. Perhaps if we show you the video, you will help us and  
22 try to remember who they are.

23 Perhaps the video could be shown now by the  
24 technical people, please.

25 MS. MCHENRY: May I ask what video it is?

1 MR. GREAVES: I think it is the one we have already seen.

2 MS. MCHENRY: Is it the one that is already in evidence.

3 MR. GREAVES: I believe so. We do not appear to be getting  
4 anything.

5 (Video played)

6 Q. We missed it. Perhaps we can just replay it, please.

7 (Video replayed)

8 Q. All right. Thank you.

9 Mr. Golubovic, would you like us to go through that  
10 slowly, so you can pick out people you know the names  
11 of? Would that help you?

12 A. These people on this tape were not released then, when  
13 I was there. I didn't see them at home.

14 Q. Right. Even if you did not see that release taking  
15 place, can you identify the people on the tape?

16 A. I recognised a few people from Bradina that I met in the  
17 camp. I don't know their names exactly, but when I was  
18 in Donje Selo, when those people arrived, it was not any  
19 one of these people. They were different people.

20 Q. All right. Thank you very much, Mr. Golubovic. As far  
21 as the people who were released to your village, would  
22 you accept that it was something in the region of about  
23 100 people after you had been released?

24 A. It was not just to my village, but this whole area,  
25 probably about between 80 and 100 people were released.



1 Q. Can you help us about some names. Would Zarko Mrkajic  
2 be one of those?

3 A. Zarko Mrkajic and Sreten Zelenovic, a butcher from  
4 Bradina, they were released a little after me and they  
5 were immediately transferred to Ilidza and from there to  
6 Serb-held territory.

7 Q. Nedeljko Draganic?

8 A. Nedeljko Draganic was released with that group that was  
9 photographed, Ratko Cecez, Nenad Cecez, and if I could  
10 see the tape, I would be able to see all those people.

11 Q. Aleksandar Draganic, do you remember him being released  
12 and helped?

13 A. Aleksandar Draganic was not released then. He was  
14 released later. He was in the sports hall and I don't  
15 know anything about that.

16 Q. Radoslav Kuljanin?

17 A. I don't know that man. He must be someone from  
18 Bradina. I know him but I'm not sure.

19 Q. I think he has a nickname Bato?

20 A. Yes, yes, that is true. He was released maybe about  
21 ten days after me. He was released to the hamlet of  
22 Kuljani.

23 Q. And Milorad Kuljanin, did we deal with him?

24 A. Yes, Milorad Kuljanin and Miro Kuljanin, who was wounded  
25 in the leg.

1 Q. Of the 80 to 100 people being released to the area of  
2 your village, the surrounding villages and so on, were  
3 they all brought out by Pavo?

4 A. I do not know about all those people. I can only say  
5 about those that I saw. They were brought in, and the  
6 rumour in the village was that it was Pavo who brought  
7 them. Miso Radoslav, but Milorad Kuljanin, I did not  
8 see him drive them in, but I know that he drove them  
9 back.

10 Q. In all, how frequent were releases made? Can you help  
11 us about that?

12 A. After my release from the camp maybe some ten days  
13 later, then the releases were more frequent, at an  
14 accelerated pace.

15 Q. Were releases taking place up until your departure to  
16 Serb-held territory in November?

17 A. Yes. Up to 13th November. After that I had no contact  
18 with my family and the village so I don't know what  
19 happened, so I can't talk about it because I wasn't  
20 there and I don't know what happened.

21 Q. I want just now to turn to that same period and ask you  
22 if, apart from occasions when people were being  
23 released, Pavo Mucic made visits to your village?

24 A. Well, to my village, when he came to my village, he came  
25 to see me. I didn't see him visiting my village

1 without dropping in on me.

2 Q. And can you tell us how many times that you recall him  
3 visiting you in that period?

4 A. Well, four or five times.

5 Q. So about once a month?

6 A. One could put it that way, or maybe once in 20 days.

7 Q. Did you see him at all with other residents of Donje  
8 Selo during that period?

9 A. He would call on some people. He would call on the  
10 mother and father, the mother of Nedeljko Draganic, in  
11 my village. In Donje Selo he would call on Zoran Cecez  
12 and I don't know about the others. He would also visit  
13 Radoslav Kuljanin, his mother and father, then Miro  
14 Kuljanin who was wounded in the leg and I don't know any  
15 more. I can't talk about something I didn't see.

16 Q. Did people talk about Pavo Mucic in the village?

17 A. Of course they talked about him. All the people he had  
18 helped, they were grateful and they talked about it.

19 Q. Did he give you help in that period?

20 A. Yes, he did. He brought medicine for my mother and  
21 some detergents and things like that. Occasionally he  
22 would bring cigarettes too.

23 Q. Food on any occasion?

24 A. He would bring flour. These things for hygiene, for  
25 washing, and that sort of thing. We were not in such a

1 bad need of food at the time, so he didn't have to bring  
2 it.

3 Q. On one of the visits that he made to you in the period  
4 between July and November it is right, is it not, that  
5 he said to you that he was trying to get as many people  
6 released as possible from Celebici. Do you remember  
7 that?

8 A. Yes. He always said that things would be resolved, that  
9 there were no problems, that we should stay, that we  
10 shouldn't abandon our homes, and he was always saying  
11 that we shouldn't leave, that we should stay on in the  
12 village and the worst was behind us, that the camp would  
13 be closed down, and that it should be forgotten.

14 Q. But there came a change in his advice to you and things  
15 obviously got worse politically, so that he came and  
16 told you you should go away; is that right?

17 A. Yes. I said that a moment ago in my testimony.

18 Q. And also because winter was coming up and it was going  
19 to be very hard for the people in Donje Selo; is that  
20 right?

21 A. Yes.

22 Q. And so the idea was formed to get you and as many of you  
23 to Serb territory as possible; is that right?

24 A. Mr. Mucic proposed to me that I should go, but he said  
25 that there was no need for my father and mother to go,

1           that it was better for them to stay.    I don't know  
2           about the others, what his intentions were, whether he  
3           advised them to go or to stay.

4        Q.   But an arrangement was made for you to leave the  
5           territory and so you did?

6        A.   Correct.

7        Q.   And you were offered 300 Deutschemarks by the people who  
8           arranged to take you, one of whom was Pavo?

9        A.   Pavo asked me whether these people were trustworthy.  
10       Pavo didn't take me.    I was driven by Zjelko Likota,  
11       Rajko Tomic and Ivica Bekavac.    They offered -- Rajko  
12       Tomic offered me 300 Marks.    I said that I didn't need  
13       them, that I had money.    Then he said: "Pavo told me to  
14       give it to you."   Then I told Rajko that he should give  
15       that money to my father, because I didn't need it, but  
16       he didn't give that money to my father.    What happened  
17       I don't know.

18       Q.   Did you hear of other occasions when Pavo had given  
19           money to people in dire need?

20       A.   I think I did, but it would be better for those people  
21       to say.    I have said what he gave to me.    I wouldn't  
22       like to speak on anyone's behalf.    I didn't see it, so  
23       ...

24       Q.   You have met on some occasions since you escaped to  
25           Serb-held territory in 1992; is that right?

- 1       A.   Excuse me?
- 2       Q.   Have you met him since you escaped into Serb-held  
3       territory at all since that time?
- 4       A.   Never.
- 5       Q.   But you have had contact with him?
- 6       A.   I said this postcard that he sent.   That was all.  
7       I was never in touch with Zdravko Mucic.
- 8       Q.   I want to ask you now about a man called Mirko Cecez.  
9       Do you remember that person and that person dying?
- 10      A.   There are two Mirko Cecez.   One is alive and one is  
11      dead so I do not know whom you have in mind.
- 12      Q.   It is the one who died at Musala.
- 13      A.   He didn't die in Musala.   He was killed in Musala.   He  
14      was killed there.
- 15      Q.   I do not want to argue with you about the phraseology,  
16      Mr. Golubovic, but in any event, that is the one we are  
17      talking about.   Did you speak to Pavo Mucic about that?
- 18      A.   Maybe we talked while I was in the camp and at home, but  
19      after I escaped to Serb territory, we didn't talk.
- 20      Q.   Well, can I just refresh your memory?  Did he not tell  
21      you what he wanted to do concerning the death of  
22      Mr. Mirko Cecez, that he wanted to become the Commander  
23      at Musala, to try to stop these things happening?
- 24      A.   I do not remember that.
- 25      Q.   All right.   I am coming to a close, Mr. Golubovic.   We

1           talked earlier about your attitude to him before the  
2           war.    What do you think of Mr. Mucic now that we are  
3           here in 1997?

4        A.   I said a moment ago or rather at the beginning that  
5           I was grateful to Mr. Mucic for helping me in all my  
6           troubles, helping me and my father and my mother, and I  
7           am grateful.    I am saying all this in my own name and I  
8           don't know what else to say.    I think that it is not  
9           the man and I do not have the opinion of him that I had  
10          before the war.

11       Q.   Do you remember saying this to the Office of the  
12          Prosecution:

13                        "If at least 20 per cent of the people in Bosnia  
14                        were like Mucic, there would have been no war"?

15       A.   I remember.    I remember that.    That is what I said.

16       Q.   That is a fair remark, is it not, Mr. Golubovic?

17       A.   Yes, it is, and I think that still.    Maybe I am wrong  
18          but that is what I believe.

19       Q.   Thank you, Mr. Golubovic.

20       A.   You are welcome.

21       JUDGE KARIBI WHYTE:    Any other questioning?

22       MS. McMURREY:    Your Honour, I was informed that we were  
23           going to break at 5.30 today.    Would you prefer that we  
24           just go ahead or wait until Monday?    That would be fine  
25           with me.    I only have about seven minutes, and I would

1           really prefer to do it all at one time instead of  
2           breaking it up, if that is okay with the court.

3           JUDGE KARIBI WHYTE:    Yes.

4           MS. MCHENRY:    Your Honour, just in terms of scheduling,  
5           I just wanted to raise one issue with the court.  
6           Sunday is Serbian Orthodox Easter, and I understand that  
7           there is a possibility that, although it is all  
8           uncertain, that the victim may have a chance to go to  
9           where he lives for the weekend to celebrate Easter with  
10          his family, since we are a little far behind, in which  
11          case he could be back Monday at 2.30.    I also  
12          understand that we may have some legal arguments Monday  
13          morning.    So if it works out, I am just finding out:  
14          would the court be willing to not resume this witness's  
15          testimony until 2.30 on Monday? .    It may not be  
16          necessary.    This has just come up recently but I wanted  
17          to raise it.

18          JUDGE KARIBI WHYTE:    It is quite fine.    We are having the  
19          information for the first time.    We can afford to wait  
20          until 2.30.

21          MS. MCHENRY:    We will inform the court if, in fact, he  
22          decides to go and they can get a flight, etc.    Thank  
23          you.

24          JUDGE KARIBI WHYTE:    Okay.    Thank you very much.    I think  
25          we can adjourn.    It is a pity we have to break for now,



1 but it was inevitable we should do that. So we will  
2 resume again on Monday at 10 actually.

3 (5.25 pm)

4 (Hearing adjourned until Monday morning at 10 o'clock)

5 --ooOoo--

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