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2 THE INTERNATIONAL CRIMINAL TRIBUNAL CASE NO. IT-94-2-R61

3 FOR THE FORMER YUGOSLAVIA

4 IN THE TRIAL CHAMBER

5

6 Tuesday, 10th October 1995

7

8 Before:

9 JUDGE JORDA

10 (The Presiding Judge)

11 JUDGE ODIO BENITO

12 JUDGE RIAD

13

14 THE PROSECUTOR OF

15 THE TRIBUNAL

16 -v-

17 DRAGAN NIKOLIC

18

19

20 MR. GRANT NIEMANN and Mme TERESA McHENRY appeared on behalf of the

21 Prosecution

22 _____

23

24 Tuesday, 10th October 1995.

25 THE PRESIDING JUDGE: [Original in French] We will resume our

Page 235

1 hearing. Counsel for the Prosecution, the floor is

2 yours. Could you please at this point tell us the

3 circumstances regarding protection?

4 MR. NIEMANN: My colleague Miss McHenry will be taking the next

5 witness.

6 MISS McHENRY: Good morning, your Honours. Theresa McHenry for

7 the Prosecution. This witness has indicated about the

8 protection previously afforded him and, therefore, we

9 would ask that other than the address the protective order

10 be lifted with respect to this witness who is Ibro

11 Osmanovic.

12 THE PRESIDING JUDGE: [Original in French] Ms. McHenry, the court notes

13 your request

14 that you have presented regarding the protection

15 conditions for this particular witness, and would like to

16 give you a favourable answer to your request. So we agree

17 fully that the next witness -- please tell us once again

18 his identity but not his address -- that person can be

19 introduced, brought into the session room according to the

20 circumstances which you have just described, i.e. not

21 concealed either in terms of his face or in terms of

22 identification, so please introduce the next witness.

23 MISS MCHENRY: Ibro Osmanovic, please.

24 THE PRESIDING JUDGE: [Original in French] Please would you bring the

25 next witness

Page 236

1 in?

2 IBRO OSMANOVIC called.

3 THE PRESIDING JUDGE: [Original in French] Would you give the witness

4 the

5 headphones? Can you hear me

6 THE WITNESS: [Original in Bosnian] Yes.

7 THE PRESIDING JUDGE: [Original in French] You can hear me? Mr. Ibro

8 Osmanovic,

9 first of all, please read out the solemn statement, the

10 solemn oath, which has to be presented. It is on the

11 document which is in front of you on your desk, I would

12 presume. Please go ahead and read the oath, the solemn

13 declaration.

14 MISS MCHENRY: Your Honour, I believe the witness is supposed

15 to read it in the Bosnian language; is that correct?

16 THE PRESIDING JUDGE: [Original in French] Excuse me, would you repeat

17 your

18 question? Yes, I think he has to read it out in his

19 language. Is the statement, is the declaration, the oath,

20 in the three languages? So please would he read it out in

21 his mother tongue, of course, quite clear so that he is

22 quite aware and fully conscious of what he is reading. So

23 please read out the solemn declaration in your language,

24 the Bosnian language. Please go ahead.

25 THE WITNESS: [Original in Bosnian] I solemnly declare that

Page 237

1 I shall speak the truth the whole truth and nothing but

2 the truth.

3 (The witness was sworn.)

4 THE PRESIDING JUDGE: [Original in French] Thank you. Sit down.

5 Be seated. Before you start your testimony,

6 Mr. Osmanovic, could I say to you that on behalf of the

7 Tribunal we value very highly the fact that you are here.

8 We are quite aware of the courage you are showing in

9 coming here. The court would like to say to you, the

10 Tribunal, that you are in an institution based on justice

11 and that please feel serene during your testimony and

12 please rely on the protection of this institution o

13 international justice. If at any time at all during your

14 testimony, during your statements, you find any difficulty

15 of whatever nature, please do not hesitate to communicate

16 that to the Tribunal.

17 So, madam counsel for the Prosecution, the floor is

18 yours.

19 MISS McHENRY: Thank you, your Honours. (To the witness):

20 Sir, would you please tell your Honours your full name?

21 A. My name is Ibro Osmanovic. I am from Vlasenica. I was

22 born on 5th August 1965 and I am the citizen of the

23 Republic of Bosnia-Herzegovina. My nationality is Bosnian

24 and my religion is Muslim.

25 Q. Prior to the war how were you employed?

Page 238

1 A. Before the war I used to work at the SOUR "Sipad", DIP

2 "10th August" Vlasenica company.

3 Q. You indicated that you were born in Vlasenica. How long

4 had you lived in Vlasenica before the war?

5 A. From my birth, all the time.

6 MISS McHENRY: Your Honours, at this time I have an exhibit

7 which I would like put on the computer. Maybe Mr. Dixon

8 could help with respect to the computer? We are waiting

9 for the exhibit to come up on the TV screen.

10 Mr. Osmanovic, I am going to ask you that you look at what

11 is on your computer screen. In fact, I am going to ask if

12 you can look at the original which is where Mr. Dixon is.

13 In fact, Mr. Dixon, could you give the witness the pen in

14 case he at some point wants to use that as a picture?

15 First, Mr. Osmanovic, do you recognise what that exhibit

16 is?

17 A. Yes, this is the panorama of the town of Vlasenica take

18 from the Muslim cemetery.

19 Q. Do you know where this picture is from?

20 A. The photographs come -- the photograph comes from

21 Vlasenica.

22 Q. Do you know where the photograph comes from or, in other

23 words, where was this photograph found?

24 A. The photograph was found in Tuzla, in the Mining Institute

25 of Tuzla.

Page 239

1 Q. Do you know what the approximate time period that this

2 photograph was taken?

3 A. Probably around 1985.

4 Q. Do you recognise this photograph of being a fair and

5 accurate panorama of what Vlasenica looked like in

6 approximately 1985?

7 A. This is a very fair picture. This is a view of the city

8 from the Muslim cemetery.

9 Q. OK. Could you use your pointer and show us some of the

10 buildings, the important buildings, and the important

11 sites that you recognise on this picture?

12 A. I can do that. This is the post office, the main post

13 office. Next to it is the hotel, the police station, the

14 municipal building, municipal authority building, a

15 housing block, the circle road leading to Sarajevo, the

16 medical centre in Sarajevo -- in Vlasenica, the church,

17 the headquarters of the Energoinvest Company, the housing

18 block in the centre of the town, the mosque, the

19 industrial zone and Muslim cemetery. These are the

20 locations.

21 Q. Let me go back for a minute. When you have referred to

22 the hotel, can you point out that again

23 A. Yes, I can do that. The hotel was located here.

24 Q. Do you know the name of that hotel?

25 A. It is the Panorama Hotel.

Page 240

1 Q. Did you point out the SUP?

2 A. Yes. That is the SUP building here, next door to the

3 municipal building.

4 Q. Before the war where did you live, sir?

5 A. I lived at Omladinska Street, No. 15.

6 Q. Are you familiar with Susica camp, Susica area?

7 A. Yes. You cannot see Susica on the photograph, but here it

8 will be behind the secondary school between the two hills,

9 between the two hills under the Javor mountain.

10 Q. Unless your Honours have any question with respect to this

11 exhibit, I am finished with this exhibit. Thank you.

12 THE PRESIDING JUDGE: [Original in French] No questions.

13 MISS McHENRY (To the witness): Mr. Osmanovic, can you describe

14 what, if anything, happened in Vlasenica in approximately

15 April of 1992?

16 A. In April 1992 the occupation of Vlasenica was occupied

17 between 21st of April and 23rd April. This was done on

18 Tuesday. It was a Tuesday.

19 Q. What happened during the occupation?

20 A. The forces of the Yugoslav National Army, JNA, the Sremska

21 Mitrovica and the Novi Sad Corps, they were armoured

22 vehicles. They had occupied the vital services, and

23 started collecting weapons both legally and illegally

24 owned by the Muslim population.

25 Q. Can you describe how they collected the weapons?

Page 241

1 A. They were collecting the weapons by inviting people

2 through the public address system. People were given a

3 ultimatum. They were told to hand in the weapons. If the

4 weapons were not handed in, the JNA would use force.

5 Q. You stated that the motorized unit of the Novi Sad Corps

6 was involved; how did you know it was the Novi Sad Corps?

7 A. I met a soldier from Bijelo Polje. His name was Predrag.

8 He said that he was serving Sremska Mitrovica and,

9 according to the system of organisation, the whole

10 Yugoslavia was divided into military districts. Novi Sad

11 belonged under the Belgrade district so the Novi Sad Corps

12 was responsible for the lower units such as Sremska

13 Mitrovica.

14 Q. Is the Novi Sad part of Serbia?

15 A. Yes.

16 Q. In addition to the Novi Sad Corps, were there any local

17 citizens of Vlasenica involved in the takeover and

18 occupation?

19 A. The local Serbs were involved.

20 Q. Do you know that because you saw them?

21 A. Yes. During the first two days they carried arm bands,

22 white arm bands, and actually on the day of occupation

23 they all emerged into the streets with white arm bands

24 around their arms.

25 Q. Were weapons handed over by the Muslim population after

Page 242

1 the ultimatum was given?

2 A. When the ultimatum was given people actually had three

3 collection points at the police station, at the medical

4 centre and in front of the Hall of Culture, and it was

5 only the Muslims who handed in their weapons.

6 Q. They did, in fact, hand in all their weapons, is that

7 correct, to your knowledge

8 A. As far as I know, yes.

9 Q. Did you own any weapons at that time?

10 A. No.

11 Q. Were you involved in any sort of military forces or armed

12 resistance either before or after the occupation and

13 takeover?

14 A. During the occupation of Vlasenica there was no armed

15 resistance at all.

16 Q. Was there a time after the takeover in late April or early

17 May when a friend of yours, Dragisa Milakovic, showed you

18 something?

19 A. Dragisa Milakovic showed me a list and I was listed there

20 under item 194. These were the people who were accused or

21 suspected by the Serb community of Vlasenica to own

22 weapons.

23 Q. Can we go back a little bit and can you explain the

24 circumstances under which you saw this list? Can you just

25 tell us what happened such that you were able to see this

Page 243

1 list?

2 A. In the evening/late afternoon, Dragisa Milakovic, my good

3 friend otherwise, came to me. He came in his car. He

4 hooted in front of my house. I came down. I sat into his

5 car. He turned on the light inside the car, and showed me

6 the list and told me to look at No. 194. When I looked at

7 No. 194, this was my name. My brothers were not listed.

8 The title, the heading, of this was people illegally

9 owning weapons, and all people who I could see on the list

10 were my well known people, people that I knew, and they

11 were all of Muslim nationality.

12 Q. At this time were there any restrictions on your abilit

13 to move around Vlasenica?

14 A. There was the curfew. Curfew was imposed. After

15 9 o'clock in the evening you could not move, but leaving

16 the city, leaving the town, was restricted and you only

17 could go out with a pass.

18 Q. Did you ever obtain a pass?

19 A. A pass for leaving the Opstina of Vlasenica I never

20 received, but I was given a pass to travel between my

21 house and my land or farm.

22 Q. Within the Opstina Vlasenica?

23 A. In the town itself, in the district where I lived I could

24 go to my farm called Bregovi.

25 Q. You could go to your farm only because you had a pass; is

Page 244

1 that right?

2 A. Yes.

3 Q. Do you know who issued the passes?

4 A. The passes were issued by the Crisis Headquarters of the

5 Serbian commune of Vlasenica.

6 MISS McHENRY: Your Honours, at this time I would like to show

7 the witness what has been marked for identification

8 purposes as Exhibit 3. I do have copies of this for your

9 Honours. (Handed) Maybe Mr. Dixon could help put that on

10 the screen?

11 (To the witness): Sir, I am going to ask you to look

12 at that and tell me if you recognise what it is?

13 A. I recognise this is the pass such as was issued by the

14 Serbian commune of Vlasenica for local movement within the

15 municipality, and a similar pass, a similar pass, was

16 given when you had to leave the Opstina of Vlasenica, but

17 then it was handwriting down at the bottom it says: "Fo

18 Tuzla", for instance.

19 Q. This is not your pass, am I correct?

20 A. No, it is not. It is not.

21 Q. But other than the name and the location it is similar to

22 the pass that you received; is that right?

23 A. Yes.

24 Q. This pass is in the Bosnian Serbo Croatian language; is

25 that right?

Page 245

1 A. Yes.

2 Q. I know the quality of what you have is not good, but can

3 you please tell us as best you can what the pass says word

4 for word?

5 A. Well, it says like this: "On the basis of Article 3 of

6 the decision on the immediate war danger, the Serbian

7 municipality of Vlasenica, the Crisis Headquarters, issues

8 this pass for", the name is not written there, "from

9 Vlasenica, for movement on the territory of the

10 Serbian municipality of Vlasenica. The notified person

11 has no obstacle for moving to Luka and Susica", the Head

12 of the Crisis Headquarters, Stanic Milenko, but it was

13 written procura by R. Matic.

14 Q. Thank you. I am finished with that exhibit. In addition

15 to restrictions on your movements, were there any

16 restrictions placed on access to any financial assets you

17 had at banks, for instance, money?

18 A. There was a limit of 5,000 dinars so you could cash only

19 5,000 dinars from your account.

20 Q. Can you tell us about what you know about who passed this

21 limit on withdrawal of money and against whom it was

22 enforced

23 A. When I came to the bank to withdraw money, I was given

24 only 5,000 dinars -- that was the five billion dinars at

25 that time -- while my friend, a Serb, from the same

Page 246

1 company had no restriction whatsoever.

2 THE PRESIDING JUDGE: [Original in French] Excuse me, how much is

3 5,000 dinars

4 worth? Could you answer that question, if possible?

5 THE WITNESS: [Original in Bosnian] 5,000 dinars at that time was

6 roughly 100 German

7 marks, less than a German mark. 80 German marks, let us

8 say, roughly.

9 MISS McHENRY: Did there come a time when the Novi Sad Corps

10 left Vlasenica?

11 A. They went about mid May.

12 Q. Can you tell me what you saw with respect to their

13 departure?

14 A. They left. The men left but all the material remained

15 behind.

16 Q. When you say "the men left", you mean the JNA soldiers

17 from the Novi Sad Corps; is that right?

18 A. Yes.

19 Q. When you say "the material stayed", can you explain

20 exactly what you mean by that?

21 A. By "material", I have in mind armoured vehicles and tanks

22 that were located in the town while they were there, and

23 the weapons.

24 Q. Was this material, the armoured vehicles and weapons, that

25 the Novi Sad Corps and the JNA had brought with them?

Page 247

1 A. Yes.

2 Q. Do you know what happened to that equipment when they left

3 it there? Who was given access to that equipment?

4 A. All the equipment was given to the local people, loca

5 Serbs.

6 Q. Mr. Osmanovic, did there come a time when you were

7 arrested?

8 A. Yes, I was arrested.

9 Q. Would you please tell us about what happened when you were

10 arrested?

11 A. The first time I was detained was when I asked for a pass

12 to leave the territory of the Vlasenica municipality in

13 the direction of Tuzla. I had to go to the police

14 station, and I saw Ljuban Stanisic. I had to be

15 interrogated by him for this. I had to have an interview

16 with him.

17 Q. What happened during your interview?

18 A. During the interview on the premises of the police station

19 and the criminal service, I was shown the same list that

20 I had been shown before by Dragisa Milakovic. They asked

21 me where the weapon was that I had, and I said I did not

22 know and they asked Mr. Milakovic to come, that he would

23 explain. He came. He gave some sort of guarantee and

24 I was released.

25 Q. Let me go back for a minute. When you say they asked if

Page 248

1 you owned a weapon, did you tell them that you did not

2 know where the weapon was or did you tell them that you

3 did not have a weapon?

4 A. I was asked about my weapons and about the weapons of some

5 neighbours of mine, if they had any weapons, if I knew

6 about the whereabouts of these weapons and I said I knew

7 nothing about that.

8 Q. What did you say with respect to the weapons that you were

9 alleged to have

10 A. The weapons that I was accused of having and the weapons

11 about my neighbours, I said I had absolutely no knowledge

12 of any weapons.

13 Q. How was it that Mr. Milakovic was called in to give a

14 guarantee?

15 A. He was called in because I asked him, I asked for him to

16 be called in because he knew me because I was his good

17 friend. About 70 per cent of my free time I spent with

18 him.

19 Q. At this time how was Mr. Milakovic working?

20 A. Mr. Milakovic before the war had worked as a teacher of

21 biology and chemistry in the Elementary School of Milici.

22 During the war, during the days of the occupation and on,

23 he issued passes for moving around the municipality and he

24 was working at a checkpoint.

25 Q. In other words, he had an official position within the

Page 249

1 Serb administration that was administering Vlasenica; is

2 that right?

3 A. Yes.

4 Q. After Mr. Milakovic gave his guarantee on your behalf,

5 what happened?

6 A. He explained to me the man who had worked at the police

7 station in this particular area issuing documents in case

8 of my forceful illegal exit from town that I would be

9 killed.

10 Q. Were you then released?

11 A. I went home, and I was arrested again on 22nd May.

12 Q. Let me go back, to your knowledge, between the time of

13 your first and second arrest, do you know if there was any

14 armed conflict or attacks in the area surroundin

15 Vlasenica?

16 A. In Vlasenica itself there was no fighting, but in the area

17 around Vlasenica some Muslim villages were set on fire

18 such as Bare Dzamdzici, Pijuci, which meant that people

19 would come from these villages into the town, that

20 everything had been burnt down. They had no place to go

21 back to and there are many dead people.

22 Q. What, if anything, do you know about who committed these

23 attacks?

24 A. I do not know the names of the people who commanded these

25 actions.

Page 250

1 Q. Do you know whether or not they were military forces or do

2 you know whether or not they were civilians?

3 A. They were military forces because everybody was in

4 military uniforms and also the JNA uniforms as well as the

5 local people were wearing uniforms too.

6 Q. Can you please tell us what happened when you were

7 arrested on 22nd May?

8 A. On 22nd May in the afternoon I was taken from my house to

9 the police station to make a statement. However, I did

10 not make a statement, but I was arrested instead.

11 Q. Can I go back, where were you at the time that you were

12 arrested when someone first came to get you?

13 A. There was no arrest warrant when I was first detained, and

14 there was no arrest warrant the second time either.

15 Q. How do you know that there was no arrest warrant? Did you

16 ask for one?

17 A. I asked Bastah Dragan. He said that there was no need for

18 a warrant arrest.

19 Q. Are you talking about now 22nd May

20 A. Yes.

21 Q. What happened after you were told that they did not need

22 an arrest warrant? What happened to you?

23 A. I was escorted out of my house, under threat of attack.

24 I was put in the vehicle owned -- a Golf -- owned by the

25 police station of Vlasenica. There were some other local

Page 251

1 Serbs there who also got into the car. I was the only

2 Muslim in the car. I was taken to the police station.

3 9 Q. Were the local Serbs in uniform?

4 A. The man who came to collect me had camouflage uniform on,

5 and the others were in the uniforms of the reserve forces

6 of the SUP.

7 Q. Where were you brought?

8 A. I was taken to the SUP, to the police station.

9 Q. What happened after you went to the SUP?

10 A. After I was detained I was taken to the office of the

11 criminal service, but I was then -- there was a detour

12 made and I was put in the prison.

13 Q. Would you explain the difference between those two

14 locations?

15 A. The criminal service office was the office where they

16 interrogated people. But within the SUP premises they

17 made a prison, which was remodeled from a form of toilet.

18 Q. So what happened to you next?

19 A. I found people there in that prison, all of them Muslims.

20 They took us out, starting the 22nd May until the 2nd

21 June, they took us out to the office of the criminal

22 service. They beat some of them; others they interrogated

23 and beat.

24 Q. What happened to you

25 A. I was personally beaten, abused, physically abused,

Page 252

1 interrogated, and I was asked where the artillery weapon

2 called "Zis" was in my location, in my area.

3 Q. Could you tell us what happened to you during the

4 beatings? How were the beatings conducted?

5 A. Maltreatment was carried out in the following way: First,

6 they would open the door of the detention facility where

7 we were. They would point with their finger and say:

8 "You, you and you". Sometimes they would take out one

9 individual, sometimes two. The room where the

10 interrogation took place, there were two chairs and a

11 table. When we entered that room our hands were bound to

12 the table, and our chests would be against the back of the

13 chair, and our feet were tied to the legs of the chair.

14 We were stripped to the waist.

15 Q. Then what would happen?

16 A. Then they started beating us. They used various objects

17 to beat us, starting with the ordinary truncheon, police

18 truncheon, various poles and even sticks and even chains.

19 Q. During the time you were in that location, the prison, can

20 you estimate approximately how many times you were beaten?

21 A. I was beaten about five times.

22 Q. Did you receive any injuries from your beatings?

23 A. I have injuries from Zoran Obrenovic on the legs, on my

24 arms.

25 Q. Was Zoran Obrenovic one of the people who was beating you

Page 253

1 while you were at the prison?

2 A. No, not Zoran Obrazoviv but Zoran Obrenovic, yes.

3 Q. How did he inflict those injuries on you?

4 A. I was maltreated in the following way: He forced me to

5 spread out my fingers and stuck the point of his blade

6 between my -- the knife between my fingers and I had scars

7 and also in the area of my knee he stuck his knife into my

8 knee. He said, whatever he asked me, I did not know what

9 to answer because I knew I would be hit, and the third --

10 the third time I hit in the leg.

11 Q. You were hit with the knife on the leg?

12 A. Yes. After the injury, they put salt not only on my wound

13 but all the others. They put salt on the wound.

14 THE PRESIDING JUDGE: [Original in French] What were the questions they

15 put to you?

16 What questions did they ask you?

17 THE WITNESS: [Original in Bosnian] The questions they asked me were who

18 armed the

19 Muslims? Who prepared the uprising against Serbs? Where

20 is the canon, Zis? Do I know of my neighbour,

21 Mensumic(?), or the people who were active in the Muslim

22 party?

23 MISS McHENRY: Had there been an uprising against the Serbs?

24 A. In Vlasenica itself there was no rebellion. People were

25 organised in the territory of Srpske, Kalesije, Tuzla and

Page 254

1 Srebrenica.

2 Q. Were they asking you about what happened in Vlasenica or

3 what happened in those other areas?

4 A. No. We knew that there was armed resistance. Before

5 I was arrested the television showed the battlefield in

6 Kalesije and also some of what happened in Tuzla on 15th

7 May. We knew about Srebrenica, but I was asked

8 exclusively about the canon, and about the people from the

9 Muslim party who had weapons, who sold weapons, the Muslim

10 people for armed resistance against the Serbs.

11 Q. Were you being asked about people in Vlasenica or peopl

12 in other areas?

13 A. They asked me about people in Vlasenica.

14 Q. Do you know if anyone was killed during this time in the

15 prison?

16 A. Yes, I do.

17 Q. Could you tell us briefly what you know about that?

18 A. Dzamal Ambeskovic was killed, a retired policeman, traffic

19 policeman, for the area of Zvornik and he had lived in the

20 Omladinska Street at No. 13; father of three children,

21 aged about 50.

22 Q. Do you know how he was killed?

23 A. He was brought to the cell completely deformed, his face

24 completely deformed and swollen from beating, and with a

25 swollen stomach, a very swollen stomach. He was called

Page 255

1 out by Stevan Mumovic, opened the door for him and as soon

2 as he got out we could hear a shot, first a hit and then a

3 shot. After that Garic and Mumovic came in and asked us

4 to take his body out.

5 Q. Did you do that?

6 A. Yes, we did take his body down to, and put it on a vehicle

7 of the make of Tam owned by the fire brigade of Vlasenica.

8 Q. How long did you stay in the building, the prison

9 building?

10 A. In that building I remained until June 2nd.

11 Q. On June 2nd where did you go?

12 A. After that date I was taken to the municipal prison in

13 Vlasenica.

14 Q. Do you know how it was that you were transferred to the

15 municipal prison?

16 A. I was taken on foot. They took me on foot because it was

17 not far.

18 Q. Do you know why you were transferred to the prison?

19 A. I say I do not know really.

20 Q. What happened when you were at the prison?

21 A. I came to the prison on the 2nd June. I was put in cell

22 No. 1, and I was taken out of this cell on the same day.

23 I was beaten, brought back to my cell, then they listed --

24 the list was made of people who had been to this cell or

25 who were, in fact, brought in as they were brought in

1 because more people were brought in and they were placed

2 into these cells. That was done during the night, and 22

3 people were taken out of my cell during the night.

4 Q. The beating that you have just referred to, was this the

5 only beating you received when were you at the municipal

6 prison?

7 A. There was more maltreatment, but that was between the

8 2nd June and 18th June. I had been taken out on a number

9 of occasions and all kinds of experiences I had from that

10 time.

11 Q. Can you briefly tell us something about those experiences?

12 A. Maltreatment in this prison was conducted in the following

13 way: We would be brought to a toilet at the other end of

14 the corridor from the main entrance. Then we would be

15 asked to put our hands on the window, to spread our legs

16 as far as possible, so that we were totally exposed with

17 our ribs and the waist and this was all exposed for easier

18 beating.

19 Q. Would you, in fact, then be beaten?

20 A. Yes, they would beat us with their feet, with batons, with

21 rifle butts, with the whole submachine guns, with the bod

22 of the submachine gun. Then all kinds of metal bars would

23 be used, sticks, thick plastic pipes.

24 Q. Did you receive any injuries from these beatings?

25 A. Five teeth -- I lost five teeth.

Page 257

1 Q. While you were at the prison were you ever taken out to do

2 any work?

3 A. We were forced to do all kinds of things. Everything was

4 done by force, first of all, robbing Muslim houses,

5 loading different kinds of materials on to vehicles, then

6 digging trenches on the battle front, arranging the battle

7 front, then burying the dead and so on.

8 Q. As part of your work were you ever sent to Drum?

9 A. Yes.

10 Q. Could you tell us what kind of work and what you observed

11 when you were sent to Drum?

12 A. We went to Drum, were taken by -- in a vehicle, in a

13 lorry, and in front of the cafe at the exit from Drum to

14 Piskavica we found the bodies of 22 people of different

15 ages between 18 and 55.

16 Q. Did you recognise any of these people such that you could

17 tell where they were from?

18 A. Yes.

19 Q. Where were they from? Who were these people?

20 A. They were from Drum. They were the local villages, local

21 residents.

22 Q. Do you know their ethnic origin?

23 A. Their ethnic origin was Bosniac, Muslims by religion.

24 Q. Did you see any wounds or injuries that might have

25 indicated how these 22 people died?

Page 258

1 A. All of those that we buried, the 22 people, had injuries

2 from firearms and they were shot in their forehead and one

3 of them, Hodzic, had the chest riddled with bullets.

4 Q. What work did you actually do at Drum with these bodies?

5 A. We buried the bodies. We first put them on a tractor,

6 took them to the Muslim cemetery where we were asked to

7 take all their belongings, money, documents and any

8 jewellery they had on. The trench was already dug. We

9 put lime first and then a dredger was used to actually

10 pile earth on the dead bodies.

11 Q. When you left the municipal prison on June 18th where did

12 you go?

13 A. From the municipal prison we were taken on 18th May to the

14 Susica camp.

15 Q. When you say "Susica camp", had Susica always been a camp?

16 A. Before the war the sheds in Susica were owned by the

17 forestry company of Bihac -- that is the forest management

18 company; that was part of the Sipad group of companies --

19 and then at one point the territorial army used those

20 sheds to store their territorial defence unit weapons.

21 Also they had some training grounds there for young

22 people. Then some five or six years before the war an

23 additional hangar was built for the needs of the

24 territorial defence units, and in that hangar we were then

25 housed or detained.

1 MISS McHENRY: Your Honour, with the help of the clerk and

2 Mr. Dixon, I would like to show the witness what has

3 previously been marked for identification purposes as

4 Exhibit 2. (Handed) (To the witness): Sir, do you

5 recognise what that is?

6 A. Yes, this is the drawing showing the Susica camp

7 Q. Using the pointer, can you explain the diagram to us?

8 A. The Susica camp is this area, it is actually situated on

9 the locality of the Vlasenica, Han Pijesak, Pale road.

10 Then there is the road leading into the forest. That is

11 the dirt road. This is where the camp was located, along

12 that road.

13 Q. Can you point out and explain to us what the various

14 markings within the camp are and if they are not exactly

15 accurate would you please tell us how you believe the camp

16 was set out?

17 A. The Susica camp, there were two hangars there. You see

18 the two warehouses. In the first one, we had the various

19 kinds of equipment, military materials. We had to load

20 this. This was the sentry point. This is the River

21 Susica which gave the name to the camp. This is a toilet

22 with 10 cubicles, and this hangar would be about one third

23 to the right, I think, one third of the way to the right.

24 There was also a machine gun in placement, and this is the

25 electricity pole.

Page 260

1 Q. Thank you.

2 THE PRESIDING JUDGE: [Original in French] Sorry, what are the two

3 small buildings,

4 the outbuildings?

5 A. This building -- in the north, yes, yes, this ... I do not

6 know what this is. I have no idea. I know that this was

7 moved a bit higher. This building was further away from

8 the fence and the fence was just along the bank of the

9 river while the entrance was on the bridge.

10 THE PRESIDING JUDGE: [Original in French] Thank you.

11 MISS McHENRY: Thank you. Do you know who the commander of

12 Susica prison was

13 A. The commander of the Susica camp was Dragan Nikolic

14 nicknamed Jenki.

15 Q. How do you know he was the commander of the camp?

16 A. When we arrived, when we were brought to the Susica camp,

17 he was the one that we had to approach when we were taken

18 out to work, when we were -- even when we wanted to leave

19 for the toilet. Anything who came to the camp addressed

20 him and he himself actually confirmed his status using the

21 words, well, at one time he shot over the hangar, he

22 said: "I am here, God, the stick and the law".

23 Q. In his role as commander, what relationship did you

24 observe between Dragan Nikolic and the guards at the camp?

25 A. Relations between Dragan Nikolic and the camp guards was a

Page 261

1 typical, typically more than friendly. There was no

2 strict hierarchy of superior subordinate but, on the other

3 hand, the guards were not allowed to do anything without

4 his approval.

5 Q. So, in other words, it was a friendly relationship but he

6 approved whatever the guards did; is that what you are

7 saying?

8 A. Yes.

9 Q. Just a minute ago you said Dragan Nikolic shot over the

10 hangar and said he was God, the stick and the law. What

11 do you mean when you say "he shot over the hangar"?

12 A. He was shooting the height above, two metres above the

13 ground while we were seated, so he was shooting over our

14 heads just to intimidate us and frighten us, perhaps.

15 Q. Did you know Dragan Nikolic before you were at Susica?

16 A. Yes.

17 Q. Can you tell us what you know about him before you arrive

18 at the camp?

19 A. I knew about him before that, that he was employed at the

20 Alpro Company, the Bauxite Company, in Vlasenica Aluminium

21 Moulds. I used to see him in Vlasenica in town before the

22 war, of course. I know that his brother was employed in

23 the municipal administration. One of his relatives was

24 employed with me in my factory, and on the day of the

25 occupation of Vlasenica Dragan Nikolic was a member of the

1 military police, special military police units, the

2 so-called special military police units of the Serbian

3 municipality of Vlasenica, as they called themselves.

4 Q. When you arrived at Susica, can you estimate how many

5 other detainees there were?

6 A. When we entered the hangar I would say there were between

7 500 and 550 people altogether.

8 Q. Can you estimate how many men there were versus how many

9 women?

10 A. There were only eight women.

11 THE PRESIDING JUDGE: [Original in French] Can you say what was the

12 size, what was

13 the volume, of the hangar?

14 A. The hangar was about 15 metres wide and some 30 metres

15 long.

16 MISS McHENRY: How much room therefore -----

17 JUDGE RIAD: Just a clarification: Mr. Nikolic was in the 25

18 special military police unit. Was this part of the

19 Serbian army or the local police unit?

20 A. He was part of the Serbian army.

21 MISS McHENRY: Do you know with respect to your fellow

22 detainees their ethnic origin or religion?

23 A. All of them were Bosniacs and all of them were Muslim b

24 religion.

25 Q. Do you know whether or not any of these people were

Page 263

1 involved in the military or had been involved in armed

2 resistance against the Serb takeover?

3 A. No, I do not know of anybody who had been involved in that

4 way, I mean, because there was no armed resistance in

5 Vlasenica and there was nobody to take part in that.

6 Q. Was everyone that you knew at the camp a civilian?

7 A. As for people from Vlasenica, all of them were civilians.

8 Q. Can you describe generally what conditions were like at

9 the camp and by that I mean how crowded it was, what kind

10 of food or sanitary conditions there were?

11 A. I said there were some 500, 550 people altogether. We

12 were placed on a concrete floor. Some people from

13 Vlasenica who were brought when the camp was first

14 established had brought with them some blankets, so they

15 actually spread on their blankets, but the rest of us had

16 to sleep on the concrete floor. The toilet was allowed

17 only in the morning and in the evening, and we would be

18 sent out in group of 50, and during the night there was a

19 pail in a corner which was about volume of 10 litres and

20 you could then urinate there. The food was brought once a

21 day irregularly around 11 o'clock. It was rather cold.

22 It was rainy. We were greatly overcrowded. The windows

23 were closed. We did not have enough oxygen to breathe.

24 Q. How much food did you receive?

25 A. We used to get food once a day. It was around 11 o'clock,

Page 264

1 as I said, and the food, as far as the quality -- quantity

2 was concerned, was enough to feed a child; there was very

3 little food

4 Q. Was there another detainee at the camp named Durmo

5 Handzic?

6 A. Handzic, yes.

7 Q. Did you know Durmo Handzic before you were at the camp?

8 A. I knew Durmo Handzic. He was a retired worker from the

9 Bauxite Company of the Energoinvest Group from Vlasenica.

10 Q. Approximately how old would you estimate Mr. Handzic was?

11 A. Between 60 and 65, I would say.

12 Q. Was there also a detainee named Asim Zildzic?

13 A. Asim Zildzic was also in that camp. I found him there

14 when I arrived. He was the retired worker of the Sipad

15 group companies, 10th August company. He was about 50

16 years old.

17 Q. What, if anything, did you see happen to Durmo Handzic and

18 Asim Zildzic at Susica camp?

19 A. I did not understand the question.

20 Q. Did you see anything happen to Mr. Handzic and Mr. Zildzic

21 while you were at Susica?

22 A. Mr. Zildzic and Mr. Handzic were taken out. They were

23 beaten. They were brought back to the cell. Zildzic died

24 one night, and Durmo died the following morning.

25 Q. Can you tell us what you remember going back first when

1 they were called out? First of all, do you remember

2 approximately when this was?

3 A. That happened about 24th May. Between 22nd and 24th June.

4 Q. What time of the day was it approximately?

5 A. In the evening, they were taken out in the evening, the

6 first time, and beaten and they were returned to the

7 hangar, and before that they had been interrogated in the

8 office

9 Q. Let me go back. When they were called out, do you know

10 who called them out?

11 A. Dragan Nikolic called them out.

12 Q. Can you tell us in as much detail as you remember

13 everything that happened starting from the time that

14 Dragan Nikolic called them out?

15 A. From the moment of their exit until they returned, we did
16 not see what happened to them, but we heard screams, the
17 moaning, of these people. After they returned to the
18 hangar they had to take Asim out and Durmo staggered and
19 managed to reach the place that was assigned for him to
20 sleep in.

21 Q. During the time they were called out and then they were
22 outside, could you hear whether or not they were being
23 asked any questions?

24 A. In the camp they were asked questions in the hangar, but
25 I did not hear questions once they were taken out.

Page 266

1 Q. What questions did you hear them ask when they were in the
2 hangar?

3 A. In the hangar they asked Durmo Handzic where his son was,
4 who was employed by the territorial Defence of Vlasenica

5 prior to the occupation.

6 Q. Who was asking Mr. Durmo these questions?

7 A. The question was asked by Nikolic.

8 Q. Was Durmo Handzic able to answer Dragan Nikolic's

9 questions?

10 A. He answered by saying: "I do not know".

11 Q. What happened after he said he did not know?

12 A. Then he took him out again in the morning when he came

13 back. When Asim Zildzic died he told him decidedly: "Yo

14 see, Durmo, Asim has died; will you tell me now?"

15 Q. You are talking about this is the next morning; is that

16 correct?

17 A. Yes.

18 Q. Am I correct that you said that Mr. Zildzic after you

19 heard screams and moans was brought back in by some other

20 people into the hangar; is that right?

21 A. From the door of the hangar to his place he was carried by

22 some people.

23 Q. Why was he carried rather than walking himself?

24 A. He could not walk. He had been beaten up.

25 Q. What, if anything, did you observe about his condition

Page 267

1 besides that he could not walk?

2 A. He could not speak. He just sobbed, kept sobbing.

3 Q. Then what happened to him?

4 A. He died after about 15 or 20 minutes.

5 Q. So this is during the night, am I correct?

6 A. Yes.

7 Q. What happened after he died?

8 A. After he died Ferhatovic, brothers Ferhatovic, were called

9 out to take him out, to take his body out.

10 Q. Is this during the night or the next day?

11 A. They took him out during the night.

12 Q. Then what happened the next morning?

13 A. The next morning Nikolic came, he came up to Durmo Handzic

14 and told him decidedly: "Durmo, you see Asim has died,

15 will you tell me now?" Durmo responded: "Dragan, let me

16 see the sun once more." Dragan said: "No, will you tell

17 me?" Durmo started walking towards the door without his

18 approval, and after several metres he fell down and die

19 -- and collapsed.

20 Q. Then what happened?

21 A. Then Durmo was taken out too, brothers Ferhatovic buried

22 both Durmo and Asim as they said in the Muslim graveyard.

23 THE PRESIDING JUDGE: [Original in French] With your permission, we

24 would like to

25 take a break for 15 minutes so we will come back and start

Page 268

1 again at 11.30. The hearing is adjourned.

2

3 (Short Adjournment)

4 (11.30 a.m.)

5 THE PRESIDING JUDGE: [Original in French] You have the floor to

6 continue.

7 MISS McHENRY: Thank you, sir. Mr. Osmanovic, was there a

8 detainee at Susica camp named Cice Arnaut?

9 A. Yes, there was.

10 Q. Can you tell us everything you remember, if anything,

11 about what you observed happened to Cice Arnaut?

12 A. Cice Arnaut, nicknamed Cice, the son of Rifet, was in the

13 Susica camp together with us. He was beaten and kicked in

14 the chest by the Dragan Nikolic. He forced him to put his

15 head back and he put the knife of the rifle in his mouth,

16 of his rifle, the bayonet knife.

17 Q. Was this on one occasion or more than one occasion?

18 A. The beating was repeated several times, and I saw that he

19 put the knife in his mouth only once.

20 Q. Can you tell us what you remember about the time he put

21 the knife in his mouth and where did it happen exactly,

22 what did you see, was Mr. Arnaut injured?

23 A. Mr. Arnaut, as he had his head tossed back, Nikolic would

24 put the rifle, the knife it was bloody at the point, and

25 he spat out blood after that

Page 269

1 Q. Mr. Arnaut spat out blood after the knife had been, the

2 bayonet had been inside him; is that right?

3 A. Yes.

4 Q. Where was it that Dragan Nikolic put the bayonet in his

5 mouth; in other words, where was Mr. Nikolic and was

6 Mr. Arnaut?

7 A. It happened in the hangar, about several metres from where

8 I was standing.

9 Q. Did Dragan Nikolic ever asked Mr. Arnaut any questions

10 while he was beating him or prior to putting the bayonet

11 in his mouth?

12 A. Nikolic asked Arnaut where his brother was, nicknamed

13 Cene, who had illegally left Vlasenica in the direction of

14 Kladanj, and accused him of trying to rape his mother.

15 Q. I am sorry, who is accusing ----

16 A. Nikolic accused Cice.

17 Q. Was there a detainee named Dzevad Saric at Susica?

18 A. Yes, Dzevad Saric was in the Susica camp.

19 Q. I would like you to take us through, starting from the

20 beginning, what, if anything, you saw happen with respect

21 to Mr. Saric?

22 A. Dzevad Saric was employed by the People's Defence

23 Secretariat prior to the occupation of the municipality of

24 Vlasenica. He had been brought to the Susica camp.

25 Nikolic took him out and Galib Smajlovic took them both

Page 270

1 out. When they came back Dzevad walked, but he kept quiet

2 and was very pale, and Galib, when he came to his place,

3 collapsed, fainted and shook heavily.

4 Q. Then what happened?

5 A. We asked him when he came to, when Smajlovic came to, we

6 asked him why he had been beaten. He said: "My man, for

7 no reason. I was just, I was beaten for no reason

8 whatsoever and the less you know the better for you."

9 Q. What, if anything, happened next?

10 A. During the night the following were taken out: Musa Zekic

11 Dzevad Saric, Dzevad Saric and Muharem Kolarevic. After

12 that I was taken out, but only to the door. Then I was

13 returned.

14 Q. Can I go back? When you say they were taken out, can you

15 tell us what you remember about when they were taken out?

16 A. During the night when they left the hangar, Musa Zekic was

17 taken out, then Saric then Kolarevic. We could hear

18 shots first time. The second time also shots and the

19 third time we heard screams. I raised my head after

20 hearing the screams, and at that moment Zoran Obrenovic

21 came to the door together with Sladan Pajic and Djuric.

22 They asked a question, "Who has tried to escape?" Zoran

23 Obrenovic called on me telling me, "Miki, come over

24 here." When I came up to him he asked me who had tried to

25 escape. I answered: "I don't know. I was asleep."

Page 271

1 Sladan Pajic grabbed me by the chest and pushed me towards

2 the door and Kolarevic, my colleague from work, had said:

3 "I won't give him to you. There's the hangar for you and

4 you can pick and choose whomever you like, but I will not

5 allow him to be taken out." I was returned to the place

6 where I slept. I was escorted by Zoran Obrenovic. He

7 came up to Rasid Ferhatbegovic. He kicked him and just

8 told him: "Get out of here." After he got out there was

9 a shot heard, and then there was silence after that.

10 The following morning they called out: "Brothers,

11 Ferhatbegovic" to bury those people, and the rest of us,

12 at the eighth hour, near the eighth hour, the following

13 morning saw blood that had come out through the sand and

14 the blood had not been there the previous day.

15 Q. The people who came in that you referred to and initially

16 tried to take you out, were these guards at the camp or

17 soldiers from the outside?

18 A. Besides Ljubinko Djuric, he was the guard in the camp, the

19 other two they had light camouflage uniforms on and

20 belonged to the Unit for Special Action.

21 Q. So the other two were not guards at the camp; is that

22 correct?

23 A. No.

24 Q. Do you know what, if any, relationship those two people

25 had with Dragan Nikolic?

Page 272

1 A. Dragan Nikolic himself was wearing the same camouflage

2 uniform as they did, and before my arrest I had seen them

3 around the town going together, Obrenovic, Pajic, Nikolic

4 and many other individuals from Vlasenica that I know

5 personally.

6 Q. So am I correct that it was your brief that Dragan Nikolic

7 was friends with these people?

8 A. Yes.

9 THE PRESIDING JUDGE: [Original in French] If you do not mind, a

10 question is going

11 to be put to you.

12 JUDGE RIAD: I would like to have more clarification concerning

13 the Unit for Special Action and whether Nikolic was part

14 of this unit?

15 THE WITNESS: [Original in Bosnian] In the Former Yugoslav Army there

16 are

17 reconnaissance units, logistics, sabotage units whic

18 belong to some special units, to units usually called

19 "special". They wore generally light camouflage

20 uniforms. They were dressed in such uniforms in

21 Vlasenica, Obrenovic, Pajic brother, Nikolic. They

22 brought all the people, after my arrival to the Susica

23 camp they brought all the other inmates from the 18th

24 until 13th June. They were the ones who collected people

25 and brought them to the detention centre.

Page 273

1 JUDGE RIAD: What was Nikolic's role in this unit? What was

2 his grade?

3 THE WITNESS: [Original in Bosnian] I do not know what rank he had

4 there, but I used

5 to see him in front of the Crisis Headquarters which was

6 located in the administration building of the Bauxite

7 Company, with the insignia "Serbian Military Police",

8 armed, I saw him armed, and after that when I came to the

9 camp I saw him and he was the one who said: "I am here,

10 the commander, God, the stick and the law."

11 Q. Did you know of any superiors to Mr. Nikolic?

12 A. Those were superior to Nikolic while we were in the camps,

13 Susica camp, there are came somebody called Kraljevic who

14 was a lieutenant in the Yugoslav People's Army, JNA, and

15 as soon as he arrived Nikolic tried to clean the camp, to

16 arrange things, to put them in good order because he says

17 "The king is coming" because he says: "Only the king can

18 order me and nobody else", but Kraljevic has the name

19 "kral", "king", as part of the name.

20 JUDGE RIAD: Thank you.

21 MISS McHENRY: Do you have any belief about why the guard,

22 Djuric, prevented Obrenovic and the other man from taking

23 you

24 A. It seems to me that he prevented them because we worked

25 together. We had worked together for 10 years before the

Page 274

1 war. We were also friends after work, and even during the

2 working hours we were together, we worked next to each

3 other. So eight hours of our working time we spent

4 together and were friends.

5 Q. Going back to the time that when Obrenovic first came into

6 the hangar yelling: "Who tried to escape?" did you do

7 anything, to your knowledge, that led him to select you or

8 led him or Mr. Pajic to select you?

9 A. It was not possible to escape from the hangar, it was just

10 impossible, because the windows were three metres above

11 ground from the floor, the metal door was locked from the

12 outside, and they just walked in and said: "Who has tried

13 to escape? Close the windows, close" while nobody had

14 even thought of escaping.

15 Q. Do you believe that you may have made some movement that

16 caught the attention of Djuric or Obrenovic?

17 A. Yes, I made a mistake because I raised my head.

18 THE PRESIDING JUDGE: [Original in French] I would like to ask the

19 witness how was

20 the camp guarded at night? There was a shift, I suppose,

21 permanently. What type of facilities did they take? Were

22 there search lights? Could you give us some more details

23 on that?

24 THE WITNESS: [Original in Bosnian] The protection or the security in

25 the camp

Page 275

1 consisted in the fact that there were guards on duty, and

2 these were, sorry, inside the hangar there were prisoners

3 or detainees who were called the orderlies of the day.

4 THE PRESIDING JUDGE: [Original in French] The microphone is not on.

5 I did not

6 hear the witness's statement, I am sorry. Sir, could yo

7 please repeat your answer and let us hope this that time

8 technical aspects will not let us down. Please go ahead.

9 THE WITNESS: [Original in Bosnian] The hangar -- within the hangar there

10 were the

11 appointed orderlies from among the detainees, orderlies of

12 the day. On the outside of the hangar, the gate, the main

13 gate, was floodlit with two spot lights. The door was

14 locked. It was a metal door. There was also barbed wire

15 around the camp. The windows, as I already said, were

16 very high above the floor, and there was no opportunity or

17 no possibility, even the windows, if you wanted to climb

18 the windows they were so small that a man could hardly go

19 through them.

20 MISS McHENRY: Were there instances of mistreatment or abuse by

21 Dragan Nikolic besides the ones that you have already told

22 us about this morning?

23 A. Yes, there were.

24 Q. Can you tell us what, if anything, you remember about

25 those or can you describe them in any way?

Page 276

1 A. For instance, I personally was forced to sit for about 40

2 hours in water.

3 Q. Who ordered you to sit in the water?

4 A. Nikolic.

5 Q. Please go on.

6 A. Another detainee known as "Brizo", the nickname "Brizo",

7 he beat that man. The two brothers Muminovic he

8 separated, saying -- he came one night and said: "Let us
9 take out everything that we have in our pockets" and he
10 wanted to see all our belongings in front of us, and in
11 the morning when he came, he came to Garli Muminovic and
12 his brother. He found a set of tractor keys and car -
13 and a set of car keys, and then he said: "Oh, now, you
14 bastards, I am saving your -- I am trying to secure your
15 wives and your children and you are hiding these things
16 your belongings in the forest, but I found them all."
17 Then he maltreated a woman who was a younger woman, about
18 20 years of age. He asked her whether she would marry
19 another detainee who was one of us, but who was the
20 orderly of the day, and who was actually Nikolic's friend
21 from before the war. Then he asked another man to sell
22 his wife to him and so on.

23 Q. Did you ever observe Dragan Nikolic trying to scare any

24 detainees by using his pistol in some way?

25 A. Yes, I did.

Page 277

1 Q. Please tell us what you remember about that?

2 A. Dragan Nikolic was armed. He had two hand grenades on

3 him. He had pistol 7.67 millimetres, TT brand, made by

4 the Zastava 101 Yugoslav company; he had a bayonet; he had

5 a gas cylinder or a gas grenade and an automatic rifle

6 calibre 7.62. Then he would come to individual people.

7 He would cock the pistol and then pull the trigger

8 although there was no bullet in the gun. He asked now:

9 "What happens now if I now pull the trigger if I simply

10 drop this grenade and suffocate you" or "you are not worth

11 the cigarette butt". Then he shot from his automatic

12 rifle above our heads.

13 Q. When you say "sometimes he would cock his pistol and then

14 pull the trigger even though it was empty", would the

15 pistol be pointed at anyone?

16 A. Yes.

17 Q. I know it cannot be easy but, as best you can, can yo

18 describe how you felt, your psychological condition, when

19 you were at Susica?

20 A. In the Susica camp I found between 500 and 550 people,

21 eight women among them, I found my younger brother there

22 who had been brought to the camp just a few days before

23 me. The situation in the camp was the following: We were

24 divided into groups and in one group we had people from

25 the Kalesije municipality and Cekovici municipality; in

Page 278

1 the second group we had people from the Vlasenica

2 municipality, these were larger groups, and then there

3 were smaller groups for women; also, for some people who

4 had just returned from the regular army service in the

5 Yugoslav National Army, and a third smaller group was the

6 group of people who he had separated so that they could

7 sit by the door.

8 During -- I mean, everybody actually during the night

9 everybody waited for the day to come because day meant

10 going out to work, not seeing what was happening. The

11 maltreatment and suffering was a bit less, while the night

12 was the night of horror.

13 Q. When you say it was a "night of horror" why were the

14 nights full of horror?

15 A. Well, Durmo Handzic, for instance, Asim Zildzic were

16 beaten during the night and Zildzic actually died during

17 the night, as I already said. Some people were killed

18 during the night. So, everybody who was taken out of the

19 hangar and had never returned, that happened always during

20 the night, and so people who were taken out and never

21 brought back were actually taken out during the night, so

22 the nights were nights of fear

23 Q. Were you afraid during the night that you might be taken

24 out?

25 A. Yes, of course.

Page 279

1 Q. Did there come a time when you were able to leave Susica?

2 A. I went out of the Susica camp accompanied by the guards,

3 that is when we went to work outside.

4 Q. Did there come a time when you left Susica and were

5 transferred to another location?

6 A. On 30th June I was transported to the Batkovic camp.

7 Q. Can you describe the circumstances by which you left

8 Susica and were brought to Batkovic?

9 A. The circumstances of my departure towards Batkovic, the

10 circumstances were the following: They would call our

11 names. Then we went through a line up and we came to the

12 bus. We sat on the bus and we were beaten on the way, and

13 those who were beating us were singing the praises of the

14 Serbian Chetniks during the war, such as Mihalovic. They

15 said (indecipherable): "Prepare the salad; there will be

16 meat and we will kill and slaughter the Croats". There

17 were Serbian nationalistic songs which had been legally

18 banned during the socialist times.

19 Q. Going back to the time that your names were called out at

20 Susica and then you were put on the buses, who was

21 involved in organising this departure, calling out the

22 names and thing likes that?

23 A. The transport was actually done on three occasions in

24 three groups. The first group left on 27th June. That

25 was the Kalesije group. They were told that they would be

Page 280

1 exchanged on 27th -- until the 27th June, then 30 per cent

2 of people from Kalesije left, and then from another

3 village people from another village, and they were also

4 told that they would be exchanged.

5 We were collected on 30th June. Around noon they

6 called our names. That was Veljko Basic who called the

7 names, but actually he received the list from Nikolic, and

8 during all three transports, the first and second

9 transport, Nikolic actually was the one who gave the list

10 to Basic.

11 Q. Do you know the position, if any, of Veljko Basic?

12 A. Veljko Basic was a retired police worker from Vlasenica,

13 and when I was transported to Batkovic I asked Nikolic

14 whether my brother could go with me so that we would not

15 be separated. Nikolic said: "Ask Veljko Basic because he

16 said he has the last word". So I went to Veljko Basic to

17 ask but he would not allow this.

18 Q. Is this your younger brother that you said was at the camp

19 when you arrived?

20 A. Yes.

21 Q. So was your brother permitted to go on the bus with you

22 when you were sent to Batkovic?

23 A. No, no. This was not allowed.

24 Q. What, if anything, happened to your brother?

25 A. I never saw him again. We have tried through the

Page 281

1 International Red Cross. We resorted to a tracing service

2 but without success.

3 Q. When you refer to the International Red Cross, did the

4 International Red Cross ever come to Susica camp when you

5 were there?

6 A. No.

7 Q. On 30th June then you were transferred to Batkovic; i

8 that correct?

9 A. Yes.

10 Q. How long did you spend at Batkovic camp?

11 A. I spent the time between the 30th June 1992 until the 27th

12 July 1993.

13 Q. Can you tell your Honours approximately where the Batkovic

14 camp was located, what part of the Republic of

15 Bosnia-Herzegovina it was and about how far away it was

16 from Vlasenica?

17 THE PRESIDING JUDGE: [Original in French] Counsel for the Prosecution,

18 could I

19 interrupt you?

20 MISS McHENRY: Yes.

21 THE PRESIDING JUDGE: [Original in French] The Batkovic camp, was it or

22 was it not

23 led by Dragan Nikolic? I do not think it was, was it?

24 MISS McHENRY: No, it was not.

25 THE PRESIDING JUDGE: [Original in French] Good, fine. This question

Page 282

1 then regarding

2 the process, the actions you are taking, your office,

3 against Dragan Nikolic, I am wondering whether we should

4 really start talking about this particular description.

5 You have called the witness. It is up to you. If you

6 think it is useful to continue this explanation by the

7 witness of his suffering, as far as I am concerned, I do

8 not think my colleagues have any objection to this. There

9 is no problem, I think, dealing with this one month period

10 at the Batkovic camp. However, maybe you could explain to

11 us very briefly the reasons why you would like to ask the

12 witness these questions, whether or not it is useful or

13 important regarding the accusation.

14 MISS McHENRY: Certainly, your Honour. With respect to the

15 transfer to Batkovic, one of the reasons I specificall

16 wanted to do that is because one of the counts of the

17 indictment -- excuse me while I find exactly which

18 one -- I believe count 22, is charging Nikolic with the

19 unlawful transfer of civilians from Susica camp do

20 Batkovic camp. So that is a specific count in the

21 indictment under articles 2(g) of our Statute.

22 THE PRESIDING JUDGE: [Original in French] So I understand, Madam, that

23 you intend

24 asking questions regarding conditions in which the

25 transfer took place?

Page 283

1 MISS McHENRY: I believe that I have just generally got those

2 conditions. The other reason I was going to ask him to

3 describe very briefly where Batkovic was and what kind of

4 treatment he had at Batkovic because I believe it may go

5 to the widespread systematic nature of what happened, and

6 then which I believe is something the Prosecutor must

7 establish, certainly for Article 5 of our Statute. But

8 I do not plan on going into as much detail as we have with

9 respect to the Susica camp.

10 THE PRESIDING JUDGE: [Original in French] I would like to ask you for

11 a few

12 moments.

13 Thank you. Counsel for the Prosecution, Madam, the

14 Tribunal is of the opinion that it is correct for you to

15 explain the conditions of transfer which are part of the

16 indictment, and that the witness may tell us about these

17 conditions but more briefly regarding the Batkovic camp.

18 The second point, which is more detailed but which we have

19 to rectify -- this is not a detail, of course, for the

20 witness -- I would like to ask you this, whether or not in

21 the Batkovic camp the witness stayed there one year or one

22 month. Could you please tell us that, make that clear

23 MISS McHENRY: Your Honours, I believe the witness stayed at

24 Batkovic for one year and it is, with respect to your

25 first point, the case that my questions about Batkovic are

Page 284

1 really directed just to showing a widespread and

2 systematic nature as well as the sort of State action and

3 some of those elements, so they will be very brief, as

4 your Honour has indicated.

5 THE PRESIDING JUDGE: [Original in French] Let there be no

6 misunderstanding,

7 especially regarding the role of the witness. It is not

8 the intention at all of the Tribunal to cut down the

9 amount of time available to him. This is an indictment

10 against somebody called Dragan Nikolic. We are in the

11 Tribunal and, of course, we do not want to skirt around

12 the issue in any way whatsoever, so perhaps I can suggest

13 the following: You can ask questions regarding conditions

14 for the transfer and then subsequently we could ask the

15 witness to speak freely and at greater length if he wants

16 to regarding the conditions of detention. That is what I

17 would like to suggest.

18 MISS McHENRY (To the witness): Can you tell us approximately

19 where Batkovic is and, if you know, approximately how far

20 you had to travel to be transferred from Susica to

21 Batkovic camp?

22 A. The Batkovic camp was located about 10 or 12 kilometres

23 from Bijeljina in the direction of Dvorvi, left direction,

24 near the agriculture faculty in Bijeljina. This was the

25 agriculture farming estate called Semberija. Bijeljina is

Page 285

1 about 100 kilometers from Vlasenica. The transport took

2 about four or five hours because we arrived there in early

3 evening, to Batkovic

4 Q. If you like, sir, can you briefly describe generally the

5 kind of treatment you saw or experienced during your year

6 at Batkovic?

7 A. The treatment in Batkovic, from the moment when we came

8 there, we ran the gauntlet until we came into the hangar

9 and were beaten in the process. There was a roll call in

10 hangar one by one. We again had to go between two lines

11 of Chetniks, were beaten and then we were placed against

12 the wall of that hangar, and the escorts who were with us

13 during the transportation asked us to hand over any

14 valuables, watches, money, jewellery. They also took some

15 leather jackets from some individual prisoners.

16 Q. After you were led into the Batkovic camp during the year

17 you were there did you witness or yourself experience any

18 mistreatment?

19 A. Yes, I saw it and I suffered it myself.

20 Q. Without going into detail, can you describe generally the

21 kinds of mistreatment you yourself experienced and the

22 kind you saw?

23 A. I was physically abused. I was beaten, and I also saw

24 others being beaten, and some of those who were beaten

25 succumbed to this beating -- died.

Page 286

1 Q. When were you released from Batkovic?

2 A. I left Batkovic on 21st July in 1993 through the mediation

3 of the International Committee of the Red Cross.

4 MISS McHENRY: Your Honours, I have no additional questions for

5 this witness.

6 JUDGE ODIO BENITO: Thank you. Mr. Osmanovic, are you married?

7 A. No.

8 Q. Were you married when you were in the Susica camp

9 A. No, I was not.

10 Q. Did you live with your family in Vlasenica?

11 A. Yes.

12 Q. Your father, mother, brothers, sisters?

13 A. My -- in my family I had a mother, three sisters, two

14 brothers, a father -- the father died before the war -- my

15 older brother had lived in the surroundings of Vlasenica.

16 His wife told me later that he had been killed in the

17 Susica camp and in the Susica camp, my younger sister

18 remained behind in the Susica camp and my younger brother.

19 Q. Your sister? Your younger sister?

20 A. Yes, one sister, the youngest of the sisters, born in

21 1975.

22 Q. When you arrived at the Susica camp, you saw eight women

23 there. When you arrived at the Susica camp you saw eight

24 women there; is that correct?

25 A. Yes, that is right, that is correct.

1 Q. Did you know them before?

2 A. Yes, I did know the oldest woman by sight and I also knew

3 the young woman relatively well, the youngest among them.

4 Q. They were young and old women there?

5 A. Yes.

6 Q. Were they living together with the men in the same place

7 or were they in a separate place?

8 A. In the area of the hangar we were altogether. The only

9 difference was that they slept in an area where they did

10 not come in contact with the women -- with the men, but we

11 were in the same room, in the same hall, hangar.

12 Q. Do you know what happened to them?

13 A. The youngest one is now in Tuzla, and the others left the

14 area, the Susica camp. I have not seen them since because

15 there was a group of inmates who were taken out -- if you

16 allow me, I can explain this. There was a group of women

17 who were taken out of the camp and children and older

18 people. They were taken out in an unknown direction, so

19 that these women also left the camp together with the

20 others.

21 Q. When they were there in the camp every day, do you know

22 what happened at that time in second camp?

23 A. Inside the camp while we were there, during my time there

24 from the 18th of June, another group of women was brought

25 on 25th and children and older people and adults. They

Page 288

1 included Cica and Adana Patkovic, Enisa Topalovic. There

2 was a girl called Lela Delic. There were parents, there

3 were children, there were babies, people under age.

4 Q. What happened to them? They were beaten, tortured,

5 killed, what happened to them?

6 A. We heard that Lela had been raped, but we heard that when

7 we came to Tuzla. The evening when Saric was called out,

8 Kolarevic and Zekic, they were not in the hangar.

9 JUDGE ODIO BENITO: Thank you.

10 JUDGE RIAD: I understood that Nikolic did not represent the

11 local forces but was linked to the JNA army. Is this

12 conclusion right?

13 A. I do not know what he represented, but I know he

14 represented authority, some authority.

15 Q. But you say it was the unit for special action? He

16 belonged to the unit for special action of the ex Yugoslav

17 army; is that right?

18 A. No. He was a member of their unit in the area of th

19 Vlasenica municipality.

20 Q. Yes, sorry, he belonged to that unit?

21 A. Yes, he did.

22 JUDGE RIAD: Thank you very much.

23 THE PRESIDING JUDGE: [Original in French] I would also like to ask you

24 a question:

25 The total duration of your detention from the point of

Page 289

1 your departure from the Opstina, how many months or how

2 many years did that last in total, please, until you came

3 under the protection of the Red Cross?

4 A. Since the day, my first day, which was the 22nd May 1992,

5 until the 21st July 1993 -- exactly 13 months and 29 days.

6 Q. At Batkovic (and this is the only question I have about

7 that camp), did you witness during the night, in

8 particular, scenes similar to those that you witnessed at

9 the Susica camp concerning, for example, Durmo?

10 A. Yes, I was there when they took out people, both during

11 the day and during the night. They took out Amir Berbic

12 whom they nicknamed "Serbo sjek" which means the cutter of

13 Serbs; Mostacevic Nedim, whom they nicknamed "Green

14 beret"; Alija Horseman, nicknamed "Horseman" from Bjelina

15 Savic Djevic Zecevic, an owner of a restaurant, Hussain

16 Smajic, the butcher from Bjelina, Edin nicknamed "builder"

17 from Kalesije. Those are the people who were marked by

18 them and were taken out every day on a daily basis and

19 were beaten.

20 Q. Were a number of people killed?

21 A. Yes. The first one to die from beating was Zulfo

22 Hadziomerovic, a retired worker of the veterinarian

23 station in Vlasenica; Hussain Zlatar also died; Ferid

24 Zecevic, the man from Tersak, but I also heard that on

25 was shot dead in Batkovic.

1 Q. I would like also to ask you a different question

2 regarding the period before the war in the village. Did

3 you have any particular political or trade union

4 responsibilities? Were you a member of an Islamic party?

5 Did you belong to an association or any grouping involved

6 at the municipal level or involved in political

7 activities, democratically speaking, of course?

8 A. Yes. I was a member of the -- I had been a member of the

9 league of communists of Yugoslavia which was a political

10 organisation, and I was also a volunteer of the fire

11 brigade, of the voluntary fire brigade in Vlasenica.

12 Q. One final question, very simply, please, and speak very

13 freely, what are the feelings that you conserve now

14 regarding all these events which took place? What are the

15 feelings which you presently have?

16 A. I went through that earlier, this is my history, my life,

17 something I obviously could not miss.

18 Q. I think that this testimony has now been completed so we

19 can accompany him to the place which has been reserved for

20 him. If he could be showed out straightaway, then we will

21 discuss how we organise the rest of our work for the end

22 of the morning session and then how we work this

23 afternoon.

24 The Tribunal thanks you for your testimony.

25 (The witness withdrew)

Page 291

1 Counsel for the prosecution, the floor is yours.

2 Please make to us some proposals. It is now 12.25.

3 Normally speaking, we would finish on a daily basis at

4 1 o'clock. We have a very long programme of hearing

5 until the end of next week. On the other hand, only you

6 know whether or not it is possible to interrupt a

7 testimony. Therefore, it is up to you to guide us in

8 organising our discussions.

9 So, would you suggest that we take the next witness

10 and go on to 1 o'clock and then we come back at 2.30 with

11 the rest, or would you prefer us to break off now and then

12 we would start again at 2 o'clock?

13 MR. NIEMANN: If your Honours please, I am happy to start

14 now. The witness is ready to come forward and give his

15 testimony. He is presently waiting to do so. I do not

16 think there would be any difficulty in him starting his

17 evidence now and having it broken at 1 o'clock for the

18 adjournment.

19 Your Honour, in respect of the next witness that

20 I wish to call, we have spoken to that witness and he has

21 indicated to us that he is prepared to give his evidence.

22 THE PRESIDING JUDGE: [Original in French] Excuse me, counsel for the

23 Prosecution.

24 I would like to consult my colleagues on your proposal, if

25 I may. Yes. Counsel for the Prosecution, the Tribunal

Page 292

1 welcomes your proposal which, of course, is so much in

2 line with our wishes regarding the organisation of our

3 discussions.

4 Before you introduce the next witness, as we do for

5 each witness, please tell us the conditions in which the

6 next witness (whose name I will not yet reveal) wishes to

7 make his testimony.

8 MR. NIEMANN: If your Honours please, we have spoken to the

9 next witness that we propose to call. That witness has

10 indicated to us that he is prepared to give his evidenc

11 in public, and for that reason we seek a lifting of the

12 non-disclosure order in respect of that witness in respect

13 of all matters except for his address.

14 THE PRESIDING JUDGE: [Original in French] The Tribunal notes your

15 request, and can

16 accept it, of course. The address of the following

17 witness will not be revealed, will not be mentioned. You

18 will be revealing to us the identity of the witness.

19 I would like to ask the Registrar to note the request

20 which you have made and the answer of the Tribunal, so we

21 can introduce the next witness and you can tell us

22 immediately the identity of that witness.

23 MR. NIEMANN: If your Honours please. I call Redjo Cakusic.

24 REDJO CAKISIC called.

25 THE PRESIDING JUDGE: [Original in French] Mr. Cakusic, would you

1 please read out the solemn declaration?

2 THE WITNESS: [Original in Bosnian] I solemnly declare that

3 I speak the truth, the whole truth and nothing but the

4 truth, and nothing but the truth.

5 (The witness was sworn)

6 THE PRESIDING JUDGE: [Original in French] Mr. Cakusic, please feel

7 free to sit

8 down. The Tribunal, as was the case for the other people

9 who have come with you, would like to thank you for coming

10 here in conditions which we know are difficult, both in

11 terms of material considerations, physical considerations

12 and in terms of moral considerations. Let me remind you

13 that you appear in an international Tribunal which is a place

14 of justice. So you are under the protection of the

15 justice system and you can feel completely serene about

16 your testimony.

17 If at any time at all during your testimony yo

18 experience any difficulties of any nature whatsoever, do

19 not hesitate to communicate those to the Tribunal.

20 Counsel for the Prosecution, you can begin your

21 examination of the witness.

22 MR. NIEMANN: If it pleases your Honours. Is your full name

23 Redjo Cakusic?

24 A. Yes.

25 Q. When were you born?

Page 294

1 A. I was born on 4th April 1957.

2 Q. Where were you born?

3 A. In the municipality of Vlasenica, the village of

4 Piskavica.

5 Q. Where had you lived for most of your life prior to 1992?

6 A. I lived in my native village in Piskavica.

7 Q. Did you spend a period of time doing service in the army

8 of the former Yugoslavia?

9 A. Yes, I did. I served in the JNA. For 15 months I was

10 drafted and when I finished my years of service, then

11 I was kept on the reserve list for 10 years and I was

12 called up for military exercises every year, once a year.

13 Q. Did you do your military service in the years 1976 to

14 1978?

15 A. Yes, the period -- I cannot give you the -- I served that

16 I was in the -- I was regularly drafted. I was a

17 conscript and as soon as I was released they put me on the

18 reserve unit so that we would then have yearly exercises

19 for 15 days, 10 to 15 days, so I went for about 10 years

20 each year.

21 Q. I would now ask you to cast your mind back, if you would,

22 until just immediately prior to June 1992 and if you coul

23 tell me your recollections of the events around about that

24 time in your village?

25 A. I can tell you that, I can tell you how I was detained,

Page 295

1 how I was captured and taken to the camp.

2 Q. Yes. Please do that.

3 A. I worked at the beginning of the war, I worked in the

4 forestry company and I went to my work on a daily basis

5 until the 2nd June. On 2nd June I went to work that

6 morning. I was waiting for the bus in front to take me to

7 my job. The bus did not come. So I started to walk to

8 the next bus stop hoping to catch the next bus, so

9 I waited there.

10 I heard some kind of running noise of engines, army

11 vehicles, tanks. I saw people running out of their

12 houses, so I came back to my house. I sat -- as soon as

13 I came, my wife said: "Why did you come back?" But

14 I said: "No, I cannot go because the tanks and army

15 vehicles are moving in our direction." So I had my

16 breakfast and had a cup of coffee. I did not smoke for an

17 hour or two. Then I saw three soldiers.

18 Q. Did you recognise who those soldiers were?

19 A. They came towards my house.

20 Q. Yes.

21 A. Then they called me. I came out of the house. Then they

22 pointed their automatic guns, one had a machine gun, heavy

23 machine gun, pointed at me and they asked me for weapons.

24 I said: "I have no weapons".

25 Q. How were these men dressed?

1 A. Two of them were dressed in the normal -- in the normal

2 uniforms of the former army and one was in a mor

3 colourful uniform.

4 Q. When you say the former army, you are referring to the

5 JNA?

6 A. Yes, yes, that is what I mean.

7 Q. Did you know what the more colourful uniform represented

8 at that stage?

9 A. I did not know. It was just different. I saw it for the

10 first time, I must say.

11 Q. Then what did they do when they came to you?

12 A. Well, they asked me for weapons. I told them: "I have no

13 weapons. I have just returned from work. I have no

14 weapons".

15 Q. Did they conduct a search of either you or your property?

16 A. No. They did not enter my house. They looked around the

17 house a little. But they separated me from my wife and

18 children immediately, and they told me to go to my father

19 who already had his hands at his back, behind his head,

20 and as soon as I saw this I realised that they might want

21 to kill me, but my wife and children actually remained

22 there and I was -- I went to my father's house.

23 Q. Where was your father's house in relation to your house?

24 A. Just a little below my house, maybe 30, 20 to 30 metres.

25 Q. What was the name of village where your house was?

Page 297

1 A. This is the Piskavica and Pustosi. There are two names

2 for the same location, Piskavica.

3 Q. How far is that from the city of Vlasenica?

4 A. Two kilometres.

5 Q. Prior to this time, this is 2nd June 1992, had there been

6 a change of administration in Vlasenica?

7 A. There were some houses had been burnt. When I went t

8 work or returned from work, I could see tanks and armoured

9 vehicles at the point of entry into the town of

10 Vlasenica. We were checked at the checking point and

11 whenever I went, actually there was a guard with me so

12 I would not escape.

13 Q. This is when you went to work?

14 A. Yes.

15 Q. Did you have to have any papers to permit to you travel

16 from your home in Piskavica to your work?

17 A. Well, they asked -- we had the so-called passes. We were

18 given these so that we could go to work.

19 Q. For how long had you been going to work, approximately,

20 for how long had you had to use these passes to go to and

21 from your work to your home up until 2nd June?

22 A. I think, as far as I can recall, around the 21st April,

23 that was the time when it was introduced. Then until

24 I was actually imprisoned, I think this was the time when

25 we needed these passes, until the occupation of Vlasenica.

Page 298

1 Q. Thank you. I interrupted you. I would like to take you

2 back to the point when you were told to go to your

3 father's house. What happened at that point?

4 A. I came to my father's house. I also had to have my hands

5 behind my head. Then my wife and the three children were

6 brought down and were then taken to another village. They

7 asked me, sorry, the army people went -- the soldiers went

8 to another village. They asked me if there were any

9 villages on the same road. I said: "Yes". Two of them

10 left and one soldier remained with us. The soldier

11 allowed me then to smoke a cigarette -- I asked him -- and

12 he actually, I could then take my hands down from m

13 back. Then this was a bit of a rest for me. But in about

14 an hour's time the other two soldiers returned, bringing

15 with them a woman and an elderly man, I mean, both the

16 couple were elderly.

17 Q. When these soldiers returned what happened then?

18 A. Then they took us some 500 metres from the house, asked us

19 again to put our hands behind our heads, and my father and

20 myself were the only men plus a man from another village.

21 Q. Did you know the other man's name from the other village?

22 A. The man that they brought with them, I used to know his

23 name. I think Ibro Zekic and his wife, Zada. These are

24 the only names that I remember.

25 So we walked for about 500 metres with our hands

Page 299

1 behind our heads. That was the three men plus wives and

2 children behind us. The guns were pointed at us so that

3 we do not try to escape, and when I looked around there

4 were more women and more men in front of a house. This

5 was a Serb house. Then I felt a bit better because I saw

6 people around. So they brought us all together. We stood

7 there for three to four hours.

8 Q. Where were you standing for three to four hours?

9 A. We were standing in the courtyard, in a yard.

10 Q. This was in the village of Piskavica, was it?

11 A. Yes, yes.

12 Q. After that three to four hours, what happened then?

13 A. Well, there came two military trucks. They stopped and

14 they put us all, some 50 people, on to these trucks. Then

15 the people started screaming. Women were crying.

16 Children were screaming. Then they said: "No, do not

17 worry, do not worry, the men will come behind you" so the

18 put us men also on the trucks, and we drove towards

19 Vlasenica and I saw the situation. I saw some dead people

20 along the road, and as we came closer to Vlasenica.

21 Q. Of these dead people that you saw on the road, did you

22 recognise any of those people?

23 A. I recognised four men. I could only recognise those four.

24 Q. Of these four men, do you know what religion they were?

25 A. They were Muslims.

Page 300

1 Q. Were any of them involved in the army or military? Were

2 they in active service?

3 A. No, no. They were civilians. They were all in civilian

4 clothes.

5 Q. Then where did you go when you went towards Vlasenica?

6 A. Then they brought us into town. They took us to the

7 Bauxite company administrative building. Then two soldiers

8 remained with us. They were guarding the truck and they

9 started some negotiation. We did not stay long there,

10 just about half an hour, and then we started again towards

11 Pale. They said we go in the direction of Pale.

12 Then we went to about -- for about 500 metres and

13 then we turned, and they went towards the part of the town

14 where my company was, where my work post was. So I said:

15 "Well, we are now moving towards the dark 'mracni do dor'

16 that is, the dark gorge, and I feared that you will be

17 killed there". So I felt at one point that we stopped.

18 I stopped mere the military sheds. They asked us to get

19 off the trucks.

20 Q. Where were these military sheds? What was the name of the

21 place where these military sheds were?

22 A. Susica was the same

23 Q. You said I think a moment ago that your company had

24 property in this area; is that right?

25 A. Yes. Yes, they called this "sheds".

Page 301

1 Q. In the course of your work were you familiar with this

2 area?

3 A. Yes, yes, I knew it very well. I knew this was a military

4 installation, so we would always come there. I would be

5 passing these sheds and there were always guards posted

6 and so on.

7 Q. When you got to the camp I think you said you had to

8 disembark off the trucks; is that right?

9 A. Yes, yes.

10 Q. Can you tell the court what happened then after you got

11 off the trucks?

12 A. There we got off the truck and they started searching us.

13 They took everything away. They seized everything we

14 owned and they did not allow us to take anything in, the

15 cigarettes, they left some cigarettes for me, and they

16 took away my money, about 6 billion dinars of that kind of

17 money from that time.

18 Q. You said that you were searched. Do you know who searched

19 you?

20 A. I could not tell you right now because I was really in

21 panic at the time, and so I cannot remember their names at

22 this point, who did the search.

23 Q. Can you remember how they were dressed?

24 A. They were dressed in the uniform of the former Yugoslav

25 army.

Page 302

1 Q. Were all the people that carried out the search dressed in

2 this way

3 A. Those who searched me had that uniform on. Some of them

4 had these colourful camouflage uniforms.

5 Q. Did you recognise anyone when you arrived at the camp?

6 A. I only recognised the guard called Jovic and Nikolic.

7 Q. The person Nikolic, did you know his full name?

8 A. I know that he was called Nikolic, and also they called

9 him "Jenki". That is how they called him around there.

10 I cannot remember his surname now -- his name, only as

11 Dragan Nikolic, and he was called "Jenki" around the

12 camp.

13 Q. Had you known this person, Dragan Nikolic, before you

14 arrived and saw him there that day at the camp?

15 A. Yes, I had. He was a fellow student in the same class

16 with me. He was a class mate. In the third and fourth

17 form he was my class mate. And I used to see a lot of him

18 in Vlasenica, but I did not socialise with him. I did not

19 go to coffee houses with him. We did not spend time

20 together.

21 Q. But during the period of your life leading up until 1992

22 is it fair to say that you saw him from time to time in

23 Vlasenica?

24 A. Yes.

25 Q. Did you know then or did you subsequently discover what

Page 303

1 position this person, Dragan Nikolic, had in the camp?

2 A. Yes. As soon as I arrived there I found out that he was

3 some kind of commander of the camp, that he would be

4 commander of the camp.

5 Q. What happened to you after you were searched?

6 A. After they searched me they took me to the hangar where

7 I saw about 10 or even 20 people. They had just brought

8 me there. By the end of the day about 100 people had been

9 brought to the hangar and then some women were brought in

10 too. They practically packed the hangar full.

11 Q. Did this person, Dragan Nikolic, say anything to the

12 people when you arrived at the camp?

13 A. Yes, he did say things. "I brought you" -- "Alija has

14 made you come to this; he betrayed you", "Alija" meaning

15 Alija Izetbegovic no doubt.

16 Q. What happened then?

17 A. That first night nothing happened. When women and

18 children had gone, about 200 men remained behind, and then

19 they started beating us. Dragan hit individual men.

20 Q. Were you beaten at this time?

21 A. Yes, on one occasion Dragan took me out. He called my

22 name, he took me out. There were two soldiers whom I did

23 not recognise in camouflage uniforms. He said: "Here,

24 young men, here is your supper tonight."

25 Q. How were you beaten? With what were you beaten?

Page 304

1 A. I was kicked and with -- I was hit with rifle butts.

2 THE PRESIDING JUDGE: [Original in French] Sorry, I would like to ask

3 the witness

4 what does this mean, "You will have something to eat

5 tonight, you will get something tonight, here is your

6 supper"?

7 A. So that I should be beaten. That is what he meant. That

8 is how I interpreted that. There was nothing else to

9 interpret it. There was no other way.

10 MR. NIEMANN: Where were you beaten?

11 A. I was beaten on the back. I felt the rifle butt in my

12 back and also they kicked me on my stomach, on the ribs,

13 and when I fell down, when I -- then they started walkin

14 over me. I cannot remember any of the details, any more

15 details. I was just brought into the hangar after that.

16 I lay down next to my father.

17 Q. Did you remain conscious throughout the beating?

18 A. No, I did not remain conscious all the time.

19 Q. Did you become unconscious and then regain consciousness

20 again from time to time?

21 A. As far as I remember, I regained consciousness on one

22 occasion when they were beating me. I cannot claim how

23 long it lasted, five, 10 or 20 minutes -- I think about 20

24 minutes.

25 Q. When you said you were brought back into the hangar after

Page 305

1 the beating were you able to walk at all on your own at

2 this stage?

3 A. No, I was not.

4 Q. How long did it take before you were able to walk on your

5 own again?

6 A. About seven days it took me to get well again.

7 Q. During the course of this beating where was Dragan

8 Nikolic, so far as you know?

9 A. Dragan Nikolic at the time, he had left. He did not hit

10 me at that time. He went to the sentry post where their

11 office was, the guards' office was. I could not see him.

12 I could not see whether he came.

13 Q. Was the sentry post contained in the camp itself that

14 Dragan Nikolic went to?

15 A. Yes, it was.

16 Q. Was this the place where Dragan Nikolic used to go on a

17 regular basis?

18 A. Yes. They were about 20 metres from where we were

19 THE PRESIDING JUDGE: [Original in French] Excuse me. I am sorry to

20 interrupt,

21 could we give the witness the plan which you showed us

22 before about the camp in Susica to see whether he

23 recognises it, and also to tell us where precisely Dragan

24 Nikolic was.

25 MR. NIEMANN: I was about to do that, your Honour. (Handed)

Page 306

1 Perhaps Mr. Dixon might help, perhaps the witness might be

2 given a pen? (To the witness): Mr. Cakusic, would you

3 please look at that map, the plan, that you see there.

4 Firstly, do you recognise what it is?

5 A. Yes. I do quite well.

6 Q. What is it?

7 A. That is the camp for us.

8 Q. That is the camp at Susica, is it?

9 A. Yes.

10 Q. OK. Just looking at that camp, can you tell us, firstly,

11 where the building is that you were retained in, please?

12 A. In this upper one.

13 Q. I see. When you said that Dragan Nikolic went off at the

14 time of your beating, can you show the place to which he

15 went?

16 A. He went to this guard house here, to this sentry post.

17 Q. Is that the place where Dragan Nikolic normally stayed?

18 A. Yes.

19 Q. Where did your beating take place, approximately?

20 A. About there.

21 Q. Could you just hold your pen on it for a moment longer?

22 OK. Do you see in the plan immediately in front of you

23 the power pole, the A frame?

24 A. Yes, I can see it

25 Q. Did you ever see things happen at that particular place?

Page 307

1 A. Yes. They were mostly tied to that tower and they were

2 beaten there.

3 Q. Do you see the other black building, the one next to the

4 one that you were stationed in, what was that building

5 used for?

6 A. That building had been used as a military facility. They

7 came and took military uniforms from that building.

8 Q. Do you see behind the building in which you were kept, the

9 hangar in which you were kept, two small little

10 buildings? Perhaps you might point to them with your pen,

11 if you can see what I am talking about. No, the other two

12 buildings immediately behind. Yes, those two. Do you

13 know what those buildings represent? No, the two little

14 ones you originally had your pen on. That is right.

15 A. I cannot remember that.

16 Q. OK. The other building which is the other small building

17 by the fence, close by the fence, towards the back of the

18 camp, would you put your pen on that one? Do you know

19 what that building was used for?

20 A. That was our toilet.

21 MR. NIEMANN: Thank you. Your Honour, is that a convenient

22 time?

23 THE PRESIDING JUDGE: [Original in French] A small point: I understood

24 that it was

25 the place where the guards were stationed. Could you

Page 308

1 specify, could you give us more details about it?

2 MR. NIEMANN: Does your Honour want me to do that now?

3 THE PRESIDING JUDGE: [Original in French] Very quickly. Is it the

4 toilets or is it

5 where the guards were stationed?

6 MR. NIEMANN: I will ask the question. (To the witness): Jus

7 looking at that plan again, can you tell us where the

8 guards were stationed, the guard house? Would you point

9 that out again for us, please?

10 A. It was this shed and this was, as far as I remember, the

11 toilet, the other one, and the one in front was the guard

12 house.

13 Q. Point to the guard house again, please, just so we can see

14 it and leave your pen there for the moment. Thank you.

15 THE PRESIDING JUDGE: [Original in French] Thank you. Fine. Thank you

16 very much.

17 We will adjourn and resume again at 2.30.

18 (Luncheon adjournment)

19 2.30 p.m.

20 THE PRESIDING JUDGE: [Original in French] Counsel for the Prosecution,

21 before we

22 resume the hearing of the testimony of Mr. Cakusic,

23 I would like to ask you whether in your office, in your

24 department, you have a photograph of Dragan Nikolic. If

25 there is such a photo in existence, could it be made

Page 309

1 available to the witness and then, of course, naturally to

2 the Tribunal as well?

3 MR. NIEMANN: Your Honour, we have a photograph but it is a

4 very bad quality photograph. So we are reluctant to use

5 it because it is such poor quality.

6 Mr. Cakusic, when were you in the Susica camp, did

7 you know three detainees there, by the names of Muharem

8 Kolarevic, a Mr. Zekic and Mr. Dzevad Saric?

9 A. Yes, I used to know them.

10 Q. What religion were these people?

11 A. They were Muslims.

12 Q. Were they of military background or civilians?

13 A. They were civilians

14 Q. Can you tell us what it is that you know of these three

15 men when you were in that camp at Susica?

16 A. Well, I knew they were people just as I was a person, that

17 they had been taken from their homes like myself, and

18 I knew them as good people.

19 Q. What happened to them that you saw when you were at the

20 camp?

21 A. Well, first I saw Dzevad Saric when he was taken out. The

22 guard came by the name of Jovic. He took Dzevad out of

23 the hangar around midnight or maybe 11 o'clock or midnight

24 as far as I can remember. He was beaten. I heard his

25 wailing and screaming and crying because while he was

Page 310

1 being beaten. Around 2 o'clock in the morning, at

2 2 o'clock after midnight, I heard a burst of gunfire, and

3 then the guard, the same guard, entered the room. He took

4 Muharem Kolarevic and Muso Zekic, I think he was Nusret

5 Zekic in fact.

6 Q. What happened then?

7 A. They also a man from Kalesija. Then after two or three

8 minutes we heard two bursts of fire and these people never

9 came back or never appeared in the camp.

10 Q. That night when those events were happening, did you see

11 anyone in the camp other than the guard that you just

12 mentioned?

13 A. It was also Dragan Nikolic who was present there.

14 Q. Can you tell us where you saw Dragan Nikolic and what he

15 was doing when you saw him?

16 A. Well, he was in the guard house. I think that everything

17 was done according to his orders, and actually the guard

18 took these people and that they beat these people

19 especially Dzevad Saric; he suffered greatly and was

20 tortured from what I heard, from what I heard from his

21 wailing, but I assumed that it was all done according to

22 the rule, orders given by Nikolic, as only three people

23 were taken out also according to his orders.

24 Q. You saw Nikolic that night these men were taken out of the

25 camp?

Page 311

1 A. Yes, I saw him.

2 Q. The next day were you asked to do something in relation to

3 these three men?

4 A. Yes. The following morning around 4 o'clock they ordered

5 me and one other person, two more persons, so the three of

6 us came out, four perhaps I am sorry, I cannot remember

7 exactly, so we were asked to collect these bodies. The

8 bodies, they were in a ditch between the guard house and

9 the hangar. It had been raining, so there was some water

10 in the ditch, some 10 centimetres in the ditch. So we

11 collected them. We then took them towards Zalokavlje,

12 towards the Mracni Do, gorge. We buried them there. One

13 guard also wanted to kill us, not to have any witnesses,

14 not to have any surviving witnesses, but then another man,

15 a Serb, I do not know him, he said: "Don't touch these

16 people", and so we were not killed on the spot.

17 Q. Did you have an opportunity to see what sort of condition

18 the bodies were in when you collected them from the ditch?

19 A. They were bullet ridden from bursts of fire and from rifle

20 fire. Dzevad was also beaten, you could see that, also

21 cut with the knife. That is as far as I could see and

22 assess.

23 Q. Do you have any idea about when this event occurred i

24 times of date?

25 A. This happened around the 25th or 26th. The dates I think

Page 312

1 are correct. I am fairly confident that that was one of

2 these dates.

3 Q. Also while you were at this camp at Susica, did you know

4 of a person who was known by the name of Durmo and a man

5 called Asim?

6 A. Yes, I did know him. Asim I knew. I also knew Durmo by

7 sight. I used to meet him in Vlasenica in our town, so

8 I knew him I may say.

9 Q. Do you know of something that happened to them while you

10 were at the Susica camp that you saw?

11 A. Yes, I remember that very well. On 15th, between the 15th

12 and 20th June around 11 o'clock, 12 o'clock in the evening

13 the two of them were taken out. I think Dragan Nikolic

14 was also present. They beat them and the two men started

15 Q. crying, suffering from great pain, calling for help, so

16 they were beaten until maybe half past 1 or 2 o'clock

17 A. after midnight. Then Asim was brought into the hangar

18 again and Durmo after him. They were actually carried

19 into the hangar and Asim could not stand on his feet.

20 They had been beaten so badly and the other detainees

21 Q. helped them, placing them on their, in their places where

22 they were lying. Asim was almost was half dead. Then in

23 about an hour's time he was really dead; he was such a

24 broken and bruised man. In the meantime he sometimes

25 regained consciousness and then fainted again.

Page 313

1 Durmo suffered such great pain that he could not

2 sleep. Then Dragan Nikolic came the following morning.

3 Durmo asked us to give him a pill against pain, but Draga

4 Nikolic came around 8 or 9 o'clock the following morning.

5 We covered Durmo because he was shivering and he was all

6 swollen. Dragan Nikolic came to him and he removed the

7 Q. blanket and said, "Who is this?" We said, "This is

8 Durmo". He say: "Uncover him. He doesn't need to be

9 A. covered so that he suffers and dies." Durmo then got up,

10 asked Dragan, said, "Dragan, please kill me", and Dragan

11 then answered: "Durmo, you must first suffer greatly and

12 then die. The bullet costs German mark and you are not

13 worth a cigarette butt." So Durmo again started pleading

14 with him and said, "Dragan, please kill me." Dragan was on

15 his way towards the door, he made three to four steps.

16 Durmo walked, crawled after him. Again he said: "Dragan,

17 please", he asked Dragan to kill him. He again said: "No,

18 no, you must suffer, you most tell me where your sons

19 are." Durmo says: "I have no idea. I don't know." So

20 Dragan made one more step towards the door, most probably,

21 and at that time Durmo died on the spot.

22 Q. You mentioned in your evidence that when you arrived at

23 the camp, first arrived at the camp, they took away from

24 you the money that you had in your possession which is,

25 I think you said, 6 billion dinar; is that correct?

Page 314

1 A. Yes. Yes.

2 Q. Do you know who it was that took this money from you?

3 A. I cannot remember the man precisely. No, no. I do not

4 know.

5 Q. Are you able to tell us what the 6 billion dinar would

6 have been in, say, deutschemarks approximately, roughly?

7 A. I do not know. It might have been on the average, I do

8 not remember the exchange rate at that moment

9 Q. Just your best estimate.

10 A. About 600 marks maybe.

11 Q. Would you explain, describe for their Honours the

12 conditions that existed in the camp and the conditions

13 that you experienced at the Susica camp when you were

14 there in terms of the hygiene, toilets and the

15 accommodations generally?

16 A. This was fairly horrible. We slept on the concrete

17 floor. Even Dragan did not allow people to bring a board,

18 a wooden board. They said: "Let them sleep on the

19 concrete floor, that would be better for them than on a

20 couch." So we had to sleep like this. We had a jacket,

21 somebody had a coat, so we rolled this and then slept as

22 best we could and sat on it later.

23 Q. What about the food? What was the food that you were

24 given like?

25 A. We received food, a piece of bread every day for 24 hours,

Page 315

1 then one ladle full of boiled potatoes, maybe boiled beans

2 or whatever was brought. That was all for the full 24

3 hours.

4 Q. One piece of bread?

5 A. Yes.

6 Q. Just an ordinary sized bowl, how big was the bowl, big or

7 small bowl?

8 A. It was a small portion. How can I say? This size, for

9 instance.

10 Q. What about the hygiene, were you able to shower or bath

11 while you were in the camp?

12 A. No, no. No, we were not even allowed to go out and wash

13 our feet. It was difficult even to obtain a permit to g

14 to the toilet. They brought some pails, some buckets into

15 which we had to urinate, even defecate. There was no

16 bath, nothing. I could not wash my feet and what else

17 could I have done.

18 Q. The toilet you had to urinate in and defecate in, was

19 there any screen or privacy provided?

20 A. No, no. This was behind the door of the hangar.

21 Everybody could see and they saw everything of course.

22 Q. Can you ----

23 THE PRESIDING JUDGE: [Original in French] Excuse me, on this

24 particular point, the question of hygiene and sharing your

25 life together, what about the women, were they subjected

Page 316

1 to the same conditions or were they separated? What about

2 the hygiene for them, the physiological and food needs of,

3 I think it was, eight women in the camp? Could you the

4 tell us further details about that point?

5 THE WITNESS: [Original in Bosnian] No, they were bound to do it in the

6 same bucket,

7 men and women, everybody in the same way.

8 MR. NIEMANN: What about clothes, were you permitted to change

9 your clothes at any time?

10 A. No, no. No, we had nothing to change. There was nothing

11 to change into.

12 Q. While you were at Susica camp were you required at any

13 stage to do duties outside of the camp?

14 A. Yes. We were taken people, were taken to work.

15 Q. What work were you taken to do?

16 A. I was collecting bodies, dead bodies along the road, then

17 also in the village on Jamici and Gradinia.

18 Q. The dead bodies that you collected along the road, do you

19 know were these bodies dressed in civilian clothes or i

20 military clothes?

21 A. They were all this civilian clothes merely solely in

22 civilian clothes. Some of them were in their pyjamas

23 even.

24 Q. The bodies that you collected, were they all male or male

25 and female? Were they adults? Were they children, old

Page 317

1 people? Can you tell us the mix of the people that you

2 picked up to bury?

3 A. They were men, all of them were men, let us say between

4 the ages of 40 and 50 I would say.

5 Q. Are you able to estimate while you were doing this duty

6 approximately how many bodies you had to collect and take

7 and bury?

8 A. I would say that in all three villages altogether

9 I collected about 100 dead bodies, and buried them of

10 course.

11 Q. Apart from the bodies that you collected from outside of

12 the Susica camp, and apart from the people that you have

13 already mentioned about burying, did you ever have to bury

14 any other bodies from the camp at Susica?

15 A. Sorry, you are asking whether people from the Susica camp

16 that were killed, they were also collected?

17 Q. Yes. Did you collect any other bodies apart from the

18 bodies of Muharem Kolarevic, Zekic and Dzevad Saric who

19 you have already told the court about, did you bury any

20 other bodies from the Susica camp during the period of

21 time that you were staying there?

22 A. Yes. You see, Kolarevic, Halil and Savco Jamjic, then

23 Durmo. I am not sure about one of the names. There was a

24 man whose name I do not recall

25 Q. Where did you bury these bodies? Did you bury them all in

1 the one place or did you bury them in different places?

2 A. It was at Mracni Do, that was the dredgers came and they

3 made holes and we put bodies into the holes, and they

4 piled earth on top of them.

5 Q. Were these dredgers, as you call them, designed to dig up

6 the ground? They were mechanical machines for digging up

7 the ground, were they?

8 A. Yes. Yes, they were mechanical machines for digging.

9 Yes, that is exactly what they were.

10 Q. Were they always at this place or did they only ever come

11 there when you arrived?

12 A. They came from time to time and then left and came again.

13 Q. While you were at this place, did you only ever see the

14 graves that you put bodies into or did you see other

15 mounds around the place?

16 A. These were the people that, we buried these people into

17 these holes, while the four people that I first mentioned

18 were buried separately, Muharem, Kolarevic, Musa and the

19 Kalesija man whose name I do not remember, they were

20 buried separately.

21 Q. How long did you stay when you were held in the camp at

22 Susica?

23 A. About 26 days.

24 Q. What happened, can you describe to the Tribunal the

25 circumstances of how it was that you came to leave Susica

Page 319

1 camp?

2 A. I remember clearly the 28th June. They came, Dragan

3 Nikolic, to call our names to go and be exchanged. He

4 called our names and we went out one by one. While w

5 were going out and going towards the bus there was a

6 distance of about 30 or 40 metres to cover from the hangar
7 to the bus where we were collected. There were men in
8 camouflage uniform on both sides. As we came out of the
9 hangar we were hit and kicked; as we approached one of
10 those each one kicked us and hit us. "That is what you
11 get for voting for Alija. Now you are going to be
12 exchanged. You can go." When I went into the bus I was
13 hit with a rifle butt. I sat down. I did not know what
14 was going on. I did not even rest, "Why don't you put
15 down your head in the bus?" I did not know these men
16 personally but I know they had come from Sekovici. They
17 were wearing some hats, not even cowboys had such hats.
18 There were three buses, bus loads of people and we headed
19 in an unknown direction. I do not know where I was
20 going. We went, we drove for about three or four hours,
21 and they brought us to the Batkovic camp.

22 Q. When you arrived at the Batkovic camp what happened then?

23 A. I experienced there a real catastrophe. They took us out

24 of the bus, bus by bus, and they crammed us into corners

25 and kept hitting us. They also searched us again and took

Page 320

1 us into the hangar. When they finished one group they

2 made us crawl along the hangar, on the floor of the

3 hangar, and kept hitting us. That was really horrible.

4 I thought to myself, I could not take this for more than

5 24 hours, but I endured all that crawling on the

6 concrete. There was a lot of dust around. They would not

7 let us take anything in, anything that we can sleep on.

8 I know when we came they gave us some food. We had supper

9 there the following morning. They started beating u

10 again. They kept coming in and beating us. When we came

11 in a machine gun, 53 millimetres, was positioned and also

12 there was a guard there with the machine gun: "If anybody

13 moves you'll all be killed."

14 The second day they brought more people, three or

15 four bus loads of people. We were ordered to lie down on

16 our stomach, so that we could not see who came and who

17 were the escorts. They kept asking us for money and for

18 gold objects. We said, "No, you have taken everything

19 away." One day a man came with a whistle with a hat on.

20 He kept beating them and they kept giving him things.

21 Q. For how long did you stay in Batkovic camp?

22 A. Fourteen and a half months.

23 Q. From Batkovic camp where then did you go?

24 A. I went to Tuzla.

25 Q. As a result of what you have suffered, have you any

1 continuing condition or pain as a result of what happened

2 to you, both in the camp at Susica and at Batkovic?

3 A. Yes. As time goes by I feel pain in my back, my kidneys

4 and in my crotch. Whenever the weather changes,

5 especially a sudden change of weather, I feel that.

6 MR. NIEMANN: I have no further questions, your Honour.

7 THE PRESIDING JUDGE: [Original in French] Thank you. I look at my two

8 colleagues.

9 JUDGE ODIO BENITO: Thank you. Mr. Cakusic, you told us that

10 in Susica camp your father was there, is that correct?

11 A. Yes, he was. Yes, my father was brought to the same camp

12 with me. He came about on about 27th June. He was to be

13 exchanged and taken to Kladanj to be exchanged. There

14 were also women and children and old men. They took the

15 to Srpske. He was alive until Srebrenica fell to Serbs,

16 and then after that all traces of him are lost. He is

17 missing.

18 Q. So your father and other older people, as well as women

19 and children were there, all of them were beaten and

20 suffered the same conditions?

21 A. Yes, there was a lot of beating. Dragan Nikolic in

22 particular asked a woman, an 85 year old woman, to marry

23 him. He said he will rape you, he pointed to a man and

24 said, "He will rape you", there was a lot of that kind of

25 talk.

Page 322

1 Q. Did he rape the woman?

2 A. No. Not in front of us. He did take them out and

3 mistreated them, but I did not see that, he did not do it

4 in front of us. He brought the guards, "Would you like to

5 marry", and would ask the women, "Would you like to marry

6 this guard or that guard?" There was a lot of questions

7 like that.

8 Q. In front of you and the other inmates of the camp?

9 A. I could not see anything of that, any of the action.

10 I just saw heard these questions.

11 JUDGE ODIO BENITO: Thank you.

12 JUDGE RIAD: I would like to ask was there any common feature

13 between all those whom you saw executed or dead? Were

14 they in the resistance, in some kind of resistance or did

15 they pick them just at random without any reason?

16 A. I think they were randomly picked. They were taken out of

17 their houses. As far as I know they did not take part in

18 any military group or army or they did not have any

19 weapons either. This is at least my opinion, and because

20 I know these people quite well.

21 Q. Who gave the order of the killing? Was it Nikolic?

22 A. Yes, Nikolic was the one who gave the orders. He was the

23 one who decided on everything.

24 Q. Was that in the name of the JNA or in the local military

25 or local police?

Page 323

1 A. I think it was all done on behalf of the SDS party, the

2 Serbian, so-called Serbian Democratic Party. He was

3 chosen as the main commander because everything was done

4 as he said.

5 Q. Was this Serbian democratic party related to Belgrade or

6 was it a local party?

7 A. I think everything was linked to Belgrade. When Vlasenica

8 was occupied the people who came in tanks and armoured

9 vehicles, they were from Novi Sad, I spoke to these

10 people. I had some contact with them when I passed them

11 by, when they checked my documents, and I found out they

12 were from Novi Sad, yes.

13 Q. Who gave the order, who gave you the order to do the

14 burying direct? Was it Nikolic?

15 A. Nikolic was the one who ordered us to do the burying.

16 JUDGE RIAD: Thank you.

17 THE PRESIDING JUDGE: [Original in French] Mr. Cakistic, as regards

18 the daily management of the camp in Susica, we have the

19 impression that the guards did not really foresee any

20 daily management. Was there a time that you had to get up

21 go to sleep? Was there a time for leaving the hangar,

22 even if it be for one hour, so that could you walk in the

23 yard? You stayed there for one month. Did you have

24 the -- when I listen to you it seems to me that thing

25 happened at random, you came without any clothing, you

1 slept on cement, whereas there was a commander of the

2 camp, but there does not seem to be any internal rules.

3 You can also talk about the next camp if you stayed there

4 longer.

5 A. I think that at Susica we were not allowed to walk out.

6 I personally asked Dragan Nikolic to let me out. I was

7 once forced out in my rubber boots because I had boils on

8 my feet from the sweat. He would not even let us take off

9 these boots. You had to wear the boots all the time.

10 I just wanted to wash my feet, but he would not let us do

11 that. We could not go out of the hangar. "You don't need

12 to wash; you will not live much longer anyhow." We had to

13 ask for everything. In the morning we were not woken up

14 by anybody. Then about 10 people were taken out to go to

15 the toilet about 12 o'clock in the evening and that was

16 about the only time when we were allowed out. We could

17 not even go out to have a drink of water. It was the same

18 thing in Batkovic. For three months I did not go out;

19 they would not let us. Then when they put the barbed wire

20 fence around the hangar for three months we did not go

21 out. We urinated in the hangar in barrels and metal

22 barrels which were cut into half. This is where we

23 urinated and defecated for three months until we were

24 registered by the Red Cross. When we were registered by

25 the Red Cross then they would let us out. They made a

Page 325

1 toilet outside. Then we went out and they beat us less

2 after that time too. Those who had been beaten were not

3 allowed to say anything or to complain to the Red Cross

4 because the following day he would disappear and he would

5 be beaten up completely.

6 One day they sent me to forced labour -- I was

7 registered by the Red Cross and they sent me to a place

8 where we had to do forced labour. I will never forget

9 that day. There were 40 people of us; there were 40 of

10 us. They were given a slice of bread and an egg; we were

11 given a slice of bread and an egg. They put us in a bus:

12 "You have to go to work" we were told. We were driven

13 for about an hour and a half. When we came to the work

14 site I saw some weapons that I had never seen before,

15 three barrels. They chased us out of the bus, gave us

16 some spades. They gave access to some inmates, one had a

17 power saw. They told him to clean the area 50 metres on

18 each side of the road. While we were working there

19 praying to God to be killed if I had to work another day,

20 I thought I would rather be dead, I would rather be dead.

21 They sent you about 50 metres away from the asphalt road

22 to work. There is a guard that I remember. They would

23 take me along the road and they would call our names. He

24 had a truncheon about this size, a wooden bat about this

25 thick. He would call you to come to the asphalt part of

Page 326

1 the road, "Turn your back to me", he would say. I did

2 so. He would hit you three times and then you have to run

3 back to your job. You go there and then they would call

4 you again and then when you come there they would say,

5 "Why didn't you run?" and I ran as fast as I could.

6 Often I had only had a slice of bread and an egg before

7 that. Then you come up there and then they hit you again

8 at least three times whenever you came to him. That is

9 how it went on

10 I endured one day like that. Then lunch time came

11 about 3 o'clock in the afternoon, a slice of bread with

12 some liver paste on it. I could not even eat. I could

13 not work. My hands were bloody. I took that slice of

14 bread to eat it. Then again the guards called me because

15 there were some bushes to be taken care of, and I prayed

16 to God and they told me to go down and then they would

17 take away the tools from my hands and told me to use my

18 hands and dig the earth with my hands. Also I had to sing

19 some Chetnik songs at the same time. I did not know how

20 to sing, how to sing these because I had never heard these

21 songs before, and he forced me to sing songs that I did

22 not know.

23 When we got on the bus on our way back to go to

24 Batkovic, the guard called whose name was Zoran or

25 nickname Zoka, he was there. They drank beer. They would

1 have a crate of beer and drink. As we were entering the
2 camp and the commander was there, Drago, he asked in front
3 of him: "Did you have a good time, boys? Are you going to
4 go there tomorrow again?" I had to say: "Yes, it was
5 good" and I could barely walk, stand on my feet. My back
6 was all bruised up. If I had lived that day I thought to
7 myself I would live a long time after that. I was not
8 allowed to complain to the Red Cross because I knew
9 I would be put to even worse torture.

10 Q. At any point of time in the first camp or the second camp

11 was there an attempt to revolt in any way?

12 A. No. There was no opportunity to rebel in any sense at

13 all. We all felt that we were honest men, that we had not

14 killed anybody. We had not done anything wrong to any o

15 these people. They simply put me and my neighbours, put
16 me to prison, detained for 13 and a half months without
17 any normal living conditions. The Red Cross came to our
18 salvation, I must say, because it guaranteed some
19 security. Also every fortnight we would get meat tins and
20 some other food, otherwise we would have died. We had no
21 vitamins, nothing. We had food that was neither fat nor
22 salt; had no salt. We actually complained but they said,
23 "Well, eat that." I do not eat anything better, but what
24 was there was just boiled water and three beans and three
25 pieces of potato perhaps. We complained to the Red

Page 328

1 Cross. The Red Cross said: "Well, but we are giving food
2 for you", but that food got lost between the donors and
3 us.

4 THE PRESIDING JUDGE: [Original in French] Your testimony has now

5 reached its

6 conclusion. I would like you to understand that you are

7 in front of the International Criminal Tribunal. Before

8 you leave do you want to add anything? Do you wish to say

9 something, perhaps something that we have not covered when

10 we asked you questions through the Prosecutor or the

11 questions put by the Judge? Do you wish to add

12 something? If you do, please, this is the moment to do

13 so, otherwise your testimony is finished now.

14 THE WITNESS: [Original in Bosnian] I would have nothing at the moment

15 that I would

16 like to add. I know that I am here at the International

17 Tribunal. I feel no guilt. I spoke the truth. I only

18 described what I saw and what I lived through and I have

19 no reason to be ashamed of what I have done here or

20 elsewhere. I speak openly and frankly, and have nothing

21 else to add

22 THE PRESIDING JUDGE: [Original in French] Thank you. The Tribunal

23 would like to

24 thank you for your testimony. If you could now accompany

25 the witness and then have the next witness come forward.

Page 329

1 Please accompany this witness out and bring the next

2 witness to the stand.

3 (The witness withdrew).

4 MISS McHENRY: Your Honour, if I may ask ----

5 THE PRESIDING JUDGE: [Original in French] I have one question from

6 Judge Riad. Is

7 Mr. Gow still in The Hague, Dr. Gow?

8 MISS McHENRY: I will defer to Mr. Niemann who I believe knows

9 much more about Mr. Gow's schedule than I do.

10 MR. NIEMANN: Yes, your Honour, I understand he is still here

11 in The Hague. He was at least at lunch-time anyway, so

12 I assume he is still here.

13 THE PRESIDING JUDGE: [Original in French] The Tribunal would like to

14 ask him one or

15 two supplementary questions after his testimony

16 yesterday. Would it be possible either this afternoon or

17 tomorrow at an agreed time that Dr. Gow could come forward

18 again?

19 MR. NIEMANN: I understand Dr. Gow is going back tonight, so if

20 you have some more questions it would be most convenient

21 if we could do it almost immediately. I will make some

22 enquiries to see if we can bring him down here.

23 Would your Honour excuse me so I can go and see where

24 he is? My colleague will take over.

25 MISS McHENRY: Thank you, your Honour. If I could be excused

Page 330

1 to make sure that the next witness does not have any

2 security concerns? There was some question about that and

3 before calling him I would like to double check.

4 THE PRESIDING JUDGE: [Original in French] Yes

5 MR. NIEMANN: Somebody might make those enquiries for us about

6 Dr. Gow, your Honour.

7 MISS McHENRY: Your Honours, with respect to the next witness,

8 I have doubled checked with him. He does wish to testify

9 publicly, so I would ask that your Honours lift the

10 protective order with respect to this witness other than

11 his address.

12 THE PRESIDING JUDGE: [Original in French] Will the Court Clerk and

13 will the

14 Registrar take note of this request, and make sure that it

15 is listed that the Tribunal has acceded to this. We will

16 not reveal the identity of the next witness but all other

17 elements, except the address -- sorry, we will not reveal

18 the address. However, the next witness will be named.

19 MISS McHENRY: The Prosecution will call Mr. Amir Berbic.

20 Amir Berbic, called.

21 THE PRESIDING JUDGE: [Original in French] Mr. Amir Berbic, first

22 of all can you hear everything?

23 THE WITNESS: [Original in Bosnian] Yes.

24 THE PRESIDING JUDGE: [Original in French] Mr. Amir Berbic, first of

25 all you will

Page 331

1 read the oath which you have before you in your language

2 of course.

3 THE WITNESS: [Original in Bosnian] I solemnly declare that I shall

4 speak the truth,

5 the whole truth and nothing but the truth.

6 THE PRESIDING JUDGE: [Original in French] Be seated. Mr. Berbic, we

7 are very

8 grateful that you have come here. We know that the

9 travelling conditions were difficult, so thank you very

10 much. You are before an International Criminal Tribunal,

11 so within a legal framework and, therefore, you also have

12 legal protection. Therefore, you can give your testimony

13 in all security and safety

14 If at any point you find it very difficult to

15 continue, please let us know.

16 Counsel for the Prosecution, you have the floor.

17 MISS McHENRY: Thank you, your Honours. Sir, would you please

18 state your full name?

19 A. Amir Berbic.

20 Q. How old are you?

21 A. I was born on 24th April 1962, so I am 33 years old now.

22 Q. Before the war how were you employed?

23 A. I worked at the factory of aluminium and castings and

24 I was a machine tool operator.

25 Q. What was the name of that company?

Page 332

1 A. A factory for the production of aluminium castings Alpro.

2 Q. Can you tell us what happened in Vlasenica in the later

3 part of April 1992?

4 A. In April that year -- would you please repeat the

5 question?

6 Q. Yes. May I ask that you may be moved closer to the

7 microphones a little bit? May I ask you move closer to

8 the microphones?

9 A. Yes.

10 Q. Your Honours, with my apologies to Mr. Berbic, Mr. Niemann

11 has given me a note that Mr. Gow is here now and scheduled

12 to leave as soon as possible, so if your Honours want to

13 hear from Mr. Gow again, with my apologies to Mr. Berbic,

14 I suggest maybe we interrupt this if your Honours want to

15 hear from Dr. Gow.

16 THE PRESIDING JUDGE: [Original in French] What time does Mr. Gow have

17 to leave at,

18 please?

19 MISS MCHENRY: He has an appointment somewhere else I believe

20 not associated with his work here, at 4 o'clock in

21 Holland. Then he is scheduled to fly home immediately

22 after his 4 o'clock appointment.

23 THE PRESIDING JUDGE: [Original in French] Fine. Well, Mr. Berbic, the

24 Tribunal

25 would like to apologise to you. We do have to take a few

Page 333

1 minutes, just a few minutes to listen once again to a

2 witness whom we had here yesterday. So we would like you

3 to go back to the room where you were for a few minutes.

4 There are just a couple of questions for this witness and

5 during that time of course we would like you to remain

6 available to the Tribunal, I think it will only last about

7 10 or 15 minutes, before we ask you to come back again.

8 Thank you very much.

9 (The witness withdrew).

10 THE PRESIDING JUDGE: [Original in French] Would you like to show Dr.

11 Gow in?

12 Dr. James Gow, Recalled.

13 THE PRESIDING JUDGE: [Original in French] Please sit down.

14 Dr. Gow, the Tribunal on the part of one of its members,

15 would like a few more details from you, please, and

16 therefore I would like to give the floor to Judge Riad.

17 JUDGE RIAD: Thank you for coming back, Mr. Gow. Going through

18 your yesterday's testimony I gathered, as well as my

19 colleagues, that you implied that Belgrade was directly

20 involved in the conflict in Bosnia. I have not even to

21 ask you questions about it. You mentioned giving forces

22 in Bosnia, giving the Serbs in Bosnia newer Defence

23 systems, co-ordinating attacks, giving piece of equipment,

24 a newer Defence system and so on. This very important

25 information deserves substantiation. Would you be able to

Page 334

1 give us your sources, the sources for which we can hav

2 confirmation of your testimony?

3 A. If I have understood the question correctly, then I can

4 say that the information that I gave you is based on

5 reports that have been made in public places, reports of

6 different kinds, some in press, some in documents provided

7 in what I suppose could be described as officials places

8 and on discussions with people who either were able to

9 witness certain things, or who are familiar with what was

10 going on in particular situations as a result of either

11 being involved or talking to people who were involved.

12 Q. Are some of these documents at your disposal?

13 A. Some of the materials I described are not at my immediate

14 disposal, but they are at my disposal generally and I can

15 point you to them or with the assistance of the Office of

16 the Prosecutor can provide you with some of the material

17 I described.

18 JUDGE RIAD: That would be very important. Thank you very

19 much. That is all.

20 THE PRESIDING JUDGE: [Original in French] Counsel for the

21 Prosecution, do you have

22 an additional question for Dr. Gow?

23 MR. NIEMANN: No, I do not have an additional question, your

24 Honour, but I think that it may take some time to extract

25 the necessary documentation and make it available.

Page 335

1 I would need to confer with Dr. Gow. There is some

2 material held in the Office of the Prosecutor now that has

3 been prepared in another matter, but I am not sure whether

4 it forms part of that material or not. I would need to

5 enquire. I do not think that I could do it at least until

6 I had an opportunity to confer with Dr. Gow over the

7 afternoon adjournment

8 THE PRESIDING JUDGE: [Original in French] Yes. I am maybe reading my

9 colleague's

10 mind here, but were you referring to documents which you

11 would like to get hold of straightaway?

12 JUDGE RIAD: But it is important to have them.

13 MR. NIEMANN: Yes, well, if I have them would your Honours

14 accept them being handed up from the bar table by the

15 Prosecution or would you require Dr. Gow to give the

16 documents? I only say that because of his arrangements

17 regarding returning to England. I understand he is going

18 back to England tonight.

19 THE PRESIDING JUDGE: [Original in French] No. Dr. Gow is, of course,

20 going to go

21 home this evening. Let me reassure him of that

22 straightaway. What is the context of this request? Well,

23 it is part of our procedures. We are dealing with Article

24 61. It is not, as such, the trial of Dragan Nikolic; it

25 is just a confirmation of the indictment. This is the

Page 336

1 context of sufficient and reasonable presumption.

2 However, Dr. Gow was brought by you to the Tribunal.

3 We will have to see if Judge Riad agrees with this,

4 but I think that this complementary information, if the

5 Tribunal confirms the indictment following this hearing,

6 then at that point in time we will continue our

7 investigations and at that particular point it would then

8 be up to the Prosecution to meet the needs of the Tribunal

9 and at that point obtain documents from Dr. Gow which

10 Dr. Gow has just referred to. Would that suit you,

11 Counsel for the Prosecution?

12 MR. NIEMANN: Yes. It is just that I needed time. I could not

13 do it straightaway. So long as we have time to make it

14 available that should be fine

15 THE PRESIDING JUDGE: [Original in French] The floor is yours, Dr.

16 Gow.

17 THE WITNESS: [Original in Bosnian] If I may be permitted one small

18 point to correct

19 something that I said yesterday. I am aware that in part

20 of my answer to your Honour Judge Riad at the end of

21 yesterday when you asked me about specific dates,

22 I believe I said that the action to divide the JNA was on

23 22th May. When I noted what I said I realised it was a

24 mistake and it should have been 19th May.

25 JUDGE RIAD: Thank you.

Page 337

1 THE PRESIDING JUDGE: [Original in French] Thank you very much. Do we

2 have further

3 questions of Dr. Gow from either the Office of the

4 Prosecutor or the bench, the other Judges? I do not think

5 any of us have any further questions. So, once again,

6 Dr. Gow, thank you very much for having come so quickly

7 once again to the Tribunal. Once again also thank you for

8 your testimony from yesterday. We would like to wish you

9 a good journey back to the rest of your activities. Thank

10 you.

11 THE WITNESS: [Original in Bosnian] Thank you very much.

12 (The witness withdrew).

13 THE PRESIDING JUDGE: [Original in French] Kindly show Mr. Berbic in.

14 Mr. Amir Berbic, Recalled.

15 THE PRESIDING JUDGE: [Original in French] Mr. Berbic, please sit

16 down. At the point when we broke off Miss McHenry did in

17 fact ask a question. I believe that the witness had not

18 fully understood or heard the question. So maybe you

19 could rephrase it.

20 MISS McHENRY: Mr. Berbic, was there anything significant that

21 happened in Vlasenica with respect to who controlled the

22 town or who administered the town that occurred in lat

23 April 1992? Mr. Berbic, are you hearing my questions?

24 I think maybe it is on a different channel.

25 THE PRESIDING JUDGE: [Original in French] Could somebody help Mr.

Page 338

1 Berbic to find

2 the correct channel?

3 THE WITNESS: [Original in Bosnian] Now it is all right. Do you

4 understand

5 Mr. Berbic.

6 THE PRESIDING JUDGE: [Original in French] Miss McHenry, would you

7 please repeat the

8 question in order to make sure that the witness fully

9 understands it.

10 MISS McHENRY: Mr. Berbic, did anything happen in Vlasenica in

11 late April 1992 with respect to a change in the running of

12 the administration of Vlasenica?

13 A. Yes, let me try to explain. Vlasenica was occupied on

14 21st April 1992. Many things changed. Let me say that

15 the Bosnian people, especially the Bosniacs, went through

16 many traumas. Many people started fleeing away, people

17 were hiding, those that could hide; those that could flee

18 fled, so it was possible to flee and reach the free

19 territory. While during the occupation nobody could

20 actually leave Vlasenica, many people were killed trying

21 to escape, and then came that fateful moment when we were

22 taken to the Susica camp.

23 Q. Before we get to that part, Mr. Berbic, may I ask you who

24 occupied Vlasenica?

25 A. Vlasenica was occupied by the Serbian and Montenegro

Page 339

1 aggressors. I talked to them, to some of them, and

2 I learned they were from the Novi Sad Corps they were

3 people mostly Serbs from Montenegro.

4 Q. When you say you talked to them, what did the people, the

5 soldiers you talked to, tell you

6 A. Well, we talked to them and they told me that they came to

7 calm down the situation, although there was no unrest,

8 there was nothing, and then we realised that in broad

9 daylight the Bosnian Serbs started arming each other, each

10 was passing weapons to the other. So this created a lot

11 of fear and it was impossible for us to go on living like

12 that.

13 Q. Do you know approximately how long the Novi Sad soldiers

14 stayed in Vlasenica?

15 A. Well, they stayed approximately for a month or month and a

16 half, at least that.

17 Q. Both during the time, prior to the occupation and then

18 during the occupation prior to your arrest, were you

19 involved in any sort of military groups or any armed

20 resistance to the occupation?

21 A. Not at all, not at all, because people, few people had any

22 weapons at all. Nobody was prepared in any way, people

23 were not armed. The only people who had arms were perhaps

24 in other towns and villages like Cerska and they did offer

25 some resistance.

Page 340

1 Q. You referred a moment ago to the day you were brought to

2 Susica. Can you tell us what day that was?

3 A. This was on 2nd June 1992.

4 Q. Can you tell us what happened, please?

5 A. We were sitting at home. It was me, my father, my

6 brother, and around 9 or 10 o'clock in the morning the

7 door was actually open, and then suddenly we saw in our

8 door two soldiers armed with semi-automatic guns and also

9 hand grenades, two hand grenades, hanging from their

10 belts. They surprised us and since I knew both of thes

11 people, one was Milomir Janjusevic and the other was

12 Ostoja Radic. So they collected the three of us and we

13 also collected on our way Huso Jusic, that was our

14 neighbour, and we were taken towards the camp. I asked,

15 "Where are you taking us?" and they said: "For an

16 interview."

17 Q. Then what happened?

18 A. Well, we walked for 200 or 300 metres and then these two

19 told soldiers handed us over to other two soldiers who I

20 do not know, but they came, I know they came from their

21 village called Cikote. They also had automatic rifles and

22 hand grenades hanging on their belts, from their belts.

23 So we walked. We came close to the camp, some 500

24 metres. They asked us to put our hands behind our heads,

25 and we marched on. At one point the last person in the

Page 341

1 row, whose name I do not remember, stopped my brother and

2 said, "Stop all of you." Now I just remembered, at that

3 moment I thought they would kill us. We did not know what

4 they wanted, but they took his wedding ring. So they took

5 his wedding ring. They took my father's and my own watch,

6 and after a minute or two we moved towards the camp.

7 Q. When you say "camp" what camp are you referring to?

8 A. Susica, the Susica camp.

9 Q. What happened when you arrived at the Susica camp?

10 A. When we arrived in the Susica camp we were ordered to let

11 our hands down. Then we were searched. I had a packet of

12 cigarettes. I had my lighter, cigarette lighter. They

13 did not take it away from me. I met several guards there,

14 but I had no idea what it was and why they were there.

15 The search lasted for about five to six minutes. The

16 they told us to enter the hangar.

17 Q. Then what happened?

18 A. So what happened was that from the hangar, I was in the

19 hangar, a man by the man of name Garic, whose first name I

20 do not know, called me to come out. He said, "Berbic,

21 come out." So I came out. He started provoking me, me and

22 my neighbour, Cane Reljic, and he said that Cane Reljic

23 and he were in my house, that they found knives and

24 needles, although I had no idea about that because I had

25 nothing like that. So he started beating me. He spoke

Page 342

1 abusively of my mother. He had a machine gun. He hit me

2 on the head. I had a cut on my forehead, also he beat me

3 on the hands and the feet. This lasted for 20 minutes to

4 half an hour. Then he ordered me to go back to the

5 hangar, so I did that as I was told. Everybody standing

6 on the side was laughing and watching while I was being

7 beaten by Garic.

8 Q. When you say everyone who was standing around was watching

9 and laughing, do you mean other prisoners or do you mean

10 guards or who do you mean?

11 A. I mean the detainees. No, no, sorry, very sorry, I mean

12 the guards, of course I mean the guards. There were some

13 eight to 10 guards surrounding us.

14 Q. What happened after you were allowed to return to the

15 hangar? What happened next?

16 A. I entered the hangar and I saw some 200 to 300 people,

17 including women, children, elderly people, younger

18 people. They were all lined up, some of them asked why

19 they were there. Nobody understood anything, nobody knew

20 anything. So everybody started questioning everybod

21 else. An hour later they asked more, the guards asked

22 questions such as do we know of anybody who had any

23 weapons. I said I did not know anybody who had any

24 weapons. Ilic's was a man, a guard, who called me every

25 hour or two hours. He mistreated me, beat me, and there

Page 343

1 were three or four other people whose names I do not know,

2 they call came from Vlasenica.

3 Q. When you said he called you every hour or so, do you mean

4 during that first stay you were brought to the camp?

5 A. Yes. Maybe I should say on that day this was once or

6 twice, but then the whole procedure was repeated for the

7 following five to six days while we were still in the

8 camp. I know Ilic very well and I know his father, but I

9 do not remember his first name. He had a scar and he had

10 been in Croatia in Vukovar the Vukovar offensive.

11 Q. The subsequent beatings that occurred for the next five to

12 six days, were they similar to the beatings that you told

13 us about on the first day?

14 A. Well, it was similar. I was kicked. I was hit with rifle

15 butts, and I had pains in my kidneys, so I felt some

16 consequences of the beatings. I noticed I also had a scar

17 above my upper lip. I had a cut lip.

18 Q. Do you know Dragan Nikolic?

19 A. I know Dragan very well and I have known him for more

20 than -- almost 20 years. He worked in the same company,

21 Alpro in Vlasenica.

22 Q. Did you ever see him at Susica camp?

23 A. At that time when we were first brought, during the first

24 few days, he was not there. I know only when he did come

25 he actually brought with him some 230 to 250 people

Page 344

1 detainees, mostly from villages of Kalesije, Cerska and

2 other villages. These were the elderly people, younger

3 people, some minors.

4 Q. Did those detainees join you and the other approximately

5 I believe you said 300 detainees who were already at the

6 camp?

7 A. Yes. These detainees were arriving day by day and they

8 were all from the neighbouring villages, women and

9 children and so on, people who had been hiding in the

10 forest, and as soon as they people arrived they placed

11 them on the right side of the hangar. So practically one

12 half of the hangar was filled with these people and again

13 there was the concrete floor. They were asked to sit

14 down, not to speak among themselves.

15 Q. Were the over 500 detainees all kept in the same hangar?

16 A. Yes, yes, they were all kept in the same building.

17 I forgot to mention that they were also brought from the

18 secondary school not far from my house, and before that,

19 before they were brought to the camp, they had been kept

20 in the gymnasium of the secondary school for some two

21 weeks.

22 Q. What was Dragan Nikolic's role at the camp?

23 A. Dragan was the commander of the camp. He used to say to

24 the prisoners as to be addressed as the Serbian soldier

25 captain, commander.

Page 345

1 Q. Did he ever say anything else to the prisoners about his

2 role and his position as opposed to the prisoners' role?

3 A. Would you please repeat the question?

4 Q. In addition to saying that he wished to be called captain,

5 did Dragan Nikolic ever speak to the prisoners about hi

6 role and his power over them?

7 A. He said: "I am God here, and I am the stick. God and the

8 stick." That he had to be addressed as commander or

9 captain.

10 Q. Do you know if there was a detainee called Durmo Handzic

11 at Susica?

12 A. Yes. I know Durmo Handzic quite well. He had been a

13 porter in the building, of the administration building of

14 the Bauxite company. A man in his early 60s, tall, white

15 haired. I know two of his sons too.

16 Q. Was there a man named Asim Zildzic at the camp?

17 A. Yes, yes, I know Asim Zildzic too.

18 Q. Do you know anything about Asim Zildzic, about how old he

19 was, for instance?

20 A. Yes, I know him. He was about 60 years old. He had

21 worked in the furniture factory called the 10th August in

22 Vlasenica. I know his wife, Rasema.

23 Q. What, if anything, did you see happen to Durmo Handzic and

24 Asim Zildzic at the camp?

25 A. I know that on about 21st or 22nd June before that time

Page 346

1 Dragan had maltreated them and had beaten them. He was

2 called -- Durmo was called one day and Asim him too on

3 about 21st or 22nd June at about between 10.00 and 12.00

4 in the evening they were called out.

5 Q. Do you know who called them out?

6 A. When the door opened and, judging by the voices that

7 I heard, I recognised Pero, Pero Popovic, Goran Tesic and

8 Dragan was there too, Dragan Nikolic was there too. They

9 were told to go out and they did as they were commanded

10 to

11 Q. Did you ever did you see any of those individuals, in

12 particular, Dragan Nikolic or Goran Tesic or any of the

13 other individuals you mentioned as Durmo and Asim were

14 going out?

15 A. As I said, they ordered them to go out, and they had been

16 standing by the door, about five or six metres from the

17 door, and I saw Dragan carrying a wooden bat about a metre

18 long, yes, and hit Durmo while Dragan kept kicking the

19 other one, the other man, and they went to the left side,

20 about five or six metres from that point to the post where

21 there was the floodlight.

22 Q. Then what happened?

23 A. I recollect vaguely that, whether the door was closed or

24 not, I heard screams and moans, especially as Dragan was

25 hitting him and asking him where his sons were, where

Page 347

1 Durmo's sons were. Durmo kept saying he knew nothing

2 about his sons. They had escaped earlier.

3 I also heard the voice of Goran Tesic who said to

4 Durmo -- who said to Asim, asking him where he had dug his

5 weapons and whether he had any weapons. That may have

6 lasted for about one hour, an hour and a half, that

7 beating.

8 Q. During that period of time was there any other detainee

9 who was taken out for any part of that time besides Durmo

10 and Asim?

11 A. After that I think there was another one or two inmates.

12 They were also taken out that evening.

13 Q. Do you know if someone, Mirsad was taken out at all that

14 evening?

15 A. Mirsad Smajlovic, I think, was also taken out. He wa

16 also taken out on that occasion.

17 Q. What happened after the beating had been going on for

18 about an hour or more?

19 A. That beating continued and then Asim came back first. He

20 was carried or, rather, dragged by Hasim Ferhatovic and

21 his brother, Alija, and I think the Mirsad was there too.

22 They were taken to their sleeping places. They laid him

23 down on this place because he was beaten up badly.

24 Q. When you say "he" do you mean Asim?

25 A. Yes, Asim, yes.

Page 348

1 Q. Then what happened?

2 A. We heard moans. Then Durmo came after him, Durmo Handzic,

3 who was in the corner of the hangar on the left side, at

4 the far end of the hangar. Durmo was barely able to walk

5 but he kept holding his stomach and he sobbed. I also

6 heard the screams coming from Asim Zildzic. He sobbed.

7 They had terrible pains.

8 Q. Then what happened?

9 A. Most people there in the hangar slept and then about 2.00

10 or 3 o'clock I heard that one of the inmates said that

11 Durmo -- that Asim had died, while the other fellow was

12 sleeping about five or six metres from me, Durmo Handzic.

13 He was sleeping next to a neighbour of his, Mujo

14 Maljisevic. He sobbed. Mujo kept sobbing. Durmo, he had

15 very strong pains, intensive pains. Someone poured water

16 over him. He was all swollen. All his left side was

17 swollen. He was also dirty. We could see that quite

18 clearly.

19 Q. Then what happened?

20 A. I do not know exactly what time it was. When Dragan came

21 to the hangar he started to provoke the inmates. It seems

22 to me that he did not know that Asim had died. He stood

23 about five or six metres from Durmo and ordered other

24 inmates not to help him or not to give him any water or

25 any kind of help. "Let him suffer", he said, and that is

1 what happened.

2 The next morning, about 10 or 11 o'clock, Durmo

3 Handzic staggered and came to the door and suddenly fell,

4 collapsed, about two or three metres before the door.

5 Dragan came up to him and provoked him, interrogated him.

6 He put his foot on his chest and again asked him: "Where

7 are your sons?" He again said he did not know anything

8 about their whereabouts.

9 Q. Then what happened?

10 A. He told him he knew nothing about them. Dragan was a tall

11 man. He put his foot on his chest. He provoked him. He

12 wept, Durmo wept, and turned around, wiggled. He kept

13 asking him where his sons were. He kept -- and Durmo kept

14 asking him to kill him and Dragan said he was not worth a

15 cigarette butt. He asked him again to kill him. He

16 says: "No, you are not worth a bullet because a bullet is

17 two deutschemarks and you are not worth that."

18 Q. Then what happened?

19 A. After that provoking by Dragan, Durmo died after about an

20 hour, and a lot of inmates were panicked. We really

21 suffered a lot, saw all sorts of horrors, all the inmates

22 there.

23 Q. Do you know what happened to Asim and Durmo's bodies?

24 A. Asim's body was carried out the following morning by Hasim

25 Ferhatovic and his brother Alija, nickname "Gico". The

Page 350

1 were carried out, I do not know exactly where, while

2 Durmo's body was also taken out. I do not know what

3 happened later and where they took him. I think they

4 carried Durmo to a place behind the hangar in the

5 direction of the toilet.

6 Q. Did witnessing this event that you have just described

7 have any physical effect on you or have any psychological

8 effect on you immediately after it happened?

9 A. Certainly. It had an effect on me. It was hard to

10 experience all that. I went through three camps and I was

11 beaten in all the three camps, but I am fine still. I am

12 OK.

13 MISS McHENRY: Your Honour, I was going to ask about something

14 else now. Do you want me to go on or would you think this

15 a convenient time to take the afternoon break?

16 THE PRESIDING JUDGE: [Original in French] You can continue with one or

17 two

18 questions and we will have break in about five minutes

19 time and then continue at 4.30.

20 MISS McHENRY: Thank you.

21 THE WITNESS: [Original in Bosnian] As far as I am concerned, I can go

22 on. It all

23 depends on you. I can answer any questions.

24 MISS McHENRY: Was there a Dzevad Saric at the camp, a

25 detainee?

Page 351

1 A. Yes, Dzevad was beaten by Dragan. Dzevad Saric, I know

2 him. He is from a village. I cannot remember the name of

3 the village. They were beaten during the day. Before

4 those two died, Kolarevic, Muharem and also Asertin Sefko,

5 he is from the area of Zvornik, they were beaten three or

6 four days before those two were killed, they were beaten

7 by Dragan and another guard called Reljic, Cane, hi

8 nickname was Cane.

9 Q. Do you remember whether or not there was ever a time when

10 Dzevad Saric and the other people you have mentioned,

11 Muharem Kolarevic and another gentleman, were taken out

12 and then did not return?

13 A. Yes, that happened on the 22nd or 23rd June. After them

14 -- one day after that they were taken out that evening.

15 I cannot quite remember who took them out. But we could

16 hear, five minutes after that we could hear, rounds of

17 fire and individual shots in the vicinity, maybe in the

18 immediate vicinity, maybe 10 or 15 metres from the hangar,

19 on the left-hand side.

20 THE PRESIDING JUDGE: [Original in French] I suggest Mr. Berbic,

21 counsel for the

22 Prosecutor, that we now have a break for 15 minutes and

23 resume again at 4.30.

24 (Short Adjournment)

25 (4.30 p.m.)

1 THE PRESIDING JUDGE: [Original in French] The floor is yours.

2 MISS MCHENRY: Thank you. Mr. Berbic, could you describe

3 generally the conditions at Susica camp, including the

4 food and sanitary hygiene facilities?

5 A. I say that from the beginning, when we were first brought

6 to the camp, the entire camp was just one building with a

7 concrete floor, and we slept on it. Somebody might have

8 had some kind of piece of cloth or an item of clothing, so

9 the whole hangar was a concrete structure. As for food,

10 after four or five days when we -- after we had been

11 brought in, they started serving us one meal per day.

12 That was -- and the food was very -- was stale food.

13 There might have been one or two pieces of bread ver

14 thinly cut, a slice of very thin. And when Dragan came,

15 when we had to go to the toilet, there were usually up to

16 50 people brought and then they would give us a minute,

17 not more than a minute, and the guards took us to the

18 toilet and then we had to -- and were brought back.

19 Everything you had to do there you had to do within a

20 single minute.

21 It was cold and the concrete was cold. The concrete

22 floor was cold. I was swollen, my tooth -- I had a

23 toothache, I had no pain killer. Because people who were

24 there were from villages, people who had lived in the

25 forest before for two to three months hiding there, so

Page 353

1 some of them got scabies. I had also felt itchy, and then

2 we also get lice. Everybody had lice. There were no

3 sanitary conditions. It might have been better if they

4 had killed us from the start.

5 Q. How many guards were there at the camp, if you know?

6 A. There were seven to eight guards stationed around in front

7 of the building perhaps.

8 Q. Were the acts of abuse that you have described this

9 afternoon the only acts of abuse that occurred while you

10 were at Susica?

11 A. Well, there was -- there were beatings, I was beaten, then

12 people from these villages were beaten. When I was beaten

13 by Garic, I was beaten, I was beaten, he said, because

14 I had done something 15 years earlier where I was a good

15 soccer player, and then he remembered that because he

16 played against me in a team against me and now he said:

17 "Now you will pay for that." He seemed to remember

18 these things. Even those who were killed were killed fo

19 something which might have happened 10 to 20 years

20 earlier.

21 Q. Did there come a time when you left Susica?

22 A. Yes, while the toilet was being built behind the hangar

23 and they asked: "Who has nails, any nails?" and since

24 I lived some 800 metres or 1 kilometre away, I said I had

25 some nails at home, which I did. So a former policeman

Page 354

1 took me there in his car, took me to my house. I saw

2 horror. Buildings were destroyed. Because my house was

3 on the left-hand side of the road, and there were three

4 houses there, mine, where I lived with my father and

5 mother, and then my brothers, my two brothers' houses,

6 they were totally demolished. When I entered my house,

7 because my father my father was a hunter and we had two

8 dogs, these were killed.

9 So I entered the building. I found the nails that we

10 came to fetch. Everything else had been looted and this

11 was only three days after my detention. All our

12 belongings had been taken away. The doors were forcibly

13 opened. I was deeply shocked.

14 Q. When was it that you finally left Susica camp for good?

15 A. I left the Susica camp when the lists were prepared, so

16 the group of people were on a list and these people were

17 transported. They were told they were to be exchanged.

18 But we left on 28th June, we were also told before we left

19 and a friend or, rather, an acquaintance, Milof Marcic,

20 told me that we would be exchanged.

21 So they read out our names off the list and they said

22 "You will be taken and exchanged." Then you were taken

23 between the file of people and as we were boarding the bu

24 we were beaten. Then again we were supposed to put our

25 heads down, not to see anything, and so we spent some six

1 to eight hours in the bus. But there was no exchange.

2 When we came to our destination they -- when we came to

3 Batkovic, in front of the hangar in Batkovic, they said:

4 "Now, welcome to Batkovic. This will be pleasant for

5 you", they said. "Nobody will beat you; you will do some

6 work" but again we experienced the same kind of treatment

7 as before. For me, in fact, it was worse than in the

8 Susica camp.

9 Q. Was there a group of detainees at Batkovic who were

10 specially singled out for maltreatment?

11 A. Yes. Among them, I was one of those, and during the first

12 three days they beat us. I was beaten and also Smajlovic

13 and Sapardi and Ado, and this Ado was a strong, stout man,

14 and the beating was very bad. They said -- and he asked

15 me before he beat me, he said: "Why is your name circled

16 red?" because my name was circled red on the list. So

17 they said: "Ah, ha, that is because you were manufacturing

18 knives and scissors", I do not know what, "allegedly

19 preparing for the war". So they started to beat me.

20 Also a man that had been working with me, this other

21 man was accused of having driven a military vehicle, and

22 the first two or three days they were beating us for a

23 long time, for five to six hours, and we were beaten by

24 some 10 people at one time.

25 Q. Did the guards give you a nickname?

Page 356

1 A. Yes, as soon as I arrived they called me "The Master of

2 the knives" or the "Serb cutter" and they said you had a

3 smithy at home and you were cutting knives o

4 manufacturing knives. As time went on, each time they

5 regarded us as extremists. So there were some 17 such

6 people who were beaten every day two to three times a day,

7 sometimes even more than three times.

8 Q. Were you beaten every day two to three times a day for

9 that length of time?

10 A. Yes, yes. I was specially singled out. Every day for two

11 to three times, after breakfast, after lunch, after

12 supper, and during the night, around 1 or 2 o'clock in the

13 early hours of the morning, they would take you out and

14 beat you. And this was the particular group of some 11 to

15 people who were specially singled out for maltreatment.

16 Q. Did you receive any injuries from these beatings?

17 A. Yes, my left ear is damaged. My two jaws are broken.

18 I have lost seven teeth above -- my upper lip was cut.

19 Two, my two ribs were broken, the clavicle and the left --

20 left, something, damaged -- left foot, I think.

21 Q. Did the ICRC ever come to Batkovic? By ICRC I mean the

22 International Red Cross.

23 A. Yes, they did arrive. I do not know the exact date, but

24 we were hidden, some 10 to 17 people that I am talking

25 about were hidden, because we -- and they continued to

Page 357

1 beat us every day. Not even my father could have

2 recognised me, and the same was true of the others in the

3 same group. They were hidden. They were hiding us from

4 morning till evening. We were taken out in stables about

5 a kilometres, up to four kilometres in the forest.

6 The Red Cross detected us or discovered us probably

7 in the month of -- I forget which month now -- and my

8 brother who was with me, he actually -- he actually gav

9 my name so I got the name of "Amir" although it was not me

10 who actually spoke to the Red Cross.

11 Q. Do you know why it was that they removed you when the Red

12 Cross came?

13 A. Yes. They were hiding us so that they could continue

14 beating us, because the Red Cross probably would not allow

15 the beatings to go on. So they said that we, some 10 to

16 17 of us, were probably regarded as most dangerous, and

17 people in the guards, in the guards, and each one of us

18 was singled out, so that it was known which people were

19 being beaten but the Red Cross could not find us. We were

20 badly beaten, tortured, and I remember that one morning

21 they came to us on the 11th September and they took some

22 10 of us and they decided they would take us for

23 interrogation.

24 Q. Then what happened?

25 A. First, they searched us although I had nothing on me

1 anyway. I only had a blanket, I think. So they searched

2 us, and then there were black cars, the black moriah, the

3 cars that was closed, totally closed, without any air.

4 There we found a man from Srebrenica and we were driven

5 for four or five hours. Then they opened the door for

6 us. In the meantime, we had actually no air in the car.

7 Then the man who was with us, a man by the name of Bricak,

8 then they lined up the 11 of us and said: "This is

9 Bircko". Some people wanted to beat us, but they did not

10 allow that.

11 Then they told us to enter the car again. The door

12 was closed behind us, and then we were driven again for

13 three to four hours again. I know very well that at on

14 point the car stopped in front of a hangar. I did not

15 know which town that was, which place that was, and we

16 came out of that car sweating, and I always had two

17 pullovers. This was useful because that dampened the

18 blows. So they started beating us immediately. Some 20

19 people were there, armed with weapons with rifles. So we

20 ran; came to a hangar and they started beating us again,

21 and they told us to get in into the hangar and then we

22 learned that we were at Doboij. There were already some

23 five to six prisoners detainees already there. That was

24 in Doboij.

25 Q. Do you know how many other detainees there were in Doboij?

Page 359

1 A. Apart from us 11 what were brought there, there had

2 already been five to six people there, and from day to day

3 they would bring new people. So that there were some 50

4 people, usually from Doboij and the surrounding area.

5 Q. How long did you stay at the camp in Doboј?

6 A. We stayed there for -- until the 6th July 1993. Then they

7 were told -- they told us that we would be exchanged at

8 Batkovic, and that exactly is what happened. We were

9 brought to Batkovic. We were exchanged. But before that

10 we were we spent some 15 days in Batkovic, so that

11 actually on the 21st July the exchange took place. I must

12 say I never believed I would be exchanged ever because

13 these were the kinds of people that you could not trust at

14 all, and nobody should trust them ever.

15 MISS McHENRY: Your Honours, I do not have any more questions

16 for this witness.

17 JUDGE RIAD: I just want to ask whether this continuous beating

18 you suffered was particularly meant to a certain group, o

19 was it a general attitude against all the detainees, and

20 why were you sometimes singled out, in particular?

21 A. Well, let me try to explain it because in Batkovic we were

22 singled out. They regarded us or called us extremists and

23 they said we had prepared for war, although none of us had

24 prepared. I knew very well some 700 to 1,000 people that

25 I know, and only two of them I know as fighters and I do

Page 360

1 not know. I was told later that Dragan Nikolic actually

2 circled my name because anybody who was -- whose name was

3 circled in red was then singled out and beaten.

4 So there were some 17 people whose names had been

5 circled, and so we had this special beating treatment, so

6 to speak. But the others who were not like that, they had

7 been treated badly as well; at least 10 blows received by

8 any, every person, no matter old he or she was. There

9 were people over the age of 80 who were also beaten.

10 JUDGE RIAD: Thank you.

11 THE PRESIDING JUDGE: [Original in French] Mr. Berbic, could I ask you

12 something?

13 Regarding the camps, did all the prisoners have the same

14 status? Was it the case that some of the prisoners were

15 given the role, the specific role, of being intermediaries

16 as regards the authorities or the guards?

17 A. I am sorry, could you repeat the question, please?

18 Q. If I have understood on the basis of some of the

19 testimonies that, for example, some of the prisoners were

20 grave diggers, and they had to repeatedly carry out that

21 function and bury the dead. So my question is more

22 general now. I am asking you whether a particular number

23 of prisoners had specific roles, for example, as

24 intermediaries in order to discuss working and living

25 conditions with the authorities or were they all treated

Page 361

1 in the same fashion?

2 A. It depends. There were some men who under pressure, under

3 pressure from Serbs, there were cases of Muslims beating

4 Muslims. There were also Croats there too. They

5 sometimes beat other prisoners, they were forced

6 to beat other prisoners, by the authorities. They even

7 brought civilians to beat us.

8 THE PRESIDING JUDGE: [Original in French] Thank you. No other

9 questions. I do not

10 think any of us has another question. The Tribunal would

11 like to thank Mr. Berbic for his testimony. I hope you

12 will find inner peace and serenity in your future life.

13 Could you please accompany him before we move on to the

14 next witness?

15 THE WITNESS: [Original in Bosnian] Thank you very much.

16 (The witness withdrew)

17 THE PRESIDING JUDGE: [Original in French] Counsel for the Prosecutor,

18 you have the

19 floor.

20 MR. NIEMANN: Thank you, your Honour. Your Honours, I have not

21 myself personally spoken to the next witness who has,

22 I understand, just arrived, but I have had Mr. Dixon speak

23 To the witness. He tells me that the witness wishes to

24 give his evidence in public with the exception of the

25 address of the witness.

Page 362

1 THE PRESIDING JUDGE: [Original in French] So we will lift the order of

2 disclosure partially and we have taken note of that and

3 the decision

4 of the Tribunal except, of course, the address of the

5 witness. Could you tell us who the next witness is

6 please?

7 MR. NIEMANN: Yes. Sead Ambeskovic. I call Sead Ambeskovic

8 SEAD AMBESKOVIC, called.

9 THE PRESIDING JUDGE: [Original in French] Do you hear me?

10 Are you getting the interpretation? Mr. Ambeskovic, first

11 of all, you will read out the oath which has been given to

12 you.

13 THE WITNESS: [Original in Bosnian] I solemnly declare that

14 I will speak the truth, only the truth and nothing but the

15 truth.

16 THE PRESIDING JUDGE: [Original in French] Be seated. Mr. Ambeskovic,

17 we would like

18 to thank you for coming to The Hague to give us your

19 testimony. We are fully aware of the courage you had to

20 have to come here. We hope you will feel at ease here.

21 Bear in mind that you will have serenity because you are

22 in a judicial circle, you are in an International Criminal

23 Tribunal. It goes without saying if you have any

24 difficulties, please do not hesitate to communicate it to

25 us.

Page 363

1 Counsel for the Prosecutor you have the floor.

2 MR. NIEMANN: If your Honour pleases. Your full name is Sead

3 Ambeskovic?

4 A. Yes, my name is Sead Ambeskovic.

5 Q. Do you have a nickname by which you are also known?

6 A. "Sajo", they call me "Sajo".

7 Q. What was your date of birth?

8 A. 19th April 1966.

9 Q. Where were you born?

10 A. In Vlasenica.

11 Q. Prior to 1992 where had you lived for the most part of

12 your life?

13 A. In Vlasenica. I was born in Vlasenica and lived all my

14 life in Vlasenica.

15 Q. When did you do your military service?

16 A. In 1985.

17 Q. Was that with the JNA?

18 A. Yes, with the JNA.

19 Q. After your service were you then in the military reserve

20 from 1986 until 1992?

21 A. Yes, I was in the reserve units.

22 Q. What was your employment in Vlasenica?

23 A. I was a heavy machine operator.

24 Q. I would like you to cast your mind back, if you would,

25 please, to 29th May 1992 in the evening at about

Page 364

1 8 o'clock. I understand that at that time Dragan Bastah

2 came to your house; is that right?

3 A. Yes.

4 Q. Can you tell the Tribunal what happened when that

5 happened?

6 A. He came to my house. I was there with my family. I was

7 not -- I did not dare go out because they started

8 arresting people around the town. So I did not have the

9 courage to go out. I was with a friend too, Hajrudin

10 Osmanovic, who was also staying at my place at the time.

11 Q. What happened?

12 A. They surrounded my house. He came, Dragan, and three more

13 individuals with him. They started knocking my door, and

14 using abusive language, offending my nationality and

15 religion, and told me to get out of the house. We

16 normally went out at the door. I did not know what it was

17 all about.

18 Q. Did you know who these people were that came to you

19 house?

20 A. No, I did not because I was in the house. I did not know

21 what it was all about because I did not dare go out.

22 I had not gone out previously.

23 Q. OK. What happened then?

24 A. I went out of the house. They forced us out in front of

25 the house, told us to put our heads against the wall and

Page 365

1 stand against the wall and they started searching us.

2 They were asking for weapons, trying to find weapons.

3 They could not find anything. Then they started to beat

4 us. They asked for weapons. I could not answer anything

5 because I had no weapons on me. I just had no weapons.

6 Q. How were these men dressed? Could you describe the

7 clothes they had on?

8 A. All the four of them had the camouflage uniforms on. So

9 they looked like special units, members of special units.

10 Q. Special units of what, the military or the police?

11 A. Most likely it was their military police.

12 Q. What happened after that?

13 A. After that they told us to go in front of the car. It was

14 raining. We were not dressed adequately. We did not know

15 what it was all about and we had to go practically without

16 any clothes on and any footwear. Then they forced us to

17 go into the police station.

18 Q. Where was the police station?

19 A. The police station was near the bus station opposite the

20 municipality building, the municipal administration

21 building.

22 Q. In Vlasenica?

23 A. In Vlasenica, yes

24 Q. What happened when you were taken to the police station?

25 A. They took us into a room. It was a closed room. They

Page 366

1 closed the door and there was a leather upholstering on

2 the door. There were a couple of other people there whose

3 names I do not remember, and these four came with us, came

4 into the room. The four of them then left. There were

5 four people when we came in and they stayed, and those who

6 had brought us had left. They started beating us and

7 swear at us, offending our religion, and kept asking us

8 where the weapon was, who was selling the weapons and who

9 opened weapons.

10 Q. With what were they beating you?

11 A. They beat us with truncheons, rifle butts and various

12 wooden objects, mostly like handles, like pick handles.

13 Q. On what part of your body were you beaten?

14 A. They beat us on the back, on the head, and the area of the

15 kidneys in the back, in the lower part, in the small of

16 the back.

17 Q. With what did they beat your kidneys with, in the kidney

18 area of your back?

19 A. Mostly with rifle butts.

20 Q. Can you just describe as best you can how they struck you

21 with the rifle butts? Stand up if you feel that is easier

22 to do it that way?

23 A. (Demonstrated) Using all their force.

24 Q. How long did this beating last for?

25 A. It lasted about 30 minutes, as far as I can remember.

Page 367

1 Q. What happened after the beating?

2 A. After that they stopped beating us because we almost

3 fainted, we almost lost our consciousness. They -- one o

4 them got out, brought some paper and a pencil and told us

5 to write who had weapons, where our weapons were and who

6 had been selling weapons.

7 Q. What did you do?

8 A. Nothing. I could not answer that question. I could not

9 write because I did not know. I was just not part of

10 that, and so I was not able to write anything about

11 anybody who had any weapons.

12 Q. Did they do anything to you when you did not write

13 anything down?

14 A. Yes. They started beating us again. They started beating

15 us again, also with handles. Because we had been beaten,

16 we could not take many more hits, blows, so they -- we

17 fell down and they started kicking us.

18 Q. When you fell down, where did they kick you? What part of

19 body did they kick you?

20 A. Stomach, the chest, the head and also the legs too.

21 Q. Can you describe the shoes that they had on?

22 A. They had classical army boots. Standard classical army

23 boots.

24 Q. How long did this beating last for?

25 A. That lasted for about 15 minutes. A little bit longer,

Page 368

1 perhaps.

2 Q. After they beat you this time did they then say for you to

3 write again?

4 A. Yes, all the time they kept saying: "Write, write down",

5 and they abused us verbally and they said: "You will have

6 to say in the end anyhow."

7 Q. So what happened?

8 A. After that they went out for a moment. They left u

9 there. We had almost lost our conscious and they brought

10 some water for us to regain our consciousness. After that

11 they ordered for us to be taken to the Susica camp.

12 Q. Were you then taken to the Susica camp once they gave that

13 order?

14 A. Yes. Immediately we were taken in a Golf, in a car of the

15 make Golf, a police car. We were taken to the Susica

16 camp.

17 Q. Do you know the names of the men that took you to the

18 Susica camp?

19 A. There was Dragan Stanic, he was the driver, and he was

20 accompanied by Golijan, Nedeljko Golijan.

21 Q. What happened when you arrived at the camp?

22 A. We were met by Dragan Nikolic at the very entrance to the

23 camp. Dragan Nikolic was there, Luka Majstorovic also,

24 and two other men whose names I do not know, and I did not

25 know them at the time.

Page 369

1 Q. Did you know Dragan Nikolic prior to seeing him at the

2 camp on that particular day or evening?

3 A. Yes, I had known him. Frequently, before all this

4 happened, for about three or four years I used to go to

5 his house. We visited each other even. I knew him quite

6 well, in fact.

7 Q. Was there any particular circumstances that caused you to

8 go to his house from time to time?

9 A. On one occasion when I went to see him, I went with my

10 brother who was a mechanic, a car mechanic, I went there

11 to help him with his car. I was there all the time and

12 then after that we socialised frequently together.

13 Q. I think, just to clarify, the car that was repaired wa

14 Nikolic's car; is that right?

15 A. Yes, yes, that was Nikolic's car.

16 Q. When you saw Nikolic at the Susica camp when you first

17 arrived, can you describe the way he was dressed?

18 A. Yes, as soon as I saw him, when we came there, he was in

19 this colourful camouflage uniform. He had nothing, no cap

20 on his head, but he did have insignia on the sleeves of

21 his uniform. This was the Serbian tricolor, the military

22 tricolor for the Serbian army. Also, he had a knife

23 hanging from his belt, he had a pistol and in his hands he

24 had a baton, and that is what he had in his hands.

25 Q. Did anything happen as soon as you arrived at the camp?

Page 370

1 A. Yes. As soon as we got off the car they started beating

2 us. They also swore. They spoke abusively, swear words,

3 referring to our mothers and say: "You are in our hands

4 now, and now you will see what you have to confess."

5 Q. Can you remember what it was that you were beaten with?

6 A. Dragan Nikolic had a baton, as I told you, the rest of the

7 guards had rifles, and the two people who were with him

8 had rifles, Majstorovic was one of them, and Nedeljko

9 Golijan was the second one. They had rifles and they

10 started hitting us with the rifle butts and they actually

11 -- and they actually beat us all the way to the guard, to

12 the guard house or to their office, you might call it.

13 Q. Did Nikolic himself beat you on this occasion with his

14 baton?

15 A. Yes, yes. Personally, he hit personally. As soon as

16 I got off the car he started swearing at my mother, my

17 Muslim mother, he said, and said: "I will be

18 interrogating you here and now you are in my hands". H

19 started hitting me and then those that were with him

20 continued, and it went on like this until we came to their

21 office or to their guard house.

22 Q. Can you remember the date that this was?

23 A. This was the 11th June, probably at 7.30 p.m.

24 Q. What happened after you were beaten?

25 A. After that, they brought us into their office. They asked

Page 371

1 our names and dates of birth. Then they took us to what

2 they called hangar and then we spent the rest of our time

3 in that building.

4 Q. When they took you and searched you, did they take

5 anything from you?

6 A. Yes, when we entered the hangar, as we were entering at

7 the gate, they stopped us and they took my watch, they

8 took my driver's licence, they took my car regulation

9 licence and the money that I had on me.

10 Q. How much money did you have on you?

11 A. I had some 10 billion old dinars.

12 Q. When you say they took it, who took the money and the

13 other things from you?

14 A. This was done by Dragan himself. He searched me. He took

15 my belongings, he took my watch and actually he took

16 everything that I took out of my pockets. So, I had to

17 hand over everything to him.

18 Q. Can you describe what happened when you were put into the

19 hangar?

20 A. In the hangar, when I entered the building, I saw quite a

21 number of people already there. I could not decide how

22 many people were there, but later I learned that there

23 were all together 700 people in that building. And I sa

24 not far from the door because this was the only place that

25 was free where I could actually sit down on the floor.

Page 372

1 Q. Was there any lighting in the hangar at night time?

2 A. Yes, there was one lamp which was some three to four

3 metres from the door, and this was on a beam and there was

4 an ordinary bulb hanging from there. This was a metal

5 wire and that was four to five metres from the door.

6 Q. Of the people that were in the hangar that you described,

7 can you say whether they were all men or women or a

8 mixture of both, or were they adults or children or a

9 mixture? Can you give us a description of the ages and

10 sexes of the people contained in the hangar?

11 A. They were some elderly people, there were some children

12 and women. In the back part of the room there were men,

13 while women were closer to the door.

14 Q. How much space was made available for people to sleep or

15 to sit down?

16 A. There was not much space left for lying down. Actually,

17 we were lying practically one on top of the other, so to

18 speak. The hangar was full to capacity, and there was

19 very little space so that they could walk, that the guards

20 could walk so, like, a passage was left free so they could

21 walk.

22 Q. Were you given anything to sleep upon or lie upon when you

23 were staying in that hangar?

24 A. No, nothing. They did not give us anything. I was lying

25 on the concrete floor.

Page 373

1 Q. What about ventilation, were there windows in the hangar?

2 A. Yes, there were windows, but they were not open. The

3 whole -- there was only one window that was open and tha

4 was close to the door from the -- this was open, the upper

5 part of that window was open.

6 Q. Might the witness be shown the plan of the camp?

7 (Handed). Would you look at that for me, please, and can

8 you tell me, do you recognise what that is?

9 A. Yes, this is the Susica camp.

10 Q. Could the exhibit be placed on the machine?

11 Mr. Ambeskovic, looking at the exhibit as it is on the

12 machine itself, can you describe the features of the camp

13 as you see depicted on that exhibit?

14 A. Yes. These are the two hangars.

15 Q. Would you point to them with your pen. Thank you. That

16 one you are pointing to, that hangar there, the first one?

17 A. This is the hangar where we were staying, the one I am

18 pointing out now. This is the guard house. There,

19 I would say, their office.

20 Q. Who stayed in that guard house?

21 A. It was Dragan Nikolic and another man who was his clerk or

22 his secretary, you might say.

23 Q. Was that the place that you were first taken to when you

24 arrived at the camp when Dragan Nikolic questioned you?

25 A. Yes, that was the place. That was the place where we were

Page 374

1 first brought.

2 Q. The other building, the other black hangar that you first

3 pointed to, not the one where the people were, what was

4 that used for, do you know?

5 A. As far as I remember, I was never inside and I could not

6 see anything special. This was simply some kind of

7 military depot. There was some kind of military material

8 there. There were no people there

9 Q. Pointing with your pen, do you see the pole that carried

10 the length electricity lines?

11 A. Yes, that is the electricity pole. That was the

12 electricity pole where we were brought and beaten.

13 Q. Looking towards the back of the camp behind the hangar

14 where the detainees were kept, there are two small

15 buildings. Do you know what they were? You can perhaps

16 point to them too.

17 A. These were like toilets put together with boards, wooden

18 boards.

19 Q. The smaller building behind the storage hangar going

20 immediately back and across from where the two toilets you

21 pointed to, what was that building for you are now

22 pointing at, what was that used for?

23 A. That was an old -- that was a shed for various kinds of

24 military utilities. This was like a utility room for

25 objects that remained and that was open. You could

Page 375

1 actually see inside.

2 Q. The fence you see around the camp -- and would you point

3 to the fence for me, please, with your pen ---

4 A. Yes, this was the fence.

5 Q. -- what was that constructed of? What was that made of?

6 A. This was barbed wire.

7 Q. The black river or creek depicted in the foreground of the

8 camp on the plan, did that river or creek have a name that

9 you knew of?

10 A. This was the Susica. This is the River Susica. It was --

11 there was a bridge there. The River flowed under the

12 bridge.

13 Q. Did you know what this camp was used for prior to the wa

14 in 1992?

15 A. Yes, I actually built that camp. We were digging the

16 foundations, my company built. The hangars were used for

17 the military material so as to be kept as a military

18 depot. Later it was used for -- as a detention camp.

19 MR. NIEMANN: Your Honour, I am now about to move -- I am

20 finished with that exhibit, thank you -- on to another

21 topic, but I notice the time. Is it now a convenient

22 time, your Honour?

23 THE PRESIDING JUDGE: [Original in French] Yes. Quite clearly, we were

24 going to

25 stop at 5.30. However, it is not exactly perfect to

Page 376

1 interrupt the witness. How long would the rest of your

2 questions last, do you think, sir.

3 MR. NIEMANN: Another hour, I think.

4 THE PRESIDING JUDGE: [Original in French] One hour. Then we adjourn

5 hearing until

6 tomorrow at 10 a.m..

7 (The proceedings adjourned until the following day)

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