

1 Tuesday, 2 February 2010

2 [Open session]

3 [The accused entered court]

4 --- Upon commencing at 2.24 p.m.

5 THE REGISTRAR: Good afternoon, Your Honours. Good afternoon to
6 everyone in and around the courtroom. This is case IT-08-91-T, the
7 Prosecutor versus Mico Stanisic and Stojan Zupljanin. Thank you, Your
8 Honours.

9 JUDGE HALL: Thank you, Mr. Registrar.

10 May we begin by taking the appearances, please.

11 MS. PIDWELL: May it please Your Honours. Appearing for the
12 prosecution today is Tom Hannis, Belinda Pidwell, and Crispian Smith.

13 MR. ZECEVIC: Good afternoon, Your Honours. Slobodan Zecevic,
14 Slobodan Cvijetic, Eugene O'Sullivan, and Tatjana Savic appearing for
15 Stanisic Defence. I'm sorry, and Dominic Kennedy, our intern is also
16 present. Thank you very much.

17 MR. PANTELIC: Good afternoon, Your Honours. For Zupljanin
18 Defence, Igor Pantelic and Dragan Krgovic.

19 JUDGE HALL: I'm now addressing the witness.

20 Good afternoon to you, sir. Can you hear me?

21 THE WITNESS: [Interpretation] Good afternoon. I can hear you.

22 JUDGE HALL: Thank you. You, as you would be aware, have been
23 summoned to attend as a witness before the -- this Tribunal and your
24 evidence is being received by way of videolink. The Court Officer who is
25 with you, as I'm sure would have been explained to you, is there to

1 assist and facilitate the testimony which the Tribunal is receiving live
2 by way of this videolink.

3 Have you appeared before the Tribunal previously, or have you
4 appeared in court in your -- anywhere in -- in your country of residence?

5 THE WITNESS: [Interpretation] No, never.

6 JUDGE HALL: Well, I would begin by explaining the procedure to
7 you. And that is that the side calling you, in this case the
8 Prosecution, would begin by asking you questions, after which the counsel
9 for each of the two accused persons would have a right to ask you
10 questions. Then the Prosecution could re-examine you, and the Chamber,
11 itself may have questions of you.

12 I would begin by asking you to state your name for the record,
13 sir.

14 THE WITNESS: [Interpretation] My name is Asim Basic.

15 JUDGE HALL: And what is your date of birth?

16 THE WITNESS: [Interpretation] 7th of February, 1951, in the
17 village of Basici.

18 JUDGE HALL: And what is your profession or occupation?

19 THE WITNESS: [Interpretation] I'm a -- I am a mining engineer,
20 and I used to operate a bagger or excavator.

21 JUDGE HALL: And what is your ethnicity?

22 THE WITNESS: [Interpretation] Bosniak.

23 JUDGE HALL: Thank you, sir.

24 [Trial Chamber confers]

25 JUDGE HALL: Thank you, I would now invite the Prosecution to

1 begin by asking its questions of you.

2 [Trial Chamber and Registrar confer]

3 JUDGE HALL: But before she does that, I would now invite the
4 Court Officer to have you take the solemn declaration.

5 THE WITNESS: [Interpretation] I solemnly declare that I will
6 speak the truth, the whole truth, and nothing but the truth.

7 WITNESS: ASIM BASIC

8 [Witness testified through interpreter]

9 [Witness testified via videolink]

10 Examination by Ms. Pidwell:

11 JUDGE HALL: Thank you, sir.

12 Yes, Ms. Pidwell.

13 MS. PIDWELL: Thank you, Your Honour.

14 Q. Good afternoon, Mr. Basic.

15 A. Good afternoon.

16 Q. Are you able to hear me and see me?

17 A. Yes, I can see and hear you well.

18 Q. I'm going to ask you a series of questions, and the questions
19 that I ask will be translated as I speak, so I ask you just to pause
20 between my questions and your answers so the interpreters can keep up
21 with us.

22 Mr. Basic, do you have a bundle of documents in front of you?

23 A. Yes, there are some.

24 Q. Well, if we just leave them in front of you for the moment, and
25 I'll be referring to them during the course of your testimony this

1 afternoon.

2 Firstly I'd just like to ask you some background questions, sir.

3 We've heard that you were born in the municipality of Gacko in
4 southern Bosnia and Herzegovina; is that right?

5 A. Yes, it is.

6 Q. And am I correct in saying that you lived there for your entire
7 life up until the war broke out in 1992?

8 A. I lived in Gacko and worked there and was born there until the
9 war broke out. I haven't been anywhere else.

10 Q. And the town that you lived in was the town of Basici, the town
11 of your birth; is that correct?

12 A. No, it is called Fazlagica Kula. It is made up of 13 villages
13 and they constitute a local community. My own village is called Basici.

14 Q. If my math is correct in 1991, would you have been 40 years old.
15 Does that sound right to you?

16 A. Well, yeah, I was born in 1951.

17 Q. And, sir, are you married?

18 A. On the 7th of February, 1951. Yes, I'm married. I've got a wife
19 and four kids.

20 Q. And do you still live in the municipality of Gacko?

21 A. No. When I was evicted from Gacko, I didn't return, because I
22 didn't dare. Now I'm in Sarajevo.

23 Q. Can you please tell the Tribunal the -- the municipalities that
24 surround the municipality of Gacko?

25 A. The municipality of Gacko is surrounded by the municipalities of

1 Nevesinje, on the north; a village on Trebinje on the south; then Foca on
2 one side ...

3 Q. And is the terrain of the municipality generally flat, or is it
4 mountainous?

5 A. The Gacko Polje, that is the Gacko field is flat but there are
6 mountains also.

7 Q. And before the war, would you agree with me that approximately
8 11.000 people lived in this municipality?

9 A. Yes, round about that number.

10 Q. And of those 11.000 people, approximately 35 per cent were from
11 your ethnic background, Bosniaks; is that correct?

12 A. Yes, if we take the entire municipality. But the town of Gacko
13 itself was predominantly Bosniak.

14 Q. That's right. Would you agree that the town of Gacko itself was
15 approximately 51 per cent Bosniak and 49 per cent predominantly Serb and
16 other ethnicities?

17 A. There were two or three Croats, and all the rest were Serbs, and
18 51 per cent were Bosniaks.

19 Q. Outside of the -- the town of Gacko, which areas in the
20 municipality did the Bosniaks predominantly live?

21 A. Kula Fazlagica was made up of 13 villages and they were all
22 Bosniaks and there was also Borac. These were inhabited by Bosniaks and
23 all the other villages were Serb villages.

24 Q. Thank you, sir. I'd ask if can you look at the documents that
25 are in the bundle in front of you and turn to tab -- the document behind

1 tab 1. It's 65 ter 10135.23. Sorry, 101735. 10137.23.

2 Do you have that map in front of you, sir?

3 A. Yes, I do.

4 MS. PIDWELL: Yes, Your Honours, it is one of the maps that's in
5 the binders.

6 JUDGE HARHOFF: [Microphone not activated]

7 MS. PIDWELL: Yes.

8 Q. Sir, do you agree that this is a -- a basic map of the
9 municipality of Gacko?

10 A. Yes, I agree, to a great extent.

11 Q. And that it has the -- on the map it has marked the Muslim towns
12 that you were referring to: Fazlagica Kula at the bottom, and Borac at
13 the top?

14 A. Yes.

15 Q. And your town was one of the hamlets within Fazlagica Kula; is
16 that correct?

17 A. Yes. It there was a connection with another village in the
18 direction of Nevesinje.

19 Q. And besides those two villages that you've named, the other towns
20 that we see named on that map, were they predominantly Serb towns?

21 A. Well, yes. Avtovac was Serbian, Ravni also, Kokorina. And
22 Cemerno was also a Serb villages.

23 Q. We see also on that map, and you've just mentioned the town of
24 Avtovac, was there anything in particular that was based at that town?

25 A. Yes, yes.

1 Q. What was there?

2 A. There was a military barracks.

3 Q. And just to give us a little bit of perspective, how far is that
4 from the -- the main town of Gacko that we see there?

5 A. Two and a half or 3 kilometres, roughly.

6 Q. And to give us also a little bit of perspective, in your town,
7 how many households made up your town of Basici?

8 A. There were 70 houses in Basici, and there were three persons that
9 lived in each of these houses, three to four.

10 Q. There's also a thermal power plant in the municipality of Gacko.
11 Are you able to show us on the map before you -- approximately where that
12 is?

13 Perhaps the court Registrar could assist you by providing a pen.

14 A. It should be here. Here, between Gacko and the place in the
15 south.

16 MS. PIDWELL: I wonder if the court Registrar in Sarajevo could
17 assist the witness in marking the -- the map before him, please.

18 Q. If you could just place a number 1 where the thermal power plant
19 is, please.

20 A. [Marks]

21 MS. PIDWELL: Your Honours, I'm in your hands at this point
22 whether you want the witness to hold it up to the camera or that we could
23 simply tender it and the Registrar can bring it back. Thank you.

24 Could I please tender that document as an exhibit at this stage
25 then.

1 JUDGE HALL: Admitted and marked.

2 THE REGISTRAR: Your Honours, that will be Exhibit Number P00914.

3 Thank you, Your Honours.

4 JUDGE HALL: Sorry, Ms. Pidwell, do you anticipate this witness
5 making any further markings on the copy of the map that he has?

6 MS. PIDWELL: No, I don't, Your Honour.

7 Q. And, finally, on these general background questions, sir, could
8 you briefly describe what the relations were like between Bosniaks and
9 Serbs in the municipality of Gacko before the war.

10 A. [No interpretation]

11 MS. PIDWELL: I don't -- I think we're having a problem. There
12 is no translation coming through, Your Honours.

13 THE WITNESS: [Interpretation] Before the war the relationships
14 were excellent until the moment some paramilitary formations came from
15 Serbia about a couple of months before the war. Before that, everything
16 was excellent, we socialised, we celebrated our religious holidays
17 together. It was good.

18 MS. PIDWELL:

19 Q. I wanted to ask you some questions about what happened after the
20 elections in 1990.

21 Do you recall who was appointed the president of the
22 municipality?

23 A. Mitar Lazetic was appointed the president of the municipality.

24 Q. And from which political party was he from?

25 A. The SDS.

1 Q. And did you know him personally?

2 A. Yes. We worked together. He was one of the engineers in the
3 thermal electric plant.

4 Q. And do you know who -- do you recall who was appointed the chief
5 of the SJB in Gacko after the -- directly after the elections?

6 A. Elvedin Dzubur was the commander of the SJB and Tale Talovic was
7 the chief of the SUP, until the moment the SDS took over. After that, a
8 certain person was brought over from Foca and appointed commander of the
9 police.

10 Q. Do you recall the name of the -- sorry. The -- after the
11 elections was the chief of the SJB appointed from the SDS or from the
12 SDA; do you recall that?

13 A. I believe that he was from the SDS. And before that, he was from
14 the SDA. After the elections the person from the SDA was the chief of
15 public security, and then the SDS came and forcefully removed that person
16 from office.

17 Q. Do you recall the name of the chief of public security from the
18 SDA?

19 A. Tale Talovic. And the police commander was Elvedin Dzubur.

20 Q. And you've said that these positions were then taken over by the
21 SDS. Do you recall how that happened?

22 A. When the paramilitary formations arrived in Gacko, there was a
23 rebellion, and then they forcibly removed both the police commander and
24 the police chief.

25 Q. Do you know who was appointed in their place?

1 A. A certain name called Popovic was brought to that position and
2 the police commander was Vitomir Popic, a former police officer.

3 Q. I'm going ask you to repeat the name of the police commander
4 because I'm not sure it was caught by the interpreters.

5 Could you name the police commander?

6 A. The police commander was Vitomir Popovic, and the chief I don't
7 know what his first name was. I know that his family name was Popovic
8 and the other was Vitomir Popic. And I don't know Popovic's first name.
9 I only know that his family name was Popovic.

10 Q. The -- the police commander Popovic, did you know him personally?

11 A. I knew him -- I knew 99 per cent of the children in Gacko let
12 alone the police commander. Of course I knew him.

13 Q. And did you know Popic personally?

14 A. I knew Popic personally. And as for Popovic, I did not know him,
15 and I never saw him before.

16 Q. Sorry, sir, I just need to go back a little bit. These names are
17 a little bit confusing because they are so similar.

18 The -- there are two gentlemen who are the police chief and the
19 police commander of the SJB in Gacko. The one that you have said you
20 knew was -- just to clarify, was Popic. Is that correct?

21 A. Yes, Popic. And the other one was Popovic.

22 Q. And you have said that -- initially you said that Popovic, that
23 you knew Popovic, but can you confirm whether you knew [Microphone not
24 activated]?

25 A. No, I didn't know Popovic; no, I didn't. What I am saying is

1 that I knew Popic. I didn't know Popovic. Popovic was brought to our
2 village from Foca.

3 Q. I'm going to ask you to look at a document, please. It's under
4 tab 10 in your binder, and it's 65 ter 2133.

5 A. Popovic ...

6 Q. Sir, do you have that page in front of you?

7 A. Yes, I do. I do, yes.

8 Q. Going through the names from the top, can you -- will you see
9 that under number one it says Vojin Popovic. Is that the name -- is that
10 the person that you were referring to that you did not --

11 A. Yes, yes, Vojin Popovic, yes.

12 Q. And underneath.

13 A. Vitomir Popic. That's the person whom I didn't know personally.
14 Vitomir Popic. I knew him. Because he used to work as a police officer
15 in Gacko.

16 Q. And going down the list, sir, are there any other names on that
17 list that you recognise as people that you know personally or knew
18 personally?

19 A. Mladen Vukovic, Milivoj Vukovic --

20 THE INTERPRETER: The witness is reading names.

21 MS. PIDWELL: Perhaps we could have the interpretation, please.

22 THE WITNESS: [Interpretation] I knew all those who are on the
23 list. I knew them by sight.

24 MS. PIDWELL:

25 Q. And after Popovic was appointed, did you ever encounter him in

1 the town of Gacko, in his role as the chief of police?

2 A. Well, yes, in passing. I happened to see him oftentimes.

3 MS. PIDWELL: I'd ask that this document be admitted and marked
4 at this juncture, please.

5 JUDGE HALL: Admitted and marked.

6 THE REGISTRAR: That would be Exhibit Number P00915. Thank you,
7 Your Honours.

8 JUDGE DELVOIE: I think -- Ms. Pidwell, I think we should clarify
9 something in the -- in the transcript.

10 At page 10, line 22 -- no, no, no. Because there is a confusion
11 about who the witness knows and who he doesn't know.

12 THE WITNESS: [Interpretation] I knew them all by sight. I knew
13 95 per cent of the children and everybody. I knew them all by sight.

14 JUDGE DELVOIE: Except Popovic. I can't -- I can't find -- I
15 can't find it in the transcript anymore. But at a certain moment he
16 says -- well, in the transcript he seems to say, Popic, I don't know him.
17 But the -- the Vitomir Popic was your question and not his answer.

18 THE WITNESS: [Interpretation] I knew Popic well.

19 JUDGE DELVOIE: Okay. Okay. So it's okay.

20 MS. PIDWELL: Would Your Honours like me to clarify that once
21 more?

22 JUDGE DELVOIE: No, no. As long as it is clear in the transcript
23 and there is no doubt about it.

24 MS. PIDWELL:

25 Q. Sir, can you explain how it is that you say that you knew the

1 majority of the people in Gacko but you didn't know Popovic before his
2 appointment?

3 A. Popovic had lived in Foca. I didn't know him. After the
4 elections, he was brought over from Foca to be what he was to be. He had
5 not lived in Gacko before.

6 JUDGE HARHOFF: [Microphone not activated] [Previous translation
7 continues] ...

8 MS. PIDWELL:

9 Q. Thank you, sir.

10 Sir, we've just talked about how the -- the SDS appointed these
11 two men into these positions. Are you able to -- do you know if there
12 were any other Bosniaks who were replaced by Serbs in the municipality of
13 Gacko during -- in the pre-war period?

14 A. They replaced Asim Faglagic [phoen], who was a doctor in the
15 hospital. Izet Skoplj [phoen] in the school, in the primary school, and
16 there you go.

17 Q. Do you recall the first time that -- when you saw armed forces
18 passing through Gacko?

19 A. I don't remember the date.

20 Q. That's all right. Can you describe what you saw and what you
21 remember?

22 A. I remember that I saw them passing and I -- and a relative of
23 mine were counting them. 350 tanks, and other vehicles went in the
24 direction of Mostar and further on towards Dubrovnik, and the rest
25 remained stationed on the hilltops around Gacko.

1 Q. And do you recall the general reaction of the Bosniaks in your
2 community to this?

3 A. Bosniaks considered them an occupation army; whereas, the Serbs
4 praised them and threw flowers on them.

5 Q. And can you describe if and how tensions between the two
6 ethnicities developed after this?

7 A. For a while, we continued working together without any problems,
8 until the moment some paramilitary formations came from Serbia. They
9 were billeted in the hotel and then they went around the Serb villages and
10 trained the Serb youth. And that's how it all started.

11 And then Armin Boskovic and Nermin Grebovic-- or rather Zoran
12 Grebovic were killed. And that's when tensions actually started.

13 Q. Where were they killed?

14 A. They were killed as they were driving potatoes to Sarajevo. On
15 the way back, they were killed in a place called Cember.

16 Q. If you can have a look once again, sir, at the map that you were
17 looking at before under tab 1, is the place that you described as Cember
18 on that map?

19 A. Yes, yes, Cember is here.

20 Q. And how far is that from the town of Gacko?

21 A. About 15 to 20 kilometres, between 15 and 20 kilometres. I don't
22 know exactly.

23 Q. And what, if anything, did the Bosniak community do after these
24 two men were killed?

25 A. There was a protest rally in the centre of Gacko. There were

1 Serbs who joined them as well and participated in that protest rally.

2 Q. And did the Serb authorities take any steps as a result of that
3 protest?

4 A. They promised but they didn't deliver. They knew who had killed
5 them, but they did not take any steps.

6 Q. I want to ask you some questions now, sir, about events which
7 took place in April and May of 1992.

8 Did -- did Bosniak or Muslim businesses continue to operate
9 during this time?

10 A. I did not understand you.

11 Q. I want to ask you some questions about events which took place
12 after -- or during and after April 1992. And, in particular, whether
13 Bosniak businesses continued to operate or if anything happened to them.

14 A. All the shops were torched or blown up, and people could not work
15 anymore. Everything was over.

16 Q. Did you continue going to work?

17 A. I personally continued going to work, but those who worked in
18 town, to be honest, well, they did not go, or stopped going regularly.

19 Q. And your place of work was --

20 JUDGE HALL: Sorry, is the witness having some difficulty?

21 I don't know if the Court Officer is responding to my question.
22 But I can't hear her.

23 MS. PIDWELL: I think she is but we can't hear her, sir.

24 THE INTERPRETER: The interpreter believes that the witness asked
25 the Court Officer for a piece of paper and a pen to make notes.

1 THE REGISTRAR: [Via videolink] No, I apologise, Your Honours.

2 Can you hear me now?

3 JUDGE HALL: [Previous translation continues] ... if that with a
4 system in his testimony, we have no objection.

5 She seems to be saying that that's not what --

6 THE REGISTRAR: [Via videolink] Can -- can you hear me at all,
7 Your Honours? No.

8 [Trial Chamber and Registrar confer]

9 JUDGE HALL: It appears that there's a technical problem and
10 we're going to have to rise until this is resolved.

11 I don't know if it is possible to ...

12 [Trial Chamber and Registrar confer]

13 JUDGE HALL: Yes. I understand it should be resolved in five or
14 ten minutes.

15 --- Break taken at 3.10 p.m.

16 --- On resuming at 3.18 p.m.

17 [Trial Chamber and Registrar confer]

18 MS. PIDWELL:

19 Q. Are you able to hear me?

20 JUDGE HALL: Yes. Pardon me.

21 THE REGISTRAR: [Via videolink] We can hear you.

22 JUDGE HALL: Yes, please, please go ahead. Please go ahead.

23 THE REGISTRAR: [Via videolink] Your Honours, before we left
24 off -- addressing with regards to witness's request to look at a piece of
25 paper that he has in his pocket to remind his ...

1 him in terms of dates, I -- I would be inclined to allow him to refer to
2 them, provided, of course, he explains that they were his own notes that
3 he was just replicating.

4 Ms. Pidwell.

5 MS. PIDWELL: Your Honours, I'm happy to ask him numerous
6 questions about the note. And perhaps it could be MFI'd and brought back
7 for the Defence to see it at the conclusion of his testimony or tendered
8 so it could form part of the record if Your Honours are happy for him to
9 refer to it.

10 I can ask him certainly when he made those notes and from what
11 source.

12 JUDGE HALL: Yes, if he is permitted to use them I think it is
13 inevitable and unavoidable that they would have to be -- if not exhibited
14 certainly brought to the attention of the Defence for their examination
15 before they -- so that they can by some means or other ask questions
16 based on -- to test the authenticity of -- of those notes and accuracy of
17 those notes.

18 But the foundation question is that the Chamber must be satisfied
19 that they are the witness's own notes.

20 MS. PIDWELL: I'll lead him through those questions with Your
21 Honours' leave.

22 JUDGE HALL: Thank you.

23 MS. PIDWELL:

24 Q. Mr. Basic, you have referred to some -- a piece of paper that you
25 have with you, or the Registrar has now. Could you please, firstly, tell

1 the Tribunal when you -- you made the notes that are contained on that
2 paper?

3 A. I made those notes a long time ago. They were in my pocket. A
4 long time ago, I made notes of the dates and the events. And that's all.
5 If the dates are very important, I can look them up on that piece of
6 paper. If the dates are not at all important, then I can't be bothered.
7 I don't even have to look at the paper.

8 Q. When you say "a long time ago," sir, can you be a little bit more
9 precise with when that was?

10 A. I really wouldn't be able to tell you. I don't know what
11 happened yesterday let alone about that paper, when I made those notes.
12 As things evolved and as things happened, I made notes.

13 Q. And, sir, is that the note made from your own memory or from
14 another source?

15 A. They are based on my own memory. Because I also had a notebook
16 where I recorded all the dates and events. They were like my diaries,
17 momento books.

18 MS. PIDWELL: Your Honours, in the circumstances, I ask that he
19 be able to use that note to refresh his memory on the dates.

20 [Trial Chamber confers]

21 JUDGE HALL: The Chamber rules that the witness may be permitted
22 to use the document in question, as a means of refreshing his memory.

23 The -- we would have to devise a practical means to allow the
24 Defence to exercise its right to examine the document and ask questions
25 on it.

1 throughout the course of the year, or did you stop at some stage?

2 A. I stopped at some stage, and I no longer worked at -- I stayed at
3 home because people were being arrested, and I didn't go to work after
4 that.

5 Q. Do you recall an incident at work which made you decide not to
6 return?

7 A. I remember that I was late for work once, and my supervisor said
8 to me that three armed reserve police officers had come looking for me.
9 I knew one of -- he knew one of them. That man's name was Dragan Bratic
10 [phoen] but he didn't know the two others. That's when I decided not to
11 go to work anymore. They had come to take me -- to bring me in for an
12 interview, but the people who were brought in for interviews were
13 actually locked up in a basement.

14 Q. I want to show you a photo, sir, from the booklet that you have
15 in front of you.

16 MS. PIDWELL: It's 65 ter 10254, and it's in tab 4 of the
17 booklet.

18 Q. Do you recognise this building?

19 A. This is the Terma Hotel at Gacko. I know it. Of course, I do.

20 Q. And you've referred to a basement in your previous answer. Was
21 this the -- the basement of this hotel that you were referring to?

22 A. Yes, yes. There was a bar, so-called bar in the hotel.

23 Actually, it wasn't just a basement ...

24 Q. Did you ever go into that -- that bar or basement of the hotel?

25 A. Yes, I was there two or three times with some buddies. We went

1 there.

2 Q. How do you know that people were detained there?

3 A. What do you mean, how do I know?

4 Everybody knew about it because people were taken there and you
5 couldn't go without noticing, without being noticed. And later on, the
6 wives went there to fetch their husbands.

7 Q. Do you know any people who were detained there?

8 A. Certainly. I know every -- every single man in Gacko.

9 Q. And what was the ethnicity of the people who were detained there?

10 A. They weren't Serbia; they were Bosniaks. They were taken away
11 from their houses, from their workplaces, from the streets. They would
12 catch people and take them away.

13 MS. PIDWELL: I'd ask that that photograph be admitted and
14 marked, please.

15 JUDGE HALL: Admitted and marked.

16 THE REGISTRAR: Your Honours, that would be Exhibit Number
17 P00916. Thank you, Your Honours.

18 MS. PIDWELL:

19 Q. And just to assist the Trial Chamber, sir, how far away was this
20 hotel from the police station in Gacko?

21 A. Some five -- 500 metres, less than a kilometre. And if you --
22 you count from the centre of Gacko, it was about a kilometre.

23 Q. While we've got the booklet in front of you, I'd ask that you
24 turn to tab 2, which is 65 ter number 10256, please.

25 A. This is the police building in Gacko.

1 MS. PIDWELL: I ask that that be admitted and marked at this
2 stage, please.

3 JUDGE HALL: Admitted and marked.

4 THE REGISTRAR: Exhibit Number P00917. Thank you, Your Honours.

5 MS. PIDWELL:

6 Q. And if you turn to the next tab, number 3, 65 ter 10257, you'll
7 see another photograph. This time it's taken from the air.

8 MS. PIDWELL: Just waiting for it -- yes.

9 Q. It is probably not a perspective you're familiar with, but are
10 you able to recognise any of the buildings in that photograph?

11 A. I know some buildings.

12 Q. Perhaps the court Registrar can assist the witness with a pen.
13 And if, sir, you're able to mark the buildings and name the buildings
14 that you recognise on that photograph, please.

15 THE INTERPRETER: Interpreter's note: Could Mrs. Registrar
16 please be asked to turn off the microphone while manipulating and turning
17 the pages. Thank you very much.

18 THE WITNESS: [Interpretation] I think this is the police station.
19 I can't see a staircase. Or maybe this is the police station. I can't
20 really find my way in this photograph. I know these buildings here.

21 MS. PIDWELL:

22 Q. Sir, the buildings that you do know, if you could just name them,
23 please, and mark them with a 1 and a 2, if you can tell us what you're
24 referring to, please.

25 A. This looks more like a grocery store to me.

1 I have great trouble finding my way in this photograph.

2 Q. That's all right, sir. We'll leave it at that.

3 We can put the photo away now if -- if that's all right.

4 Sir, are you able to tell us whether the SJB building in Gacko
5 was in the centre of town or outside the centre of town?

6 A. It was almost in the centre.

7 Q. Just about to move to another topic, Your Honours. I'm not sure
8 that we've had a break, whether we are going to take a break now or not?

9 JUDGE HALL: Well, in as much as the break was only about five
10 minutes, and I think for the convenience of the accused, persons who
11 would have been in court, I prefer to -- and also the background
12 mechanics, for want of a better word, it is better to stick to the
13 regular time.

14 So we will take the break now if this is a convenient point.

15 --- Recess taken at 3.42 p.m.

16 --- On resuming at 4.13 p.m.

17 JUDGE HALL: Before you continue, Ms. Pidwell, I assume that
18 Defence counsel has in hand the faxed copy of the document the witness
19 used to refresh his memory.

20 MR. O'SULLIVAN: Yes, Your Honour. Thank you.

21 JUDGE HALL: Thank you.

22 Yes, Ms. Pidwell.

23 MS. PIDWELL:

24 Q. Mr. Basic, before we took the break, we heard your evidence that
25 you had stopped working in 1992. And could you now tell us whether you

1 stayed in your home at Basici for the rest of the year, in 1992.

2 A. No, I didn't stay at home. I spent two or three months in the
3 mountains, and then I went to Mostar.

4 Q. What happened -- what was the event that took place which forced
5 you into the mountains?

6 A. The Yugoslav army drove us out with grenades. And then the
7 police, the reserve forces and the active forces, and whoever they found
8 they killed so we had to flee because we were unarmed.

9 Q. Was your home affected by any bombing or shelling during this
10 time?

11 A. Yes, I was at home when a shell hit my house and my house burnt
12 to the ground. Everything was destroyed and all the entire village was
13 affected.

14 And then the reserve police forces and the regular police and
15 also the local Serbs came and whatever they found, they picked up, they
16 took with them, and everything else was burnt.

17 Q. So after your home was hit by the shell, what did you do?

18 A. When the shell hit my house, my entire family was there. But
19 there were two concrete layers so the shell couldn't pierce them. But I
20 took my entire family, including the children, and we took to the
21 mountains.

22 Q. How did you get to the mountains?

23 A. Well, it isn't far. Our village was at the foot of the mountain.
24 It was by mere chance that we weren't hit by shells, because thousands of
25 shells landed there in those days.

1 Q. I'm assuming by your answer you -- you mean that you walked to
2 the mountains with your family?

3 A. Yes, we walked. It isn't far, you know. It's -- it's only a --
4 20 minutes walk and you're there. Our village is right next to the
5 mountains.

6 Q. And on this walk from your home to the mountains after your home
7 had been shelled, what did you see around you?

8 A. Only smoke and fire, and there was nothing else to see.
9 Everything was ablaze, the entire village.

10 Q. Were there other people around at this time?

11 A. There were people in the village, but everybody left the village
12 to go to Ljut, the mountain.

13 Q. Did you see any soldiers or police at this time?

14 A. Yes, later. They were reserve police officers. They wore blue
15 uniforms. Later, we did go back to the village to look for food. And
16 then we ...

17 Q. When you say "later," do you mean later that day, or on a -- on a
18 separate day?

19 A. On the following day when night had fallen. But sometimes we did
20 go there in day-time too. Because we spent two months in the mountains.

21 Q. And when you saw the reserve police officers, were they -- where
22 were they?

23 A. Well, you know, when the army -- the Uzice Corps had deployed
24 their guns and tanks on the hilltops around the village, once they had
25 stopped shelling, then they would loot the villages. And what hadn't

1 already been burned, they would burn on that occasion. And if they found
2 anybody alive, they would kill him.

3 Q. And, sir, when you say "they," who are you referring to?

4 A. I mean the army and the police. Majo Kovacevic, for example, was
5 a reserve police officer. I saw him first. He killed two sons of a
6 Menzuovic [phoen] in my village. And I saw him in police clothes.

7 Q. And can describe those police clothes for the Tribunal, please.

8 A. Well, I know the reserve police force. I was an army reservist
9 and the police had blueish uniforms. Formally, they wore red stars, but,
10 at that time, they wore kokardes on Sajkaca hats.

11 Q. Sir, I want to ask you to look at a document, please. It's 65
12 ter 2394. It is behind tab 8 in the documents you have in front of you.

13 This document is a list of employees, reserve police force for
14 April 1992 in Gacko. And I want to know if you recognise any of the
15 names, the 75 names, that are on that list.

16 Perhaps if you could just tell us the number, if you read through
17 the list and recognise a name as a person that you know to have been in
18 the reserve police.

19 A. Number 1, 4, 3, 2, 8, 9, 11, 12, 16, 17, 18, 19, 20. Sreten
20 Vidakovic. 22, 21, 24, 27, 26, 28, 29, 35, 39, 43, 45, 49, 50, 51,
21 Miodrag Vilic. 52, 53, 55, 56, 57, 58, 59, 68, 69, 70, 71, 72, 73, and
22 75.

23 I know them all by sight, and -- but, by name, well ...

24 Q. Thank you, sir.

25 MS. PIDWELL: I ask that that document be admitted and marked.

1 JUDGE HALL: [Microphone not activated] Sorry. These are names
2 of persons he recognise as police officers. Is something else -- just
3 pause for a moment.

4 Is there something else that you propose to do with this
5 document?

6 MS. PIDWELL: Sir, this is a list of the reserve police officers
7 for Gacko, and some of the names will become apparent later on in this
8 witness's testimony as being participants of the events that will take
9 place.

10 JUDGE HALL: I see. Admitted and marked.

11 THE REGISTRAR: As Exhibit Number P00918. Thank you, Your
12 Honours.

13 MS. PIDWELL:

14 Q. Sir, if we can go back now to the -- to your story, the event
15 that took place when you went into the mountains. How long did you stay
16 in the mountains?

17 A. Two months.

18 Q. And how many other Bosniaks were living with you in the mountains
19 during that time, approximately?

20 A. Approximately -- about 5 or 600 women, children, and adults.

21 JUDGE HALL: Sorry, I notice the witness is producing a piece of
22 paper. Is this the same bit of paper that we would have had earlier?

23 MS. PIDWELL: Yes, yes, the same, yes.

24 Q. And did this group of 5 or 600 stay together in the mountains, or
25 did they break up at some stage?

1 A. We were in groups, you know, but we all knew of each other. We
2 knew all knew where everybody else was. We kept to our separate groups,
3 but we knew where each group was. The mountain is huge, you know.

4 Q. Now I want to ask you to look at a document which is under
5 tab number 11 in your binder.

6 MS. PIDWELL: It's 65 ter 2932. Sorry, 65 ter 2649.

7 Q. Sir, do you recognise this document?

8 A. This is similar to the document that the Serbs sent us, inviting
9 us to surrender, the women, the children, and all of us.

10 Q. And when you say that the Serbs sent to you, was that while you
11 were in the mountains?

12 A. I didn't understand you.

13 Q. You said that you -- the Serbs sent you this document. Did they
14 send it to you while you were in the mountains?

15 A. Yes, yes.

16 Q. And how did you --

17 A. Yeah, yeah.

18 Q. How did you receive it?

19 A. A woman brought it to us. She was Meho Zekic's wife. She was
20 from the village of Crnice. That was a mixed village inhabited by
21 Muslims and Serbs. Her husband's best man, whose name was Pasinic, had
22 given her that letter to take us to.

23 Q. And what was your understanding of what the Serbs were wanting
24 you to do at this time?

25 A. They wanted us men to surrender, and we wouldn't do that. We

1 remained in the mountain. The women and the children went to a place
2 called Kotlina. There were some buses there, they got on the buses, and
3 they were taken to Perkovic-Stolac.

4 MS. PIDWELL: I ask that this document be admitted and marked.

5 JUDGE HALL: Admitted and marked.

6 THE REGISTRAR: As Exhibit P00919. Thank you, Your Honours.

7 MS. PIDWELL:

8 Q. So you told us that the women went to a place called Kotlina and
9 were taken away on buses.

10 What did you do at that -- after they'd gone?

11 A. We remained in the mountain until the moment we heard from them
12 that they had arrived in Stolac, and we heard that via radio connections
13 through ham radio operators.

14 Q. Who remained in the group with you?

15 Who remained in the group with you?

16 A. I didn't understand you.

17 Q. After the women and children had left the mountain and
18 surrendered and been taken away on buses, you said that you and others
19 stayed in the mountains. You remained in a group of people. And do you
20 recall who was in that group with you?

21 A. All of us. All of us able-bodied. What do you mean who was with
22 us? What do you mean?

23 Q. Can you name the people who were -- stayed with you in the group?

24 A. All from Fazlagica Kula and [indiscernible]. Everybody between
25 the ages of 20 and 70, everybody remained in the mountain. Over 300 of

1 us stayed there.

2 Q. Am I right in understanding there were just men?

3 A. A few younger women. But not many; three, four, maybe.

4 Q. And did this group of 300 break up at some stage?

5 A. All of us together went to Trnovo and from Trnovo we dispersed
6 and went in the direction of Mostar.

7 Q. How big was the group of you that went in the direction of
8 Mostar?

9 A. Certain groups of five to six went in the direction of Stolac.
10 Some went across Zelengora, and the group where I was, the whole group
11 consisted of over 250 people.

12 Q. Did you get to -- to Mostar?

13 A. We arrived in Mostar and stayed there almost until the moment the
14 war was over.

15 Q. At some stage did you encounter the -- some armed forces, the
16 Serbian-Montenegrin army?

17 A. Not on the way there.

18 Q. Could you please tell us when you encountered them and the
19 circumstances.

20 A. Well, I'm telling you, we did not encounter the Serb troops,
21 because we took a road across mountains and we hid. We wanted to avoid
22 being seen by anybody.

23 Q. Can you describe for us, sir, the circumstances of your arrest.

24 A. Before that group, I set off in the direction of Stolac and as I
25 descended into Berkovici we had walked to Berkovici, we descended into

1 Berkovici, and we were met by the Serb and Serb -- Montenegrin army. We
2 were surrounded but them, and we surrendered.

3 Q. How many of you at that time?

4 THE INTERPRETER: Could the witness please repeat.

5 A. There were a total of ten of us.

6 THE INTERPRETER: Could the witness please repeat the figure.

7 MS. PIDWELL:

8 Q. Sir, how many of you were in that group at that time? The
9 interpreter didn't quite catch your answer.

10 A. There were ten of us men and one woman.

11 Q. Are you able to recall their names?

12 A. You mean those men who were with me? Of course, I can. They
13 were all my relatives. I am going to rank them by age. Dzafer Basic,
14 Smajo Basic, Basic Edhem, Asim Basic, Nazif Basic, Ejub Basic, Elmir
15 Basic, Husnija Basic, and Sutko Civic, and Muvedeta Civic, Asmajia's
16 wife, so her married name was Basic.

17 Q. Were any of the people that you have just named under the age of
18 18?

19 A. Three. Husnija, Elvir, and Sulejman. They were under 15, I
20 believe.

21 Q. You've told us that you were with this group and you became
22 surrounded and that you surrendered. Were you all -- did you all
23 surrender?

24 A. The Serb line was there. They were on both sides of the road.
25 When we walked down there, they started shooting at us and yelled that we

1 should surrender, and so we did.

2 Q. So what happened to you after you surrendered?

3 A. Once we surrendered, we waited for a while in front of the house
4 where their officers were lying, and we had to wait for the changing of
5 the shifts, and they put us on a bus and drove us to some abandoned
6 school at Dabar which is some two kilometres away from Berkovici.

7 Q. And when you say "they," who are you referring to?

8 A. I didn't understand.

9 Q. In your answer, you said "they put us on a bus and drove us to
10 the school at Dabar."

11 Who were you referring to; who put you on the bus?

12 A. Those soldiers that were holding that line who took us prisoner.
13 And one group of them was going on home leave, and another group was
14 arriving to replace them.

15 Q. Before you got to the school at Dabar, were you taken anywhere
16 else?

17 A. First, they questioned me in the police station. There was a
18 police officer, probably the commander, well, he was kind of fair. But,
19 later, we were mistreated in that school.

20 Q. Which police station were you taken to?

21 A. At Berkovici. And our IDs were taken away from us, and our
22 money, whoever had money.

23 Q. How long did you remain in the school in Dabar?

24 A. We stayed two days and two nights at the school in Dabar. Until
25 Ramo Sudzum with his police officers came to fetch us with the -- with a

1 small bus of that catering company driven by a man called Supic, and
2 Radmilo came with five or six reserve police officers and took us to
3 Gacko.

4 Q. Are you able to recall the names of any of the reserve police
5 officers who took you to Gacko?

6 A. Of course. I remember Ramo Radmilo Sudzum. He was a kind of
7 commander of that station. There was also Sloba Todorovic and Bosko
8 Starovic, and one police officer from Konjic; I don't know his name. He
9 was a refugee from Konjic in Gacko and then he was a police officer in
10 Konjic and Gacko. I don't know his name.

11 Q. And did you go straight to Gacko, or was the van stopped on the
12 way?

13 A. We -- when we arrived at Koricka Jama they were the two brothers,
14 Samardzic, Zeljko and Nedjo. They stopped the van and they were wearing
15 military uniforms and they had beards and kokardes. And Ramo said to us,
16 "Be quiet because these people are crazy, don't say a thing otherwise
17 they will kill you," and Popic ordered us to bring them to Gacko alive
18 because we need them. That's what he said to them. And then they let us
19 through.

20 Q. And did you know who these two Samardzic brothers were?

21 A. Of course, I did. Nedjo Samardzic, and his brother Zeljko. They
22 also had a third brother who had died earlier. They were from Slana;
23 that's a village in the direction of Bileca.

24 Q. What was their reputation?

25 A. What? They ... they were shepherds. They had their livestock in

1 the mountains. And they -- some Serb killed their brother and then the
2 newspapers wrote about ...

3 THE INTERPRETER: Could the witness please be made to repeat. We
4 didn't catch the last part of his answer.

5 MS. PIDWELL:

6 Q. Sir, the interpreters didn't catch the last part of your answer.

7 You were telling us how a Serb had killed their brother, and --
8 and then the newspapers wrote about it.

9 A. They were sitting in a pub, they and a Serb, and they got drunk
10 and one man got hit on his head with a bottle and died. And later on,
11 they caught him in Bileca and cut his head off and kicked his head around
12 Bileca. And they had been imprisoned, I don't know for how long in Foca.

13 Q. Do you recall approximately what time of day it was when you
14 arrived in Gacko?

15 A. I think it may have been around 12.00 or 1.00. At night.

16 Q. And whereabouts in Gacko were you taken?

17 A. We were taken to the police station, and we found 200 persons
18 there, women, children, men, soldiers. Then we were driven out of the
19 bus. And everybody was beating us, until we were locked up in that cell,
20 in the -- in the prison of the SUP.

21 Q. So when you entered the police station at Gacko, did you see any
22 police officers there?

23 A. No, we didn't. Apart from this one man who was guarding the
24 prison, the duty officer.

25 Q. So who put you in the police cell?

1 A. The ones that had brought us there, Ramo Sudzum and Sloba
2 Todorovic and those guys. And they handed us over to the duty officer,
3 and he locked us up in that cell inside the prison.

4 Q. How many of your group were in the cell with you?

5 A. There was Smaja with me, his wife, his son, and his
6 brother-in-law, as well as myself.

7 Q. Do you know where the other members of the group were taken?

8 A. There were two cells. The size was two metres by three. And
9 there were those wooden cots, and we sat on them.

10 Q. Besides the wooden cots, was there anything else in the cell?

11 A. Yes. We found uniforms, some overcoats and jackets, and some
12 bags that belonged to some of our acquaintances.

13 Q. Do you recall the names of those acquaintances?

14 A. Of course, I do, they are my relatives. We found the jacket of
15 Dervo Zulovic who was a police officer. His brother, Sevro [phoen]
16 Zulovic and another, Fehim Zulovic, who was an engineer at the thermal
17 power plant. There was Bekim Karajlo and Serif, and we found some maps
18 in the bag and some cigarettes.

19 Q. During the time that you were detained in the SJB building in
20 Gacko, were you given any food or water?

21 A. No way. We couldn't even step outside. We even had to relieve
22 ourselves there. Food and water? Oh, come on. Only one policeman,
23 Mirko Koprivica, who was a duty officer, gave us a can of -- a can of
24 meat, some canned meat and some bread. And that was all the food that we
25 got for five or six days.

1 Q. What happened the following morning? You arrived at the SJB
2 building at approximately midnight. Can you tell us what happened in the
3 morning?

4 A. In the morning, once we heard that the employees and the police
5 were coming, we were locked up inside, I didn't see who it was, but we
6 heard a noise.

7 Q. Did someone come to your -- to your cell?

8 A. Yes, later. Slobo Todorovic and Bosko Starovic and Vlatko
9 Doderovic they took us out one by one to be interrogated by Popic.

10 Q. Where was Popic's office?

11 A. Popic's office was upstairs.

12 Q. Were you interrogated there?

13 A. Yes. I was interrogated and beaten upstairs. They brought me
14 some -- some paper to sign, but I didn't want to, and I was bloody all
15 over.

16 Q. Do you recall who beat you?

17 A. Slobo Todorovic, Vlatko Doderovic and Bosko Starovic beat me.
18 They tied me to a chair and beat me.

19 Q. And what kind of questions were they asking you?

20 A. They were only saying, Alija doesn't want you. But they -- these
21 were mostly the words they used. Now be happy with Alija; Alija doesn't
22 want you, and the like.

23 Q. Were you beaten on one occasion or -- or more than one occasion?

24 A. I was beaten several times. But that's when they beat me worse,
25 when I didn't want to sign. And I saw that they were stating some

1 untruths that I had killed, I don't know how many Serbs, and raped, I
2 don't know how many women, and I didn't want to sign that. And that's
3 when they beat me most. But I was taken out five or six times to be
4 beaten.

5 Q. And during your detention there in the Gacko SJB, did -- were the
6 other members of your cell taken out as well?

7 A. I don't understand.

8 Q. Did any of the other people in your group, were they interrogated
9 as well?

10 A. Yes. Everybody was interrogated. Everybody was taken out, one
11 by one, beaten up badly, and then the person would be taken to Popic.

12 Q. Were you taken to Popic?

13 A. Yes. Well, I said that I was taken to Popic's office. They tied
14 me to a chair there, and they beat me there. Sloba and Vlatko and Bosko
15 Starovic.

16 Q. Was Popic present while you were being beaten?

17 A. He was sitting in his office. The door was open, and I was
18 beaten in the hallway. They were beating me until Predrag Koprivica
19 arrived and said I was -- I -- I'm coming from the hotel, and there's
20 screaming and crying there. The Red Cross is coming, so be careful.
21 Take him to the cell so he can wash because I was all black and blue.

22 Q. During your detention at Gacko at this time, did you ever see the
23 chief, Popovic, there?

24 A. No. I saw him only when I escaped, before they shot me. I saw
25 him when he was dumping the dead bodies in the canal.

1 Q. We'll get to that in a minute, sir.

2 How many days were you detained at the SJB building?

3 A. Four or five days.

4 Q. And did it come about --

5 A. I don't know. It was dark down there all the time, so you don't
6 know if it's day-time or night-time.

7 Q. How did it come about that you left the SJB building?

8 A. Where?

9 Q. How were you released from the SJB building?

10 A. Well, I wasn't released. They put us on a military truck and
11 took us to Kotlina which was in the middle of a field, and we were
12 executed there, and I escaped.

13 Q. Before you were -- before you were put on a military truck, was
14 somebody interrogated that day?

15 A. On that day, they came -- yes, well, there were interrogations
16 every day. The last one was Smajo's wife, and she said that those two
17 assholes, the Samardzics, had beaten her up, and she heard them saying,
18 "Kill those Turks," and "kick this Bula in the ass," so ...

19 Q. Just to clarify, sir, who did she hear saying that?

20 A. Vitomir Popic, the police commander. He was the Alpha and Omega
21 of everything. The same as Karadzic was in the Republika Srpska, Popic
22 was the same thing in this region.

23 Q. All right. You told us that you were put on a military truck
24 from the police station. Could you describe how you left the building
25 and how you were put on the trucks?

1 A. Yes. They tied us up with strings and drove us on that truck
2 like cattle. And before that, I inquired about Mirko Koprivica, because
3 I knew him, about the whereabouts of some people. And he replied to me,
4 "Dear Asa, whoever came here never saw the light of day again." I don't
5 know where they are.

6 Q. Who tied you up with string?

7 A. The two Samardzic brothers and Slobodan Todorovic and the ones
8 that drove us down and executed us. And that police officer from Konjic
9 too.

10 Q. Was anyone outside the police station as you left?

11 A. Yes. There was, again, this line of women, children, and men
12 beating us with sticks and metal rods.

13 It was the same kind of gauntlet that was there waiting for us
14 when we arrived in the middle of the night, all the way from the truck to
15 the prison.

16 Q. Approximately how long were you in these vehicles, or this
17 vehicle, for before it stopped?

18 A. Well, the distance was about 3 kilometres. First, they drove us
19 around Gacko, and then headed to Kula, and then onto Kotlina over a
20 bridge.

21 Q. I'm going to ask you to look at a document that's in the binder,
22 behind tab 7.

23 MS. PIDWELL: It's 65 ter 10253. Sorry --

24 Q. Once again, it's a perspective you will not be familiar with
25 because it is taken from the air. But if could you just have a look at

1 JUDGE HALL: Thank you.

2 MS. PIDWELL:

3 Q. Sir, can you tell us what happened when the vehicle stopped?

4 A. When the vehicle stopped, they chased us out of the trucks and
5 sent us towards the bridge so that when they killed us, we could fall
6 into the river.

7 We all stayed on the bridge. The bodies did not fall until the
8 moment Popovic and the rest of them came and threw the bodies down into
9 the river.

10 Q. So who asked you to get out of the trucks?

11 A. Professor Dragan Razetic [as interpreted] he was in charge and in
12 command of the shooting. He didn't have a rifle. He only had a pistol.

13 Q. Who else was there besides the other members of your group who
14 had come from the SJB building?

15 A. Slobodan Todorovic, the policeman from Konjic, and two Samardzics
16 brothers, Nedjo and Zoran, and there was also Ramo Sudzum, Ramilo. And
17 also Vlatko Doderovic was there.

18 Q. So you were asked to get out of the trucks and then what are you
19 told to do?

20 A. He told to us line up at the end of the bridge by the abutment.
21 And we did. I was looking down. I didn't dare look straight into their
22 eyes. I saw them lined up holding the rifles, the ones I just mentioned.
23 We were standing there, and then he shouted the order, Fire. This
24 professor, Dragan Rasatic.

25 Q. And what happened when he said the words "fire."

1 A. They fired. A bullet hit me. I fell down, but I was hit in the
2 arm. I looked around. Everybody was lying on the ground. And then two
3 lads Sutko and Ervin started running. They chased them and only Lazetic
4 stayed, and he took a pistol and shot everybody in the head. And then he
5 came to me and herded around and shouted after them, "Chase them, chase
6 them, they're wounded, they can't go long." And then he said that he had
7 only one bullet left in the pistol, and then I decided that it was an
8 opportunity for me to run, because if he fired the shot and missed me I
9 was stronger than him physically. I could fight him, and that's when I
10 decided to run.

11 Q. You -- you've told us that you were -- you were wounded at this
12 time. How many --

13 A. Yes, in the arm and in the stomach. But none of the organs were
14 damaged. I was only slightly wounded.

15 Q. Were you able to see what had happened to the members of your
16 group who were beside you?

17 A. As I started running towards Gela Ljut [phoen], everything was
18 flatter, up to the Gela Ljut. There are some other places, Sipovo,
19 Lijeska and other hamlets. I hid there while they were chasing me and
20 running after me, and then when they saw that I had escaped to that place
21 Ljut, they returned. They came there to [indiscernible] lads came and
22 took my -- me to their house from which they had been observing the whole
23 situation. And then Dzevad Dzankovic took binoculars and then he said --
24 here, you can see that a car -- a Lada came to the scene. I believe that
25 it is a police car. And they saw that the two lads had escaped, maybe 3

1 kilometres away they were by then. And they saw that the two of them had
2 escaped, that I had escaped, and then they took everybody else and threw
3 them in the water and then they threw a grenade into the water. They sat
4 into the car and returned towards Gacko.

5 JUDGE HALL: Ms. Pidwell, this is the time for the break.

6 MS. PIDWELL: Certainly, sir.

7 --- Recess taken at 5.24 p.m.

8 --- On resuming at 5.50 p.m.

9 JUDGE HALL: Yes, Ms. Pidwell, please continue.

10 MS. PIDWELL: Thank you.

11 Q. Mr. Basic, before the break, you were telling us of -- of how you
12 had -- of events that took place after the shooting on the bridge.

13 I just want to take you back and ask you a few more details about
14 what happened on the bridge on this day.

15 A. I can't hear a thing.

16 Q. I'm sorry, can you hear me now? Are you able to hear me through
17 the speakers now?

18 A. Not really.

19 Q. I'll ask the question again, and please let me know if you are
20 able to answer it.

21 I want to take you back to the events on the bridge that day that
22 we were talking about before the break. Are you able to hear me, sir?

23 THE REGISTRAR: [Via videolink] ... give us two minutes ...

24 THE WITNESS: [Interpretation] I know that you're saying
25 something, but I don't understand a thing.

1 MS. PIDWELL:

2 Q. You are able to understand me now, sir?

3 Mr. Basic, can you hear my voice?

4 A. Can you speak up? I can't really hear you.

5 Q. Okay. I'll ask the interpreters to speak up maybe.

6 I'll ask another question, and we'll see if that -- if we can
7 progress.

8 A. Now I can hear you.

9 Q. I want to ask you a few more details about what happened on the
10 bridge at Kottlina.

11 A. Okay. Go on, ask me.

12 Q. You have told us that you were -- that your arms were bound by
13 rope or string but -- when you left the police station. Were they still
14 bound when you were standing on the bridge?

15 A. When I fell down, then the string broke. After that, my hands
16 were untied.

17 Q. Were the other members of your group also bound in the same
18 manner?

19 A. Yes, yes, everybody was the same.

20 Q. And after you were shot and fell to the ground, were you able to
21 see what happened to the members of your group who were beside you?

22 A. I saw them lying on the ground covered in blood, and there was a
23 lot of blood [indiscernible] flowing down the bridge, and people were
24 drenched in blood. There was a lot of a blood and they were all lying.
25 Only the two that I mentioned, the two lads, started running to a

1 different side in the direction of the thermal power plant.

2 Q. And you've told us that you stood up -- were able to stand up and
3 start running. Was anyone else besides the two lads able to do that as
4 well?

5 A. Yes, yes, yes. The two lads Sutko and Elvir, they did that and
6 they ran. I don't know about the others whether they were able to do
7 that or not. But they were all seriously wounded. But, you know, let me
8 tell you. Even -- even if they hadn't been shot, they had been so
9 heavily beaten in the prison that they would not have survived any way.
10 For example, Smajo had been so heavily beaten up that if he hadn't died
11 after the shooting, he would have died anyway.

12 Q. Do you know if any of the members of your group besides the two
13 lads and yourself survived the shootings that day?

14 A. Yes, a relative of mine. A relative of mine who is now in
15 Australia. He lives there. He is alive. He -- a bullet went through
16 here and came out through his mouth, but he survived. And is he now in
17 Australia. He has a wife and two kids.

18 Q. Could you describe to us how -- how it came about that you were
19 able to -- to escape from this -- this bridge when you were wounded?

20 A. I was on the ground. I lifted my head, and I tried to support
21 myself on the one leg and one arm, and I realised that I hadn't been that
22 heavily wounded. And the professor was ordering the others to chase
23 after Elvir and Sutko. They can't go long, and the answer to that was,
24 so why don't you do it yourself? You're younger and you're faster. And
25 he answered, I can't do it. I only have one bullet left in the pistol.

1 I heard him say that, and that's when I started running. I actually
2 realised that I could perhaps escape because with that one bullet in the
3 pistol, maybe he would miss me, and if he missed me, and if he attacked
4 me physically, I was still stronger than him, and I'm sure I could
5 overpower him, and that's when I started running.

6 Q. Can you tell us, please, what happened when you -- when you met
7 the two men who assisted you?

8 A. I was in a rockery among some rocks, and there was some branches
9 covering that hole, that's where I hid, and they couldn't find me there.
10 And then I saw two men on an opening just about low me. They started
11 calling out some names, and the Chetniks, when they were clearing the
12 mountain, they were calling Muharan and when those men surrendered, they
13 took them away and killed them.

14 I could not see the top of their bodies and their heads, I could
15 only see their trousers. I couldn't see what was -- what the Chetniks
16 were wearing. I didn't see them. I don't know whether they were wearing
17 uniforms or civilian clothes. And the other two, they were wearing jeans
18 and then I realised they were not Chetniks, and I told them, Don't stand
19 here, run. And they told me, Don't be afraid, they had left. They took
20 me to their house. There were some other people there. They give me
21 some food, and they took me to Dr. Habul, and he gave me some IV and
22 something else. He dressed my wounds on the arm. Fortunately enough the
23 bone was intact and so on and so forth. And then I said to the lads, I
24 asked them to go up to the mountains to my folks to tell them what --
25 what had happened, to talk to my relatives. They went that night. They

1 found some dead bodies, but they did not find Nazif, who is in Australia
2 today. As the night fell Nazif was lying, pretending he was dead, and
3 when the night fell he ran and arrived at his village, he arrived at his
4 house and then my relatives found him there.

5 Q. You also told us just before the break about seeing a vehicle at
6 the -- at the site of the shooting later that night. Could you tell us,
7 please, where you were when you saw this vehicle?

8 A. I was by the houses from which I could see the entire valley.
9 There were a lot of people, Zarkovic [phoen] -- there with a pair of good
10 Russian binoculars, and he was looking through the binoculars, and he
11 says, There's the chief of the SUP Popovic, and somebody else. The three
12 of them are throwing Smajo and others into the river. And then we could
13 see when they threw the grenade into the water.

14 Once they had thrown the bodies into the water, they topped the
15 bodies up with the grenade to make sure that none of them remained alive.

16 Q. Thank you, Mr. Basic.

17 MS. PIDWELL: I have no further questions.

18 JUDGE DELVOIE: Ms. Pidwell, there is one --

19 THE WITNESS: [Interpretation] Not at all, not at all. My
20 pleasure.

21 JUDGE DELVOIE: There is one document that you showed the witness
22 and you didn't tender. Was that on purpose? That was step number 3, the
23 SJB -- no, yes, SJB building in Gacko.

24 10257.

25 MS. PIDWELL: Yes, that was the aerial photo I think of Gacko

1 which the witness struggled with so --

2 JUDGE DELVOIE: All right. Thank you.

3 JUDGE HARHOFF: Mr. Basic, can I just put a question to you in
4 clarification of the Prosecutor's examination-in-chief?

5 My question is, the reference that you have made to the chief of
6 the execution squad on the bridge, and you referred to him as a
7 professor, Dragan Razetic. And my question to you is:

8 THE WITNESS: [Interpretation] Yes, Dragan Razetic, professor.
9 Not Razetic, Lazetic, L, Lazetic.

10 JUDGE HARHOFF: Thank you very much.

11 THE WITNESS: [Interpretation] Dragan Lazetic was his name.

12 JUDGE HARHOFF: What was he a professor in, and what was a
13 professor doing --

14 THE WITNESS: [No interpretation]

15 JUDGE HARHOFF: -- as a chief of an execution squad? Was he a
16 member of the reserve police force, or what was his function there?

17 THE WITNESS: [Interpretation] Yes, he was a reserve policeman.
18 But teachers and children of the Second World War veterans were the
19 biggest criminals. They wanted to prove their worth.

20 JUDGE HARHOFF: So Mr. Lazetic, we understand, was normally a
21 teacher in history, but was then drafted --

22 THE WITNESS: [Interpretation] Yes, yes.

23 JUDGE HARHOFF: -- because he was also a member of the reserve
24 police. And had then been put in charge of the execution squad who took
25 you out to the bridge in order to execute you.

1 Q. Yes.

2 A. Yes.

3 Q. Now, isn't that correct that on --

4 A. When we went to the mountains, that was ...

5 Q. That was around the 19th or 20th of June, 1992; correct?

6 Approximately. Does that sound right to you?

7 A. Yes, correct. Correct.

8 Q. Thank you. Isn't it correct also that, on the evening before you
9 went up to the mountain, one evening, an army ambulance arrived several
10 times in the vicinity of your village and drove injured soldiers away,
11 soldiers who had been injured during the fighting?

12 A. No, no. That was when -- on the day of the attack.

13 Q. Right. And that evening, the army came and collected its injured
14 soldiers; correct?

15 A. When the village was attacked.

16 Q. Right. So these soldiers were injured during the fighting; is
17 that right?

18 JUDGE HALL: Mr. O'Sullivan, I think you and the witness are
19 overlapping.

20 MR. O'SULLIVAN: I'm sorry.

21 THE WITNESS: [Interpretation] Yes. They -- there were some
22 wounded soldiers, but mostly they used that vehicle to transport the
23 things they had looted in the village.

24 MR. O'SULLIVAN:

25 Q. Well, could I remind you -- and for the record, it is 1D030799.

1 Sir, you were interviewed -- sir, you don't need the document right now.
2 But I remind you that you were interviewed by the Office of the
3 Prosecutor on 25th of January, 2008. And at paragraph 22 of that
4 statement, you said the army came to collect its wounded soldiers.

5 Does that sound right to you?

6 A. Yes, that is correct.

7 Q. And there's no --

8 A. But I think there were wounded soldiers but mostly they used that
9 ambulance to transport the loot.

10 Q. Now when you spoke --

11 A. They -- I'm -- I'm not sure what exactly that was. Some people
12 say they transported injured soldiers; others that they transported the
13 loot.

14 Q. So you're not speaking from personal knowledge; is that right?
15 Because all you talked about was transporting injured -- wounded
16 soldiers --

17 A. Yes, yes.

18 Q. -- from fighting.

19 A. Yes, that's what we found out that there was some wounded
20 soldiers and that they were transported. But, later on, some people said
21 that for the most part, they transported their loot.

22 Q. But in your statement, you say that you could see injured
23 soldiers. You don't mention loot, do you? Isn't that right?

24 A. Well, I don't remember saying that I saw wounded soldiers.

25 MS. PIDWELL: [Previous translation continues] ...

1 A. I only saw vehicles coming to the village about a dozen times,
2 and there was a weekend house on Glavica. And that's where they also
3 went, and that's how it was.

4 MR. O'SULLIVAN:

5 Q. Fine. Can I ask the usher to provide you with a copy of your
6 statement then. That's 1D03-0799.

7 In fact, could the usher put both the English original and the
8 B/C/S translation in front of the witness.

9 Sir, do have you both an English original of your statement and a
10 translated copy into your language in front of you?

11 A. Yes, I do.

12 Q. All right. Well, you -- I take it you don't speak English; is
13 that correct?

14 A. I don't speak English; only Bosnian.

15 Q. Very well. Could you turn to paragraph 22 of your statement.

16 Do you have paragraph 22 in front of you?

17 A. Yes, I do.

18 Q. I'll read it to you. It says: "The Serbian and Montenegrin
19 soldiers withdrew from the village at dusk. I could see an ambulance
20 arriving several times into the vicinity of the village and driving the
21 Serbian and Montenegrin soldiers away."

22 Now, that's what happened, isn't it?

23 A. I saw the vehicles, but what they transported -- yeah, there were
24 soldiers. I know that some were injured because people were talking.

25 Q. Thank you. When you were up on Mount Ljut - I want you to direct

1 your attention to that, please - on Mount Ljut, you had weapons and you
2 put up resistance, didn't you?

3 A. We had hunting rifles.

4 Q. And you set up a camp and tents; correct?

5 A. And there were two rifles and some reserve police officers of
6 Bosniak ethnicity.

7 What did you say?

8 Q. Yes, I'm sorry, I will be more patient and wait for you to
9 finish. My apologies.

10 You set up a camp and tents on Mount Ljut, didn't you?

11 A. Yes, that's right.

12 Q. You had a ham radio up there too; correct?

13 A. Nylon. And yes, we also had a ham radio, because a relative
14 worked in the post office, and he repaired that radio and so we always
15 listened in on the communication of the Serbs.

16 Q. Right. You also told us during your testimony that, at one
17 point, you were told that if the men, women, and children surrendered,
18 that you would be transferred to the liberated territories through the
19 mediation of the International Red Cross. Is that correct?

20 A. That's correct. But we didn't believe that. We only surrendered
21 the women but we stayed in the mountains. We had run out of food.

22 Q. Well, in fact you told us that -- in fact, you told us a little
23 while ago that women, children, and the elderly did turn themselves over
24 to the army near Stolac, and they were transferred to safety in the
25 liberated territories as agreed. Isn't that right?

1 A. Well, yes, they did. Spaso Sarovic was --

2 THE INTERPRETER: We didn't understand the witness, what he said.
3 Could he repeat.

4 Interpreter's note: Could the speakers please not speak at the
5 same time. Thank you very much.

6 JUDGE HALL: Mr. Witness, what you say and what counsel say both
7 have to be interpreted, so could you wait for counsel to complete his
8 question before you attempt to answer. Thank you.

9 THE WITNESS: [Interpretation] All right.

10 MR. O'SULLIVAN:

11 Q. Sir, let me ask you this: Do you know --

12 JUDGE HALL: Sorry, the interpreters needed the witness to repeat
13 the answer to the last question which they didn't get.

14 Mr. O'Sullivan, could you assist by asking the question again,
15 please.

16 MR. O'SULLIVAN: All right.

17 Q. Sir, I was asking you about the transfer of men, women, and
18 children by the army who -- who were transferred to the army to liberated
19 territories. And you said yes, they did, and then you mentioned Spaso
20 Sarovic.

21 So could you continue from there.

22 A. Spaso Sarovic had a brother-in-law who was the commander of the
23 barracks in Trebinje, and he guaranteed that he would transfer the women
24 and children to the liberated territory. We accepted that because we
25 knew him as an honest man, but we had no food. So that's how we had to

1 surrender them because we didn't have enough food for all of us including
2 the women and children. We men were even -- even had to eat roots.

3 Q. Sir, do you know a man by the name of Bajro Pizovic?

4 A. I heard his name mentioned, but I don't know the man.

5 Q. Mm-hm. Did you know him to be a -- as a member of a fighting
6 unit?

7 A. I've heard the name Bajro Pizovic. But I don't know whether he
8 was a member of any armed formation or army.

9 Q. Let me ask you about another man whose name is Mirsad
10 Mahmutcehajic. Have you heard of them?

11 A. Yes, he was from Stolac. He was some kind of commander.

12 Q. Right.

13 A. He came here to Sarajevo, and I saw him two months ago.

14 Q. Was this man a commander of a brigade known as the Bregava
15 Brigade. Is that the same man?

16 A. Logistics. Yes, he was the commander of logistics.

17 Q. Since you have your statement in front of you, the one we
18 referred to a few moments ago, this statement was taken on the 25th of
19 January, 2008. And at paragraph 6 of that statement, you name Vojin
20 Popovic as the chief of the Gacko SJB.

21 Do you see that?

22 A. Well, that's that man, Popovic, whom I mentioned.

23 Q. Right. And, for the record, we may not need to call it up just
24 yet, it's 1D03-0821.

25 Sir, the next day, the 26th of January, 2008, the day after you

1 gave the statement you're looking at, you sat down again with the
2 representatives of the Office of the Prosecutor, and you said that there
3 is a mistake. You said it's Vitomir Popic, whom you believed to be
4 the -- the chief and not Vojin Popovic.

5 Do you remember saying that?

6 A. Popic was the commander of the police. What I'm saying is that
7 Popic was the commander of the police and Popovic was the chief.

8 Q. Yes. But you told the Prosecutor that you had made a mistake the
9 next day; do you recall that?

10 A. I don't recall that.

11 MR. O'SULLIVAN: Well, can we show the witness 1D03-0821.

12 Q. You see that document in front of you? You see your signature
13 there?

14 A. I do.

15 Q. And you see other signatures below your signature as well, don't
16 you?

17 JUDGE HARHOFF: Thanks.

18 A. Yes, I do.

19 MR. O'SULLIVAN:

20 Q. One of them would be the interpreter who was present, I can
21 represent to you. And the first -- or the second paragraph says that
22 this is a mistake and the name should be Vitomir Popic, and that refers
23 to paragraph 6 of your previous statement.

24 Does that sound right to you?

25 A. I may have said that, but that's wrong. That's true. Vitomir

1 Popic was the commander of the police and the other was chief. This is
2 my official statement by which I stand.

3 Q. Well, why did you change --

4 A. That's something I know.

5 Q. Why did you change your statement on the 26th of February, 2008?

6 A. I don't know what happened then. I really don't remember at all.

7 Q. Let me take you to the -- some of the events that you testified
8 about regarding this -- the Kottlina bridge, okay? I want you to focus on
9 that. I have some questions for you. Can we do that?

10 A. All right.

11 Q. You claim you were shot. How many times do you claim you were
12 shot?

13 A. What do you mean how many times? Once I started running,
14 thousands of bullets were fired at me but none hit me. And then the
15 firing squad fired two bullets each at us. I was hit by one bullet in
16 the leg and one in the hip, but nothing was seriously damaged. And then
17 when I started running, I don't know how many shots they fired at me.
18 They must have fired thousands of shots.

19 Q. So you claim that on the bridge you were shot two times; is that
20 correct?

21 A. Yes, exactly. But -- but the bones were left intact, both the
22 bones in my arms and the -- my hip bones.

23 Q. Right. I heard you say you had one bullet in the leg and one
24 bullet in the hip; is that right? You just said that.

25 A. Well, actually, it was not the hip. One hit my arm and another

1 hit my thigh. But the bones had remained intact.

2 Q. How can you confuse your hip and your leg with your arm and your
3 thigh, sir?

4 JUDGE HARHOFF: Counsel, I think [Microphone not activated]

5 THE WITNESS: [Interpretation] Well, I said -- I said --

6 JUDGE HARHOFF: He had been hit in the arm [Previous translation
7 continues] ...

8 THE WITNESS: [Interpretation] Danki Bok [phoen] in Bosnia and
9 whoever wrote that down must have made a mistake. I can show you. I can
10 show you.

11 MR. O'SULLIVAN: There's a lot of confusion in the transcript
12 here.

13 I'm sorry, Judge Harhoff, I missed what you said, and I also
14 missed what the witness said.

15 JUDGE HARHOFF: Mr. Witness, could you please repeat your last
16 answer.

17 THE WITNESS: [Interpretation] I said that I was wounded through
18 the leg, that is, the thigh, but the -- but the bone had remained intact.
19 And then I was wounded in the -- the belly --

20 THE INTERPRETER: The interpreter thinks that is what the witness
21 means.

22 THE WITNESS: [Interpretation] And in the arm. I still have the
23 scars.

24 MR. O'SULLIVAN:

25 Q. So you were shot three times? Is that it?

1 A. Yes, yes.

2 Q. A moment ago you said there were two shots fired.

3 A. Yeah, well, I said three times. Those were small wounds. The
4 bullets had gone through the flesh. They weren't serious wounds.

5 Q. The -- 1D03-0702. Sir, on the 6th of October, 1992, you gave an
6 Official Note to the Mostar police, and I'm looking at page 3. That's
7 October 1992. And you said you were shot once. How do you explain that?

8 A. I don't remember that. I know that I gave a statement to the
9 police, but I don't remember saying once. I was treated by doctors. My
10 wounds were treated in Mostar.

11 Q. Well, if you like, I'll show you that statement, 1D03-0702.

12 A. Probably. But I really don't remember saying once.

13 Q. I'm going to show it to you.

14 MR. O'SULLIVAN: In English, it's page 3.

15 Q. And you -- you're recorded as telling the police that you were
16 shot once in the right forearm.

17 That's what you said, isn't it, or not?

18 A. Yes. In the forearm and then there was a bullet through my loin,
19 and I also was hit in the thigh. In the thigh. Maybe I made a hasty
20 statement under -- and thus made a mistake.

21 Q. All right. Let's look at Exhibit 1D03-0719.

22 This is an interview you gave on television in Bosnia in
23 October 1996. And on page 6, you say that you claim you were hit once in
24 the arm. So four years later.

25 How do you explain that?

1 A. Well, by Jove, I don't know how to explain that. But I can tell
2 you now how it really was. I was hit three times, but no bones were hit
3 or -- or the intestines. They were also left intact.

4 Q. Sir, today --

5 JUDGE DELVOIE: Mr. O'Sullivan, where -- can we read that that
6 last statement? I see the document all the lines are numbered so you can
7 eventually tell us at what line it is.

8 MR. O'SULLIVAN: Mm-hm.

9 JUDGE HARHOFF: Line 16?

10 MR. O'SULLIVAN: One second. Page 6, line 16; that's correct.

11 JUDGE DELVOIE: Yes. And where does it say that he was only hit
12 once?

13 THE INTERPRETER: Microphone for the Judge.

14 JUDGE DELVOIE: Sorry, where does it say that is he only hit once
15 as in the previous statement of what I read is that he is relating that
16 he is shot in the arm but he doesn't say that he wasn't shot anywhere
17 else. He is telling about that, that wound, not about another one or the
18 absence of another one, if I read right.

19 MR. O'SULLIVAN: I'll ask him.

20 JUDGE DELVOIE: Okay.

21 MR. O'SULLIVAN:

22 Q. Sir, when you spoke to the Mostar police in October 1992 and to
23 Bosnian television in 1996, why didn't you mention all the wounds you
24 claim you had?

25 A. I don't know why I failed to mention them. But I have the scars

1 even now.

2 Q. Today --

3 A. The wounds left scars behind, but I don't know why I didn't
4 mention everything then.

5 Q. Sir, today when you testified at page 42, lines 14 to 16, you say
6 that when you were on the bridge you claim that no bodies fell off the
7 bridge when the shooting started. Right? That's your testimony?

8 A. Nazif did, the one who is in Australia now. He fell off the
9 bridge. And everybody else stayed on the bridge, or, rather, fell on the
10 bridge.

11 Q. Why did you say today that: We all stayed on the bridge. The
12 bodies did not fall in until Popovic came.

13 Why did you say that?

14 A. Well, the others, yes. But -- but when the guy was hit by a shot
15 from the pistol, probably the bullet hit a nerve so he winced and fell
16 off the bridge, and everybody else was lying on the bridge itself.

17 Q. I see. And you say eventually bodies were thrown into the water;
18 is that right?

19 A. No. There was no water, really. The river-bed had dried out.
20 It was more of a brook. And there was only as much water in it, what you
21 would call a -- a -- a pool. A pool of water was all that remained.

22 Q. All right. And you claim that one hand-grenade was thrown onto
23 the bodies, is that right? You said that today, at line -- page 44,
24 lines 7 and 8.

25 A. Yes, yes. We heard it detonate up there where we were. Dzevad

1 was watching with binoculars. We heard that once they had thrown them
2 off, they through a grenade on them.

3 Q. Okay. And you say two lads escaped. Had they -- do you claim
4 that they had been shot before they escaped?

5 A. Yes, Elvir and Sutko.

6 Q. So your evidence is that they were shot, their hands were
7 bound --

8 A. I think they were shot because we heard Lazetic shout, They're
9 wounded. They can't go far. Lazetic was shouting, Go after them, go
10 after them, they are wounded, they won't get far. But when we hit the
11 ground, the string that we were tied with was weak and it broke, so
12 everybody was untied, once they hit the ground.

13 Q. So everybody's string broke when they hit the ground; is that
14 right?

15 A. I don't know. I didn't go there later to check, but I think so.
16 Because when they were thrown on the tarmac, the -- the string broke.
17 That's what happened to me.

18 Q. What's the distance -- the approximate distance between this
19 bridge and Gela Ljut where you claim you ended up?

20 A. Sorry, I didn't understand.

21 Q. The Kotlina bridge and Gela Ljut where you ended up --

22 A. Could you please repeat.

23 Q. Sorry. I would like to know the approximate distance between the
24 Kotlina bridge and Gela Ljut, the place you say you ended up?

25 A. Almost a kilometre, if not more. Gela Ljut. And there is over a

1 kilometre to there.

2 Q. Okay. And it's your evidence that you ran at full distance,
3 right, from the bridge to Gela Ljut?

4 A. Yes, the full distance. And bullets were shot at me from all
5 over the place, from [indiscernible] bullets were falling around me, and
6 I was running.

7 Q. So there was a full-scale battle going on, is there?

8 A. No. When they saw me running, wherever they were, they directed
9 their fire at me. That's what was happening.

10 Q. Okay. At this point, you are weak and dehydrated; correct?

11 A. There was also one ... yes, yes.

12 Q. And you were exhausted?

13 A. Of course, I was exhausted. I was running that distance, the
14 kilometre, I was sprinting.

15 Q. And when you reached a doctor, you were put on a drip for five or
16 six days. That's Dr. Habul. Correct?

17 A. Yes, yes. Yes, yes again.

18 Q. And when two men came upon you --

19 A. What did you say? Did you say a month? Can you repeat what --
20 what did you say? Five or six days? What did you mean?

21 Q. Yes, you were on a drip. Dr. Habul put you on a drip for five or
22 six days.

23 JUDGE DELVOIE: Where does that come from, Mr. O'Sullivan?

24 THE WITNESS: [Interpretation] No, not for five, six days. It was
25 one or two IV doses, that's all. He did not have more. He left

1 everything behind or what do I know? I don't know.

2 MR. O'SULLIVAN: When you say these --

3 JUDGE DELVOIE: Mr. O'Sullivan, where does that come from that he
4 was on a drip for five or six days?

5 MR. O'SULLIVAN: I can show him his previous statement. But I
6 just put the proposition to him and he agreed.

7 JUDGE HALL: Oh, so it comes from a previous statement?

8 MR. O'SULLIVAN: Yes.

9 JUDGE HALL: Okay, can we see that?

10 MR. O'SULLIVAN: Yes. It's 1D03 --

11 THE WITNESS: [Interpretation] No, no, no, I was not on IV for
12 five or six days. He only gave me one or two or perhaps three doses. I
13 don't know, not five or six days.

14 THE INTERPRETER: Very hard for the interpreters.

15 MR. O'SULLIVAN: The document I wanted to show Judge Delvoie is
16 1D03-0719. That's the BH television interview from October 1996. On
17 page 8, line 8, sir, you said on television: "He," referring to
18 Dr. Habul "put me on some kind of a drip and treated me for five or six
19 days."

20 A. He treated me for five or six days, yes. That meant that he
21 sutured my wounds, dressed my wounds, but he only gave me one or two IV
22 doses. They are two different things. He did treat me for five or six
23 days.

24 Q. Now when these men came to you, you were too weak to walk;
25 correct?

1 A. Of course. I was in prison where I was beaten every day twice or
2 three times. And then I had to run. And all that --

3 Q. [Previous translation continues] ...

4 A. -- left me exhausted. My lips are dry. If I had to run 100 more
5 metres I would have been dead. I would not have been able to move.

6 Q. And you -- they had to carry you between them, didn't they?

7 A. No. They brought me water. I came to after that. I was ready
8 to go on walking. They didn't carry me.

9 Q. So you're saying that you could walk and they did not carry you.
10 Is that what you are saying?

11 A. They did carry me. They brought me water. They -- I had a drink
12 of water. And then I went with them to their house in Karailo.

13 Q. Right. And at no time did you look down on the bridge and see
14 anybody, as you claim, that the police was there and that they were
15 throwing bodies into the canal. You never saw that, did you?

16 A. When I arrived at Karailo Kuca [phoen] -- Brankovic came and gave
17 me his binoculars. He says, Asim, look through the binoculars, and I
18 could see two or three men standing on the bridge throwing bodies into
19 the canal. I could see that through the binoculars, and after that I
20 heard a detonation and I saw that they had thrown a grenade into the
21 canal as well.

22 Q. All right. Sir, the interview you gave to the Mostar police in
23 1996, that's 1D03-0702, you don't mention seeing this event on the bridge
24 involving Popovic. Why is that? Can you explain that?

25 A. I don't remember. I don't remember why I didn't say anything

1 about that. I really don't remember.

2 Q. And when you were interviewed by Bosnian television in 1996 --

3 A. But I really find it surprising, let me tell you.

4 Q. And when you were interviewed by Bosnian television in October
5 1996, that's 1D03-0791, you don't mention it there either. Any reason
6 for that?

7 A. No reason whatsoever. And I don't know why it -- I didn't say
8 that. I could swear I did.

9 Q. [Previous translation continues] ...

10 A. I don't know why this was not -- I don't know. I think I said
11 it. There's no reason for me not to talk about that. I -- I think I
12 did.

13 Q. And you say there was one hand-grenade thrown in, right?

14 A. When the bodies were thrown in, then they threw a grenade.
15 Probably they wanted to make sure that nobody was alive, because Nazif,
16 Sutko and Elvir had managed to escape and then he was mad. He got angry
17 and that's probably why he threw that grenade into the canal in order to
18 make sure that nobody else escaped alive.

19 Q. Am I right that the Kotlina bridge is in a place called Karailova
20 Gomila. That's where the bridge is?

21 A. Karailova Gomila is in the direction of Kula from Kotlina. It's
22 a different place. This is a bridge near Kotlina on the Gacko Kula road
23 and the bridge was on the left side as you go from Gacko in a village
24 called Gomila. There were a few houses there.

25 Q. Okay. In paragraph 37 of the statement you gave to the OTP on 25

1 January 2008, 1D03-0799, you say that there were two hand-grenade thrown.
2 Why did you say there were two?

3 A. I don't know what I said. Actually, I believe there were,
4 indeed, two grenades. I heard two detonations, I think.

5 Q. A few minutes ago you said you heard one. Were you there?

6 A. I was not there, but I was on Karailova Gomila watching through
7 the binoculars and I heard detonations.

8 Q. And you claim that -- well, did -- are you claiming that Nazif
9 Basic was pushed off the bridge at that time into the canal?

10 A. Nazif fell from the bridge himself and the rest were pushed. And
11 Nazif fell when a bullet hit him in the neck. His body jerked. He was
12 on the edge of that bridge and he fell into the water.

13 Q. Well, in your statement at page -- paragraph 37, you say that
14 Nazif Basic was lying next to me. "The bullet hit him through the neck
15 and when out through his mouth. Nazif survived this. The force of the
16 gun-shot made Nazif fall into the dry bed of the brook."

17 Why are you now saying that he fell into the water?

18 Did you hear my question?

19 Sir, can you hear me?

20 MR. O'SULLIVAN: Is there a technical problem?

21 [Trial Chamber confers]

22 MR. O'SULLIVAN:

23 Q. Sir, can you hear me? Did you hear my question?

24 THE REGISTRAR: [Via videolink] The witness is saying that he can
25 only hear a little bits ...

1 MR. O'SULLIVAN:

2 Q. All right. Sir, I want to know --

3 A. I don't hear anything. I don't understand anything.

4 Q. Can you hear my voice now, sir?

5 A. Not too good. Can you speak up?

6 Q. Can you hear me now, sir?

7 A. Much better.

8 Q. All right. Let's do it this way. Is it your testimony that
9 Nazif Basic was shot through the neck with a bullet coming out through
10 his mouth, that seven bodies were thrown onto him?

11 A. Yes, through the mouth and shattered his jaw.

12 Q. And seven bodies were thrown onto him --

13 A. Yes, yes.

14 Q. -- and two hand-grenades detonated on him -- or the eight
15 bodies, and that he survived. Is that your testimony?

16 A. Yes, yes.

17 MR. O'SULLIVAN: I have no further questions, Your Honour.

18 JUDGE HALL: We are three minutes short of the normal time for
19 adjournment, so the -- if there is cross-examination by counsel
20 representing Mr. Zupljanin -- will there be?

21 MR. KRGOVIC: [Interpretation] We don't have questions for this
22 witness, Your Honour.

23 JUDGE HALL: Thank you.

24 Ms. Pidwell. [Microphone not activated]

25 MS. PIDWELL: Your Honours, I think I can complete it within the

1 next two minutes.

2 JUDGE HALL: Did you say you can't or can't?

3 MS. PIDWELL: I can.

4 JUDGE HALL: Yes, please.

5 MS. PIDWELL: Thank you.

6 Re-examination by Ms. Pidwell:

7 Q. Mr. Basic, you were asked some questions about a statement that
8 you made to the --

9 A. I can't hear you, speak up.

10 Q. You were asked some questions about a statement you made to the
11 Mostar police on 6 of October 1992.

12 A. Yes. And I know that I gave a statement to the police in Mostar,
13 yes.

14 Q. Were you given an opportunity to sign that statement; do you
15 recall?

16 A. So help me God, I can't remember. It was given in a haste.
17 Izmet didn't have time. He just went to report all that, so that it may
18 be known but ...

19 Q. Now, the statement wasn't shown to you during the course of the
20 cross-examination.

21 And I'd like it to be shown to him now, please. It's the
22 Defence --

23 A. No, never, never. Never.

24 Q. The Defence Exhibit 1D03-0702.

25 MS. PIDWELL: Could we have the second page, please, on the

1 screen. The signature at the end.

2 A. There's no signature. My signature is not there. This is not my
3 signature.

4 Q. That's right. Do you recall this man -- or do you know whose
5 signature that is?

6 A. I don't remember the man. I don't know whose signature this is.

7 Q. Have you seen the statement since you spoke to the Mostar police
8 in October 1992?

9 A. I've not seen her, ever. I thought that that was something
10 between the two of us. I didn't -- I thought it was a joke. It -- I
11 didn't think it was official or anything.

12 MS. PIDWELL: I have no further questions, Your Honours.

13 Q. Thank you, Mr. Basic.

14 MS. PIDWELL: Your Honour, sorry to interrupt I have just been
15 reminded we need to deal with the -- the piece of paper that Mr. Basic --
16 I don't know if he actually referred to it during the course of his
17 testimony, whether we want to MFI it or tender it or we can just leave it
18 be.

19 JUDGE HALL: Well, isn't it the ordinary rule that a refreshing
20 memory document does not become an exhibit unless for some reason the
21 Defence seeks to -- they didn't deal with it. So that's it. I don't
22 think we need to refer to that again.

23 MS. PIDWELL: As Your Honour pleases.

24 JUDGE HALL: Yes. Mr. Basic. Mr. Basic, we thank you for your
25 assistance before the Tribunal. You are now released as a witness, and

1 we wish you a safe journey back to your home. Thank you.

2 [The witness's testimony via videolink concluded]

3 JUDGE HALL: So we take the adjournment --

4 [Trial Chamber and legal officer confer]

5 JUDGE DELVOIE: Mr. O'Sullivan, I noticed on two occasions, and I
6 didn't have the opportunity to check everything, that you put to the --
7 to the witness allegedly as being his previous statement, propositions
8 that are not correct. Once it was about the wounded soldiers in -- in
9 the ambulance, while his statement did not refer to wounded soldiers,
10 only to soldiers. And once to the drip. He was laid off for six days,
11 but his statement didn't say. His statement didn't say he was laid on a
12 trip -- he was put on a drip and treated for six days, which is
13 different. And I was just wondering, because I'm not from the common law
14 system but is this the normal way to -- to address a witness -- a witness
15 and to try to outsmart him, that's how I feel it?

16 If that's the normal way in common law, I will accept it, you
17 know, but I was a little bit surprised.

18 MR. O'SULLIVAN: Dealing first with the -- what he said about the
19 ambulance, he confirmed that -- my proposition. Now if they were driven
20 away in an ambulance the inference could be that they were injured.

21 JUDGE DELVOIE: So what you're saying is you put to him an
22 incorrect proposition, proposition which does -- which is not what he
23 said previously. He confirms it because he is taken by surprise, and
24 then you say, now, oh well, that's it.

25 MR. O'SULLIVAN: First of all, I would never -- I would never

1 intentionally mislead a witness. Never my intention. I put the
2 proposition to him without the statement asking him if an ambulance
3 arrived to take away injured soldiers. He could have said no. He could
4 have said yes.

5 JUDGE DELVOIE: But you said that that was his statement. You
6 said --

7 MR. O'SULLIVAN: Well --

8 JUDGE DELVOIE: You said that.

9 MR. O'SULLIVAN: My initial -- with all due respect my initial
10 question was not based -- was not -- I did not put the statement to him,
11 I asked him the first time.

12 JUDGE DELVOIE: I just want to know, is this normal practice in
13 common law?

14 MR. O'SULLIVAN: Well, you cannot mislead a witness, and I take
15 your point on the second objection you have made to my question. I did
16 misstate that. Not intentionally. His treatment was five days, the drip
17 was not five days, and I did misstate that not, with the intention of
18 misleading him. But I wanted to elicit that he had been on a drip. That
19 I fully take responsible for.

20 On your first point, Your Honour, I put it to them that an
21 ambulance came to take away injured soldiers, not by citing his
22 statement, but the inference would be -- I was suggesting to him that
23 that the inference would be that if the ambulance came to collect
24 soldiers they had been injured, and he saw the ambulance come, according
25 to his statement.

1 JUDGE DELVOIE: Thank you.

2 JUDGE HALL: Anyway, without further trenching on the time of the
3 interpreters and the court support staff, we take the adjournment now to
4 tomorrow afternoon in this Chamber, 2.15, and I alert the parties that
5 there's a possibility that we might move the Friday sitting from the
6 afternoon to the morning.

7 Thank you.

8 --- Whereupon the hearing adjourned at 7.08 p.m.,
9 to reconvene on Wednesday, the 3rd day of
10 February, 2010 at 2.15 p.m.

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