

1 Monday, 2 June 2003

2 [Open session]

3 --- Upon commencing at 9.03 a.m.

4 [The accused entered court]

5 JUDGE AGIUS: Yes, Madam Registrar. Call the case, please.

6 THE REGISTRAR: Yes, Your Honour. Good morning, Your Honours.

7 This is the case number IT-99-36-T, the Prosecutor versus Radoslav

8 Brdjanin.

9 JUDGE AGIUS: Thank you.

10 Mr. Brdjanin, good morning to you.

11 THE ACCUSED: [Interpretation] Good morning, Your Honour.

12 JUDGE AGIUS: Do I take it that you can follow the proceedings in  
13 a language that you can understand?

14 THE ACCUSED: [Interpretation] Yes, I can.

15 JUDGE AGIUS: Thank you. You may sit down.

16 Appearances for the Prosecution.

17 MS. SUTHERLAND: Good morning, Your Honour. Ann Sutherland,  
18 together with Denise Gustin for the Prosecution.

19 JUDGE AGIUS: Good morning to you.

20 Appearances for Radoslav Brdjanin.

21 MR. ACKERMAN: Good morning, Your Honours. I'm John Ackerman.

22 I'm here with David Cunningham and Vesna Anic.

23 JUDGE AGIUS: Thank you, and good morning to you. And welcome  
24 back, Mr. Ackerman.

25 Are there any preliminaries? Yes, Mr. Ackerman.

1 MR. ACKERMAN: Your Honour, we have a problem with tomorrow that  
2 I've not been able to solve.

3 JUDGE AGIUS: Which is what?

4 MR. ACKERMAN: Ms. Anic is not able to be with us tomorrow, and so  
5 we have no one to -- with whom we can speak to our client, which is, you  
6 know, pretty important during the course of testimony.

7 JUDGE AGIUS: I understand. But we'll deal with that. May I ask  
8 you: What have you tried to ask from the Registrar, or have you done  
9 anything about it?

10 MR. ACKERMAN: I only learned about the situation over the  
11 weekend, so I've not had an opportunity to talk to the registrar.

12 JUDGE AGIUS: All right. So Madam Chuqing, please, if you could  
13 get hold straight with the office, Ms. Martinez, or whoever it is at the  
14 moment, to look into this and to give us information by the next break, so  
15 that Mr. Ackerman will be in a position to know.

16 MR. ACKERMAN: Ms. Anic will be available for the rest of the  
17 week. She just cannot be here on Tuesday, Your Honour. And I'm hoping --

18 JUDGE AGIUS: We'll do something about that, Mr. Ackerman.

19 MR. ACKERMAN: I'm hoping at some point our new case manager will  
20 be able to join us, but it appears that the visa process is grinding  
21 slowly, slowly, slowly, and maybe today we'll get some news on that.

22 JUDGE AGIUS: All right. Do let me know if there are problems,  
23 Mr. Ackerman, so that -- because it's -- sometimes you'll be surprised to  
24 hear this, but sometimes we are not informed. So if there is a visa  
25 problem, probably we will be the last ones to know.

1 MR. ACKERMAN: Well, Your Honour, I don't think there's a  
2 problem. I think what happened was a significant person departed from the  
3 Registrar last week, and the whole thing dropped through the cracks.

4 JUDGE AGIUS: All right.

5 MR. ACKERMAN: I think it's back above the cracks again.

6 JUDGE AGIUS: But if there is any way in which we could help, let  
7 us know. And I also wanted you to know that in your absence the last two  
8 weeks, proceedings went fine, both with Ms. Baruch and Mr. Cunningham, and  
9 dealing with -- Ms. Baruch is out now, but Mr. Cunningham, I hope, will be  
10 with us until the end of this case. His presence and his participation is  
11 not only promising; it's encouraging, and I must congratulate you on your  
12 choice. I hope I won't have to go back on my words at some later point in  
13 time. But I did want to make this public, because his conduct so far has  
14 been exemplary and his expertise is there for everyone to see.

15 So anything from your side, Ms. Sutherland?

16 MS. SUTHERLAND: No, Your Honour.

17 JUDGE AGIUS: All right. Just for your information, we shifted  
18 all the sittings for this week to this morning. Wednesday we are still  
19 sitting in the morning but we are sitting in another courtroom. So  
20 Wednesday we will be sitting in Courtroom 2 instead of this courtroom.  
21 And there may be the possibility of having to shift also on another day.  
22 But that stands to be seen.

23 Can we bring the witness in? Is the witness covered with any --

24 MS. SUTHERLAND: No, Your Honour.

25 JUDGE AGIUS: All right.

1 MR. ACKERMAN: Your Honour, I might just report to you that I  
2 filed the response to the Rule 92 bis for the Celinac municipality this  
3 morning, so that should be in your hands before the day is out.

4 JUDGE AGIUS: Thank you, Mr. Ackerman. If at any time,  
5 Mr. Ackerman, you need a short break, let us know.

6 This witness, I understood -- I understand from what  
7 Madam Richterova said last Thursday that he's got a problem with his work  
8 or what?

9 MS. SUTHERLAND: Yes, Your Honour. He needs to complete his  
10 testimony today. He's due to return tomorrow.

11 JUDGE AGIUS: Yes. Mr. Ackerman, let's start with -- have you got  
12 a more or less rough guess as to how much time you would require from him  
13 on cross-examination?

14 Yes, Mr. Cunningham.

15 MR. CUNNINGHAM: Judge, I'll be handling that witness, and of  
16 course it's hard to anticipate.

17 JUDGE AGIUS: Yes, I know that. But a rough guess?

18 MR. CUNNINGHAM: A rough guess, about 45 minutes.

19 JUDGE AGIUS: 45 minutes. So try to make -- to adjust your  
20 in-chief, Ms. Sutherland, to -- not to go beyond such time as would leave  
21 the Defence without at least -- I still say leave at least an hour, an  
22 hour and a quarter for the Defence, because much depends on what he will  
23 be testifying in chief in any case. And if there is at any time,  
24 Mr. Cunningham, you get an indication as we go along that it is going to  
25 involve the Defence in a lengthier cross-examination, please just give me

1 a signal of that so that we will then, if necessary, split the time.

2 MR. CUNNINGHAM: I'll do that, Your Honour.

3 JUDGE AGIUS: Accordingly. Okay? Thanks.

4 MS. SUTHERLAND: It's Witness Number 7.57, Your Honour.

5 JUDGE AGIUS: Yes.

6 [The witness entered court]

7 JUDGE AGIUS: Good morning to you, sir.

8 THE WITNESS: [Interpretation] Good morning.

9 JUDGE AGIUS: And welcome to this Tribunal.

10 THE WITNESS: [Interpretation] Thank you.

11 JUDGE AGIUS: Is it the first time you're giving evidence before  
12 this Tribunal?

13 THE WITNESS: [Interpretation] That's right, yes.

14 JUDGE AGIUS: So later on I will explain to you briefly the  
15 procedure. In the meantime, what's important for you is to make a solemn  
16 declaration that is required of you by our Rules, that in the course of  
17 your testimony you will be speaking the truth, the whole truth, and  
18 nothing but the truth. It is the equivalent of an oath in many  
19 jurisdictions. Here we give it the form of a solemn declaration. The  
20 text is contained in a piece of paper that the usher is just handing to  
21 you. Please read it out aloud, and that will be your solemn undertaking  
22 with this Tribunal.

23 WITNESS: MIDHO DRUZIC

24 [Witness answered through interpreter]

25 THE WITNESS: [Interpretation] I solemnly declare that I will speak

1 the truth, the whole truth, and nothing but the truth.

2 JUDGE AGIUS: Thank you. You may -- please take a seat.

3 THE WITNESS: [Interpretation] Thank you.

4 JUDGE AGIUS: And I see you're a little bit excited. You don't  
5 need to be excited. Please relax. You are not in the lion's den here.  
6 You will be treated nicely. And I'll explain to you a little bit before  
7 you start what's going to happen.

8 You see the lady on your right, standing up. That's  
9 Ms. Sutherland. I suppose you have met her already. She will be putting  
10 to you a series of questions, and your duty is to answer each and every  
11 question that she puts to you in as fully as -- as fully and as truthfully  
12 as you can. That's unless we stop you from answering any question.

13 When she is finished with you, then you will be asked a series of  
14 questions by the Defence lawyers, and the Defence lawyers are on your  
15 left. And Mr. Cunningham, who is sitting in the centre, will be the  
16 person -- the lawyer who will be cross-examining you.

17 I need to advise you here that it's equally your duty to answer  
18 each question that is put to you by Mr. Cunningham as truthfully and as  
19 fully as you can, as possible, because the accused here has got the right,  
20 the fundamental right, to have you cross-examined. Once you are examined  
21 by the Prosecution, then he has a right to have questions put to you, and  
22 your duty, now that you have entered that solemn declaration, is to speak  
23 the truth.

24 If there is a question that you feel you shouldn't answer, then  
25 look at me and ask me for permission not to answer it, and I will take due

1 consideration of your submissions and will decide accordingly.

2 Having said that, I leave you in the hands of Ms. Sutherland. You  
3 can -- you may proceed, Ms. Sutherland.

4 MS. SUTHERLAND: Thank you, Your Honour.

5 Examined by Ms. Sutherland;

6 Q. Sir, can you please state for the record your full name.

7 A. Midho Druzic.

8 Q. Your father's first name is Mahmut?

9 A. Yes.

10 Q. You were born on the 19th of December, 1954, in the town of  
11 Bosanski Petrovac, in the Bosanski Petrovac municipality?

12 A. That's right.

13 Q. Your ethnicity is Bosniak and your religion is Islam?

14 A. Yes.

15 Q. You grew up in the town of Bosanski Petrovac, where you went to  
16 primary school, and then you went to Bihac to attend secondary school,  
17 where you completed that in 1972. After that you did your JNA military  
18 service in 1973 and 1974?

19 A. Yes.

20 Q. You need to speak up a little bit for the microphone.

21 A. Yes.

22 Q. You married in 1974 and you have one child?

23 A. Yes.

24 Q. You were employed as a professional driver for the company Sipad  
25 Ostrelj in Bosanski Petrovac from 1974 until 1992; is that correct?

1 A. Yes.

2 Q. And you're currently employed as a warden of the centre for  
3 refugees from the former Yugoslavia; is that correct?

4 A. Yes. Yes.

5 Q. How long have you held that position?

6 A. I've been at this post since 1997, October.

7 Q. You provided a statement to an investigator of the Office of the  
8 Prosecutor in July 2000. When you spoke to the Prosecution yesterday, you  
9 were given an opportunity to review that statement, and you wish to make  
10 four small corrections to the statement.

11 MS. SUTHERLAND: If the usher can hand the -- sorry. If we can go  
12 through these corrections quickly, because we have a lot to cover in your  
13 testimony today.

14 Q. If you turn to page 6 of your statement, which is in B/C/S, and  
15 this is on page 5 of the English, the last paragraph the English and the  
16 second paragraph of the B/C/S, the word where it is driven through Drvar  
17 should read driven through Bara; is that correct?

18 JUDGE AGIUS: Ms. Sutherland, unless this is -- this statement is  
19 going to be tendered in evidence, you don't need to go through these  
20 corrections. You just put a direct question as you go along. If you need  
21 to refer to that particular event, and he will testify accordingly.

22 MS. SUTHERLAND: Okay, Your Honour. I'll do it as we testify --  
23 as he testifies, I'm sorry.

24 JUDGE AGIUS: Yes.

25 MS. SUTHERLAND:



1 Q. Mr. Druzic, you can put this statement to one side. Have you  
2 provided any other signed statement to any authorities in Bosnia or  
3 elsewhere?

4 A. No, I haven't given a statement to anyone.

5 Q. In the statement that you gave to the Office of the Prosecutor in  
6 July 2000, was based in part on notes that you made in your own personal  
7 diary about things that you had experienced during 1992; is that correct?

8 A. That's correct.

9 Q. And everything you wrote down in this personal diary is of your  
10 own knowledge?

11 A. Yes.

12 Q. And the entries in the diary relating to 1992 are described fully  
13 in your statement?

14 A. Yes.

15 Q. And there's nothing of relevance that isn't included in your  
16 statement that you gave in July 2000?

17 A. No.

18 Q. I wish to turn now to 1990. In that year, you joined the SDA  
19 party and elected as a member of the SDA Executive Board in Bosanski  
20 Petrovac?

21 A. Yes.

22 Q. And in November 1990, you were elected as an SDA representative to  
23 the Municipal Assembly and you remained an assemblyman until 1992?

24 A. Yes.

25 Q. Did you attend any political rallies in Bosanski Petrovac?

1           A.    As far as my direct experience is concerned, I went on an SDS  
2    rally which was held in Bosanski Petrovac.

3           Q.    Do you recall when the rally was?

4           A.    I think it was in mid-September.

5           Q.    Of what year?

6           A.    I think it was either 1990 or 1991. I'm not sure.

7           Q.    Who were the speakers at this rally?

8           A.    At this rally were the representatives from Knin. There was  
9    Raskovic, Zelenbaba, there were also local people from the SDS. There  
10   were also guests from Stara Pazova, from Serbia. But what -- who I  
11   remember is Bogdan Kecman, from Kosovo. He was a member of the  
12   organisation called Bozur. I remember him well also because of what he  
13   said at the rally. I knew him before this because he was a representative  
14   of the Sipad company. He had worked in Sipad in Pristina. Because I  
15   worked as a driver at the company, transport company in Bosanski Petrovac,  
16   and it is very frequently that we transported goods for Serbia and for  
17   Kosovo, because the branch office of Sipad was in Kosovo, and its head  
18   office was in Pristina.

19          Q.    What were the nature of the speeches, and do you recall anything  
20   in particular which was said at the rally?

21          A.    This rally, I was struck by Mr. Bogdan Kecman's speech, when he  
22   said if the Muslims do not want to stay with us in Yugoslavia, we will  
23   have them impaled, just like the Turks impaled our Serbs at the time when  
24   the Turks were ruling. At that moment, I was standing with Dr. Milan  
25   Vidovic, and as soon as I heard this word, this speech of his, I

1 immediately left the rally.

2 Q. Was anybody attending the rally from the SDS republic level?

3 A. I cannot recall.

4 Q. Up until that time, what was the relationship like between the  
5 Bosniaks and the Serbs in Bosanski Petrovac?

6 A. Well, we lived in a community where there were 22 per cent  
7 Muslims, and there were 78 per cent Muslims [as interprete]. Up to that  
8 moment, everything was fine, and really I worked in a company where there  
9 was a majority of Serbs who were employees. And we worked as a crew of  
10 two for each lorry. We were mostly in mixed company, meaning the drivers  
11 were -- and I worked with a Serb as a partner, as a driving partner for  
12 five years, so that means --

13 JUDGE AGIUS: Yes, Mr. Ackerman. I know what you're going to say  
14 more or less. Yes.

15 We have in the transcript: We lived in a community where there  
16 were 22 per cent Muslims and there were 78 per cent Muslims [as  
17 interpreted]." So someone got something wrong. Can you repeat how many  
18 Muslims --

19 THE WITNESS: [Interpretation] Serbs.

20 JUDGE AGIUS: 78 per cent Serbs?

21 THE WITNESS: [Interpretation] Yes, Serbs.

22 JUDGE AGIUS: Thank you. That's what you wanted to point out,  
23 Mr. Ackerman. Yes. Thank you.

24 Yes, Ms. Sutherland.

25 MS. SUTHERLAND: Thank you, Your Honour.

1 Q. So you were describing how the relationships changed between the  
2 Bosniaks and the Serbs?

3 A. Yes. From that moment, from that moment, there was separation  
4 that started. Serbs to one side, Muslims to the other side.

5 Q. Prior to the war in Croatia in 1991, were there any military units  
6 stationed in Bosanski Petrovac?

7 A. Yes. There was one unit from Ogulin that came to the territory of  
8 the municipality of Bosanski Petrovac. These were active JNA troops.

9 Q. When did they come to the municipality?

10 A. I couldn't tell you exactly.

11 Q. Was it before the war in Croatia or after?

12 A. I think when there was the withdrawal of the army from the  
13 Republic of Croatia, I think that's when they came. But when that exactly  
14 was, I wouldn't be able to tell you exactly. I don't know.

15 Q. Where were they stationed?

16 A. They were at the police, next to the police there is a military  
17 warehouse. That's where they were stationed. And one part was in  
18 Bosnaplast, which is a company manufacturing plastic.

19 Q. Prior to the war in Croatia, what television channels were you  
20 able to receive?

21 A. Well, we watched Sarajevo TV.

22 Q. Were you able to continue to watch the Sarajevo channel?

23 A. Well, I don't know from what time. What happened is that it was  
24 turned towards Banja Luka TV, but I can't tell you exactly when that  
25 happened.

1 Q. When you say "it was turned," do you mean the transmitter?

2 A. Yes. Yes, transmitter.

3 Q. And so from that point on, it was television programmes from Banja  
4 Luka TV; is that correct?

5 A. That's correct, yes.

6 Q. In relation to the radio station in Bosanski Petrovac, did the  
7 format change at all; and if so, when?

8 A. Yes. Yes. Already it became national-based. At the time the  
9 editor was I think Milan Latinovic. Before that, he had been a teacher.  
10 And then he was a headmaster of a school. He then moved to work for the  
11 Bosanski Petrovac radio. I think a lot of things changed. The programmes  
12 of the radio Bosanski Petrovac changed a great deal.

13 Q. In what way?

14 A. Well, to tell you the truth, a lot of things, like the Serb  
15 things, they started to grow. There was -- the music changed a lot.  
16 Everything became more Serbian.

17 Q. And what about the television? What happened in relation to the  
18 television?

19 A. To tell you the truth, I didn't watch it much.

20 Q. You stated earlier that you were employed from 1974 until 1992 as  
21 a driver in Sipad Ostrelj company. Can you just tell the Court briefly  
22 what the company was about? How many employees did it have?

23 A. Sipad Ostrelj was a large company with about 3.500 workers. It  
24 was -- it had nine units, that is, these nine units made for that company,  
25 Sipad Ostrelj. So there was an administrative services, a door-making

1 plant, Bosanski Petrovac; building, Bosanski Petrovac; sawmill, Krnjeusa,  
2 Fana Krnjeusa; and the pellet-making unit.

3 Q. Was it the largest timber factory in Bosnia?

4 A. Why, yes, it was one of the larger companies in Bosnia, insofar as  
5 the timber processing is concerned.

6 Q. A lot of people that lived in Bosanski Petrovac municipality were  
7 employed at Sipad?

8 A. Correct.

9 Q. What were the other main industries or manufacturing organisations  
10 in the area, and approximately how many persons did they employ?

11 A. There was Novitet, which is a textile industry, employing about  
12 500, mostly of the female sex. Then Bosnaplast, Bosanski Petrovac, which  
13 made plasticware, it employed 100, 150. There was Trgovacki Magazin.  
14 That is a trading company with its outlets, employing about 100. Then  
15 there was a restaurant business, Hutory Grmec, which also employed a  
16 hundred, 150 people. And there were also, of course, private businesses,  
17 shops, and so on.

18 Q. When did you stop working as a driver for Sipad?

19 A. March or April 1992. March or April.

20 Q. Did you voluntarily leave the company?

21 A. We didn't. I was summoned to the company to Autotransport, and my  
22 then manager, Dragan Stupar, told me: Midho, give us back the keys.  
23 You're not working here as of today.

24 Q. How many other persons were dismissed?

25 A. By and large, all the Muslims were fired.

1 Q. Do you know the names of any Serbs who were dismissed?

2 A. I don't.

3 Q. You mentioned a moment ago other industries which had large work  
4 forces, Novitet and Bosnaplast are two examples. Were Bosniaks dismissed  
5 from these companies too, to your knowledge?

6 A. I knew about it because my wife worked for the Novitet, the  
7 textiles company, and she was dismissed, just as I was.

8 Q. After you were dismissed, what did you do?

9 A. Nothing. I was at home all the time.

10 Q. These other dismissals of persons from the other companies, and  
11 also from Sipad, what months were the dismissals occurring? What month or  
12 months, I should say.

13 A. Well, I know then auto transport, it was March or April 1992.  
14 Now, as for other companies, I don't really know, because I didn't really  
15 move out or away from my house.

16 Q. At some point, was there a call to disarm the population?

17 A. That's right.

18 Q. Do you recall when this was?

19 A. May 1992, I'd say. That was when Muslims were called to disarm  
20 and hand over their weapons to the police.

21 Q. Was it only directed to the Muslims, or was it the entire  
22 population?

23 A. Muslims only.

24 Q. How were you told about this disarming?

25 A. They used an APC to drive around the street and announcing that

1 weapons should be handed over.

2 Q. Did you obey the direction?

3 A. We did. We went. We, the Muslims, went and turned over our  
4 weapons.

5 Q. What sort of weapon did you have?

6 A. A hunting rifle.

7 Q. Was your house ever searched for weapons after that date?

8 A. It was.

9 Q. Do you recall when that was?

10 A. I think on the 24th or the 25th of May, 1992.

11 Q. Were any weapons found?

12 A. Nothing was found.

13 Q. What happened that day?

14 A. Two cars came, bringing seven or eight policemen and one  
15 investigating, one investigating. They came, tied me up, and went over  
16 the house. There wasn't any major harassment. My wife wasn't  
17 ill-treated. They merely searched the house, they personally, and they  
18 also used the detector.

19 Q. Were you arrested?

20 A. I was arrested on the 15th of June, 1992. But after these  
21 weapons, I was taken in. I was searched there and I was detained for two  
22 days in the police. It was, that is, the 24th and the 25th of May.

23 Q. When you were taken to the SUP, were you interrogated?

24 A. Yes. They did that. Where I came, what I was, but then they took  
25 me to solitary confinement and kept me there until the next day, until



1 half past 5.00 or 5.00, when they let me go. I wasn't beaten.

2 Q. Who were you interrogated by?

3 A. Well, this investigating one, the one who came, Vujo or  
4 something. I don't know what his last name is. He comes from Smoljana,  
5 and I know that his father was the secretary of the primary school in  
6 Bosanski Petrovac.

7 Q. How long did the interrogation last?

8 A. Two or three hours, I'd say.

9 Q. What sort of questions were you being asked?

10 A. Whether Muslims had weapons, whether there were some  
11 organisations, who was arming Muslims illegally, and suchlike.

12 Q. You said that you were kept in solitary cell until around 5.00 the  
13 next day. Were you provided with any food or water?

14 A. Yes. Well, let me tell you: I didn't ask for it, nor did I ask  
15 somebody to go and bring it to me. I just somehow managed.

16 Q. You said that you were arrested on the 15th of June, 1992. Were  
17 you taken to the SUP that day?

18 A. Yes. That day we were taken in and brought to the police to give  
19 our statements, and that was in the afternoon hours. And no sooner did I  
20 go to the door of the police than -- now, of course, I can't remember who  
21 it was that was on duty, but turned to the wall, spread your legs, frisked  
22 me, and said: You're under arrest. And sent me down to the cellar. And  
23 in the cellar they had a kitchen and a canteen.

24 Q. How long did you stay at the police station for on that occasion?

25 A. In the police station, we were detained there until the 1st of

1 July, 1992.

2 Q. Were you ever charged with anything?

3 A. Nothing.

4 Q. Were you ever told why you were being detained there for a  
5 fortnight?

6 A. Nothing.

7 Q. When you arrived at the police station, you said you went  
8 downstairs into the kitchen area. Did you recognise anyone else when you  
9 entered the kitchen?

10 A. I did. They were there already, Zijad Ramic, Ekrem Didovic, the  
11 late Salih Salimovic, Halil Mesic, Eno Bolic, Emin from Bjelaj. I can't  
12 remember his last name. But there were already several other people  
13 there, Muslims I mean, detained.

14 Q. Were you interrogated during the fortnight that you were there?

15 A. No, I wasn't interrogated ever.

16 Q. Whereabouts were you detained within the police station? Was it  
17 in the kitchen or was it in another room?

18 A. In the canteen, in the cafeteria.

19 Q. How many people were detained in that room?

20 A. Well, until the 1st of July, we were about 30.

21 Q. What was the ethnicity of all the people that were detained in the  
22 kitchen, in the canteen?

23 A. All Muslims.

24 Q. Approximately how big was the kitchen area?

25 A. Well, about 4 by 6, I'd say.

1 Q. Were you provided with any bedding?

2 A. No. We slept on the floor.

3 Q. Were you provided with any blankets?

4 A. Why, yes. We were issued with the army blankets.

5 Q. Did you spend the whole fortnight in the canteen area?

6 A. Well, for a while. I don't know. I can't remember which  
7 policeman was it. But when he was on duty, four or five of us would  
8 always be in solitary confinement, isolated from the other people. That  
9 is, he would take us away, put us into that cell, and in the morning bring  
10 us back. But it was only that one policeman, when he was on duty. But I  
11 can't remember.

12 Q. Was the canteen area crowded with the number of people that were  
13 there, or not?

14 A. Listen, at that moment, we weren't really thinking about whether  
15 it was overcrowded or not.

16 Q. What happened on the 1st of July, 1992?

17 A. At 3.00 in the morning, a policeman on duty came, told us to stand  
18 up, collect our belongings, and get out, and we did that. We came out,  
19 and there was already a bus parked there to take us on. We had no idea  
20 where we were going. After we had all been put in the bus, the bus left  
21 off towards Kljuc, that is, via Drvar, and reached the crossroads for  
22 Drinca, Bosanski Petrovac, and Bihac, and turned straight, that is,  
23 towards Bara, Bukovaca, and Drinic. And when we arrived in Drinic, then  
24 we realised we were going to a safe working site, since having worked in a  
25 timber company, I knew there was a working site Kozila. And then we

1 reached another junction which forks towards Kozila and towards Vrletina  
2 and when it turned left to Kozila, then we were sure we were going to this  
3 forest working site, where there were [indiscernible] were housing the  
4 administration of that working site.

5 MS. SUTHERLAND: Could the witness be shown Prosecution Exhibit  
6 P1956.

7 Q. Sir, the transcript reads the buses left off towards Kljuc, that  
8 is, via Drvar. Is that one of the things that you wanted to correct in  
9 your statement, that it was -- you went via Bara?

10 A. That's -- that is right. Not through Drvar. You do not need to  
11 go through Drvar to go to Kljuc. Drvar is 35 kilometres from Bosanski  
12 Petrovac, and goes through the village of Krunic and you cross a hill and  
13 come down to Dzevar.

14 Q. Sir, using the pointer, can you point on to the machine to your  
15 right and show the Judges the route that you took to get to Kozila?

16 MS. SUTHERLAND: And if the audiovisual director could possibly  
17 blow up the north-west part of Bosnia, where the witness is pointing.  
18 Could you zoom in, please. I think you need to bring the map down on the  
19 ELMO machine. Bring the machine out a little bit. Pull the -- bring  
20 the -- wheel the machine out a bit so you can take the map down a bit.

21 Q. Okay. Can you point to Petrovac.

22 MS. SUTHERLAND: Just let the map go down a little. Thank you.

23 Q. Pointing again with the pointer.

24 A. [Indicates]

25 Q. All right. Now, follow the road to Kozila from Petrovac.

1 A. Bara, Drinic. So Bara, Drinic, and that's where you go --

2 Q. Approximately how far [Previous translation continues]... From  
3 Drinic?

4 A. -- to Kozila. About 10 kilometres. All together, about 20  
5 kilometres from Bosanski Petrovac.

6 Q. Thank you. I've finished with that exhibit for the moment.  
7 What time did you arrive at Kozila?

8 A. The 1st of July. About an hour later we were already there, at  
9 Kozila.

10 Q. So it was around 4.00 or 5.00 in the morning?

11 A. That's right, yes. It was very early.

12 Q. What happened when you arrived there?

13 A. The bus fetched up below the shacks where we would be put up later  
14 on, and a guy came out, dark-haired, curly hair, with a beard, and told us  
15 to line up. So the 30 of us lined up, and he told us to put aside our  
16 personal belongings, to take off any watches we might have, or chains, or  
17 whatever, wallets and the like. And after we had done that, we started  
18 entering the shack, the wooden shed, in the order in which we had been  
19 lined up.

20 Let me say: There were two shacks. One of them, where we were  
21 accommodated, was surrounded with barbed wire, and it was about 2 metres  
22 tall. And there was only one entrance, and we used it to enter. And from  
23 the lower side, that is, to the north of the shack -- of course, one wants  
24 to see everything, so I spotted immediately a machine-gun nest with two  
25 soldiers there, with two guards.

1 Q. How many machine-gun nests were there?

2 A. No. We saw this one when we arrived, but we could see that same  
3 machine-gun nest after we had been put in the shack because through the  
4 opening which was about one centimetre, one could see outside. Because  
5 that place, I mean the place where the machine-gun was, our window was  
6 right across it, so that we could watch it from inside the shack. How  
7 many of them there were, I really don't know, because that was all the  
8 that I could see.

9 Q. When you say there was an opening of about one centimetre, is this  
10 on the windows of the buildings that you were placed into?

11 A. I know well the working sites, because I used to work for that  
12 company. Before the war, I worked for forestry unit, in 1974. I used to  
13 drive heavy-duty vehicle, and I frequently drove foremen out to that  
14 working site. Those shacks were very well made.

15 Q. Were the windows boarded up in any way?

16 A. From the inside, the windows had been removed; and from the  
17 outside, there was a grille made of boards, of lathes [phoen]. That is,  
18 they had completely shut the windows, having left only about  
19 one-centimetre cracks so that some light might get in, and some air too.

20 Q. I would now like you to look at two sketches, hand-drawn sketches  
21 that were drawn by you.

22 MS. SUTHERLAND: And if the witness could also be given the  
23 photographs, Exhibit P1864.1 to P1864.8.

24 Q. Sir, looking first at the sketch marked MD-A, was this sketch  
25 drawn by you when you gave your statement in July 2000?

1 A. Yes, it was.

2 Q. Does your signature appear anywhere on that sketch?

3 JUDGE AGIUS: Ms. Sutherland, can the sketch be put on the ELMO.

4 MS. SUTHERLAND: Yes.

5 JUDGE AGIUS: So that we make sure that we are looking at the same  
6 one? Please. Thank you. Yes.

7 MS. SUTHERLAND:

8 Q. Sir, does your signature appear anywhere on that document; and if  
9 so, can you point with the pointer on the machine to your right.

10 A. [Indicates]

11 Q. Thank you. Can you also --

12 MS. SUTHERLAND: Your Honour, if that could be provisionally  
13 marked as P1891.1.

14 Q. Would you put the next sketch, marked MD-B, on the ELMO. Was that  
15 sketch also hand drawn by you when you gave your statement in July 2000?

16 A. That's right.

17 Q. And can you point [Previous translation continues]...

18 A. [Indicates]

19 Q. Thank you.

20 MS. SUTHERLAND: Can that document be provisionally marked  
21 P1891.2?

22 JUDGE AGIUS: Mr. Ackerman and Mr. Cunningham, I'm admitting these  
23 two documents, taking it that there is no objection on your part. Thank  
24 you.

25 MS. SUTHERLAND:

1 Q. Sir, can you put the first drawing now, which is P1891.1, on the  
2 ELMO. Can you take the pointer and point to where the building where you  
3 were taken when you first came off the bus?

4 A. [Indicates]

5 JUDGE AGIUS: For the record, the witness is pointing at the space  
6 immediately in front of what is indicated as Baraka 1 on the sketch.

7 Yes.

8 MS. SUTHERLAND: Thank you, Your Honour. I was just about to do  
9 that.

10 Q. Sir, can you now take the first photograph, which is marked  
11 P1864.1, and it has the ERN number 0214-1401. What is that a photograph  
12 of?

13 A. You can see the well, where horses would be taken to drink water.

14 Q. And is the Kozila camp -- would the Kozila camp be in the  
15 foreground or in the distance of this photograph?

16 A. The Kozila camp is before this, on the right-hand side.

17 Q. Thank you. Can you look at photograph number P1864.3, which is  
18 0214-1402. Not that one.

19 JUDGE AGIUS: That's .2. Yes.

20 MS. SUTHERLAND: That is .3, Your Honour.

21 JUDGE AGIUS: Yes. Now this is .2.

22 MS. SUTHERLAND:

23 Q. Sir, what is that a photo of?

24 A. On this photograph, I can see the hut where I was. Here these  
25 tree trunks, that was not there in 1992, when we were detained. So where



1 this timber is, and this wooden hut next to it, that wasn't there. But  
2 what I am showing, pointing to, the house, the hut where we were, that's  
3 where we were.

4 Q. And that is the white building, and that is the one that's marked  
5 on your sketch MD-A as Baraka 1?

6 A. Yes, that's right. That's right.

7 MS. SUTHERLAND: Could we have the next photograph, P1864.2, which  
8 is 0214-1398.

9 Q. What is in that photograph?

10 A. That is stables. That's opposite the shacks, on the other side of  
11 the road. This is where the horses were. These were horses that were --

12 Q. And so that is a --

13 A. [Previous translation continues]... These were the horses that  
14 were kept there.

15 Q. That is a continuation of the road that we just saw in the  
16 previous photograph?

17 A. This is the continuation of the road which goes to Bosanski  
18 Petrovac, and on the first photograph, where I pointed to the well, that's  
19 the road which goes to the opposite direction, which goes towards --

20 Q. Yes. Just put --

21 A. Srnac.

22 Q. Just put MD-A back on the ELMO and point out the stables which are  
23 in that photograph and the well which was in the first photograph that I  
24 showed you?

25 A. It was here. So this is the road which goes back to Bosanski

1 Petrovac. And where the well is, that's in the opposite direction, going  
2 towards Srnac.

3 Q. So as we look at the sketch, the stables are in the bottom  
4 right-hand corner of the diagram, and the well is on the bottom left-hand  
5 corner of the diagram?

6 A. That's right. That's right. Yes.

7 Q. While we have that sketch on the ELMO, can you please point to  
8 where the commander's office was.

9 A. Here.

10 Q. And you're now pointing to the -- on the sketch to the building  
11 marked Kancelarija?

12 A. Yes, office. Here, before the camp was established, this is where  
13 the chief of the construction site was, and his personnel were there in  
14 these offices. That was the facility which was supposed to be for the  
15 director and the head of the construction site, before the war.

16 Q. And of the three photos we've just looked at, the office doesn't  
17 appear in any one of those photographs?

18 A. No. No.

19 Q. Can you also, while we have this sketch on the ELMO, point to the  
20 kitchen?

21 A. Here.

22 Q. And that is the building directly above the office?

23 A. Yes.

24 Q. The building to the -- above and to the right of the kitchen, what  
25 was in that building?

1 A. I think that was a blacksmith's.

2 Q. And the building above and to the left of the kitchen, what was in  
3 that building?

4 A. Most probably a warehouse, a storage space.

5 Q. And if we can just put photograph number P1864.3 back on the ELMO,  
6 which was the second photograph, which is 0214-1402. And point again to  
7 the barrack -- the Baraka 1, which is on your sketch. And the building  
8 right next door to that --

9 A. [Indicates]

10 Q. -- The wooden building, was that there in 1992?

11 A. No. No, it was not.

12 Q. Thank you.

13 MS. SUTHERLAND: Could the photograph number P1864.4, which is  
14 0214-1399, be placed on ELMO?

15 Q. Again, pointing to the room that is marked Baraka 1 on your  
16 sketch, pointing in this photograph.

17 A. [Indicates]

18 Q. The building which you sketched as the kitchen, can you point on  
19 this photograph where that is.

20 A. [Indicates]

21 Q. And that is the building with the -- it looks like a white truck  
22 is parked.

23 A. Yes. This. Yes.

24 Q. And the barbed wire, can you just point on that photograph where  
25 the barbed wire was.

1 A. [Indicates]

2 MS. SUTHERLAND: Is that clear for Your Honours?

3 Q. Could you now be shown the second sketch that you drew, MD-B.

4 MS. SUTHERLAND: Can that be placed on the ELMO.

5 Q. We will go into detail shortly about the different rooms, but can  
6 you just explain what's in this diagram.

7 A. This is a sketch. This is the position of the rooms in the shack  
8 where I was.

9 Q. And the marking, is it SOB.1, means room number 1, room number 2,  
10 room number 3, et cetera?

11 A. Yes.

12 Q. Can you point, while we have this diagram, where the toilet  
13 facilities were.

14 A. [Indicates]

15 Q. And that is marked with "WC." The room directly next to that,  
16 what was in that room?

17 A. This was a pantry, so when people were in this shack, they would  
18 leave the tools there.

19 Q. What was it used for during the time that you were detained in  
20 Kozila?

21 A. For a while, Zika Ramic and later Saban Spahic and myself, we  
22 spent some time.

23 Q. And that is the room you referred to as the solitary cell?

24 A. Yes. To start with, there was Zika Ramic there by himself, and  
25 then Saban Spahic joined him. And then later on from room number 6, which

1 was also solitary confinement, I went into this pantry or storage space.

2 Q. And that -- you have marked that -- is it Ostava?

3 A. Yes.

4 Q. And the room across from the toilet facilities, where you have  
5 marked "KUP," [Realtime transcrip read in error "CUP"] what was in that  
6 room?

7 A. That's bathroom, Kupatilo. That's where the showers were.

8 Q. Okay. Now, looking at photograph --

9 JUDGE AGIUS: And while we are at it, may have misunderstood  
10 myself, but between this room that he's just indicated and KUP 1, there is  
11 the top-left corner of outside KUP 1, a small box, and then there is the  
12 Dezurni Policajac. What does that mean?

13 MS. SUTHERLAND:

14 Q. Sir?

15 A. Here. While we were detained in the shack, there was a table and  
16 a chair, where there was the duty policeman 24 hours on duty.

17 JUDGE AGIUS: Yes. And for the record, my attention is being  
18 drawn in the transcript, the shower room or whatever it's called, it's  
19 K-U-P on the document and not C-U-P. All right.

20 MS. SUTHERLAND: Yes, Your Honour.

21 JUDGE AGIUS: All right. I think you may proceed, Ms. Sutherland.

22 MS. SUTHERLAND: Thank you, Your Honour.

23 Could photograph number P1864.8, which is ERN 0214-1394, be placed  
24 on the ELMO.

25 Q. Sir, what's shown in that photograph?

1           A.    You can see shack number 1, where we were detained, and next to it  
2    was shack number 2, which was made of timber.

3           Q.    As you're looking at the photograph, the white building, that is  
4    what you call shack number 1?  And shack number 2 is behind shack number  
5    1, and you cannot see it in this photograph; is that correct?

6           A.    Here it is.  Here it is, shack number 2.

7           Q.    I'm sorry.  I've got the photo -- the -- yes.  You're correct.

8           JUDGE AGIUS:  Yes.  Shack number 1, if you look carefully at the  
9    photo, is further down.

10          MS. SUTHERLAND:  Yes, Your Honour.

11          JUDGE AGIUS:  Right.  So it's basically where you want to see the  
12    right perspective, you have to go behind shack number 1 to understand the  
13    layout of this photo.

14          MS. SUTHERLAND:  Yes, Your Honour.  I was getting confused with  
15    another photograph.

16          JUDGE AGIUS:  Okay.

17          MS. SUTHERLAND:

18          Q.    Sir, can you point on the photograph that's on the ELMO to rooms  
19    4, 5, and 6, that you have marked on your sketch MD-B.

20          A.    4, 5, 6.

21          Q.    Thank you.  Could you please place photograph number P1864.7,  
22    which is ERN 0214-1393, on the ELMO.  What's shown in that photograph?

23          A.    Shack number 1.  And what you can see down there, that was not  
24    there at the time.

25          Q.    And that's the wooden building to the right of the photograph?

1 A. Yes. Further down, that second shack was not there.

2 Q. And what are the room numbers in this photograph which correspond  
3 to your sketch?

4 A. Number 4, and part of the window of room number 5.

5 MS. SUTHERLAND: Just for completeness, Your Honour, because they  
6 have been tendered, if the witness can be -- the photograph number  
7 P1864.6, which is ERN number 0214-1392, that photograph could be placed on  
8 the ELMO.

9 Q. What is shown in that photograph?

10 A. This is part of the shack, facing shack number 1, and this is  
11 where you would enter the kitchen.

12 Q. So that's the kitchen building?

13 A. Yes.

14 Q. And finally, P1864.5, which is 0214-1397. What's shown in that  
15 photograph?

16 A. The kitchen is here, and this part where you can see the steps,  
17 that's the part facing the shack, where we were.

18 Q. Thank you. I've finished with those photographs and sketches.

19 Mr. Druzic, who was in charge of the camp?

20 A. Miso Zoric.

21 Q. How did you know this?

22 A. When we were detained in the rooms, this is the person who was  
23 there to meet us when we came to the Kozila camp. He entered our room and  
24 introduced himself, said he was Miso Zoric and that he was the one in  
25 charge of the Kozila camp, that he was the head of the camp.

1 Q. Did you know him before?

2 A. No, never.

3 Q. Were you told by the other detainees where he worked previously?

4 A. Later on. Later on we found out that some people knew him, some  
5 Bosniaks, some Muslims, and it was said that he had worked as a guard in  
6 the Luka prison in Bihac.

7 Q. Were any other persons brought to Kozila that day?

8 A. Yes. In the evening hours, another bus arrived, also a bus load  
9 of Bosniaks, who were taken to the police station, and in the evening were  
10 brought to the Kozila camp.

11 Q. You're referring to the police station in Bosanski Petrovac?

12 A. Yes, yes.

13 Q. Was there another group of people that were brought to the camp  
14 earlier that day?

15 A. Before we arrived, there were already people there who were  
16 brought from Prekaja, from Drvar. There was a group of 18 people from  
17 Orasac and Gornji Vakuf.

18 Q. So by the end of the day, approximately how many people were in  
19 Kozila?

20 A. About 80.

21 MS. SUTHERLAND: Could the witness be shown exhibit P1840, which  
22 is the list of persons. If the English could be placed on the ELMO.

23 Q. Sir, do you see your name listed there?

24 A. Yes, under number 9.

25 Q. And is that your first name?



1 A. My name is Midho Druzic, not Midhat.

2 Q. But given that it says Midhat Druzic, otherwise known as Midho,  
3 you're assuming that they're referring to you at number 9?

4 A. My name is the one that I was given by my late father and mother,  
5 not a name that I was given by someone else. My first name is Midho,  
6 M-i-d-h-o, not Midhat.

7 Q. All these names listed 1 to 30, were they all brought with you on  
8 the bus in the early hours of the 1st of July to Kozila?

9 A. Yes. Yes.

10 JUDGE AGIUS: Ms. Sutherland, how many families in Bosanski  
11 Petrovac had that name Druzic, that you know of.

12 THE WITNESS: [Interpretation] I didn't understand you, Your  
13 Honour.

14 JUDGE AGIUS: How many families in Bosanski Petrovac had that  
15 surname, Druzic?

16 THE WITNESS: [Interpretation] We are one of the most -- the  
17 strongest tribes, as far as Bosniaks are concerned, in that area. It's  
18 very large family of Druzic people.

19 JUDGE AGIUS: And was there anyone in Bosanski Petrovac with the  
20 family name Druzic that was called Midhat, that you know of?

21 THE WITNESS: [Interpretation] No. No.

22 JUDGE AGIUS: You exclude it or you simply don't know?

23 THE WITNESS: [Interpretation] Certainly not. I rule out that  
24 possibility.

25 JUDGE AGIUS: Okay. Thank you.

1 Ms. Sutherland, please.

2 MS. SUTHERLAND: Thank you, Your Honour.

3 THE INTERPRETER: Interpreter's correction. Instead of "tribe,"  
4 "clan" would be more appropriate.

5 JUDGE AGIUS: Yes.

6 MS. SUTHERLAND:

7 Q. The professions of these people are quite varied, are they not?

8 A. Yes, that's correct.

9 Q. A number of them have private businesses, their own private  
10 businesses?

11 A. Yes. Yes.

12 Q. For example, the person listed at number 1, the person listed at  
13 number 13, 16, 18, 24. There is an economist there listed at number 8.  
14 Is that correct? There's a legal officer --

15 A. Hidic, Muharem, yes.

16 Q. There's a legal officer at number 15?

17 A. That's correct, yes.

18 Q. There's a painter at number 20, a locksmith at number 22; is that  
19 correct?

20 A. Yes, that's correct. Osman Hadzic, yes.

21 Q. Sir, turning to the second page of that document, it states that  
22 the date of this document is the 2nd of July, 1992.

23 A. They were brought on the 1st, in the evening, in 1992.

24 Q. And that was the group that you referred to a moment ago when you  
25 said that they were taken to the SUP and in Bosanski Petrovac, and then

1 they were brought to Kozila?

2 A. That's correct. Yes. They were taken off the road, collected,  
3 rounded up, and then they were brought, yes.

4 Q. Thank you. I've finished with that document, unless Your Honour  
5 has any other questions.

6 JUDGE AGIUS: No. Go ahead.

7 MS. SUTHERLAND:

8 Q. Sir, how long were you detained at Kozila?

9 A. From the 1st of July until the 6th of August.

10 Q. So that would be approximately seven weeks?

11 A. Yes, 36 days.

12 Q. Can you describe for the Court the conditions in the camp during  
13 your detention? And by that I mean were you given adequate food and  
14 water, your sleeping conditions, the personal hygiene?

15 A. We were in rooms, in shacks, and it depended on who was where. I  
16 think in our room number 1 there were about 18 of us. We slept on sponges  
17 and we would have a blanket to cover ourselves. As far as toilet  
18 facilities are concerned, we had a bucket in the corner that was used as a  
19 toilet, and we received water in cannisters that we used during the day.  
20 While I was in the camp from the 1st of July until the 6th of August, I  
21 didn't go out to the toilet to relieve myself, or did I go to the  
22 showers. Whatever I did, I did in the room where I slept.

23 Q. Was that because you didn't want to or you weren't allowed to go  
24 to the toilets or the showers?

25 A. I avoided being noticed more than anything, so I just tried to

1 keep quiet, keep a low profile, be in my room, sit down or lie down, and  
2 just not to be noticed by anyone.

3 Q. Were you given the opportunity for daily exercise?

4 A. No. No. For that -- during that time, while I was at the Kozila  
5 camp, it was only once that we were taken out for a walk, from 11.00 or  
6 12.00, one day.

7 Q. And was that within the confines of the camp or was that outside?

8 A. That was within the compound, within the compound of the camp,  
9 inside the wire fence.

10 Q. Were you physically mistreated whilst you were detained in Kozila?

11 A. Yes. Yes, I was. On a couple of occasions I was physically  
12 mistreated, humiliated, by the guards, who were in the Kozila camp.

13 Q. Approximately how many times did this happen?

14 A. Five or six times.

15 Q. I want to take you now through each of the times that you were  
16 beaten or that you were physically mistreated. How long --

17 JUDGE AGIUS: Do you want to start that after the break or do you  
18 want to start now? You've got three minutes left.

19 MS. SUTHERLAND: We could perhaps have an early break, Your  
20 Honour.

21 JUDGE AGIUS: I think so. So we'll have a 25-minute break  
22 starting from now. Thank you.

23 --- Recess taken at 10.27 a.m.

24 --- On resuming at 11.03 a.m.

25 JUDGE AGIUS: Yes. Let's tackle the first problem. The

1 interpreter business has been taken care of. Hopefully we should get some  
2 kind of confirmation pretty soon.

3 What volume of documents are we talking about, Mr. Ackerman?

4 MR. ACKERMAN: Your Honour, I think there's four binders, four or  
5 five binders, some large -- one or two small, one or two large. I  
6 think -- how many are there? There are two in the back and there are -- I  
7 think there are two or three here.

8 JUDGE AGIUS: And what is the real problem? Has he been told that  
9 he cannot take them with him or that they are not prepared to carry them  
10 for him?

11 MR. ACKERMAN: The guard told me that the police who do the  
12 transport will not let him take anything that he didn't bring to Court.  
13 They won't let him take anything back with him that he didn't bring here.  
14 And this is a brand new problem. I mean, we've given him stuff and he's  
15 taken it back from the beginning of the trial. Just all of a sudden today  
16 there seems to be a new rule.

17 JUDGE AGIUS: Madam Chuqing, will you handle that as well,  
18 please? Okay. Thank you. We'll see into that, because if it's -- the  
19 police refusing to carry them for him is one thing, and not allowing him  
20 to take them with him simply because he did not bring them over is another  
21 matter. So we'll look into that and hopefully within the next few minutes  
22 we should come back to you on it.

23 Yes, Ms. Sutherland. Let's go through the beatings. If it's -- I  
24 suggest to you move fast on these. If it's -- if necessary, I will even  
25 authorise you to read straight from his statement and ask him whether he

1 confirms what's written there. Because there is a lot of details about  
2 each and every beating, and others that were also beaten. So choose  
3 whichever way you like, but please do keep in mind that we need a good  
4 hour left to be left for Mr. Cunningham.

5 MS. SUTHERLAND: Thank you, Your Honour.

6 JUDGE AGIUS: Thanks.

7 MS. SUTHERLAND:

8 Q. Mr. Druzic, just before we broke, I asked you approximately how  
9 many times you had been beaten, and then I said that we were going to go  
10 through in some detail each of these beatings. How long had you been at  
11 Kozila when you were first mistreated?

12 JUDGE AGIUS: Yes. Before you answer, one moment.

13 Mr. Ackerman, Mr. Cunningham, if -- and I see that your  
14 interpreter is not present in the room. If at any time you need to --  
15 yes, but -- if at any time you need to consult with your client or your  
16 client needs to consult with you and you feel it is necessary to stop the  
17 sitting, we will stop the sitting.

18 MR. ACKERMAN: I understand, Your Honour. She will be back in a  
19 few minutes.

20 JUDGE AGIUS: Fine.

21 MR. ACKERMAN: She worked throughout the break and so we've told  
22 her she can take a short break and she'll be back quite soon.

23 JUDGE AGIUS: If that causes you a problem at any time, let me  
24 know.

25 MR. ACKERMAN: I understand.

1 JUDGE AGIUS: Thank you.

2 Sorry, Ms. Sutherland, I'm sure you appreciate that.

3 Yes, Mr. Druzic.

4 MS. SUTHERLAND:

5 Q. How long had you been at Kozila before you were first mistreated?

6 A. How long was I there before they started interrogating me, you  
7 mean, ill-treating me? Five days. They took me in on the sixth day, the  
8 6th of July.

9 Q. Can you briefly describe for the Court how you were called out and  
10 where you were taken.

11 A. As you know from the sketches, there was a guard in the shack, on  
12 duty there. Around 7.00 or 8.00 in the evening, he called out Zika Ramic,  
13 who was also in dormitory 1. And 20 minutes later, Zika returned and my  
14 name was called out. I went out, and the duty guard outside took me to  
15 that office where the Kozila administration -- Kozila camp administration  
16 was. And that guard who escorted me was called Zeljko Brankovic.

17 A year or so earlier, he ran Dzakarta tavern, so that I knew that  
18 he came from Rasovac. But I've never had any personal communication with  
19 him. And no sooner did he take me into that room where the administration  
20 was and where I recognised Miso Zoric than this Brankovic hit me with his  
21 baton on the head. And I lost consciousness. And when I came to again,  
22 when I came to again, I was sitting in a chair. I saw Miso Zoric, and a  
23 few guys around him, those who were guarding, I mean who were guards in  
24 the camp.

25 The interrogation started straight away. That I was a Mujahedin,

1 that I was a balija. They were saying: Tell us, who is the organiser?  
2 Who is the leader of the Muslims? Where are your weapons? And that was  
3 the general drift of it. And then he put me up and took me into a  
4 corner. When he was the first one to start slapping me in the face and  
5 beating me. So it lasted for a while, and then a big man, a blond one, a  
6 policeman, who I didn't know then. Later on I found out what he was, but  
7 his name was Milan --

8 Q. Just pause there. You said he was the first one to stand up and  
9 start slapping me in the face. Who was he?

10 A. Miso Zoric. Miso Zoric. And after him, a fair-haired, big guy  
11 came up to me and hit me in the lower part of my body, so that I fell  
12 down. And then they started kicking me with their feet or whatever they  
13 had, those, I mean, men who were with Zoric in that same office. It  
14 lasted not less than one hour. And that same guy who had brought me into  
15 that office with the administration of the camp, he was also the one who  
16 took me back to the shack, to my room number 1.

17 I was beaten on the head, on the back, and the next day I felt  
18 severe pain in my legs. I suppose it was due to these blows with their  
19 boots.

20 Q. Were you kicked in the genital area at all during this beating?

21 A. This one, Milan Knezevic, yes, he kicked me there after the first  
22 blows that were inflicted by Zoric.

23 Q. You mentioned Miso Zoric, the commander of the camp, who was  
24 interrogating you and who also struck some blows to your body. You  
25 mentioned the name of Zeljko Brankovic, one of the guards who brought you



1 to the commander's office, and you just mentioned Milan Knezevic. Can you  
2 name the other guards who were in the room?

3 A. Well, I learnt who they were later, so that it was later on that I  
4 found out their names. One of them was Glusica, who also worked as a  
5 prison guard at Luka, in Bihac.

6 Q. Can you name the other --

7 A. Salasa, Zoran Salasa, who is the -- an in-law of Miso  
8 Zoric's. Filipovic, whose nickname was Rudi because he worked in Rudi's  
9 shop in Bihac.

10 Q. Do you know a person called Nine Puzigaca?

11 A. Nine Puzigaca, yes, I know him. He was a locksmith and we worked  
12 together at Autotransport and we were good acquaintances before that. He  
13 used to live and still lives in Drinic.

14 Q. Do you know a person called Neno Latinovic?

15 A. Miro Latinovic.

16 Q. Nedjo, I'm sorry, Latinovic.

17 A. Nedjo, Nedjo Latinovic. Yes. I began to know him in the camp. I  
18 didn't know him before that.

19 Q. Was he in the room that night?

20 A. Yes. Yes, he was, Nedjo Latinovic.

21 Q. Do you know a person by the name of Milan Kresoja?

22 A. Milan Kresoje. Yes. He was there. He used to work at the police  
23 administration in Bihac before that.

24 Q. You said that after the beating that night that you couldn't walk  
25 the following day.

1 A. That's right.

2 Q. Approximately how many days after this first beating before you  
3 were mistreated again?

4 A. Seven days later.

5 Q. Can you describe for the Court what happened on that occasion.

6 A. Same thing. A guard comes, calls me out, escorts me, and the  
7 leader in all the ill-treatings that I suffered was Miso Zoric, who would  
8 always be the one who would start it, that is, first provocation, and then  
9 beating.

10 Q. You were called out to his office this night?

11 A. Correct, yes. That's right.

12 Q. And he was interrogating you?

13 A. Same thing: Interrogated and then just the same thing as the  
14 first time.

15 Q. Did you recognise the guards that were in the room?

16 A. Why, yes. Same. It was the same group of people who beat us --  
17 no, not us; me, who beat me.

18 Q. Did Miso Zoric have a weapon?

19 A. He did. He had a bayonet, with four S's, and forced me to kiss  
20 it. I refused to do that. And he hit me here and cut me. You can still  
21 see it. Whether he wanted to do or not, but I started bleeding. Why  
22 should I kiss four S's?

23 Q. And you're pointing to under your chin?

24 A. Yes, here.

25 Q. Did he cut the skin?

1 A. Yes. Yes. Here. Yes. I bled here. You can see the scar.

2 Q. What happened after that?

3 A. After that, when I was taken back to the shack, I wasn't taken to  
4 room 1, and they put me in room 6, alone, because it was empty.

5 Q. How long did that beating last before they took you to room number  
6 6?

7 A. Well, it was -- as a rule, it was half an hour to 45 minutes.

8 Q. How long did you stay in room number 6?

9 A. Again, I was called out from room 6 three days later. But before  
10 me, from the room next to me, that is, room 3, Saban Spahic was called  
11 out, around 3.00 in the morning. Saban was taken away and then half an  
12 hour later, my name is called out and I was taken there. As I was  
13 entering that office where they -- this camp command was, we bypassed each  
14 other in the doorway, that is, Saban was coming out and I was coming in.  
15 Miso Zoric was yelling and telling the guard: Kill him.

16 Q. And you're referring to Spahic?

17 A. Spahic, yes. As the guard was taking him out. So I was brought  
18 in and I saw that desk where the Saban Spahic had been sitting was all  
19 covered in blood.

20 Q. Just pause there.

21 A. Miso Zoric --

22 Q. Did you see him -- you said that you saw him as you were entering  
23 the building and he was walking out. What was his condition?

24 A. Yes. Yes. You're right. I saw him as he was coming out. One  
25 could see on his face that he had been beaten on his face. You can you

1 could see --

2 Q. And after you heard Zoric say: Take him away and kill him, what  
3 happened then when you entered the room?

4 A. I was ordered to sit at that table at that desk where Saban Spahic  
5 had been sitting, and the whole table was covered with blood, and Miso  
6 Zoric ordered me to lick it up. I wouldn't -- I didn't want to do it, and  
7 he grabbed me by the hair and used my face to wipe the table. That was  
8 all bloody. After that, Salasa ordered me to take off my fur jacket and  
9 my shirt, that is, to strip myself to the waist, and I did that. I put  
10 those things next to the chair on which I was sitting and then I was  
11 ordered it put my hands at my back and my face down on the table, and the  
12 beating started with the baton from the kidneys to here, behind the head.

13 JUDGE AGIUS: The transcript fur jacket. We are in July here.  
14 Are we sure we had a good translation? Because in the statement that is  
15 referred to as a sweater. So perhaps you can tell us what you were  
16 wearing.

17 THE WITNESS: [Interpretation] I had a white jacket and a sweater.  
18 But when they beat us, we put more things on, so that it hurts you less.

19 MS. SUTHERLAND:

20 Q. Just before you continue with the beating that you were talking  
21 about with Zoran Salasa. Prior to that, when Miso Zoric was making you --  
22 ordering you to lick Saban Spahic's blood on the table, what was he saying  
23 to you?

24 A. Cursing. There were always curses.

25 Q. What sort of curses was he saying?

1           A.    Oh, well, the first one, cursing at Turkish mothers.  There was  
2    mention of Mujahedin and suchlike.

3           Q.    You then said a moment ago that Salasa ordered you to take off  
4    your upper -- clothing from your upper body and that he struck you with  
5    the police truncheon on your head, and where else were you hit?  You said  
6    you were also hit on the kidneys.

7           A.    From the kidneys, that's right, from the kidneys up to the head.

8           Q.    How long [Previous translation continues]... --

9           A.    I can't tell you exactly, but, you know, it lasted quite some  
10   time.

11          Q.    Where were you then taken?

12          A.    After that, they called the guard Ribic - I can't remember his  
13   first name.  Was he Nikola?  Was he Dragan?  And when he entered, they  
14   told him:  Take him and kill him.  So I picked up my things, my clothes,  
15   walked out, and that Ribic took me to the well.  And I leaned against the  
16   well, and he aimed the rifle and I guess was waiting for somebody's order.

17                After that, we were followed by Milan Zoric -- I mean Miso Zoric,  
18   and Salasa:  Haven't you killed balija?  Take him to the trough.  And the  
19   trough was used to water horses, used to pull and drag logs.  So the guard  
20   took me to the trough and Nine Puzigaca then turned up - Puzigaca, yes,  
21   that's right - and Milan Ivanic.  And said:  What are you waiting for?  
22   Why isn't he in the trough?  So I stepped in.  I thought I would be  
23   standing in there.  But then the order came to -- for me to lie down.  And  
24   you know what spring water is like at 4.00 in the morning, and I went down  
25   and lay down there.  And while my head was up, it was all right, but then

1 somebody would grab me by the hair and push my head down under the water  
2 and then I started choking and they pulled me out and then pushed me back  
3 again. And as this went on, I suppose I heard some rifle shots. It could  
4 have been this guard who was simply firing shots like that, perhaps to  
5 intimidate those others who had stayed behind in the shack.

6 And after some time, they took me out of the trough and a guard  
7 took me back to the shack, to that same room, to room 6.

8 Q. How long did the -- how long were you at the well for?

9 A. Well, 15, 20 minutes, say.

10 Q. How long did you stay in room 6 for?

11 A. I was there for another three or four days, and then I was  
12 transferred to a small room where Zika Ramic and Saban Spahic had already  
13 been put beforehand.

14 Q. When you say Zika Ramic, is Zika a nickname?

15 A. Zijad Ramic. Yes, Zijad Ramic. That's his full name.

16 Q. And so you were by yourself in room number 6 for three days and  
17 then taken to that small room that you pointed to on the sketch, next to  
18 the toilet?

19 A. Yes. Yes. And the guard stood at the entrance, yes.

20 Q. How long did you -- the three of you stay in that room for?

21 A. We stayed there five to six days and then we were returned to the  
22 original rooms where we had been before that. We were in room number 1,  
23 myself and Zijad Ramic, and Saban Spahic in room number 3.

24 Q. Were the same people that were in the room prior to you being  
25 taken out, were they still all in that room, room number 1?

1 A. Yes.

2 Q. How long did you stay there for?

3 A. That room, I stayed until the end, that is, until the 6th of  
4 August, until I was transferred to another camp.

5 Q. Were the people, other than -- you saw on this list, Exhibit  
6 P1840, the last six names were from Kljuc. Do you need to look at this  
7 list again? I want to ask you some questions about those six people. How  
8 old were they, approximately?

9 A. These were children, 16 to 18 -- 15 to 18. They were from Sanica,  
10 near Kljuc.

11 Q. Was there anybody else besides those six young teenagers from  
12 another municipality besides Bosanski Petrovac?

13 A. There was Jasmin Ciric, from Ribic. Then there were people from  
14 Orasac and Gornji Vakuf and there were two shepherds who were also brought  
15 from Kljuc.

16 Q. Around the end of July, were you also beaten again?

17 A. On the 29th of July, I was taken out first to be questioned.  
18 After that, Zijad Ramic was taken out. And after Zijad Ramic, Safet  
19 Ruzic. After Safet Druzic, Fuad Ferizovic was taken. In the end, Muamer  
20 Hidic.

21 Q. If we can just go back to when Zijad Ramic was called out. Were  
22 the two of you in the commander's office together at one point?

23 A. Yes. That night, yes, we were together. First I was taken out  
24 and Zijad was brought, and after that Safet.

25 Q. Can you briefly describe what happened that night?

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13 English transcripts. Pages 16790 to 16799.

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1           A.    The same thing happened regarding Miso Zoric, and then he  
2           announced, declared, that Zijad and myself were the most responsible, the  
3           main Muslims in Bosanski Petrovac, which of course wasn't true. And then  
4           I was forced by him, and it's very important to stress that there was this  
5           guard called Dragisa Barovic, who was present that night when this was  
6           happening. And then Zoric made me hit Zijad, and I refused. I wouldn't  
7           even think of doing that. And then -- and then he was -- and then we were  
8           told that Zijad should hit me. And as Bosnians say, he moved his hand and  
9           broke some glass. Then there was a beating that took place, a beating  
10          that was administered by Dragisa Barovic, and what was said is that when  
11          you're beating a Muslim, what would you do with a Serb? And that was when  
12          Zijad was beaten very severely. When he returned to the shack, I was  
13          taken out of the office before and I could see that his eyes were popping  
14          out from all the beating that he had received.

15          Q.    You also mentioned a person called Muamer Hidic.

16          A.    Muamer Hidic.

17          Q.    What was --

18          A.    That night as well.

19          Q.    What was his condition when he returned to the room?

20          A.    In a very bad condition. He had also been beaten up.

21          Q.    What was his face like?

22          A.    It was covered in blood. His eye was nearly falling out. This  
23          was a young man who was 190 centimetres tall, well-built.

24          Q.    Were you called out again a couple of days after that?

25          A.    Yes. We were called out on the 31st again.

1 Q. When you say "we," who are you referring to?

2 A. Myself and Zijad Ramic again. Because we were the focus of the  
3 events in Kozila. At the time, if Zika would be first and I would come  
4 second, or the other way around, we were always the first ones to be  
5 called out.

6 Q. And again that night, how long did the interrogation and beating  
7 last for?

8 A. It wasn't very long, because after us, others were taken out, Fuad  
9 Ferizovic. They also took out, I think, that night Fuad was taken. He  
10 had been a hospital director.

11 Q. What was the condition -- what was his condition when he returned  
12 to the room?

13 A. The same. On his face, it was obvious what beating he had  
14 received at the interrogation.

15 Q. Were the young teenagers from Kljuc ever mistreated?

16 A. Yes. One night they were taken out. They were taken out late.  
17 And the camp is located in a wood. So we knew them. We knew them by  
18 name. And our room was just next door to the guard who was calling people  
19 out. After some time, perhaps by the time they arrived, after a minute or  
20 two, you could see the children screaming out. And the saddest thing was  
21 that there were also some dogs, some dogs roaming around, and the more the  
22 children were screaming around, the more the dogs were howling, and it was  
23 an absolute horror listening to all that.

24 Q. Do you recall any incidents with any other detainees? Do you know  
25 a person by --

1           A.    Well, let me tell you: Esad Milicevic, my colleague, was also  
2    taken out. We used to work together. And then also Husein Kartal, son of  
3    Zufko, he had been a boss. And Remzo Ferizovic. He was working at the  
4    agricultural commune in Bosanski Petrovac. What's interesting to mention  
5    here was that these people, when they were taken out, after a while they  
6    spent in the office where they were, where the administration was, we  
7    heard the guard cursing his Turkish mother and making him go on all fours  
8    and to pretend that he's a dog and bark. That was so humiliating that it  
9    was difficult to believe.

10          Q.    And you're referring to Esad Milicevic?

11          A.    Yes. After that, Husein Kartal was also taken out in the same  
12    way. The same thing that they had done to Esad Milicevic, it was done to  
13    him as well. And he was beaten quite a lot by Radivoje Adimovic, who had  
14    been a colleague of ours, also a driver, who worked in Njegusi and the  
15    reason he had beaten him was because Husein Kartal had not authorised one  
16    daily allowance in the past, and he hadn't even realised that.

17          Q.    From the time that you were detained on the 15th of June, in the  
18    Prijeedor SUP, until when you left the Kozila camp on the 6th of August,  
19    1992 -- I'm sorry. How much did you weigh when you were first arrested?

20          A.    120 kilos.

21          Q.    And after you left Kozila, I want to -- you to talk briefly about  
22    where you were taken.

23          A.    I was taken on the 6th of August, 15 of us were taken to the new  
24    camp in territory of another municipality. That was the camp of Kamenica,  
25    near Drvar, 5 kilometres away from Drvar.

1 Q. And how long did you stay in Kamenica camp?

2 A. Until the 3rd of November, 1992.

3 Q. What was your weight when you left Kamenica camp?

4 A. When we went to Karlovac, I weighed myself, and that was 58 kilos.

5 Q. When you and the other 15 or so people left Kozila to go to  
6 Kamenica, did the other people who were detained in Kozila, were they  
7 released at some point?

8 A. Yes. According to what I learnt after I left the camp and was  
9 taken to Karlovac, it was either on the 21st or the 23rd of August, 1992,  
10 that Kozila camp was disbanded. I can't tell you whether it was the 21st  
11 or the 23rd.

12 Q. What were the conditions like in the Kamenica camp?

13 A. When we arrived to Kamenica camp, it was a school, and we were  
14 immediately given a place to stay in a hall. It was probably used in the  
15 village for some kind of festivities or some kind of meetings. This is  
16 where we were staying. There were no windows. There were bars, metal  
17 bars.

18 Q. Were you --

19 A. And there was a toilet, and where there had been classrooms, this  
20 was just abandoned. There were no windows. There was nothing.

21 Q. Were you mistreated during your detention there?

22 A. As far as Drvar is concerned, I was not mistreated from the 6th of  
23 August until the 3rd of November.

24 Q. Were the detainees brought to that camp from other municipalities;  
25 and if so, which municipalities did they come from?

1           A.    To the camp of Kamenica, after a while, after 15 of us were  
2    brought, there were another 18 that were brought, 18 people who had been  
3    with us, and these were in the territory of Orasac, in Kulen Vakuf. After  
4    that, there was a group of six people who were brought. They had been in  
5    Drvar. They had been detained there. And after them, there was a group  
6    of people from Bosanska Krupa who had been detained in Jasenovac -- sorry,  
7    Jasenica, near Bosanska Krupa.

8           Q.    Approximately how many people from the Krupa municipality were  
9    brought to Kamenica?

10          A.    18, I think.

11          Q.    Did the ICRC visit the camp?

12          A.    Kamenica camp was visited by the end of August 1992. It was  
13    Mrs. Donata from the Red Cross who came.

14          Q.    And did they -- did the ICRC effect your release from Kamenica in  
15    November?

16          A.    Yes, that's right. Yes.

17          Q.    And you were registered by the Red Cross?

18          A.    Yes. We received the Red Cross ID cards.

19          Q.    And they arranged your -- the convoy to Karlovac?

20          A.    That's correct. We went via Knin, via Titova Korenica, Plitvica,  
21    Slunj, and then arrived in Karlovac.

22          Q.    You stayed in Karlovac for how long?

23          A.    Stayed in Karlovac for a fortnight, after which I was transferred  
24    to Switzerland.

25          Q.    How and when did your wife and child leave Bosnia?

1 A. At that time, I did not have a child.

2 Q. I'm sorry.

3 A. When the convoy -- when my wife left with her family, it was  
4 through Travnik.

5 Q. What date did they leave Bosanski Petrovac?

6 A. 24th of September, 1992.

7 MS. SUTHERLAND: Your Honour, if the document -- if the witness  
8 can be shown two documents. They were provided yesterday by the witness's  
9 family.

10 JUDGE AGIUS: Yesterday is Sunday.

11 MS. SUTHERLAND: Yes, Your Honour.

12 Q. Sir, these two documents, the first one is dated the 18th of  
13 August, 1992, and it's a declaration signed -- who is that -- who has  
14 signed that declaration?

15 A. My wife.

16 Q. And what does the declaration state?

17 A. Where was that?

18 Q. Perhaps I can read it. "I hereby declare that I own in my own  
19 name movable property on the territory of Petrovac municipality, as  
20 follows: Tractor, TMT type 542, serial number 301015232." Then it gives  
21 an engine serial number, and then a tractor-trailer, and also gives the  
22 type, "to be used by Zdravko Kresoje, from Vodjenica."

23 A. Kresoje, yes.

24 Q. Do you know why your wife was signing over your tractor and  
25 tractor-trailer to this gentleman?

1           A.    At that time, the most important thing was to save one's skin.  It  
2    wasn't really important to keep one's property.

3           Q.    Did you know this person?

4           A.    I didn't know Zdravko.

5           MS. SUTHERLAND:  Your Honour, if that can be marked provisionally  
6    P1892.1.

7           JUDGE AGIUS:  Yes.

8           MS. SUTHERLAND:

9           Q.    Looking at the second document, dated the 24th of August, 1992 --  
10   I think that first page is some sort of a taxation.  Is that correct?

11          A.    Yes, that's right.  This is the protocol seal, where you pay tax  
12   in order to have documents certified.

13          Q.    And is that document a contract on exchange of the movable  
14   property owned by you and your wife?

15          A.    This is not me.  That was my wife and Milan Trninic, because at  
16   the time I was in the camp.

17          Q.    And the document states -- it's a contract concluded between  
18   Druzic and Milan Trninic of Jajce, basically exchanging properties; is  
19   that correct?

20          A.    Yes, yes.

21          Q.    Do you know why your wife signed this document?

22          A.    Since this Milan Trninic escaped from Jajce, and probably what was  
23   anticipated was the Muslims moving out of Bosanski Petrovac.  There was an  
24   agreement that there would be an exchange carried out between these --  
25   between the two of them.  And since I was the co-owner with my wife, me as

1 well, except that I was in the camp at the time, my wife and I never went  
2 to this house, and this Trninic, Mile, stayed in my house -- in this house  
3 when my wife went to Travnik with the convoy.

4 Q. Could you have ever taken up residence in the house in Jajce?

5 MR. CUNNINGHAM: Excuse me, Your Honour. I'm going to object to  
6 this, because it's going to call for speculation, unless it can be shown  
7 he ever attempted to go to the area to take up residence.

8 MS. SUTHERLAND: I'll rephrase the question, Your Honour.

9 JUDGE AGIUS: Yes. Objection sustained. You may rephrase the  
10 question if you feel like it.

11 MS. SUTHERLAND:

12 Q. Did you ever go to Jajce?

13 A. Never.

14 Q. Why?

15 A. [No interpretation]

16 JUDGE AGIUS: We have no interpretation.

17 THE WITNESS: [Interpretation] That is because I never went because  
18 my wife was in Bosanski Petrovac, and -- and I was in the camp and she  
19 couldn't go there.

20 MS. SUTHERLAND:

21 Q. Under whose control was the Jajce municipality?

22 A. When Milan left, that was under the control of Muslims and  
23 Croats. And after that, it came under the control of the Serbs.

24 Q. Thank you.

25 MS. SUTHERLAND: Your Honour, if that could be marked



1 provisionally P1892.2.

2 JUDGE AGIUS: Yes.

3 MS. SUTHERLAND:

4 Q. So just going back to --

5 JUDGE AGIUS: May I ask for a clarification? It seems from the  
6 face -- on the face of these -- this document, on one page we have Milan  
7 Trninic, on other page we have Mileva Trninic.

8 THE WITNESS: [Interpretation] Yes.

9 JUDGE AGIUS: Could the witness possibly explain --

10 THE WITNESS: [Interpretation] Milan, Milan. Perhaps it's a  
11 mistake, but it's certainly Milan Trninic.

12 MS. SUTHERLAND:

13 Q. Are you looking at the document with the stamp on it?

14 JUDGE AGIUS: You should show him, Usher, please, this document  
15 here with the stamp, because this is --

16 MS. SUTHERLAND: He's looking at it.

17 THE WITNESS: [Interpretation] And here it says Mileva Trninic. So  
18 the contract was between Edina Ruzic, Petrovac and between Milan Trninic,  
19 Jajce. It's probably what this is in relation to.

20 MS. SUTHERLAND:

21 Q. Do you know if Milena Trninic was Milan Trninic's wife?

22 A. No, I don't know.

23 Q. Sir, just looking at P1892.1, which was the document -- the  
24 declaration dated the 18th of August, 1992, it says that -- on the  
25 translation, it's illegible and then it reads: "Has approached this organ

1 unsolicited and having been informed of the decision of the War Presidency  
2 of the Petrovac Municipal Assembly on the criteria for the possibility of  
3 departure number RP 102-92 of the 31st of July, 1992, has made the  
4 following declaration." And that was the declaration that I read out to  
5 you a moment ago. And then it says -- it goes on to say: "I have made  
6 this declaration with full responsibility, without coercion, and in full  
7 consciousness of my declaration."

8 Did your wife sign over your house, exchange your house and sign  
9 over your movable property of your tractor and your tractor-trailer  
10 voluntarily?

11 MR. CUNNINGHAM: Excuse me, Your Honour.

12 JUDGE AGIUS: Yes.

13 MR. CUNNINGHAM: Because this witness by his own admission was not  
14 present, it would cause him to speculate as to his wife's state of mind.

15 JUDGE AGIUS: Yes. As phrased, the question, I would sustain  
16 Mr. Cunningham's objection. You can rephrase the question, asking him  
17 whether he has had any discussion with his wife about the signing over of  
18 both the movable and the immovable and what he was told.

19 MS. SUTHERLAND: Yes.

20 Q. Mr. Druzic, did you have any conversations with your wife about  
21 her signing these two documents?

22 A. I couldn't get in contact with my wife. Of course, I couldn't  
23 talk to her. And most probably at the time, she spoke to my brother, who,  
24 in the same way, had exchanged a house with a Serb who had come from  
25 Jajce. So probably that she had done this because I was not at home, I

1 think she had done this in agreement with my brother.

2 Q. Did you subsequently have any conversations with her about signing  
3 this document?

4 A. Yes. When we went in Germany, yes. But what can you do? What  
5 was done was done. There's nothing I could have done about it.

6 Q. In order to leave the municipality, what else -- or what did she  
7 have to do?

8 MR. CUNNINGHAM: Excuse me, Judge. Again I'm going to renew the  
9 objection because he wasn't present. Calls for speculation on his part.

10 JUDGE AGIUS: Objection sustained. Rephrase the question, please.

11 MS. SUTHERLAND: I will, Your Honour.

12 Q. Did you have any conversations with your wife as to what she had  
13 to do in order to leave the municipality in September 1992?

14 A. Again I repeat: At that time, when people, Bosniaks were  
15 preparing to leave the Bosanski Petrovac municipalities, I wasn't there.  
16 During that time I was in the camp.

17 Q. Sir, pause there. I'm talking about subsequently, when you met up  
18 with your wife. Did you have any conversations with her then about what  
19 she had to do in order to leave the Petrovac municipality in September  
20 1992?

21 A. After the camp, I met my wife in Karlovac. Because after Travnik,  
22 my family went to Povile, near Beograd. The seaside that's near Crkvanic  
23 [phoen]. And immediately she came to me. That wasn't so important then.  
24 What was the most important is that she came out safe and well. Later on,  
25 when she showed it to me and when we discussed this, this was a done

1 thing. She gave the house, she gave this. There was nothing to discuss.  
2 As far as the other side is concerned. While she was not mistreated or  
3 nobody came to the house to mistreat her. That did not happen. As far as  
4 my -- well, during the time that I was in the camp, or until she went out  
5 or I went out, she was not mistreated.

6 JUDGE AGIUS: You haven't really answered the question. The  
7 question was --

8 MS. SUTHERLAND: Did you know --

9 JUDGE AGIUS: You came to know that she had -- or she signed over  
10 the tractor, the other movable property, as well as the immovable  
11 property, on a basis of an exchange. Did she have to do anything else  
12 that you came to know about, before she could leave Bosanski Petrovac?

13 THE WITNESS: [Interpretation] Let me tell you: She not only --  
14 she wasn't the only one who did this exchange contract. But all the  
15 Bosnians who left Bosanski Petrovac. So she wasn't the only one who did  
16 what she did and turn over her movable property, vehicles, or, on the  
17 other hand, a house. It was being done not only my family, it wasn't done  
18 only by my wife; it was done by practically all Muslims, Bosniaks, leaving  
19 Bosanski Petrovac at the time. And at a time like this, it is really a  
20 redundant question whether one would be willing or ready to give up one's  
21 property at any price. But those were the times when people had to leave  
22 their property, when they had to leave their turf. So what happened,  
23 happened. She made a present of it, and thank God, after all, we did go  
24 back home in 1997.

25 JUDGE AGIUS: Mr. Druzic, look at me. Maybe I did not phrase the

1 question well enough for you to understand. What I want to know and what  
2 Ms. Sutherland tried to ask of you is: Apart from signing over the  
3 tractors, et cetera, and apart from signing over the property on a basis  
4 of exchange, did she -- was she did she have to do anything else? Did she  
5 do anything else that you know of before she could actually leave, or was  
6 that enough?

7 THE WITNESS: [Interpretation] Let me tell you: I'm sorry that a  
8 record is lost. We also had a Golf, 1981, 1982, I think, make, and it's  
9 also been confiscated. But we have no document, so we cannot prove it.  
10 But I had a Golf number 1, dark grey colour, and it's also been  
11 confiscated.

12 MS. SUTHERLAND: I'll move on.

13 Q. Mr. Druzic, I just have two more questions for you. You said a  
14 moment ago: "And at a time like this, it is really a redundant question  
15 whether one would be willing or ready to give up one's property at any  
16 price. Those were the times when people had to leave their property, when  
17 they had to leave their turf." Why did you have to leave?

18 A. Well, all I know is that I was put in the camp only because I was  
19 a Muslim, a Bosniak. I know of no other reason. And in all likelihood,  
20 my relatives, my neighbours and other Muslims, Bosniaks, also had to  
21 leave, I would say, also only because they were Muslims.

22 Q. My final question: You've talked about the property that you  
23 lost, and you said that you've now regained your house, ownership of your  
24 house. But physically, what did the events of 1992 do to you?

25 A. I don't know what you mean by this.

1 Q. Psychologically, how has the events that occurred in 1992 affected  
2 you?

3 A. Let me tell you: Quite naturally, like everybody else, I have  
4 kidney problems, I have back problems, and I have head problems.  
5 Psychologically speaking, I'm managing, because I'm running a centre for  
6 refugees, running refugees who had fled from Serbia Montenegro. So I take  
7 care of other people, and the rest of my time I'm engaged in private  
8 business. And I'd be happy to work round the clock if only it would allow  
9 me to forget all that I went through. But when one is young, one can  
10 somehow manage it. But what will happen later on, only dear Allah knows  
11 that. And ours is to live on and work on, and the time has come when even  
12 Serbs are coming back to my place, where they used to live before. And  
13 thank God, Muslims are also returning to where they had been expelled.

14 MS. SUTHERLAND: I have no further questions.

15 JUDGE AGIUS: Thank you, Ms. Sutherland, for -- also for being so  
16 cooperative.

17 Mr. Cunningham, he's all yours.

18 MR. CUNNINGHAM: Judge, may I inquire first about Exhibit, I  
19 believe it's P1898.1 and 2. When the documents were given to me this  
20 morning, they were -- it was a -- numbered in English pages 1 through 5.  
21 Could the Court educate me as to what pages compose 1898.1 and 1898.2?

22 MS. SUTHERLAND: Perhaps I can do that, Your Honour.

23 JUDGE AGIUS: Yes, Ms. Sutherland.

24 MR. CUNNINGHAM: 1 through 3 are 1898.1 --

25 MS. SUTHERLAND: No. Page 1 and 2 -- Mr. Cunningham said P1898

1 but I think he means P1892.

2 MR. CUNNINGHAM: You're right. I apologise.

3 JUDGE AGIUS: We had 1891 and 1892 this morning. I don't seem to  
4 have 1898.

5 MR. CUNNINGHAM: I apologise, Your Honour.

6 JUDGE AGIUS: It's all right.

7 MS. SUTHERLAND: He's lost two documents, P1892.1 is pages 1 and 2  
8 of the English translation, and if you look at the bottom of the B/C/S  
9 document, it's pages 1 and 2 of that -- the page that's shown with the fax  
10 date, and it's got pages 1 and 2. And then P1892.2 are pages 3, 4, and 5  
11 of the English translation. And pages 3, 4, and 5 of the B/C/S of the  
12 faxed copy.

13 MR. CUNNINGHAM: Your Honour, for the benefit of the usher --

14 THE INTERPRETER: Microphone, please.

15 MR. CUNNINGHAM: Your Honour, for the benefit of the usher, I  
16 believe the only three exhibits that I'll need will be P1840 and these  
17 last two exhibits we've been talking about. And I don't need them  
18 immediately, but consistent with your advice from last week, I --

19 JUDGE AGIUS: Yes. And, Usher, perhaps you could have P1840  
20 ready, please.

21 MR. CUNNINGHAM: I'm still a good bit away from needing that  
22 document, Your Honour, but just to have it at the ready. And may I  
23 proceed, Your Honour?

24 JUDGE AGIUS: Yes, certainly

25 Cross-examined by Mr. Cunningham:

1 Q. Mr. Druzic, I understand that you need -- would like to get back  
2 home today and I will try my best to do that, but I'd like for you as best  
3 as you can to focus your answer on the question that I ask you and try to  
4 answer only that question. Fair enough?

5 A. Fair enough.

6 Q. You told us that you gave a written statement, and that written  
7 statement was drawn in part from the entries that you made into a diary of  
8 the events in 1990 through 1992. Did you happen to bring that diary with  
9 you?

10 A. Yes, I did.

11 Q. And is that diary here with you in The Hague, then?

12 A. It is, but in my -- in the room that I -- where I'm staying.

13 Q. [Previous translation continues]... That is a document that in  
14 large part is the basis for your written statement that you gave to the  
15 investigators. Correct?

16 A. Let me tell you: The fact that I keep a diary is my business, and  
17 I wrote down about my time at the camp from the moment of detention until  
18 my release.

19 MR. CUNNINGHAM: Your Honour, to the extent that that document  
20 might contain writings that could impact on his testimony today, we'd like  
21 to have the opportunity to review that, only during the relevant time  
22 periods. There's no need to go into anything before or after this. So if  
23 that could be made available. I don't know what the logistics would be to  
24 get that. If the Court allows it, but --

25 JUDGE AGIUS: We usually do.



1 Ms. Sutherland?

2 MS. SUTHERLAND: Your Honour, the witness has intimated to me that  
3 he does not wish for the diary to be -- it's not that he doesn't -- it's  
4 his own personal diary of his own private feelings and thoughts.

5 JUDGE AGIUS: Yes, but you questioned him about it,  
6 Ms. Sutherland, and he answered questions about this -- the existence of  
7 this diary. And it's clear, it's crystal, that if this is a diary which  
8 refers to the events that he has given testimony upon, the Defence has  
9 every right to look at the diary.

10 MS. SUTHERLAND: Your Honour, I'm just stating what the witness  
11 has told me, that he thinks it's very intrusive for someone to look at a  
12 personal document, and he has expressed great reluctance. I'm just  
13 wondering whether it's not feasible to let the Court view the document and  
14 compare it against his 1990 and his 2000 statement.

15 JUDGE AGIUS: But if I see the document, I'm going to see it in  
16 B/C/S, which I don't understand. What's the use of that? What's the ...

17 Let me address --

18 [Trial Chamber confers]

19 JUDGE AGIUS: Mr. Druzic, do you have this diary here with you?  
20 Did you bring it over?

21 THE WITNESS: [Interpretation] Yes.

22 JUDGE AGIUS: Did you show it to Ms. Sutherland?

23 THE WITNESS: [Interpretation] To nobody.

24 JUDGE AGIUS: And what is precisely your objection? Why wouldn't  
25 you like anyone to see this diary? I can understand the notion of

1 privacy, because a diary is always a diary, but do you deal with these  
2 events that you have testified upon in this diary?

3 THE WITNESS: [Interpretation] Of course I do.

4 JUDGE AGIUS: And what wouldn't you like any one of us not to see  
5 from this diary?

6 THE WITNESS: [Interpretation] Well, it is my private diary, and I  
7 really wouldn't like anyone else -- after all, it is -- it's my own.

8 JUDGE AGIUS: Yes, but you should have kept it for yourself, not  
9 mentioned it, because we have had here several other witnesses coming  
10 before you who have kept a diary and who made it available, simply because  
11 it was important also for the Trial Chamber to know in detail these  
12 events.

13 What I'm trying to make you understand is this: Others before you  
14 kept a diary, came here, gave us an account of the events, and they  
15 said -- and if you want more detail, here is the diary that I kept. And  
16 we could look at the diary and understand what these persons went through  
17 and what the events were. If you come here and say: I have a diary. I  
18 kept a diary about these events that I told you about, but I wouldn't like  
19 you to see this diary, do you think you are going to help the same cause  
20 that you are here to give evidence about, or that you are going to harm  
21 that cause? This is my point to you. I mean, no one is interested in the  
22 details that you might not like us to know about, but at least as far as  
23 the events are concerned.

24 Yes, Ms. Sutherland.

25 MS. SUTHERLAND: Your Honour, I mean, I don't know what

1 Mr. Druzic's answer may be, but perhaps even redacting out very personal  
2 remarks that he has in the diary. I'm just throwing that up for a  
3 suggestion. I'm not sure whether it helps or not.

4 JUDGE AGIUS: Is the problem that there are parts from this diary  
5 that you would like to have struck out, obliterated?

6 THE WITNESS: [Interpretation] All that I am saying, I'm saying  
7 with a sober mind. And what I said in 2000 for the statement, I'm saying  
8 today again. And believe me, there is nothing in this diary that I did  
9 not say here. And I repeat once again: It is my private diary. I keep  
10 it -- I keep it and I want to keep it for myself. I do not think it is  
11 important for what we are doing today. I certainly do not wish to harm  
12 anyone, because that is not how I was brought up.

13 JUDGE AGIUS: Are you going to insist on it, Mr. Cunningham.

14 MR. CUNNINGHAM: I do, Your Honour, simply because there may be  
15 many, many things that he talks about today, there may be many other  
16 things that he didn't talk about today which could raise questions with  
17 regard to his credibility in this area and other areas.

18 JUDGE AGIUS: Yes, Ms. Sutherland.

19 MS. SUTHERLAND: Your Honour, I did specifically ask him whether  
20 there was anything included in his diary that was not in his statement and  
21 he said there was nothing.

22 JUDGE AGIUS: Yes, but that makes the situation worse, because if  
23 he's affirming that, he should put the Defence in a position where that  
24 can be verified.

25 MS. SUTHERLAND: I understand, Your Honour.

1 JUDGE AGIUS: I understand that a diary is a diary, but ...

2 THE WITNESS: [Interpretation] I stand by what I said, that it is  
3 my private matter, and everything that it says in it, I told you about  
4 today, so there is no need to go into all that.

5 JUDGE AGIUS: Let's put it like this. We are the Judges, not you,  
6 and we are the ones who take decisions here. So don't put me in the  
7 position where I have to enforce it on you. I think you ought to be more  
8 cooperative. You make it available to Ms. Sutherland and then we will  
9 decide accordingly. Because each one of us here has a right, once that  
10 you are stating that these events are covered in this diary, we have a  
11 right to see whether this is true or not, which events are covered in this  
12 diary, how they are covered in this diary. You're giving evidence here.

13 THE WITNESS: [Interpretation] May I?

14 JUDGE AGIUS: Yes, yes, please. I mean, I'm trying to appeal to  
15 your good sense. Yes.

16 THE WITNESS: [Interpretation] I came here to the Court as a  
17 witness, in good faith and of my own will. There was -- it was not under  
18 duress or anything. Which means that my private affairs I can keep to  
19 myself. It is mine. I could have simply said that I didn't have a diary,  
20 or, on the other hand, I could have said that I had one. But I say that I  
21 cannot lie, because that is not how I was taught. And therefore, it is my  
22 private matter. And I repeat: I came in goodwill here, to tell the truth  
23 and to say that there was a camp at Kozila.

24 JUDGE AGIUS: Yes, but, Mr. Druzic, you are tying my hands,  
25 unfortunately. You don't seem to understand that this is not something

1     which you like or which you think should be this way or that way. This is  
2     a matter of right. Now that you have stated that you kept a record of  
3     these events in your diary, and these events you have testified upon, you  
4     are under an obligation to make this diary available so that what you have  
5     testified can be verified against the contents of this diary. So there  
6     are two options: You either decide out of your own free will to make it  
7     available to Ms. Sutherland, with an indication as to whether there are  
8     parts from this diary that you wouldn't like anyone to see, and I can  
9     promise you, once I know what those parts are, I will give due  
10    consideration to your desire; the other alternative is that I force you to  
11    hand this diary to the Chamber, to the Trial Chamber.

12           THE WITNESS: [Interpretation] Well, if I came here to be coerced  
13    into doing something, that you shouldn't have called me to come here.

14           JUDGE AGIUS: Mr. Druzic, you're tying my hand. I'm going to take  
15    a decision. I'll give you some more minutes to decide yourself, not to  
16    put me or put us in a situation where we have to force this on you, with  
17    the result that if you don't, then you will incur -- you don't shake your  
18    head like that, you know. I mean ...

19           THE WITNESS: [Interpretation] I repeat: Nobody forced me to come  
20    here. Nobody tried to force me to do something, and I simply fail to  
21    understand this. It is my personal matter, and why should I --

22           JUDGE AGIUS: [Previous translation continues]... Personal matter,  
23    Mr. Druzic. It is a matter of right now, reciprocal rights. I cannot  
24    deprive the Defence or the Prosecution at this point in time not to say I  
25    cannot deprive myself of the right to have a look at that diary. And if

1 you're not going to make it available, I will force you to make it  
2 available.

3 THE WITNESS: [Interpretation] Well, you can do what you like.

4 JUDGE AGIUS: Yes.

5 THE WITNESS: [Interpretation] You are the Court. But it's --

6 JUDGE AGIUS: That's exactly what I'm going to do. Are we agreed?

7 THE WITNESS: [Interpretation] That's up to you.

8 [Trial Chamber confers]

9 JUDGE AGIUS: We'll reach our decision after the break, after the  
10 next break. In the meantime --

11 THE INTERPRETER: Microphone for the President, please.

12 JUDGE AGIUS: We'll reach our decision after the break. In the  
13 meantime, I'm giving you some more time to think about it. And I need to  
14 open your eyes, because the moment we decide that you have to hand over  
15 this diary, which will be photocopied and the original be given back to  
16 you; if you don't, there are sanctions for contempt that will be inflicted  
17 and applied. And this is why I'm asking you not to force our hands,  
18 because if you do, we will have to do it.

19 MR. CUNNINGHAM: May I proceed, Your Honour?

20 JUDGE AGIUS: Yes.

21 MR. CUNNINGHAM:

22 Q. Let me get away from the diary. I want to ask you some questions  
23 about your background. We know from your testimony, as well as your  
24 statements, that you were born in Petrovac. Correct?

25 A. Correct.

1 Q. And growing up in that municipality, you became aware, as you were  
2 growing up, that your municipality had probably more national heroes from  
3 World War II than any other area in the former Yugoslavia?

4 A. I wouldn't now honour national heroes, because they're heroes from  
5 World War II.

6 Q. Correct. They were the heroes from the fight against the Nazis  
7 and the fascists. Correct?

8 A. Yes, that's right. I read about it.

9 Q. And you told us that you are now a warden for refugees. What  
10 municipality do you now work in?

11 A. In the municipality of Bosanski Petrovac.

12 Q. And what does your -- just very, very briefly: What are your job  
13 obligations? What are your responsibilities? What do you do as the  
14 warden?

15 A. I'm the director of the refugee centre in Bosanski Petrovac.

16 Q. And are the refugees that you're dealing with Bosniaks who are  
17 returning home to their municipality?

18 A. There is a transit centre which was intended for Bosniak returnees  
19 from third countries, and they would spend some time in the transit centre  
20 in Bosanski Petrovac, which is still -- which is still working. There are  
21 about 25 refugees there. And the other one is a refugee and reception  
22 centre, which looks after people from the former Yugoslavia, that is, now  
23 from Serbia and Montenegro and Kosovo.

24 Q. You told us even now that Serbs are returning to Bosanski  
25 Petrovac. What percentage of the population would you say is Serb today?

1           A.    I wouldn't know exactly.  I just don't know.  I know that quite a  
2   number of Serbs have returned to villages, to Rabso [phoen], to Krnja Jela  
3   and other villages.  Quite a number of them have returned.

4           Q.    We talked about the statement that you gave to the investigators.  
5   Have you given any other statements besides the written statements that  
6   you gave to the investigators for the Tribunal or whatever is in your  
7   diary?  Have you ever given any other written statements?

8           A.    I gave a statement in 2000.

9           Q.    Okay.  To the Tribunal?

10          A.    Yes, yes.

11          Q.    Other than the statements you gave to the Tribunal, have you given  
12   a statement to anyone else?

13          A.    I'm not aware of that, no.

14          Q.    And I know that you came down here to testify in good faith, but  
15   before coming to The Hague, did you discuss your testimony with anyone?

16          A.    There's nobody to discuss it with.

17          Q.    Let me -- I want to talk to you briefly about the events in --  
18   around 1990 and 1991.  You told us that you were elected to the Municipal  
19   Assembly, I believe, in 1990, and served on that assembly through 1992.  
20   Does that sound right?

21          A.    Yes.  I represented the SDA in the Municipal Assembly of Bosanski  
22   Petrovac.

23          Q.    And obviously, representing the SDA, you were well known to the  
24   Bosniak community within Bosanski Petrovac.  Correct?

25          A.    Well, not well, because I wasn't particularly interested in



1 politics.

2 Q. You were in the -- had been in the JNA and did your active duty, I  
3 believe ending in 1974, but you were still in the reserves up until 1992.  
4 Correct?

5 A. Until 1992.

6 Q. Right.

7 A. Yes.

8 Q. And being a member of the reserves in 1990, 1991, were you ever  
9 called up? Were you ever mobilised?

10 A. No. There was a mobilisation which was under preparation, but I  
11 did not respond.

12 Q. Did you receive the papers, the documents that called you up and  
13 decide not to respond, or did you not get any papers?

14 A. No, I didn't get any.

15 Q. Okay. Being a representative of the Bosniak community, you were  
16 well aware of the fact that many Bosniaks, when called up to active duty  
17 or called into the reserves, did not respond to the mobilisation. Correct?

18 A. Correct.

19 Q. They made the decision to, for whatever reason, disregard the law  
20 that required them to come to service. Correct?

21 A. At the time, no, because the war in Croatia had started meanwhile.

22 Q. Okay. And the Bosniaks did not want to go fight in Croatia.  
23 Correct?

24 A. Absolutely.

25 Q. And you were a person that agreed with that position. Correct?

1 A. Yes, not to go, yes.

2 JUDGE AGIUS: Mr. Cunningham --

3 MR. CUNNINGHAM: Yes, sir.

4 JUDGE AGIUS: Break.

5 MR. CUNNINGHAM: Very well, Your Honour. It's a good point.

6 JUDGE AGIUS: How much time do you think you require, so that we  
7 adjust the break accordingly?

8 MR. CUNNINGHAM: It depends on what the Court's order is with  
9 respect to the diary. Assuming that there's -- that you don't order the  
10 diary, and I think under Rule 54, I believe you do have to order it, but  
11 assuming that there is nothing in that diary, I probably still believe I  
12 have about 45 minutes to an hour of questioning.

13 [Trial Chamber confers]

14 JUDGE AGIUS: We'll have a very short break, then, of -- because  
15 we will need to have a very short break.

16 Witness, Mr. Druzic, let me ask you before we go for the break:  
17 Apart from the events that you told us about in this diary, are there  
18 other things that are not related or that you wouldn't like us to read?

19 THE WITNESS: [Interpretation] I don't know what would that be in  
20 relation to.

21 JUDGE AGIUS: You know. You wrote the diary, not us.

22 THE WITNESS: [Interpretation] Well, just normal things that what  
23 the Defence is asking me. I don't have to speak about any other things  
24 except for the time I spent in the camp.

25 JUDGE AGIUS: And that's what the diary is all about?

1 THE WITNESS: [Interpretation] There's nothing else in it. What I  
2 have given in my statement and I will repeat in a hundred years. I will  
3 always stand by that.

4 JUDGE AGIUS: [Previous translation continues]... What your  
5 objection is all about. So there is nothing really --

6 THE WITNESS: [Interpretation] I was not objecting --

7 JUDGE AGIUS: There is nothing really private which is not related  
8 to these events that you wouldn't like us to read?

9 THE WITNESS: [Interpretation] It's just my personal thing. I  
10 don't know why this is so important to you people.

11 JUDGE AGIUS: Of course it is important. It's a question of  
12 right. You can't say -- you can't come here and say these events I kept a  
13 record of in a diary, but I won't let you see this diary. You can't.

14 So --

15 THE WITNESS: [Interpretation] I could have left it at home.

16 JUDGE AGIUS: [Previous translation continues]... And try,  
17 Mr. Cunningham, to conclude in the time that you will have.

18 MR. CUNNINGHAM: Yes, Your Honour.

19 JUDGE AGIUS: Thank you.

20 --- Recess taken at 12.34 p.m.

21 --- On resuming at 1.00 p.m.

22 JUDGE AGIUS: So let's tackle this diary business first. Do I  
23 take it that you still insist on this diary, Mr. Cunningham?

24 MR. CUNNINGHAM: I do, Your Honour.

25 JUDGE AGIUS: Okay.

1           Mr. Druzic, do you insist on not wanting to make this diary  
2 available?

3           THE WITNESS: [Interpretation] Yes.

4           JUDGE AGIUS: And you keep insisting even if I give you the  
5 opportunity to tell us which parts you don't want us or anyone else to see  
6 from this diary?

7           THE WITNESS: [Interpretation] Well, there's no need to look at the  
8 diary even regarding the time that I was at the camp.

9   [Trial Chamber confers]

10          JUDGE AGIUS: Anyway, so our conclusion is as follows,  
11 Mr. Cunningham: You need not carry on, continue with your  
12 cross-examination. The testimony of this witness will not be taken into  
13 consideration in the course of our deliberations later on. It's as if he  
14 hasn't come over to give evidence. It's there in the record, but we will  
15 never give it any importance. That's it. The witness can leave the  
16 courtroom.

17          MR. CUNNINGHAM: Very well, Your Honour.

18          JUDGE AGIUS: You might as well have stayed at home, sir.

19          MS. SUTHERLAND: Your Honour, may I have an adjournment and try  
20 and have a word with the witness?

21          JUDGE AGIUS: Five minutes.

22          JUDGE AGIUS: And I want someone from the Registry to be present  
23 during the conversation.

24   --- Break taken at 1.02 p.m.

25   --- On resuming at 1.18 p.m.

1 JUDGE AGIUS: Yes. May I suggest we go into private session for a  
2 while.

3 [Private session]

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

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22 (Redacted)

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24 (Redacted)

25 (Redacted)

1 (Redacted)

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3 (Redacted)

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5 (Redacted)

6 (Redacted)

7 [Open session]

8 JUDGE AGIUS: So what we are going to do is the following:

9 Mr. Druzic, you will hand to Ms. Ann Sutherland your diary. This will be  
10 photocopied by her, or under her direction. You will indicate to  
11 Ms. Sutherland the parts which go beyond the events of 1992 that are of no  
12 relevance to us in any case and we are not interested in seeing them. And  
13 I am charging you, Ms. Sutherland, with the responsibility of then  
14 presenting the redacted version of the diary to the Defence.

15 Now, if there is an insistence, we can also order that the diary,  
16 as photocopied by you, will be handed to us for eventual -- to put us in a  
17 position where we can check that what has been asked and what has been  
18 directed has in fact taken place.

19 So did you follow me, Mr. Druzic?

20 THE WITNESS: [Interpretation] Yes.

21 JUDGE AGIUS: And you agree to it?

22 THE WITNESS: [Interpretation] Yes. Yes, of course. I told the  
23 Prosecutor that I had nothing against that a copy should be disclosed to  
24 the Defence.

25 JUDGE AGIUS: All right. Okay. So we'll do it that way. And you

1 know exactly how to go about this. I don't need to give any further  
2 directions.

3 Is there anything the Defence would like to add?

4 MR. CUNNINGHAM: No, Your Honours.

5 JUDGE AGIUS: No. All right. So that's what's going to happen.

6 Now, the other major problem, because now there is only 15, 20, 23 minutes  
7 left, and I don't think I can force it on you, Mr. Cunningham, to conclude  
8 your cross-examination in 23 minutes.

9 MR. CUNNINGHAM: And I don't think I could, no matter what, Your  
10 Honour, because I'd like to see what, if anything, is in the diary.

11 JUDGE AGIUS: Yes. The diary will have been to be translated,  
12 because I don't understand the language and neither do my two colleagues  
13 and I would imagine neither Ms. Sutherland. So more or less we'll have to  
14 wait.

15 Now, we have these options: We can stop here. Since the witness  
16 has a problem about his work and he has to be back in Bosanski Petrovac by  
17 tomorrow, we'll let him go to Bosanski Petrovac. And then you will  
18 arrange for his return to The Hague for at least one day, because there  
19 is no other alternative.

20 MS. SUTHERLAND: Only if Mr. Cunningham was to see the diary and  
21 then see whether Mr. Druzic had in fact to be brought back for any further  
22 cross-examination. But if he -- is he in a position to finish his  
23 cross-examination of things over and above the diary today, then it may be  
24 that Mr. Druzic doesn't have to come back at all.

25 JUDGE AGIUS: Yes. Let Mr. Cunningham --

1 MR. CUNNINGHAM: Here's the problem, as I see it from my  
2 perspective, is I have a cross planned on what I've heard, what I've read,  
3 and then there's a third factor, that is, the diary, and I don't want to  
4 have to get that diary and then go back and reopen areas. I don't mind  
5 going forward in the limited time that we have, but I will need additional  
6 time to cross-examination. And just to throw this out for the Court's  
7 consideration, is my guess is if as and when I read that diary I can  
8 incorporate it into a cross and move a lot quicker, rather than try to do  
9 20 minutes today. But whatever this Court chooses, I'm happy to oblige.

10 JUDGE AGIUS: The point was this: Assuming for a moment, although  
11 it's not being said, that this will be the position, that after going  
12 through this diary there is absolutely nothing that you would like to ask  
13 the witness about, or assuming for a moment that this diary did not exist,  
14 would you be in a position to conclude your cross-examination now, within  
15 the next 20 minutes that we have? Or would you still require more time?

16 MR. CUNNINGHAM: I don't think I could do it in the 20, 25 minutes  
17 that's remaining, Your Honour. And to do justice to --

18 JUDGE AGIUS: No. I fully understand, Mr. Cunningham, and I'm not  
19 going to force it on you, because you did not ask for this incident to  
20 happen. And unfortunately, we lost precious time.

21 Mr. Druzic, I will -- I understand that you need to go back to  
22 your country to attend to your work.

23 THE WITNESS: [Interpretation] Yes.

24 JUDGE AGIUS: In other words, that you cannot stay a day further.

25 THE WITNESS: [Interpretation] No. And there were already problems



1 at the refugees' camp last night.

2 JUDGE AGIUS: Yes.

3 Now, Ms. Sutherland, I don't think we have any other option. We  
4 have to be practical at this point in time. I am not going to keep the  
5 witness here if this causes a problem to him and to the institution where  
6 he works.

7 But, Mr. Druzic, you must understand that you immediately must  
8 start negotiating with the Prosecution another date when you need to come  
9 over so that we finish with your testimony, and that must be before the  
10 end of July.

11 [Trial Chamber confers]

12 JUDGE AGIUS: That will be before the end of July.

13 THE WITNESS: [Interpretation] Well, since I don't like travelling  
14 by airplane - I always just pray that I will get there alive - if there is  
15 any way for me to come here by other means of transport. I really  
16 wouldn't like to fly again.

17 JUDGE AGIUS: Ms. Sutherland, who is used to come over all the way  
18 from Australia will devise a way. Some of my ancestors travelled to  
19 Australia by boat when planes were not even --

20 THE WITNESS: [Interpretation] Well, I'm still alive. Only if -- I  
21 want to fly again only if I'm drunk or dead.

22 JUDGE AGIUS: Yes. Well, I hope you will neither be one nor the  
23 other.

24 In the meantime, Mr. Cunningham, may I invite you to carry on and  
25 use the next 15 minutes that we have, or 17 or 18 minutes that we have, to

1 put some further questions so that at least when he comes back again we  
2 can perhaps fit him in the same day with some other witness.

3 MR. CUNNINGHAM: That's fair, Your Honour, and I'll be glad to.

4 JUDGE AGIUS: Yes. Thank you.

5 In the meantime, Mr. Ackerman, Ms. Sutherland, I am pleased to  
6 announce that I found -- I discovered this morning that we were sitting in  
7 the week of 16th to 20th in the afternoons, when there was availability in  
8 Courtroom 3, and so I have asked to have the sittings transferred to the  
9 morning, and all the sittings will be transferred to the morning.

10 And I notice, Ms. Chuqing, that the last week of June and the  
11 first part of July is exactly the same, and I see that there is a  
12 possibility of having that transferred over to the morning as well, so  
13 please work on it.

14 MR. CUNNINGHAM: May I proceed, Your Honour?

15 JUDGE AGIUS: Yes. Thank you, Mr. Cunningham.

16 MR. CUNNINGHAM: Thank you, Your Honour.

17 Q. Before the break we talked about mobilisation, and you told us  
18 that the mobilisation order came out while there was fighting in Croatia,  
19 and that is why you didn't go respond to the mobilisation. Do you  
20 remember that?

21 A. I do.

22 Q. Isn't it a fact that actually the mobilisation orders went out  
23 before the war in Croatia started?

24 A. No.

25 Q. Irrespective of when the orders went out, the Bosniak population,

1 by and large, did not respond to that mobilisation order, though; that's  
2 true, correct?

3 A. Yes.

4 Q. In your testimony and in your statement -- and let me preface this  
5 question by telling you this: I'm going to talk about some events that  
6 occurred in 1990 and 1991. I'm not going in a chronological order, and  
7 I'm not doing that to try to confuse you. It's just the way that I have  
8 it organised. So I'm going to talk to you about several different topics.  
9 And one of the first topics that I want to talk to you about is the rally  
10 that you attended where Mr. Kecman made a speech. And you were asked when  
11 that rally was, and is it fair to say you couldn't remember whether it was  
12 in 1990 or 1991?

13 A. I can't remember it, no. I can't pinpoint it.

14 Q. That's fair. But one of the things that you remembered was the  
15 remarks that were made by Mr. Kecman. He made a remark something along  
16 this line, that -- talking about either roasting or impaling Turks. And I  
17 believe you told us about that before the break this morning. Correct?

18 A. Correct, yes.

19 Q. Understandably, you were very insulted by a remark like that, and  
20 that caused you to turn and walk away from that rally; right?

21 A. Right.

22 Q. But in addition to it being an insult, did you see it as a threat  
23 to you as Bosniak?

24 A. It was embarrassing. I wasn't really expecting to hear that from  
25 this man, because he knew what was the ethnic situation in Bosanski

1 Petrovac and how Muslims and Serbs cooperated before these events. So  
2 Kecman's statement took me aback, because he comes from our area, that is,  
3 he comes from Drinic and some ten kilometres from Bosanski Petrovac.

4 Q. That statement was very surprising because your municipality was  
5 one where brotherhood and unity was practiced on a daily basis; true?

6 A. The relations were good. Yes, they indeed were good between  
7 Bosniaks and Serbs.

8 Q. And I understand it was very, very surprising, but I want to get  
9 back to my question: Did you at that time perceive it as a threat to you  
10 as a Bosniak?

11 A. Well, it showed you that something was wrong. But I can't  
12 understand people who organised that SDS rally. How is it that they had  
13 not told Bogdan stop, think, because you are talking about your native  
14 place and in your native place in Bosanski Petrovac, and you know what the  
15 relations between Muslims and Serbs were beforehand. So that was -- that  
16 came as the biggest surprise to me.

17 Q. Were you aware of any other Bosniaks that attended that rally?

18 A. Why, yes, quite a number of them. That day when it took place, I  
19 was with Dr. Milan Vidovic. I was standing together with him and  
20 listening to that speech.

21 Q. Do you know if any of your fellow Bosniaks that attended that  
22 rally and heard that speech considered what Kecman said to have been a  
23 threat to their personal safety or to their family's personal safety?

24 A. I can speak in my own name, because I immediately left the rally.  
25 I never paid attention whether any Muslims stayed behind to listen to

1 further speeches or left.

2 Q. Okay. But -- so I take it from that answer you can't speak on  
3 behalf of other Bosniaks whether or not they considered it to be a threat.

4 A. I'm speaking in my own name.

5 Q. In your testimony today, as well as in your statements, you talked  
6 about the presence of military units in Bosanski Petrovac in 1991, and I  
7 believe you mentioned that there was for this time period, to your  
8 recollection, there was one unit that was stationed there; am I right?

9 A. I think there was a barracks that was moved out from Ogulin  
10 [sic].

11 Q. And as we get closer to 1991 and 1992, you started to see more  
12 military units in your municipality?

13 A. I don't know. I didn't walk around much. I was aware of that one  
14 unit. Otherwise, I didn't know, I didn't pay much attention. I didn't  
15 really know.

16 Q. Okay. So it's safe to say other than that one unit you've  
17 described, you didn't notice anything out of the ordinary or unusual in  
18 1991 or into 1992. Correct?

19 A. Well, I mean, I could feel that there were more troops in the town  
20 than before, because in our Petrovac, there were no barracks and there  
21 were no troops.

22 Q. And this was after the fighting in Croatia had started that you  
23 started to see more troops. Correct?

24 A. Yeah, that's right.

25 Q. And it would make sense to have troops in your municipality so as

1 to be closer to the border, closer to the fighting. Correct?

2 A. Well, I am not really sure that they should have been in  
3 Petrovac. Kladusa, Cazin, Bihac, they were all nearer to it. Why they  
4 picked out Bosanski Petrovac, I really don't know. Bihac and Kladusa are  
5 much closer.

6 Q. That's fair. And I'm going to talk to you about another  
7 checkpoint, and I know that I'm not going in a chronological order, so  
8 please bear with me. Because one of the things that you talked about in  
9 your statement but not in your testimony was the fact that there were  
10 checkpoints set up in your municipality. That happened, didn't it?

11 A. I didn't mention it, but yes, there were. Yes, the checkpoints,  
12 the so-called checkpoints, were put up.

13 Q. And as a driver for a major -- the biggest business in your  
14 municipality, you were on the road a great deal and dealt with people at  
15 the checkpoints a great deal. Correct?

16 A. Correct. I had my first contact at that checkpoint in October  
17 1991, because my brother fell victim to an incident in Banja Luka. He  
18 lost a leg. And he was one day discharged from the hospital, and we had  
19 to go to get him, so I had my car and I reached that checkpoint and they  
20 turned me back. They simply said: You can't go through. Go back home.  
21 And then I went to the health centre, where -- whose director was  
22 Dr. Milan Vidovic. Because we were on very good terms. We were very good  
23 friends. And I told him what had happened and I told him that my brother  
24 had been discharged from the hospital and could he tell me how to bring  
25 him back from Banja Luka. And he authorised an ambulance car so that we

1 went to Banja Luka unfettered. Nobody stopped us, nobody asked anything.  
2 We went there, we got my brother, and brought him back home. So that I  
3 know that in October 1991, there was already this first checkpoint in the  
4 territory of our municipality.

5 Q. And you were able to get past that checkpoint with the help of the  
6 doctor whose name you just gave us. Correct?

7 A. We had no problems whatsoever. Yes, quite. Absolutely no  
8 difficulty at all.

9 Q. And as a driver for your company, you also dealt with the  
10 checkpoints on a number of bases, and because you knew the people manning  
11 the checkpoints, you were allowed to go through. Correct?

12 A. Well, they would stop you and then check who it is, and then,  
13 after that, there would be no problems.

14 Q. And you were never mistreated by anyone at the checkpoint; there  
15 was never anything like that in your statement?

16 A. No, no, none. No.

17 Q. And there was nothing in your statement that I read that indicated  
18 you ever saw any other Bosniaks mistreated at the checkpoints. Is that  
19 true?

20 A. It is.

21 Q. It's my fault, because I asked a question that has a double  
22 negative in it. Did you ever see anyone mistreated while you were at a  
23 checkpoint?

24 A. I didn't, no.

25 MR. CUNNINGHAM: Your Honours, Mr. Ackerman has asked me to tell

1 you he wanted to address the Court on a point.

2 JUDGE AGIUS: Yes, I think you can stop now.

3 MR. CUNNINGHAM: Thank you, Your Honour.

4 JUDGE AGIUS: Thank you. I think the witness can be escorted out  
5 of the courtroom.

6 Mr. Druzic, we will see you again. And until next time, I wish  
7 you a safe journey, by plane or not. And I'm sure if you let the Victims  
8 and Witness Section know about your concern about travelling by air, they  
9 may perhaps find another way of bringing you over next time.

10 THE WITNESS: [Interpretation] Very well.

11 [The witness stands down]

12 JUDGE AGIUS: It's being understood that, for the purpose of  
13 retrieving this diary, the -- and photocopying and giving it back to the  
14 witness, the Prosecution will have a right to talk to the witness.

15 MR. CUNNINGHAM: And we have absolutely no objection to that, Your  
16 Honour.

17 JUDGE AGIUS: It will be restricted to that, Ms. Sutherland.

18 MS. SUTHERLAND: Yes, Your Honour.

19 JUDGE AGIUS: Thank you.

20 Yes, Mr. Ackerman.

21 MR. ACKERMAN: Your Honour, there are just two outstanding matters  
22 that may or may not have been resolved. One is an interpreter and one is  
23 the documents.

24 JUDGE AGIUS: Yes. Now, any news about the interpreter, Madam  
25 Chuqing?



1 THE REGISTRAR: Not at the moment, Your Honour. Waiting for the  
2 confirmation.

3 JUDGE AGIUS: Yes. No, no. It's not a confirmation. We are  
4 plain making an order that for tomorrow's sitting, the Registrar will make  
5 available an interpreter to sit in the courtroom together with  
6 Mr. Ackerman and Mr. Cunningham, in order to make communications with the  
7 accused possible, and that this service be furnished free of charge.

8 Second one: How many files do you have? Five? Four or five  
9 binders?

10 MR. ACKERMAN: If it would help, Your Honour, we could do three  
11 today and two tomorrow, or something like that, because he can't possibly  
12 read them all in one night anyhow.

13 JUDGE AGIUS: Thank you, Mr. Ackerman.

14 Yes, Madam. Was it about this, Madam Chuqing?

15 THE REGISTRAR: Yes. We never had any agreement with the Dutch  
16 authorities to transfer the document, to bring the document back to the  
17 Detention Unit. But if you really have problem to have these five binders  
18 document delivered to the Detention Unit, then we're going to arrange our  
19 own driver to deliver this document to the Detention Unit. But before  
20 never our security officer or Dutch police has ever hand-delivered those  
21 documents on bring back those documents with them.

22 JUDGE AGIUS: It's the accused himself, not the police or the  
23 security.

24 MR. ACKERMAN: We're not asking them to do it.

25 THE REGISTRAR: The accused will not be able to bring the document

1 because he's handcuffed.

2 MR. ACKERMAN: Let me just say for the record, Your Honour, that  
3 there have been numerous times, and you observed them, for instance, with  
4 the audiotapes of the Prijedor municipality, great huge boxes of tapes  
5 taken back with the accused from here. We've given him several binders  
6 here that were taken back with him from here. I don't know why all of a  
7 sudden this becomes a problem. It's a huge --

8 THE REGISTRAR: My information here is I got a confirmation  
9 again. It never, ever happened before.

10 MR. ACKERMAN: It did, and even His Honour knows that it did.

11 JUDGE AGIUS: The only problem that I have, Mr. Ackerman, is that  
12 in matters of security, I always grant that those who are responsible for  
13 security have a broader vision than I have. And there may well be a  
14 reason why the security wouldn't -- would rather prefer not to have any of  
15 the security staff carry anything for the accused. So that I can  
16 understand, and I'm pretty sure you understand that as well. I mean,  
17 that's ... However, if it is agreeable with you, we'll have these five  
18 binders taken to the Detention Unit ourselves.

19 MR. ACKERMAN: Your Honour, that's something that is really --  
20 it's really not the responsibility of the Tribunal to transport documents  
21 for me. It's my responsibility. I don't have a vehicle. I don't have --  
22 you know, I can take --

23 JUDGE AGIUS: But you understand, Mr. Ackerman. If the accused  
24 cannot physically carry them himself --

25 MR. ACKERMAN: I understand, Your Honour.

1           JUDGE AGIUS: Do you see any reason at all or any sense at all in  
2 ensuring that the security guards that are escorting him do not have any  
3 obstruction having to carry things when their hands should be free?

4           MR. ACKERMAN: Your Honour, I understand a great deal about  
5 security.

6           JUDGE AGIUS: I am not --

7           MR. ACKERMAN: What I don't understand is how it was possible and  
8 is not possible now. I mean, you watched us give these tapes to them  
9 before and they took them, both Mr. Brdjanin and Mr. Talic, when they when  
10 they went to the Detention Centre. So I understand that there is a  
11 problem now that they don't want to deal with it, but there wasn't a  
12 problem before. And I don't know what the change is, and I'm not even  
13 sure I care to know. Just understand that we are going to do the best we  
14 can to get them to him as quickly as we can, but it's a difficult thing  
15 for us to do. We're very short-handed. We're having a very difficult  
16 time keeping up. The Prosecution is giving us hundreds of pages of  
17 material a day. We have no case manager. We're getting more and more  
18 behind every day. And now if we have to send somebody for what involves a  
19 two-hour process to go from my place to the gaol to deliver these  
20 documents to Mr. Brdjanin, we just lose another two hours that we could  
21 have been doing something, I think, more fruitful. But it looks like  
22 that's what we have to do, and we'll do it. I'm not going to impose upon  
23 the Tribunal to drive books to the Detention Centre for me.

24           JUDGE AGIUS: Madam Chuqing, what's the arrangement? How can the  
25 accused have these binders follow him to the Detention Unit without delay?

1 THE REGISTRAR: Let me just consult.

2 I think we're going to use our own driver to deliver the  
3 documents. Every afternoon, actually, there is one driver leaving from  
4 the building here to the Detention Unit. So for delivering all these  
5 documents --

6 JUDGE AGIUS: Yeah, but the accused can -- I take it that  
7 Mr. Ackerman doesn't like that.

8 MR. ACKERMAN: Well, if there's somebody making that drive anyhow  
9 for the purpose of taking documents to the Detention Centre, then I don't  
10 have any problem. But my fear is that once they get there, they will take  
11 a week for them to get to him, because they will have to go through all  
12 kinds of security searching with him.

13 I sent him a letter from the United States, Your Honour, that they  
14 sat on for four weeks before they gave it to him, and it's just -- you  
15 know, I'd rather take them there myself and make sure he has them, because  
16 otherwise I'm going to tell you that he hasn't had an opportunity to look  
17 at material that's important and I don't want to get there. I'd rather  
18 have them in his hands that I know they're in his hands, rather than -- if  
19 I could be assured that they will be delivered to him today, then I'd be  
20 happy. But I'm not --

21 THE REGISTRAR: Mr. Ackerman, I'm going to call the commandant of  
22 the Detention Unit, telling him that this document needs to be in his hand  
23 as soon as possible once this document arrives. Would that satisfy you?

24 JUDGE AGIUS: All right. Yeah. I thank you, Madam Chuqing.  
25 Otherwise I hope everyone understands that I will not even try to

1 interfere with what is considered to be a security concern. So let's --  
2 I'm making that very clear. I will certainly not go against any decision.

3 Last thing is I'm informed, Mr. Ackerman, that as soon as your  
4 prospective case manager does what he was told to do and he hands the  
5 application form and supplies the office with the application number, then  
6 the visa can be processed expeditiously.

7 MR. ACKERMAN: I just want to make sure that the record shows that  
8 he was told to do that last Friday.

9 JUDGE AGIUS: Yes.

10 MR. ACKERMAN: And today is the first day that he has the  
11 opportunity to do it. He has checked with the embassy on a daily basis  
12 since I asked him to come here, and nobody ever told him that he had to go  
13 there and make an application before a visa -- before the Tribunal would  
14 even move to do the visa. I only learned that on Friday, and now it's  
15 Monday. So we're doing the best we can.

16 JUDGE AGIUS: Okay.

17 MR. ACKERMAN: But it's not because he didn't do something or I  
18 didn't do something.

19 JUDGE AGIUS: Okay. I didn't say that he didn't. I just said  
20 that he should do what he has been told to do.

21 And that's it for today. We will resume tomorrow, 9.00, hopefully  
22 a trouble-free sitting.

23 Who is the next witness for tomorrow? Just give me the number.

24 MS. SUTHERLAND: 7.7 -- sorry. 7.55 and followed by 7.150.

25 JUDGE AGIUS: Okay. Thank you.

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--- Whereupon the hearing adjourned at 1.53 p.m.,  
to be reconvened on Tuesday, the 3rd day of  
June, 2003, at 9.00 a.m.