

1 Friday, 13 June 2003

2 [Open session]

3 [The witness entered court]

4 --- Upon commencing at 9.09 a.m.

5 [The accused entered court].

6 JUDGE AGIUS: Good morning, Madam Registrar, could you call the  
7 case, please?

8 THE REGISTRAR: Yes, Your Honour. Good morning, Your Honours.  
9 This is case number IT-99-36-T, the Prosecutor versus Radoslav Brdjanin.

10 JUDGE AGIUS: Yes. Mr. Brdjanin, can you follow in a language  
11 that you can understand?

12 THE ACCUSED: [Interpretation] Good morning, Your Honour. Yes, I  
13 can.

14 JUDGE AGIUS: I thank you and good morning to you. Please take  
15 your chair. Ms. Sutherland? Appearances for the Prosecution?

16 MS. SUTHERLAND: Ann Sutherland assisted by Denise Gustin, case  
17 manager for the Prosecution.

18 JUDGE AGIUS: Thank you and good morning to you. Appearances for  
19 Radoslav Brdjanin?

20 MR. CUNNINGHAM: Good morning, Your Honours. David Cunningham and  
21 assisted today by Mr. Aleksandar Vujic.

22 JUDGE AGIUS: I thank you and good morning to you too.

23 Announcements. I realised this morning when I was given a copy of  
24 the scheduling order that we've made a mistake. And a correction will be  
25 issued in due course in the course of today. We had stated in it that the

1 Defence, that the Prosecution shall finish its case by Friday 1 August,  
2 2003 and that stands, we also stated that the Defence shall file any  
3 motion pursuant to Rule 98 bis by Friday, 15 August, 2003, at the latest,  
4 and that stands and then we had also stated that the Prosecution shall  
5 file its response to such motion at the latest 14 days after the Defence  
6 motion is filed. That's a mistake. We had never meant not even  
7 originally when we had submitted to you the tentative programme that the  
8 Prosecution would have 14 days. The Prosecution will -- the corrigendum  
9 will be issued emphasising that -- or showing that the Prosecution shall  
10 file its response to such motion at the latest on the -- by Friday, the  
11 22nd of August, 2003. So that's the position. And the corrigendum will  
12 be issued later on.

13 Yes, witness. Ms. Sutherland, Ms. Korner had a copy of the  
14 schedule as it was planned before, until we had that what was expected to  
15 be a frank meeting in my chambers and the Prosecution had one week while  
16 the Defence had one month, one month for the preparation of the 98 bis and  
17 the Prosecution had one week and we are returning to that, one week. This  
18 was a mistake. I mean, it's -- someone misunderstood what we had in mind.

19 Yes, good morning to you, sir. Welcome to this Tribunal again.  
20 Hope you had a good rest. We will continue with your testimony and hope  
21 to finish with you sometime this morning. May I ask you please to repeat  
22 your solemn declaration?

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

25 WITNESS: WITNESS BT56 [Resumed]

1 [Witness answered through Interpreter]

2 Examined by Ms. Sutherland: [Continued]

3 JUDGE AGIUS: Yes, Ms. Sutherland, please try -- I ask for your  
4 cooperation to try and limit yourself to the time limit that we talked  
5 about yesterday. So as not to cause problems. I wouldn't like the next  
6 witness to stay here unnecessarily in The Hague over the weekend.

7 MS. SUTHERLAND: Yes, Your Honour.

8 Q. Sir we have a lot to cover in the next hour. We have already lost  
9 15 minutes this morning so in answering my questions, can you answer the  
10 question I ask you and then if I need any further details from you, I will  
11 ask further questions.

12 A. Very well.

13 Q. [Previous translation continues] ... in relation to what you  
14 testified about yesterday, when you described the first beating in the  
15 gymnasium by the men and one woman from the Suha Rebra unit you said that  
16 once they pricked you with a knife and a couple of other times you said  
17 you were jabbed. Was your skin cut?

18 A. Yes, it was. Yes, I had cuts. It was quite a jab. I was  
19 bleeding.

20 Q. How deep were the cuts?

21 A. I don't really know. Perhaps a centimetre or so.

22 Q. You described the second beating by the three or four men from  
23 Seselj's group you said you were beaten and an old man was also beaten.  
24 Do you recall the name of this gentleman?

25 A. I know his last name was Music but I can't remember his first

1 name.

2 Q. Where did this beating take place?

3 A. It happened in a classroom in the school.

4 Q. You testified yesterday that when you were detained in the  
5 Jasenica school were you beaten on three occasions. You described for the  
6 Court the first two occasions. When was the other occasion you were  
7 mistreated?

8 A. Well, it was then, on those two occasions, and that was it.

9 Q. Okay. Before we adjourned yesterday, you testified that you were  
10 taken from Jasenica to the Petar Kocic school?

11 A. That's right.

12 Q. Where is that school located?

13 A. Petar Kocic school is in Bosanska Krupa.

14 Q. In the town itself?

15 A. Well, yes. On the outskirts.

16 MS. SUTHERLAND: Could the witness be shown Exhibits  
17 P2113.2, .3, .5 and .6?

18 Q. Looking first at the photograph P2113.2, which is ERN number  
19 0326-5857, sir, what is shown in that photograph?

20 A. This is a gymnasium in that school, in the Petar Kocic school.

21 Q. And that was where you were detained?

22 A. That's right. We were here for a while and then we were taken to  
23 some smaller rooms.

24 Q. The next photograph, P2113.3, sir, what is shown in that  
25 photograph?

1 A. Well, this is something like the bathroom and I was -- I was here.  
2 I was exactly in that room later on.

3 Q. Approximately how long did you spend in that room?

4 A. I spent there about a month and a half.

5 Q. The next photograph, P2113.5, sir, what is shown in that  
6 photograph? You can use the pointer. And pointing on the machine to your  
7 right, place it on the photograph.

8 A. This is one of the rooms, then this room where I -- where we were,  
9 and that's the bathroom. The guards were here, and this one was bigger.

10 Q. What were in the room at the very end, the first room that you  
11 pointed to at the end of the corridor?

12 A. Over there, that's where those from Sanski Most were kept, those  
13 who were then killed.

14 Q. Going back to the -- looking at the photograph, can you point in  
15 which direction the gymnasium was?

16 A. Here, to the right, to the right.

17 Q. Thank you. I've finished with that photograph?

18 A. There.

19 Q. The next one, P2113.6. ERN number 0326-5866, what is shown in  
20 that photograph?

21 A. It shows the school and the gymnasium down there.

22 Q. Can you point, put the pointer where the gymnasium is?

23 A. [Indicates]

24 Q. You're pointing now to the white building in the background of the  
25 photograph?

1           A.    Yes.  This is the gymnasium where we were and closer to us is, in  
2    the forefront is the school.

3           Q.    Thank you.  I've finished with that photograph.

4           MS. SUTHERLAND:  Your Honour may we go into private session for a  
5    moment.

6           JUDGE AGIUS:  Yes, thank you, let's go into private session.

7                                 [Private session]

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9 [Open session]

10 JUDGE AGIUS: We are in open session now.

11 MS. SUTHERLAND:

12 Q. Sir, did you know any of the guards who were guarding you at the  
13 Petar Kocic school?

14 A. Some I did know. Others I didn't.

15 Q. Can you name the ones that you did know?

16 A. Yes. There was Zdravko Narancic, Miroslav Desnica, Luka Desnica,  
17 some Todic, one Todic, and some others whom I didn't know.

18 Q. Taking first of all Zdravko Narancic, what did he do before the  
19 war?

20 A. Well, he was sort of a driver and an employee, a worker in a  
21 company which was called the 4th of July.

22 Q. And Miroslav Desnica?

23 A. He worked for the Public Security Service in Bihac.

24 Q. What were the ethnicity of these people?

25 A. Serbs.



1 Q. Were you ever taken for interrogation or questioning?

2 A. Yes. I was taken -- they used to take me for interrogation  
3 downstairs to what is it called, the headquarters of the police where the  
4 headquarters of the prison was, and Petar Senic was the boss there.

5 Q. What did he do before the war?

6 A. Well, I don't know. I know that he changed jobs. I am not sure  
7 where he worked.

8 Q. The transcript says Petar Senic. Was that the name you mentioned?

9 A. No. Pero Senic or Petar Senic, something like that.

10 Q. Do you know whether others were taken for interrogation, either on  
11 the school premises or at the guard headquarters?

12 A. I'm afraid I didn't understand your question.

13 Q. Do you know whether other people, other detainees, were taken for  
14 interrogation either on the school premises or at the guards'  
15 headquarters?

16 A. Yes.

17 Q. Were you mistreated during your detention at the Petar Kocic  
18 school?

19 MS. SUTHERLAND: It seems the witness isn't receiving  
20 interpretation. I'll repeat the question.

21 JUDGE AGIUS: But first we make sure that he is receiving the  
22 interpretation. Can you hear now? Can you hear me?

23 THE WITNESS: [Interpretation] I can't hear you. That's why I am  
24 not saying anything. There is something wrong with my headphones. I  
25 can't hear you.

1 JUDGE AGIUS: So Ms. Sutherland, bear with us, please. Let's fix  
2 this first. And then we proceed. You still can't -- if the interpreter  
3 in B/C/S could say something so that we can in the meantime check?

4 Thank you, usher.

5 Can you hear me now? Yes.

6 THE WITNESS: [Interpretation] Yes.

7 JUDGE AGIUS: Not me directly but are you receiving the  
8 interpretation?

9 THE WITNESS: [Interpretation] Yes.

10 JUDGE AGIUS: Okay. Thank you, Ms. Sutherland. Thank you, usher.  
11 Thank you, the interpreters. Ms. Sutherland you may proceed.

12 MS. SUTHERLAND: Thank you.

13 Q. Sir, during your detention at the Petar Kocic school, were you  
14 mistreated?

15 A. Yes. We were mistreated, all of us were.

16 Q. How many times in your -- in relation to yourself?

17 A. I was in that position twice. I can describe that. I was  
18 electroshocked. They attached electricity to my feet, to my leg joints,  
19 and to my hands. Some people even had electricity attached to their ears,  
20 to their ear lobes.

21 Q. I want to go through this with you in detail. Do you recall when  
22 this first occurred? On the first occasion?

23 A. Yes. I remember. The first time it was when all of us were  
24 there. Before the exchange, everybody had to go through that. Everybody  
25 had that sort of mistreatment done to them involving electricity.

1 Q. Where did this mistreatment take place?

2 A. In the small room where the guards, the police, stayed.

3 Q. Who administered this electroshock?

4 A. Boro Beslac was there and also Miroslav Desnica and this person  
5 whose last name is Todic and whose first name I don't know.

6 Q. Boro Beslac what was his ethnicity and what --

7 A. A Serb.

8 Q. Is his name Djuro Beslac?

9 A. Yes, Djuro Beslac.

10 Q. Do you know what he did before the war?

11 A. I don't know.

12 Q. Todic, you said you don't know his first name. Do you know what  
13 his ethnicity is?

14 A. He is a Serb and he is a native of Zenica. He served in the army  
15 in Croatia, somewhere around Glina. After his compulsory service, he was  
16 sent to Krupa to join the police there.

17 Q. Can you describe for the Court exactly what happened, the  
18 circumstances, where you were brought from, where you were taken and how  
19 it actually occurred?

20 A. Are you talking about this mistreatment involving electricity?  
21 This happened in those rooms and we went in those rooms, one by one, and  
22 each and every one of us had those clamps attached to our fingers and  
23 toes.

24 Q. How long did it last?

25 A. Five or six minutes or ten minutes, for everyone of us. It

1 depended.

2 Q. Can you describe the implement?

3 A. It was a box car or a car battery. There were some wires and  
4 there was some sort of an implement with a handle that once you turned  
5 that handle, you would start the electricity running through that box  
6 battery, through those wires.

7 Q. When they started turning the handle, what was happening then?  
8 What were you experiencing?

9 A. It was terrible. It was -- it was almost to die of. It was a  
10 very powerful electricity. I didn't die but I had a terrible time.

11 Q. How many times did they perform this electroshock on you on that  
12 first occasion?

13 A. I don't understand your question. What do you mean when you say  
14 how many times?

15 Q. How many times did they turn this handle? How many shocks did  
16 they give you on this first occasion that you went into this room?

17 A. Several times. They turned as many times as they wanted. Then  
18 they stopped. I didn't count but in any case, they turned the handle  
19 quite a few times.

20 Q. And on that first occasion, where were the clamps attached? Were  
21 they attached to your fingers and your toes?

22 A. It was in the room where the police stayed.

23 Q. Were the clamps attached to your fingers and your toes on that  
24 first occasion?

25 A. First they would attach them to the toes, once they were done with

1 the toes, they would move the clamps to the fingers.

2 Q. When you first entered the room, was anything said to you?

3 A. They just jokingly said, "Okay. Let's sing. Let's start  
4 singing."

5 Q. And did you have to sing?

6 A. No. They didn't mean singing. That meant screaming in terror,  
7 but they called it singing.

8 JUDGE AGIUS: It's an expression. [Microphone not activated].

9 MS. SUTHERLAND:

10 Q. And were you screaming from terror from this experience?

11 A. Of course.

12 JUDGE AGIUS: Ms. Sutherland, I think you can -- you have the  
13 authorisation of the Tribunal to spare the witness any more details on  
14 this particular part of the event.

15 MS. SUTHERLAND:

16 Q. Sir, did this same electroshock -- did you have to undergo it on  
17 another occasion?

18 A. Yes. I had to undergo it two times. We all had to undergo it two  
19 times, but some people had clamps attached to their ear lobes, behind  
20 their ears, on that second occasion.

21 MS. SUTHERLAND: Your Honour can we go into private session for a  
22 moment.

23 JUDGE AGIUS: Yes, let's go into private session. [Microphone not  
24 activated]

25 [Private session]

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15 [Open session]

16 JUDGE AGIUS: We are in open session.

17 MS. SUTHERLAND:

18 Q. Sir, on both these occasions that you were electroshocked, were  
19 you intimidated by these experiences?

20 A. I left my ear drums. I am hard of hearing. I now suffer from  
21 frequent headaches, and that is what I can tell you. That's what I suffer  
22 from.

23 Q. Was this a humiliating experience for you?

24 A. Of course it was. Any normal person would never forget something  
25 like that.

1 Q. I want to turn now to another topic. Do you know of other  
2 detainees who were beaten or mistreated apart from this electroshock  
3 treatment during their detention in the school?

4 A. Yes, I know some.

5 Q. Who do you know that was mistreated?

6 A. Mirsad Budimlic and Suad Sefic were beaten up quite a lot. And  
7 they would be swollen from beating, every 15 days they would be beaten and  
8 finally, one of them was killed and the other one was poisoned.

9 Q. Which one was killed and which one was poisoned?

10 A. Mirsad Budimlic was killed and Suad Sefic was poisoned.

11 Q. Could you just tell the Court very briefly how Suad Sefic came to  
12 be poisoned?

13 A. He had to be killed. There was a military court in Zenica which  
14 decided that. They had to do it and finally they gave him poison. They  
15 gave him poison for two or three days and finally he died from poisoning.

16 Q. Who gave him the poison?

17 A. The guards, the police that was there.

18 Q. Can you describe very, very briefly for the Court how Mirsad  
19 Budimlic was killed?

20 A. Can you please repeat?

21 Q. Could you describe very, very briefly for the Court how Mirsad  
22 Budimlic was killed?

23 A. Yes. Mirsad Budimlic was beaten up quite heavily and sustained a  
24 lot of injuries and those injuries were all infected and there were  
25 maggots in those wounds and one day we asked the guards to call a doctor,

1 the guard said that he would see to that. The following day, allegedly, a  
2 doctor came but it was not a doctor. It was the prison warden, Petar  
3 Senic, and Mirko Jasic [phoen] the commander of the police platoon who  
4 came, and the guard, the policeman who was there was Zdravko Narancic, he  
5 came into the room and to our room and asked the four of us to carry  
6 Budimlic into the room where the police were. The four of us took him  
7 there, they told him to leave him there, and to go back to their room and  
8 they also told them when we are done with him, you will be called to pick  
9 him up. After some five minutes, they called the four men to come for  
10 Mirsad, a doctor was not there. Mirsad was just beaten up. And the only  
11 thing that we could hear in our room was him screaming, "What are my  
12 children going to do?" And some two or three minutes later, he died of  
13 his wounds.

14 Q. I want to turn now to another topic. Were you ever taken for  
15 forced labour?

16 A. Yes. We had to go to -- up to there Hum, to the hill above the  
17 school. Up there, there was a squad, and its commander was Milorad Kotur,  
18 up there they had some guns, some cannons, they had sharp shooters up  
19 there, and we were taken up there to dig some trenches leading up to the  
20 gun which was some 80 metres away from the house where they stayed.

21 Q. Was anyone killed during forced labour on the hill?

22 A. Yes. Three men were killed on the hill. One of them was  
23 Lieutenant Colonel Semovic -- Zijad Selimovic, then Muratif Alic, and  
24 Albin Bajrambasic.

25 Q. In relation to Lieutenant Colonel Zijad Selimovic, can you



1 describe very briefly for the Court how he came to be killed?

2 A. Yes, I can. Lieutenant Colonel was asked to fire from a cannon  
3 gun, and allegedly, he was killed by the BH Army that was shooting from  
4 the other side. His brother-in-law [As interpreted] was nearby and saw  
5 that one of Kotur's men actually shot at him and killed him.

6 Q. Did you see his -- what happened with his body?

7 A. His body was brought downhill to the gymnasium and on the  
8 following day, we took him to the cemetery in Lipik and buried him there.

9 Q. Do you know the name of his son-in-law?

10 A. Nusret Malkoc.

11 Q. I'm sorry, the transcript says brother-in-law. Was it  
12 brother-in-law or son-in-law?

13 JUDGE AGIUS: I was going to ask you to point that out to the  
14 witness because the transcript says brother-in-law.

15 THE WITNESS: [Interpretation] He was his son-in-law, because his  
16 daughter was married to him.

17 MS. SUTHERLAND:

18 Q. Is he still alive today, do you know?

19 A. No. None of them are alive.

20 JUDGE AGIUS: Perhaps you can go direct here or I do it myself.

21 In one of your statements, sir, while -- when you were describing the  
22 killing of Colonel -- Lieutenant Colonel Zijad Selimovic, you said, "I did  
23 not see this happen but Selimovic's son-in-law did," which you have  
24 confirmed to us now. Then you said in that statement to the Prosecutor,  
25 to the investigator of the Prosecutor, he later disappeared. Who

1 disappeared? This son-in-law disappeared?

2 THE WITNESS: [Interpretation] He disappeared later on, when we  
3 went to Drvar. That's when he disappeared, Nusret disappeared.

4 JUDGE AGIUS: The --

5 MS. SUTHERLAND: Son-in-law.

6 JUDGE AGIUS: The son-in-law.

7 THE WITNESS: [Interpretation] Nusret Malkoc disappeared.

8 JUDGE AGIUS: All right. Okay.

9 MS. SUTHERLAND:

10 Q. Sir, you also mentioned Muratif Alic was killed on the hill.

11 A. Yes. He was also killed. He worked and I suppose he wanted to go  
12 to the toilet behind the house in the orchard, and I -- we thought that he  
13 also was killed by Kotur's guards because there was no evidence whatsoever  
14 that he may have been killed from the other side, by the BH Army.

15 Q. Did you see his body?

16 A. Yes, I did. We buried him up there on the hill. Actually no, it  
17 was in -- on the cemetery in Lipik.

18 Q. Did you see any bullet wounds?

19 A. Yes. There were two bullet wounds. One in the chest and the  
20 other one a bit lower.

21 Q. I didn't ask you but did you see any bullet wounds on the body of  
22 Lieutenant Colonel Zijad Selimovic?

23 A. Only one wound. He had a helmet and there was this wound above  
24 the eye.

25 Q. You mentioned also Bajrambasic?

1 A. Yes.

2 Q. How was he killed during forced labour?

3 A. Allegedly, he went up there alone to clean the rooms where they  
4 slept. Some half an hour later, one of the guards came to fetch us and he  
5 said, "Go up there to take Albin's body." He had been killed.

6 Q. Did you notice any bullet wounds on his body?

7 A. No. I saw holes in his clothes, in the back and in the chest.

8 MS. SUTHERLAND: Your Honour, may we go into private session for a  
9 moment.

10 JUDGE AGIUS: Yes, Ms. Sutherland let's go into private session.

11 [Private session]

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12 [Open session]

13 MS. SUTHERLAND:

14 Q. Sir, we are now back in open session. I just want to remind you  
15 of that. Do you recall any persons -- sorry, you mentioned earlier that  
16 there were a number of people killed in the room at the end of the  
17 corridor in the Petar Kocic school. Do you recall the names of these  
18 people?

19 A. No. I don't remember their first names but I do remember their  
20 last names.

21 Q. Could you please tell the Court their last names and the  
22 circumstances in -- as to how they came to be killed?

23 A. There were seven of those lads from Okrec, from these Sanski Most  
24 municipality, who were called Kaltak. Three of them came from the village  
25 of Jasenica. One was called Nasic and the last name of the other two was

1 Alijagic and there was also Teufik Sedic but he was in a different room.

2 He wasn't with them in the room but he was killed at the same time.

3 Q. Who was responsible for the killing?

4 A. The responsible, I think, was some reserve Captain First Class,  
5 Jojo Plavanjac who worked at the TO headquarters in Bosanska Krupa before  
6 the war.

7 Q. What was his ethnicity?

8 A. He was a Serb.

9 Q. Can you briefly describe for the Court the circumstances and how  
10 these men came to be killed?

11 A. Allegedly -- I didn't see him, but allegedly there was a Serb in  
12 prison who had allegedly killed that Jojo's mother and that Jojo had come  
13 to kill that Serb but didn't find him and then he heard that those boys  
14 from Okrec had come there, who had been trying to cross into the Cazin  
15 region but failed, returned home, were captured and brought to Bosanska  
16 Krupa so that that day, Jojo turned up and killed them all in that room in  
17 which they were, from an automatic rifle. And after he had killed them,  
18 from the room which was to the right were prisoners from Jasenica and  
19 Potkalinje were, Potkalinje and Dubovik were, there were eight of them,  
20 and that's how it happened.

21 JUDGE AGIUS: Is this Jojo Plavanjac still alive, do you know?

22 THE WITNESS: [Interpretation] Yes.

23 JUDGE AGIUS: Where does he live?

24 THE WITNESS: [Interpretation] As far as I know, he's fled and he's  
25 somewhere around Novi Sad.

1 JUDGE AGIUS: Thank you.

2 MS. SUTHERLAND:

3 Q. You mentioned that Teufik Sedic was in a different room but he was  
4 killed at the same time. Can you just briefly tell the Court the  
5 circumstances of his death?

6 A. Yes. Allegedly, when Martic was captured in Bosanska Otoka, Jojo  
7 happened to pass through the village of Jasenica where Teufik was living,  
8 and there was Jojo's uncle and he allegedly teased that or provoked Jojo's  
9 uncle saying, "What are you doing here?" See, Martic had to be arrested,  
10 had to be caught, allegedly he provoked his uncle and that is why he took  
11 him out and killed him.

12 Q. Can you explain to the Court how owe was killed in the Petar Kocic  
13 school?

14 A. Well, he quite simply came into the room where he was, took him  
15 out to the gym and killed him. That's all I know about it.

16 Q. Do you know what happened to the bodies of those others that were  
17 killed?

18 A. About 15 minutes or half an hour later, a truck came up, which was  
19 used to carry the cattle from the cooperative that took them but that was  
20 late in the afternoon. It was almost dark. And later on, I heard from  
21 some that allegedly there had been taken to the cemetery at Lipik but I  
22 don't know anything else about them. This is all that I know.

23 MS. SUTHERLAND: Your Honour, I have with the Court's indulgence,  
24 another ten minutes and I was wondering whether, with the interpreter's  
25 indulgence also we could have a bit of a shorter break at 10.30 in order



1 that I can continue with the witness for another ten minutes? Bearing in  
2 mind that --

3 JUDGE AGIUS: Mr. Cunningham, let's organise it better. Having  
4 heard the witness now and expecting another ten minutes of direct, how  
5 long do you think your cross will last?

6 MR. CUNNINGHAM: Probably 20 minutes.

7 JUDGE AGIUS: All right. We certainly can continue the next 15  
8 minutes because it's 10.15 now.

9 MS. SUTHERLAND: But instead of having a 25 minute break can we  
10 have a 15 minute break with the Court's and the interpreters' indulgence?

11 JUDGE AGIUS: The interpreters and the technicians have heard  
12 that. As far as we are concerned we have no problem. For sure, yes.

13 MR. CUNNINGHAM: I apologise for interrupting, Your Honour, I  
14 would ask that we have the normal break and here is why. Because of the  
15 limitations on our time to visit in detention because we are in trial, it  
16 is during the breaks that I have the most opportunity to speak to the  
17 accused. And it's important for us to have these conversations.

18 JUDGE AGIUS: All right. Let's do it. That's fair enough,  
19 Mr. Cunningham. Let's do it this way. We will break at 10.30 for the  
20 usual 25 minutes but if you manage to finish your consultations with your  
21 client earlier, could you please alert Ms. Sutherland, the Registry and --  
22 Registrar and all the others so that we reconvene as quickly as we can?  
23 And if we can gain five minutes, it's always better.

24 MR. CUNNINGHAM: That's fair, Your Honour, we will be glad to do  
25 that.

1 JUDGE AGIUS: Is that fine with you, Ms. Sutherland?

2 MS. SUTHERLAND: Yes, Your Honour.

3 JUDGE AGIUS: Let's proceed.

4 MS. SUTHERLAND:

5 Q. Sir, we have a lot to cover in the next 15 minutes. During -- you  
6 said that you were detained in the Petar Kocic school until the 21st of  
7 August; is that correct?

8 A. It is.

9 Q. Where were you transferred from there?

10 A. On the 21st of August, two army trucks came for -- carrying ten  
11 people each and we were 20 and they first blindfolded us, without saying  
12 anything, we were put into these trucks and on the 21st of August, we were  
13 taken to the camp in Kamenica. Many people had been beaten and suffered  
14 very many injuries on the way, so that this Kemal Sepic succumbed in  
15 Drvar. That is he arrived in Drvar but he was dead in the morning, and  
16 when we arrived in Kamenica, next to Drvar, as they were taking those  
17 tapes from our eyes, as they would come up to everyone of us to take off  
18 this adhesive tape from our eyes, they would also hit us with a baton and  
19 so we were put in Kamenica and were there until the 3rd of November.  
20 Funny things went on at the time.

21 Q. What was the ethnicity of the people who were detained in  
22 Kamenica?

23 A. In Kamenica, they were all Muslims except as far as I know there  
24 was also one Croat with us, but then there were on the other side some  
25 Serbs, some 40 of them, who allegedly had refused to go to war. And so

1 they had been captured and put them in prison. They put them in the  
2 school in Kamenica. I know that. But where we were, we were all Muslims  
3 and one Croat.

4 Q. Approximately how many people were detained in Kamenica?

5 A. Well, with us, who had come from Krupa, I'd say we were about 70.

6 Q. In total, the number of people between the 21st of August and the  
7 3rd of November, approximately how many people were there?

8 A. The total number I've told you, about 70, because two arrived  
9 subsequently, so around 70, because I know because of the exchange when we  
10 went to Karlovac.

11 Q. I'm sorry, I misheard. I thought you said 17, not 70. I'm sorry,  
12 I apologise. Can you please tell the Court what municipalities these  
13 people were from that were detained in Kamenica, where they had come from?

14 A. Yes. They were from Kljuc, the so-called Sanica, some others were  
15 from Petrovac, Bosanski Petrovac, some came from Kulen Vakuf, then from  
16 Cukovi, from Orasac, these places near Vakuf and we came from Krupa.

17 Q. You weren't interrogated during your time in Kamenica, were you?

18 A. No.

19 Q. And neither were you mistreated?

20 A. Well, some yes, but I wasn't, no, not in Kamenica, no problems  
21 there.

22 Q. You mentioned that you weren't mistreated but some others were.  
23 How often did this mistreatment occur?

24 A. Almost every evening, they would take out men to sing and after  
25 they would finish singing they would be beaten.

1 Q. What sort of songs did they have to sing?

2 A. Allegedly some Serb songs or something. I could hear that they  
3 had been singing and allegedly they were mostly Serb songs.

4 Q. Did you have to do any forced labour at Kamenica?

5 A. Yes. We were engaged in forced labour. It was autumn so we had  
6 to prepare firewood, to dig trenches, to make a fence around the camp.  
7 Some went to Drvar to bring some foodstuffs from upper floors to lower  
8 floors. I don't know exactly, something like that.

9 Q. You mentioned earlier that a number of detainees went missing from  
10 the camp.

11 A. Yes. Those four from Bosanska Krupa went missing, plus four of  
12 those who were there before us. So eight of them. And Dedic went  
13 directly to Bihac and we -- and 61 of us were exchanged and went to  
14 Karlovac.

15 Q. I think you've named three of the four people from Bosanska Krupa  
16 who went missing. Fehim Kadic, Nusret Malkoc?

17 A. Yes. I'm sorry, about Sepic. His whereabouts are known.

18 Q. Who was the other person that was -- went missing?

19 A. Don't understand what you mean?

20 Q. Ferid Velagic, did he disappear from Kamenica?

21 A. Oh, Ferid Velagic, Fehim Kadic, Malkoc and that Sepic who was  
22 killed. But Malkoc and Sepic were found and taken to a grave in Bosanska  
23 Krupa. But about Fehim and the other one, Ferhid, nothing is known about  
24 them.

25 Q. Did the ICRC visit the camp and arrange your -- for you to be

1 exchanged?

2 A. Yes.

3 Q. And you said that you left the camp on the 3rd of November, 1992.

4 A. That's right.

5 Q. Just very briefly, the guards that were at Kamenica, do you know  
6 where they were from?

7 A. Yes. There were two groups which provided the guards. One came  
8 from Petrovac and the other one came from Drvar.

9 Q. I have two other matters that I want to ask you about very  
10 quickly. The first one is the destruction of religious buildings in  
11 Bosanska Krupa. Are you aware of any buildings that were damaged or  
12 destroyed in 1992?

13 JUDGE AGIUS: Religious buildings we are talking of for the time  
14 being, no?

15 MS. SUTHERLAND: Yes, Your Honour.

16 JUDGE AGIUS: Yes. Mosques, churches or any other places of  
17 worship.

18 THE WITNESS: [Interpretation] Well, in the town in Bosanska Krupa,  
19 there was a mosque, there was a Serb church and there was a Catholic  
20 church there, and during the war, the mosque and the Catholic church were  
21 destroyed, and of course mosques in villages, I mean in Muslim villages,  
22 all those mosques were destroyed. That's it.

23 MS. SUTHERLAND:

24 Q. How did you become aware of this?

25 A. Well, we knew in the town, we just saw it, and later on, some

1 groups went to work in villages, that is to bury the life stock which had  
2 died and when they came back, they said it's all been destroyed up there,  
3 villages and all that.

4 Q. Did you do -- did you have to attend any of the religious  
5 buildings on forced labour?

6 A. No.

7 Q. What about other property in the town of Bosanska Krupa? What  
8 other property was damaged?

9 A. Well, by and large all the Muslim houses were either torched or  
10 destroyed, allegedly there were very few left intact.

11 MS. SUTHERLAND: Your Honour can we go into private session for  
12 one moment?

13 JUDGE AGIUS: Yes, let's go into private session, Madam Registrar,  
14 please.

15 [Private session]

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23 [Open session]

24 JUDGE AGIUS: I would appreciate if everyone is possibly here in  
25 20 minutes' time. Thank you.



1 --- Recess taken at 10.32 a.m.

2 --- On resuming at 10.55 a.m.

3 JUDGE AGIUS: So, Mr. Cunningham, who is defending Mr. Brdjanin,  
4 will be asking you some questions. Your obligation under the rules of  
5 this Tribunal is to answer all his questions as fully and as truthfully as  
6 possible. Mr. Cunningham?

7 MR. CUNNINGHAM: Your Honours, before I proceed could I point out  
8 what has been pointed out to me as two discrepancies in the translations?  
9 On page 7, line 22, the witness --

10 JUDGE AGIUS: One moment, because we will have to go to page 7.

11 MR. CUNNINGHAM: Line 22. It has been reported to me that the  
12 witness answered, the military police, but I believe in the transcript it  
13 only says police.

14 JUDGE AGIUS: In the transcript it says police, the guards, the  
15 police who kept the guard. Okay. Let me -- this is with reference -- do  
16 you remember that sketch that you had -- that you had drawn and that  
17 Ms. Sutherland was asking you about? If we need -- in it, there is one  
18 room where you refer to it as POL. And you said that that was the room  
19 where the police were. In -- when you were describing this, did you say  
20 the military police or just the ordinary civilian police?

21 THE WITNESS: [Interpretation] I wouldn't know. A policeman is  
22 guards, I don't know. It looks like military police but different thing  
23 whether it's military police or one word police, to me, everything is the  
24 same, police or the military police, civilian or military.

25 JUDGE AGIUS: You heard that, Mr. Cunningham.

1           MR. CUNNINGHAM: I think that clarifies it, Your Honour. The  
2           second one is this, and I apologise, I don't have the specific page number  
3           and line number. I do have the time number. The time number is at  
4           9.59.39 and this is having to do with the timing of certain deaths.

5           JUDGE AGIUS: 9.59.39?

6           MR. CUNNINGHAM: I have yet -- one of the things I have yet to  
7           figure out since I've been here is how to work LiveNote.

8           JUDGE AGIUS: What's the problem?

9           MR. CUNNINGHAM: I think the witness said mid-July rather than  
10          mid-May.

11          JUDGE AGIUS: 9.59, 31 to 40, we have nothing like that, it says  
12          about 15 minutes half an hour later a truck came up.

13          MR. CUNNINGHAM: Then I stand corrected, Your Honour. I will see  
14          it I can search it with the help of our case manager.

15          JUDGE AGIUS: But I can help you there.

16                                 [Trial Chamber and registrar confer]

17          JUDGE AGIUS: Page 20 line 2. What month all these killings took  
18          place between mid-May and mid-July and you say that the witness?

19          MR. CUNNINGHAM: Said --

20          JUDGE AGIUS: Said what?

21          MR. CUNNINGHAM: I think the discrepancy is -- hold on a second,  
22          Your Honour.

23          JUDGE AGIUS: We are talking, Witness, about Albin Bajrambasic and  
24          others that were killed at the same time. When did this happen? Which  
25          month?

1 THE WITNESS: [Interpretation] I've already said that the killings  
2 were being committed between mid-June and mid-August.

3 MR. CUNNINGHAM: That's fine, Your Honour.

4 JUDGE AGIUS: Thank you.

5 MR. CUNNINGHAM: Thank you, Your Honours and with the court's  
6 permission, may I proceed?

7 JUDGE AGIUS: Please, go ahead.

8 Cross-examined by Mr. Cunningham:

9 Q. Mr. Witness, I want to get you out of here as quickly as I can so  
10 that you can return home and the easiest way for that to happen is for to  
11 you listen carefully to my questions and try to answer them as precisely,  
12 as concisely as you can. Can you do that? When I read your statement,  
13 there is a passage in your statement that says -- and by the way, do you  
14 have your written statements that you gave to the Office of the  
15 Prosecutor? Do you have that statement available in case you need to look  
16 at it?

17 JUDGE AGIUS: Let's give him the copy of the statement straight  
18 away and Ms. Sutherland, regarding that sketch that we referred to  
19 earlier, do you intend to tender it in as an exhibit or not? Because if  
20 you do, we need to have it under seal and numbered.

21 MS. SUTHERLAND: Yes, Your Honour, I thought the sketch was P2028.  
22 That was provisionally marked and I intended --

23 JUDGE AGIUS: So please make sure that it is under seal. Because  
24 it bears the initials of the witness. All right? Thanks.

25 MR. CUNNINGHAM: To assist the usher, Judge, the first statement

1 is going to be the statement provided 26 August, 1999.

2 Q. Sir, if you could look at -- on your statement of 26 August, 1999,  
3 B/C/S version, at the third paragraph from the top. In that third  
4 paragraph from the top, you say, "I am not very familiar with the  
5 political situation before the war." Do you see that? It is on the first  
6 page of text, which is page 2 of the statement, third paragraph on page 2  
7 of his B/C/S statement. Do you see that statement?

8 A. Yes, I see it, yes.

9 Q. Okay. And I take it that you were not really paying that much  
10 attention to the political situation in your municipality; correct?

11 A. Yes, that is correct.

12 Q. Okay. I want to ask you about certain events that may or may not  
13 have been a source of conflict between the SDA and the SDS and I want to  
14 ask you if you knew anything about them. My first question is this: Did  
15 you know anything about the political dispute involving the removal of  
16 files from the National Secretariat for National Defence?

17 A. No. I knew nothing about that.

18 Q. Did you know anything about the political dispute between the two  
19 parties over the fact that some Serb municipal workers had been demoted or  
20 lost their jobs as a result of the election? Do you know anything about  
21 that?

22 A. That is something that I heard about, and that's how it was, of  
23 course.

24 Q. All right. And what did you hear about it, very, very briefly?

25 A. Well, I heard that the SDA party held the largest number of

1 offices in the municipality, that the SDS had less offices, and that's  
2 about it. I wasn't really interested to know.

3 Q. Okay. That's fair enough. Were you aware of any dispute between  
4 the SDS in the municipal administration about the Branko Copic monument?  
5 Did you know anything about that?

6 A. That's another thing that I heard about, but allegedly there was  
7 no need to put up another monument seeing that there was already a  
8 monument of his.

9 Q. Is that about all you know about it?

10 A. That is all.

11 Q. That's fair. Did you know anything?

12 THE INTERPRETER: Could the witness please come closer to the  
13 microphone?

14 JUDGE AGIUS: Yes, Mr. Cunningham?

15 MR. CUNNINGHAM: Thank you, Your Honour.

16 Q. Did you hear anything about an incident between the local police  
17 that happened in Arapusa where two -- where some Serbs were shot by the  
18 police? Did you hear anything about that?

19 A. I heard about that but I simply paid no attention because that was  
20 none of my business and there were other people who dealt with it. I mean  
21 people who were concerned with that.

22 JUDGE AGIUS: Just answer the question. The question was whether  
23 you heard about it. It's not whether you were worried about it or whether  
24 you had personal opinions and what, just answer yes or no, all right?

25 MR. CUNNINGHAM:

1 Q. Yes or no.

2 A. No.

3 Q. Okay. My next question is: Did you know anything about when  
4 Serbian police officers in the local police left the police department and  
5 moved to Jasenica?

6 A. Yes.

7 Q. Was -- do you know, and this is like His Honour told you,  
8 Mr. President told you, that this is a question that calls for yes or no.  
9 Did you know whether or not, when the Serb police officers left, whether  
10 that was a source of dispute between the two parties?

11 A. Yes.

12 Q. The final area I want to talk to you about is: Did you become  
13 aware of the incident in September of 1991 involving Milan Martić?

14 A. No.

15 Q. Remember we are in open session so I don't want you to tell me the  
16 street name or anything like that, but I believe you told us in your  
17 statements that you lived in a village that had both Serbian and Muslim  
18 households.

19 A. That, no.

20 Q. All right. Did you live in an all-Muslim neighbourhood, an  
21 all-Serb neighbourhood or a mixed neighbourhood?

22 A. I don't understand what villages do you mean and what do you mean  
23 by this?

24 Q. Maybe we should go in private session just to clear this?

25 JUDGE AGIUS: Let's go into private session for a while, please.

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1 [Open session]

2 JUDGE AGIUS: Thank you. We are in open session and you may  
3 proceed, Mr. Cunningham.

4 MR. CUNNINGHAM:

5 Q. The neighbourhood in which you lived was an area patrolled by the  
6 police, yes or no?

7 A. Why, yes, but the police patrolled all over the town, not only  
8 there.

9 Q. You told us yesterday -- you told us in your testimony that you  
10 saw on at least one occasion individuals taking weapons into their  
11 basement at a Serb house. My question to you is: First of all, do you  
12 remember that testimony?

13 JUDGE AGIUS: Yes, Ms. Sutherland?

14 MS. SUTHERLAND: Your Honour, can we go into private session?

15 JUDGE AGIUS: Yes, I think it's wise to go into private session at  
16 this point

17 [Private session]

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21 [Open session]

22 JUDGE AGIUS: We are in open session. Thank you, Ms. Sutherland.

23 MR. CUNNINGHAM:

24 Q. My question to you is: I'm going to take you back to the time  
25 that the shooting started on April the 21st, 21 April, 1992. And I

1 believe you testified earlier that the shooting started after 6.00. I  
2 believe in your testimony that you said both sides started shooting. What  
3 did you mean by that when you said "both sides started shooting"?

4 A. Well, I thought that these opened fire and those others, I mean  
5 these ones attacked and those returned. I mean, what else could it be?

6 Q. From where you were at you could hear people in town firing  
7 back -- firing back; correct?

8 A. Yes.

9 Q. Now, you had sent your family away and you stayed; correct?

10 A. Yes.

11 Q. Why is it that you stayed?

12 A. I don't know. Should I say that? Because of my work. I had to  
13 go to work.

14 Q. Do you know if, prior to the time that the shooting started,  
15 whether any Muslims, any Bosniaks, had gone so far as to acquire weapons  
16 to defend themselves?

17 A. They were poorly armed. Some bought, some had their hunting  
18 rifles from before. And it was just a few but only people had to go to be  
19 evacuated, so as not to fall victims to --

20 Q. You said that there were some people and that they were poorly  
21 armed. Some had their hunting rifles from before. How many civilians did  
22 you know were armed in Bosanska Krupa?

23 A. Well, it's difficult it say. I didn't count. I can't really  
24 know.

25 JUDGE AGIUS: Roughly. An approximate figure.

1           THE WITNESS: [Interpretation] What time? No, about five, six  
2    hunting rifles in the area of the town where I was. Elsewhere, I don't  
3    know. I really don't know. How can I know?

4           MR. CUNNINGHAM:

5           Q.   That's fair. Two real quick questions about this area. Were you  
6    aware of any troops that came in from Bihac to assist in the defence of  
7    the town?

8           A.   Yes. I did hear something about it but I don't really know all  
9    that.

10          Q.   What did you hear about it, Mr. Witness?

11          A.   I heard that some had come. I don't know where from. That they  
12    had come from the Cazin area or somewhere, and that they came, I don't  
13    know how many of them, well, no, no, I don't really know. I'm telling you  
14    I didn't really know.

15          Q.   That's fine. Did you know whether or not any members of the  
16    patriotic league were in Bosanska Krupa at the time that the shooting  
17    started?

18          A.   Well, then, yes, but once again, I'm not really familiar with  
19    that, since I had nothing to do with it, I wasn't involved in that so I  
20    don't really know it.

21          Q.   And that leads to my next question: Were you involved in the  
22    resistance? Did you have a weapon?

23          A.   I wasn't part of it, but I had a pistol and I had a licence for  
24    it, because that was the kind of job I did. That job required that I have  
25    a weapon.

1 Q. My recollection is that you were in a basement when you were  
2 discovered by the soldiers. Is that right?

3 A. That is true.

4 Q. When the soldiers found you, did you have a -- that pistol or any  
5 other weapon nearby?

6 A. Yes. I had that pistol and I was the only one who had anything.  
7 All the others had nothing.

8 Q. Okay. Was that pistol loaded?

9 A. Of course. Loaded but not a single bullet was fired. Those who  
10 took it saw it. Naturally, I didn't offer any resistance. I simply had  
11 taken shelter in a basement not to be killed or wounded, but then as we  
12 were trying to cross to the other side, they just came up and we were  
13 caught.

14 Q. Right. And after you were caught, you were sent to the school and  
15 there was some sort of court that was set up in a building right near the  
16 school; correct?

17 JUDGE AGIUS: He has already testified on this so go straight to  
18 what you want from him, please.

19 MR. CUNNINGHAM: I will.

20 THE INTERPRETER: Will the witness please come back to the  
21 microphone?

22 THE WITNESS: [Interpretation] Yes, yes, everywhere but that was in  
23 Jasenica taken to the school in Jasenica and that's where they were.

24 MR. CUNNINGHAM:

25 Q. As His Honour has reminded me, let me get straight to this

1 question. While were you in this court process, were they dividing the  
2 people in custody into civilian prisoners, military prisoners or any other  
3 groups?

4 A. Yes. They separated us people, they were sending allegedly, well,  
5 no, they were all civilians. I don't know. Some allegedly cooperated  
6 with the town defence or something, and they kept those and those they  
7 didn't they sent them on, they sent them to Sanski Most.

8 Q. Were the people that you were kept with, were those the people  
9 that assisted in the town's defence?

10 A. I don't understand. Who? What? What men?

11 Q. I think you told us that when you were in detention at the school,  
12 that you were in a room and you shared that room with other men. Were  
13 those other men that you shared that room with at the school, were those  
14 men that had assisted in the town's defence?

15 A. No.

16 Q. Okay. I want to talk to you about a few selected events that  
17 happened while you were in custody. During the course of your testimony,  
18 you told us about various individuals that were taken up on a hill to do  
19 labour, and then you described how, I believe, the number was five of  
20 those men, were killed while working on the hill. Do you remember  
21 testifying about that?

22 A. I do, but three were killed on the hill and two were killed in the  
23 school.

24 Q. My question to you is this: First of all with respect to the  
25 three killings on the hill, were you personally present when they were

1 killed? Did you see it?

2 A. We worked there together but those they wanted to kill --

3 JUDGE AGIUS: Did you see any of those three killings yourself?

4 Did you witness personally any of those three killings on the hill?

5 Answer yes or no.

6 THE WITNESS: [Interpretation] No.

7 JUDGE AGIUS: That's it. Next question.

8 MR. CUNNINGHAM:

9 Q. Again, yes or no, did you personally witness, personally see, the  
10 two other killings that you say happened at the school?

11 A. No. Oh, in the school?

12 Q. The two other killings.

13 JUDGE AGIUS: Which I think we better specify which school here.

14 MR. CUNNINGHAM: I don't know if this is something I need to go  
15 into private session or not, Your Honour.

16 JUDGE AGIUS: I don't think you need to go into private session  
17 but whether it's the Petar Kocic school or whether you're referring to the  
18 Jasenica school. Or the school at Jasenica.

19 MR. CUNNINGHAM: I'm talking about Petar Kocic.

20 JUDGE AGIUS: Did you witness any of the killings that took place  
21 there?

22 MS. SUTHERLAND: If I can assist, Your Honour, I think you're  
23 referring to the Suad Sefic and --

24 MR. CUNNINGHAM: The gentleman who had.

25 JUDGE JANU: Mirsad Budimlic.

1 MS. SUTHERLAND: Thank you, Your Honour.

2 JUDGE AGIUS: Did you see any of those two being killed with your  
3 own eyes?

4 THE WITNESS: [Interpretation] You mean Sefic?

5 JUDGE AGIUS: Yes, one is Sefic, no?

6 MS. SUTHERLAND: Sefic was poisoned.

7 THE WITNESS: [Interpretation] Yes.

8 JUDGE AGIUS: Yes. And Mirsad Budimlic?

9 THE WITNESS: [Interpretation] Yes.

10 JUDGE AGIUS: All right. Next question.

11 MR. CUNNINGHAM:

12 Q. I'm almost done, you're doing very, just bear with me a little  
13 longer. The second-to-last area that I want to ask you about has to deal  
14 with the killing of 11 people at the Petar Kocic school by someone that  
15 was -- his name was?

16 JUDGE AGIUS: Jojo Plavanjac.

17 MR. CUNNINGHAM:

18 Q. Here is my question to you on this and it's very simple: Do you  
19 remember anyone saying anything to the man with the gun who did the  
20 shooting before the shooting actually occurred? Did anyone try to stop  
21 him?

22 A. Yes, allegedly.

23 Q. Okay. And what did you hear?

24 A. I heard Zdravko, the policeman who was on duty, the guard there.  
25 He was saying, "Jojo, don't do this. Jojo, don't."



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13 English transcripts. Pages 17515 to 17527.

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1 Q. Okay. Finally, in your statement, you tell us that there were two  
2 times that prisoner exchanges were set, and two times that --

3 A. Yes.

4 Q. You almost made it but then they called you back at the last  
5 minute. Do you know why the first two times you weren't exchanged?

6 A. I don't know. The commander, Momo, was there, and various  
7 questions were put and then later, he said, "I made a mistake for having  
8 stopped you, for not having carried the exchange through."

9 MR. CUNNINGHAM: Okay. That's all the questions I have, sir. I  
10 wish you a safe journey home.

11 JUDGE AGIUS: I thank you. Is there a re-examination,  
12 Ms. Sutherland?

13 THE WITNESS: [Interpretation] Thank you.

14 MS. SUTHERLAND: No, Your Honour.

15 JUDGE AGIUS: Thank you. Do you have any questions? Yes, sir,  
16 look at me. We have come to an end. That's the end of your testimony  
17 here. And you will be now escorted out of this courtroom by the usher.  
18 We are taking the usual precautions to make sure that on your way out, no  
19 one will be able to see you, as you see he's drawing the curtains down.  
20 On behalf of the Tribunal, but particularly on behalf of myself and Judge  
21 Janu and Judge Taya, who together with me compose this Trial Chamber, I  
22 should like to thank you for having come over here to give testimony. The  
23 only thing which remains for me before I see you out of this courtroom is  
24 to wish you, joining together with the others, wishing you a safe journey  
25 back home.

1 THE WITNESS: [Interpretation] Thank you.

2 JUDGE AGIUS: Thank you.

3 [The witness withdrew]

4 JUDGE AGIUS: Ms. Sutherland, I thank you.

5 MS. SUTHERLAND: Ms. Richterova is taking the next witness, Your  
6 Honour.

7 JUDGE AGIUS: Now, the next witness, Madam Richterova, I know he's  
8 got a pseudonym.

9 MS. RICHTEROVA: Yes the following witness has the same protective  
10 measures, pseudonym and facial distortion.

11 JUDGE AGIUS: All right. Okay. Thank you.

12 MS. RICHTEROVA: Just to use the time before the witness will be  
13 brought, I want to inform you that I am going to tender into evidence the  
14 two statements, attachments and the diary.

15 JUDGE AGIUS: Yes. That's perfect. I just wanted to make sure  
16 that we have -- we are talking of the same documents. According to what I  
17 have, he gave a statement to the Prosecution on the 27th of August of  
18 1999. Is that correct? And the ERN number is 00 --

19 MS. RICHTEROVA: Yes, it's correct, 27 of August, 1999.

20 JUDGE AGIUS: Yes. 00844657 is the ERN number for the English  
21 version.

22 MS. RICHTEROVA: Yes, that's correct.

23 JUDGE AGIUS: So you're tendering that into evidence and it will  
24 be marked as?

25 MS. RICHTEROVA: So it will be P2032.

1 JUDGE AGIUS: 2032? Thanks. Uh-huh.

2 MS. RICHTEROVA: Then, Your Honours should have OTP statement  
3 dated 13 February, 2001.

4 JUDGE AGIUS: No. I don't have that. You will have to bear with  
5 me but -- but there is -- I had some problems with the office downstairs  
6 this morning and there is some lack of coordination. What I need is an  
7 extra copy of that. I know that it exists because that's why I wanted to  
8 go through this before. So if I could have a copy of that, please?

9 You can bring the witness in, in the meantime.

10 Yes, and that will be Exhibit number P?

11 MS. RICHTEROVA: P2033.

12 JUDGE AGIUS: Yes.

13 MS. RICHTEROVA: Then there are four attachments, these are  
14 attachments to the statement dated 27 August, 1999.

15 JUDGE AGIUS: Yes.

16 MS. RICHTEROVA: And the first attachment is list of refugees from  
17 Bosanska Krupa, the town.

18 JUDGE AGIUS: I see. All right. That's because I have it in  
19 B/C/S only. I don't have it in English.

20 MS. RICHTEROVA: I have to apologise but I double-checked the  
21 disclosure and everything was in order the moment it was leaving our  
22 office so I don't know what happened.

23 JUDGE AGIUS: I don't know. This is why I'm going through this  
24 because I know that there was some difficulties downstairs. Is this the  
25 document which starts with 00844665?

1 MS. RICHTEROVA: Yes.

2 JUDGE AGIUS: So that's going to be Exhibit P2 --

3 MS. RICHTEROVA: P2034.

4 JUDGE AGIUS: All right. And then we will make the adjustments  
5 afterwards. And it consists of how many pages?

6 MS. RICHTEROVA: B/C/S consists of two pages.

7 JUDGE AGIUS: Two pages only, 665, 666, okay. Then there is  
8 another document, B/C/S as well, which has ERN number 00844667?

9 MS. RICHTEROVA: Yes.

10 JUDGE AGIUS: That's going to be P20?

11 MS. RICHTEROVA: It will be P2035.

12 JUDGE AGIUS: Yes. And it consists of how many pages?

13 MS. RICHTEROVA: It consists two pages as well.

14 JUDGE AGIUS: Yes. And then I have another document which starts  
15 with ERN number 00844669.

16 MS. RICHTEROVA: Yes, that's correct.

17 JUDGE AGIUS: And this will be 2036, P2036?

18 MS. RICHTEROVA: Exactly.

19 JUDGE AGIUS: And it consists of how many pages?

20 MS. RICHTEROVA: You're asking me too much but the last page is  
21 00844681.

22 JUDGE AGIUS: 81, all right.

23 [The witness entered court]

24 JUDGE AGIUS: So that's it. And the last attachment is according  
25 to what I have here, attachment which consists of two pages starting with

1 00844682.

2 MS. RICHTEROVA: Exactly two pages.

3 JUDGE AGIUS: It consists of two pages. This will P2037?

4 MS. RICHTEROVA: Exactly. And the last document is diary. We  
5 provided Your Honours again with B/C/S and English version. I don't know  
6 whether --

7 JUDGE AGIUS: Yes, we have that. At least -- and the other one  
8 what happened is this: That my secretary obviously kept separate the  
9 B/C/S from the English and put the English version of the documents that  
10 you have just mentioned in another binder which I have just located now.  
11 So that problem is solved. You don't have to worry about it. The diary  
12 is here, yes.

13 MS. RICHTEROVA: So the diary will be marked as P2038.

14 JUDGE AGIUS: And it starts with ERN number, just to -- the  
15 English, according to --

16 MS. RICHTEROVA: The English should be 01101445.

17 JUDGE AGIUS: Okay. Perfect. And this will be P20?

18 MS. RICHTEROVA: P2038.

19 JUDGE AGIUS: 2038. All right. Okay. Is that all?

20 MS. RICHTEROVA: And that's all.

21 JUDGE AGIUS: Thank you. We moved fast. Thank you.

22 Yes. Good morning to you, sir.

23 THE WITNESS: [Interpretation] Good afternoon.

24 JUDGE AGIUS: Welcome to this Tribunal.

25 THE WITNESS: [Interpretation] Thank you.

1           JUDGE AGIUS: You are going to start giving evidence very soon. I  
2 want just to put your mind at rest before you do so, that all the  
3 precautionary or protective measures that you have asked for via the  
4 Prosecution have been granted by this Trial Chamber. In other words, the  
5 first one being that you will not be referred to by your name at any given  
6 moment here, and you will instead be referred to by a -- by means of a  
7 pseudonym. In fact you are going to be known in this Tribunal and in  
8 these proceedings as BT55. That's the first thing I wanted to tell you.  
9 The second thing is that you have asked for possibly not to have your face  
10 seen outside this courtroom during the transmissions that take place. We  
11 have granted that. And if the camera is focused on you and the usher puts  
12 it on video mode, you will see exactly how others will be seeing you  
13 outside of this courtroom. That's the second protective measure that we  
14 have adopted.

15           There will be times when you will be asked some questions which,  
16 upon answering, you will necessarily need to give information that would  
17 identify you. In those instances we will go into private session. You  
18 will hear us, hear me in particular saying we go now into private session.  
19 When we go into private session I would want to put your mind at rest that  
20 no one is hearing what is going on outside these four walls so that's why  
21 we go into private session sometimes so there may be questions which will  
22 expose your identity but those will be in private session. If we happen  
23 to be in open session, please try not to give any information yourself  
24 which could identify you. For example, you won't mention any relative of  
25 yours by name as a relative, as being a relative. You won't mention the

1 street where you used to live because others would be able to identify you  
2 so please don't try to destroy all that we have tried to build around you  
3 to protect your identity. Having said that, the usher is going to give  
4 you a piece of paper with the text of a solemn declaration that you are  
5 required to make under the rules of this Tribunal, the solemn declaration  
6 is to the effect that in the course of your testimony, you will be telling  
7 us the truth, the whole truth and nothing but the truth. It's the  
8 equivalent of an oath. So please proceed by reading that solemn  
9 declaration aloud and then we can start.

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

12 WITNESS: WITNESS BT55

13 [Witness answered through Interpreter]

14 JUDGE AGIUS: I thank you. Please take a chair. And Madam  
15 Richterova will be examining you in chief. She will be basing her  
16 questions mainly on the two statements that you gave to the Prosecution  
17 and I ask the usher to provide you with a copy of each straight away in  
18 your language, B/C/S, so that -- but before doing so you're going to be  
19 shown a piece of paper on which there is your name. Just have a look at  
20 it and tell me whether that is your name or not, just say yes or no.

21 THE WITNESS: [Interpretation] Yes.

22 JUDGE AGIUS: All right. Let Mr. Cunningham see it. Right. Let  
23 us see it and Madam Richterova, in the meantime you may proceed.

24 MS. RICHTEROVA: Thank you. This will be P2031 under seal. And  
25 only I want to mention that the previous exhibits have to be under seal as



1 well, because --

2 JUDGE AGIUS: All of them?

3 MS. RICHTEROVA: All of them because in all of them the name of  
4 the witness is mentioned.

5 JUDGE AGIUS: All right. Yes. So starting from the statements  
6 themselves?

7 MS. RICHTEROVA: Starting from Exhibit P232 -- this is the first  
8 statement, through attachments and diary.

9 JUDGE AGIUS: All right. Not 232, it's 2032.

10 MS. RICHTEROVA: 2032, I apologise.

11 JUDGE AGIUS: All right. So Exhibits P2032 to 2037, if I  
12 remember --

13 MS. RICHTEROVA: 2038.

14 JUDGE AGIUS: 2038, both numbers included, will -- are being  
15 admitted under seal. Or they will remain under seal. Yes, Madam  
16 Richterova.

17 Examined by Ms. Richterova:

18 Q. Witness, you were shown your statements yesterday. Did you manage  
19 to read them?

20 A. Yes, I was.

21 Q. The information you provided in these statements, including the  
22 correction in the second statement, the informations are -- the  
23 information are correct?

24 A. Yes.

25 Q. Did you have opportunity to read again your diary which you

1 provided to the representative of the OTP?

2 A. Yes.

3 Q. And also the information, do you still stand that the information  
4 you provided are correct?

5 A. Yes. I'm sure that the information is correct. But this is just  
6 a summary of everything that happened. I couldn't describe everything in  
7 detail. There was too much of it.

8 Q. We have already heard information about the political development  
9 in your municipality and the events preceding the 21st of April, 1992 so I  
10 would like to direct your attention to the events which cross -- which  
11 followed 21st of April, 1992. As we already heard, there was lots of  
12 shooting on 21st of April and you stated in your statement that the town  
13 was attacked. Did you know at that time who attacked the town of Bosanska  
14 Krupa?

15 (Redacted)

16 (Redacted)

17 JUDGE AGIUS: Stop. Let's pause here. Let's go into private  
18 session straight away. You see, you have made the first mistake. You  
19 have not taken my advice. You haven't heeded my words. We need to redact  
20 that paragraph, please, Madam Chuqing. When we are in open session,  
21 please try to avoid giving information about yourself that could reveal  
22 your identity. So sorry, Madam Richterova, these are the teething  
23 troubles so let's proceed slowly.

24 THE WITNESS: [Interpretation] Sorry.

25 JUDGE AGIUS: Go back to your question, we can go into open

1 session now again.

2 MS. RICHTEROVA:

3 Q. If you could tell us what did you learn about those who attacked  
4 the town?

5 A. On that day, that is the 21st of April, and that was a Tuesday,  
6 the tensions in the town culminated. There was a state of total  
7 confusion. And sometime before noon, there was a large-scale movement of  
8 Serbian population. The Serbs moved out in great numbers for the second  
9 time. After 12.00 noon, I knew that there were negotiations taking part  
10 in town in order to avoid a conflict. There was a lot of tension in the  
11 air. Above the town one could already notice lines of troops. We already  
12 had information that trenches had been dug out, that the artillery had  
13 been put in place. From Bihac, from the command of the Yugoslav People's  
14 Army there, a representative was invited and he was supposed to take part  
15 in the peace talks which were staged in order to avoid an attack. On that  
16 day we also learned that an ultimatum was given and according to this  
17 ultimatum, if the town was not empty by 7.00 in the afternoon, an attack  
18 would ensue. Why? Because according to some sort of a strategy, the  
19 Serbian part of the authorities which already existed under the name of  
20 local commune of Jasenica, and they attended those negotiations from  
21 Jasenica, they did not want to stay in the town of Bosanska Krupa. These  
22 negotiations lasted up to 1700 hours. At that time, I was having lunch  
23 with my family. I did not flee the town. My neighbours, Serbs, a large  
24 number of them left the town. When I asked them why they were doing that,  
25 their answer was, "You'd better do it yourself if you want to save your

1 hide."

2 MR. CUNNINGHAM: Excuse me for interrupting, I'm going to object  
3 because the question was what did you learn about the attack and it's gone  
4 way beyond that, Your Honour.

5 JUDGE AGIUS: The question was actually if you could tell us what  
6 did you learn about those who attacked the town. I think we could stop  
7 there and if you want to perfect or get more information from the witness,  
8 you can put specific questions, Madam Richterova. In the meantime, sir,  
9 may I give you one piece of what I consider to be good advice? You will  
10 be asked a lot of questions.

11 THE WITNESS: [Interpretation] Yes.

12 JUDGE AGIUS: Both from Madam Richterova and from Mr. Cunningham.  
13 I know that you feel that you have a lot of information to you can give  
14 us. The thing is that your statements have been admitted into evidence so  
15 please try to answer the questions that are put to you as briefly as  
16 possible, and also answer the question, the whole question, and nothing  
17 but the question. We are not interested in having more information than  
18 what is being asked out of you. All right? So please try to limit your  
19 answer to the question. And do not go beyond. Yes, Madam Richterova.

20 MS. RICHTEROVA:

21 Q. Sir, if you could please, really just answer me what did you learn  
22 about those who attacked the town? Who were they? Just this information.

23 A. The town was attacked by the Serb troops which were already  
24 deployed above the town, in the general area of the town. Everything was  
25 put in place before the negotiations.

1 Q. Sir --

2 A. Everything was put in place.

3 Q. Sir, I wanted information about Serb troops. Can you tell me, did  
4 you learn, did you know at that time or did you learn later, which unit  
5 they belonged to?

6 A. When it comes to the troops, we knew officially and from the  
7 stories that we heard as citizens, that there were -- there was a large  
8 number of Serbian troops above Krupa and that the attack would take place,  
9 the attacks started at 1745 hours. When the --

10 JUDGE AGIUS: I am going to stop you because you are not following  
11 my instructions. The question was: What information do you have about  
12 these Serbian troops? Did you at any time come to know which unit they  
13 belonged to? So the answer is, if -- yes or no. And if it's yes, then  
14 what kind of -- what unit did they belong to? That's the simple question.  
15 The rest when it started is not being asked out of you -- from you.

16 THE WITNESS: [Interpretation] I didn't know which unit it was. We  
17 only knew it was the Serbian army up there, and that those were the men  
18 that had left Bosanska Krupa and villages but it was only the Serbian  
19 troops.

20 JUDGE AGIUS: All right.

21 MS. RICHTEROVA:

22 Q. And I want to ask you one more question. You mentioned before  
23 that you heard some ultimatums. Can you tell us who gave the ultimatum  
24 and what kind of ultimatum it was? But again, very briefly, please.

25 A. Very well, then. The ultimatum that was given on that particular

1 day by the Serbian authorities, from Jasenica, ordered for all the  
2 barricades that were in Krupa to be dismantled and for all the citizens to  
3 move out from the left bank of the river, across the bridge. That was the  
4 ultimatum. The border was established along the River Una. Those were  
5 the two facts contained in this ultimatum according to the information  
6 that I had at the time.

7 Q. And when you state that all had to left -- to the left bank, was  
8 it all the inhabitants or did he or did the ultimatum refer to one  
9 particular ethnicity?

10 A. The ultimatum applied to Serbs. Muslims and parts of -- and some  
11 Croats who resided in Bosanska Krupa.

12 JUDGE AGIUS: We need to clear this because otherwise the  
13 transcript may become misleading later on. If we don't remember the facts  
14 correctly. The ultimatum applied to whom? Muslims and Croats only or  
15 also to Serbs?

16 THE WITNESS: [Interpretation] It applied to Muslims and Croats  
17 only.

18 JUDGE AGIUS: Okay. That's it. Move ahead.

19 MS. RICHTEROVA:

20 Q. We already heard the town was attacked. You were at home. At any  
21 point, did you see soldiers coming closer to the buildings in which you  
22 lived?

23 A. Yes. Once the attack started, there was horrendous shelling and  
24 from all sorts of weapons.

25 Q. Did at any point were your buildings searched by these soldiers?

1           A.    Not at that moment, not on that day.  It was only when Krupa fell.  
2           That was on Wednesday.  On Wednesday, when the troops, the Serb troops,  
3           entered the town, then Krupa was according to them liberated, and the  
4           first three came to us, they stopped in front of the building, they asked  
5           us to come down, they had white stripes on multi-coloured uniforms they  
6           were wearing.  These were the troops from Sanski Most.  They were active  
7           servicemen.  They searched us.  They asked us whether we had any arms  
8           there.  They inspected our IDs and they told us that we were not allowed  
9           to leave our building until the following morning and that on the  
10          following morning somebody else would come and tell us what to do.

11          Q.    One more question about this ultimatum.  Have you heard any  
12          particular Serb politician who would made this ultimatum?

13          A.    Yes.  On the radio.  Now, which radio was it?  Radio Petrovac or  
14          Bosanska Krupa?  But whatever.  On the radio, in the morning, after that  
15          first attack on the town, that ultimatum was repeated and Mr. Miroslav  
16          Vjestica repeated it directly, and we all waited to see what would be done  
17          and then he repeated once again that all Muslims had to move over to the  
18          left bank.

19                JUDGE AGIUS:  The transcript -- Miroslav?  What is his other --  
20          the rest of his name?  Miroslav?

21                THE WITNESS:  [Interpretation] Vjestica.

22                JUDGE AGIUS:  Thank you.

23                MS. RICHTEROVA:

24          Q.    Sir, at any point did you decide to leave your building with other  
25          people and go to other direction?

1           A.    Yes.  That Wednesday, when the town was already occupied, if I may  
2   put it that way.

3           Q.    And now I really want you to be very brief because everything is  
4   in your statement.  I just want you to take chronologically what happened.  
5   So where did you want to go?

6           A.    We decided that night to flee because there were already snipers  
7   there and so on, and we knew that we would be done away if we stayed,  
8   because there were snipers there so that we had decided that night to  
9   leave, to flee the next morning, around 6.00, Thursday.

10          Q.    Where, where?

11          A.    So I started with my family.  And we found out, following some  
12   kind of our strategy, that it would be best to flee towards the petrol  
13   pump that was in the centre.  And that is what we decided and we crossed  
14   running and there were some 30, 35 citizens with me, behind that petrol  
15   pump but that column which was fleeing with me, we only had the basic  
16   change of underwear.  We did not take any gold or anything, because we've  
17   assumed that --

18          Q.    Sir -- sir, please, I ask you again, short answer, because then I  
19   am -- I am lost, the judges will be lost, just short answer.  Where did  
20   you wanted --

21          A.    Very well.  We headed towards the centre so that we could cross  
22   the bridge to the left bank.  Because that was the shortest way.

23          Q.    And you already said that there were about 30 or 35 of you.  At  
24   any point did you meet any Serb soldiers?

25          A.    We did.  Right behind the petrol pump, there was a large-ish group



1 of Serb soldiers, we did not see them immediately because they were in  
2 trenches because the town had been occupied that night, and at the second  
3 stage of our flight, a Serb soldier who was their commander, spoke to me,  
4 that is he recognised my name, and he stopped me and said, "You mustn't go  
5 anywhere from there because it's too dangerous. There is those other  
6 soldiers there, I mean from Sanski Most, and they will kill you off." And  
7 he directed us in the opposite direction.

8 Q. So as stated in your statement, and in your diary, you -- you were  
9 taken towards Sujinovac; is it correct?

10 A. Yes, it is.

11 Q. And from Sujinovac you were taken to Jasenovac; it's correct?

12 A. Yes.

13 Q. And were you taken from Sujinovac to Jasenovac on a bus? Or did  
14 you walk?

15 A. Some went on foot because it's in the woods and it's about 3 and a  
16 half kilometres from the town, and others were put on buses because the  
17 number of people was growing, and they took us to Jasenovac to put us in  
18 the school there.

19 Q. When you arrived to Jasenovac, how were you treated? And now I'm  
20 talking, when you arrived on buses, when -- before you entered to school  
21 and after you entered the school.

22 A. I'm sorry. First I think we are both making a mistake. It's not  
23 Jasenovac, it's Jasenica.

24 Q. I'm sorry, Jasenica.

25 A. Yes, Jasenica. We got there at around 1400. We got off the bus

1 in a column, in a single file and there was a reception desk at the  
2 junction and they took our names down and then took to us classrooms  
3 accommodating 30 to 35 citizens.

4 Q. At any point, after your arrival to Jasenica, were you harassed or  
5 everything was in order?

6 A. As we were getting off the buses, because there was always --  
7 there were always patrols of two escorting us everywhere and there was the  
8 reaction of citizens from children to the elderly, that is, they called us  
9 balija, they insulted us, swore at us, so those were this minor harassment  
10 and when we were moved to the classrooms then we were already protected  
11 from those soldiers by those who were in the corridors guarding us.

12 Q. When were you in these class rooms, did any officials came to see  
13 you?

14 A. Yes.

15 Q. Who was it?

16 A. In those classrooms, a threesome came to that classroom and we  
17 found out afterwards that they were kind of a court. It was Vojvoda Mitar  
18 Ciganovic, who was wearing an army uniform, and with him, the second one  
19 was Drljaca.

20 Q. Do you remember his first name?

21 A. Just a moment. Mladen Drljaca, Mladen, Mladja. He was the SDS  
22 secretary and had law -- a law degree. And the third one was Priest  
23 Ilija.

24 Q. And what did they tell you?

25 A. Priest Ilija addressed us first and he asked us if we were hungry,

1 and on behalf of the group I said, since I knew him personally, I said,  
2 "Mr. Ilic" - that is what I said - "yes, we are hungry" and they promised  
3 to prepare some food for us because we had passed two days without eating  
4 anything.

5 Q. At any time during these three men were present, was your status  
6 discussed?

7 A. Yes. After Priest Ilija, Mr. Mladjo as a lawyer addressed us and  
8 said that we should not be afraid, that we were in the shape of prisoners,  
9 but as refugees, as citizens, because we had not been captured with any  
10 weapons and he said that was a mitigating circumstance and that that we  
11 would be therefore accorded our own status in Jasenica. But shortly after  
12 that, Vojvoda Mitar Ciganovic addressed us and he said that we had to  
13 elect a body which would represent us in discussions with them, to elect a  
14 three-member body and that higher level they would discuss what would  
15 happen next, and that the rest should wait in the classroom. So we had in  
16 the beginning this lowest level of civilian prisoners.

17 Q. You said this lower level of civilian prisoners. Were you allowed  
18 to move after this discussion, were you allowed to move to another  
19 village? Or were you ordered to stay in Jasenica?

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 Q. Sir, please?

25 JUDGE AGIUS: Yes. We need -- thank you, Judge Janu [Microphone

1 not activated].

2 THE INTERPRETER: Microphone for the Presiding Judge, please.

3 JUDGE AGIUS: Yes, we need to redact this entire paragraph. Then  
4 we proceed going into private session. Please repeat your question or I  
5 will direct the witness myself to answer the same -- make the same  
6 statement but in private session.

7 [Private session]

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

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15 (Redacted)

16 (Redacted)

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22 (Redacted)

23 [Open session]

24 MS. RICHTEROVA:

25 Q. Sir, were you allowed to go to another village? Your answer yes

1 or no.

2 A. Yes. They allowed it. It was their decision, which village. So  
3 that there were two or three options. We couldn't adopt any -- you'd  
4 better kill us. That was the kind of talks that we conducted. So they  
5 chose the village of Arapusa.

6 Q. I'm sorry, the translation is very confusing. We couldn't adopt  
7 any -- you would better kill us. So I do not understand. Was there any  
8 place you didn't want to go? Or what is the reference to?

9 A. Yes. The first thing they offered was the school at Benkovac,  
10 because I knew that place, and as a negotiator, I most emphatically gave  
11 this up and I said, "You better kill us than send us there because it's an  
12 unprotected place." And then they said they'd look into another option  
13 and then the recommendation came for the Arapusa neighbourhood community.

14 Q. Sir, you were allowed to go to Arapusa. Do you know whether  
15 anybody from Bosniaks stayed behind, stayed in Jasenica school?

16 A. Yes. At that time, there was another group and they were  
17 higher-ranking prisoners of sorts, about 22 of them.

18 Q. Thank you.

19 A. Who --

20 Q. That was my question. In Arapusa, from your statement and your  
21 diary, it's obvious that you stayed there from 24 until 1st of May, when  
22 you were ordered to move to another place; is it correct?

23 A. Yes. That's right.

24 Q. During these several days, you stated in your statement that some  
25 paramilitary group came to this village; is it correct?

1 A. It is. They were eagles, white.

2 Q. What did they wear? What kind of uniform did they wear?

3 A. They were that seven strong group which attacked the three of us  
4 in a car, they were wearing army uniforms and they looked like winter  
5 uniforms, grey, and they had the so-called stepas, caps, with a big, white  
6 eagle. As for weapons, they had knives in boots and three or four  
7 grenades.

8 JUDGE AGIUS: Sir, you were asked about the uniform, that's it.

9 MS. RICHTEROVA:

10 Q. And sir, these White Eagles, did they come to your village? And  
11 how did -- yes or no?

12 A. Yes, yes.

13 Q. And how did they treat the people in the village of Arapusa? And  
14 very briefly what happened?

15 A. They entered in that car and we went to seek medical aid, the  
16 three of them, because we were not allowed to move around Arapusa without  
17 permit, and we were moving towards the police station when they came up.

18 Q. Sir --

19 A. The White Eagles.

20 Q. I only want to know what happened. Did they harass anyone?

21 A. Yes. No sooner did they enter Arapusa then they attacked two or  
22 three houses and they injured two old women and they looted. When they  
23 fetched up next to us they surrounded us and they demanded money from us.  
24 Then since they found nothing on us, then they beat us with rifle butts  
25 and went on to the next houses and there a murder was committed. A woman

1 was killed then.

2 Q. In your statement and in your diary, you describe how Jasminka  
3 Causevic was killed?

4 JUDGE AGIUS: I have here --

5 THE WITNESS: [Interpretation] Yes.

6 MS. RICHTEROVA:

7 Q. What was the name of the person? Because we have two names in  
8 your two statements, so could you please clarify the name of the person?

9 A. Jasminka Causevic. That is her real surname.

10 JUDGE AGIUS: Let me interrupt you for a moment, Madam Richterova,  
11 because I think in all fairness this needs to be clarified. In your -- in  
12 one of your statements, the one of the 27th of August --

13 MS. RICHTEROVA: If I may, Your Honour, I will explain to you.  
14 This name was corrected in the second statement.

15 JUDGE AGIUS: No, no. I'm not worried about that, the name of the  
16 woman that was killed allegedly. In this statement, you say -- you don't  
17 mention just one paramilitary group. You mention others. You mentioned  
18 the White Eagles, you mention the Red Berets and you also mentioned  
19 Seselj's men. What I want to know from you is, do you stand by your  
20 statement that these three paramilitary groups were present in this  
21 village at the same time or not?

22 THE WITNESS: [Interpretation] No. Not at the same time. They  
23 came in groups on different days during those seven days.

24 JUDGE AGIUS: All right.

25 THE WITNESS: [Interpretation] The first ones that came from the

1 White Eagles.

2 JUDGE AGIUS: And when this woman was killed, Jasminka, who  
3 according to you would be responsible out of these paramilitary groups?  
4 The White Eagles, the Red Berets or Seselj's men?

5 THE WITNESS: [Interpretation] The White Eagles, who had beaten us  
6 before that, and as soon as they left us lying on the ground, they rushed  
7 into that house. That wasn't far from us, only ten metres, or so. And  
8 they dashed into it and there were three individuals and then with an  
9 automatic rifle, one could hear loud fire. They used that automatic rifle  
10 to kill Jasminka. That other woman and the man were not killed. She was  
11 the only one.

12 JUDGE AGIUS: With regard to the Red Berets and Seselj's men, do  
13 you recall any activities by these paramilitary groups which could be of  
14 importance to us? While you were there, obviously.

15 THE WITNESS: [Interpretation] They were organising actions aimed  
16 at Bosanska Krupa. That is operations that had to do with the liberation,  
17 as they put it, of Bosanska Otoka and between 2.00 and 3.00 at night, two  
18 buses came --

19 JUDGE AGIUS: Did you see them ill treat, maltreat anyone.

20 THE WITNESS: [Interpretation] We didn't because they were merely  
21 passing through, they got drinks from us.

22 JUDGE AGIUS: That clarifies the matter. Thank you.

23 MS. RICHTEROVA:

24 Q. Sir, while you were in Arapusa, could you freely moved or were you  
25 ordered by authorities to stay in the village?



1           A.    There was a kind of a protocol, and yes, they gave it to us, since  
2           there were two guards in the village, Gornji and Donji Petrovic, then they  
3           told us that we could not walk in twos, that only those who were  
4           representatives of village could get out and go into the town to talk with  
5           the relevant commander, that is policemen.

6           Q.    I intentionally used only word authorities.  Who were these  
7           authorities?

8           A.    The Serb authorities, of course.  Their chief staff, and their  
9           headquarters was in Jasenica, in Arapusa was only the police, and some  
10          troops.

11          Q.    And on 1st of May, you move to Sanski Most; is it correct?

12          A.    It is.

13                JUDGE AGIUS:  Let's move straight away to his knowledge, what he  
14          could tell us about the accused.  I think that's the substance of his  
15          testimony basically.

16                MS. RICHTEROVA:

17          Q.    Sir, I intended to show you some documents but these documents are  
18          straightforward and, as you pointed out yesterday, you will read all the  
19          exhibits, so I don't need to tender them through this witness.

20                Sir, can you tell us whether you know Radoslav Brdjanin?

21          A.    Yes.  I know Mr. Radoslav Brdjanin rather superficially.  We were  
22          not close.  But we -- there was an occasion when we were introduced to  
23          each other directly.

24                JUDGE AGIUS:  By whom?  By whom?

25                MS. RICHTEROVA:

1 Q. When and by whom?

2 A. Mr. Klickovic introduced us in Banja Luka at a time of a match we  
3 were playing there and we were in the Intercontinental Hotel. We were  
4 playing a match and the delegation which came with Mr. Klickovic,  
5 Mr. Brdjanin was one of them.

6 Q. When was it?

7 A. It was in the autumn of 1991. Roughly. I mean, I can't remember  
8 exactly. But it had to be Saturday or Sunday because that's where matches  
9 were played.

10 Q. In 1992, during the year 1992, did you see him again, maybe on  
11 television? Did you attend any rallies, which he would attend?

12 A. At that rally, Mr. Brdjanin was portrayed as an entrepreneur, as a  
13 good head of family, and that we can talk to him when it came to  
14 cooperation with -- between our two teams. When -- once I was deported,  
15 when I came to Sanski Most, I saw Mr. Brdjanin twice on TV.

16 Q. And can you tell us now very briefly what you remember you saw on  
17 TV with respect to Mr. Brdjanin?

18 A. It was some sort of a public rally and Mr. Brdjanin was addressing  
19 the people and talking about the situation in Banja Luka. The impression  
20 that I got from that speech was different. We were watching this rally on  
21 TV, and he was very extremist in his appearance, very much against  
22 Muslims, against neighbours, and he said that Serbs should not be  
23 influenced by anybody and that they shouldn't lose. Why, he said, because  
24 they can always be stabbed in the back by Muslims in Banja Luka and in  
25 other places. The picture that I had of him before was something totally

1 different. So I was very much disappointed and very much surprised with  
2 what I heard him saying on TV that second time around.

3 JUDGE AGIUS: All right. You mentioned two times you saw him on  
4 television, no? And was it the same thing, same story, on both occasions  
5 or was this only on one of these TV transmissions?

6 THE WITNESS: [Interpretation] That was the first time. And the  
7 second time I saw him as participating in a meeting.

8 JUDGE AGIUS: Let's go to the second now.

9 THE WITNESS: [Interpretation] The second time I saw him, he also  
10 addressed the people who were there and he talked about the attitude that  
11 should be adopted towards Muslims and citizens of Banja Luka in general.  
12 Again, he used very strong words and the attitude again was the same. He  
13 stressed the same things. He said that Muslims could not stay in Banja  
14 Luka, that their safety and security should be dealt with in other ways,  
15 primarily by moving them out. And this meeting was a meeting of -- not  
16 many people. And I saw that on Serbian TV. So this was soon after, a few  
17 days after. I was in Sanski Most for 12 days. So these two appearances  
18 came within a short period of time.

19 JUDGE AGIUS: All right. I think we can break here.  
20 Mr. Cunningham, how -- do you think you will need the entire last session  
21 for your cross-examination?

22 MR. CUNNINGHAM: Yes, I do, Your Honour.

23 JUDGE AGIUS: So we will resume in 20 minutes' time if that is --

24 MS. RICHTEROVA: I would really appreciate if we could finish this  
25 witness today because.

1           JUDGE AGIUS: Yes, I'm go to impress on Mr. Cunningham the need to  
2 finish this witness today but that would mean you stopping basically here.  
3 I mean I think there is enough material -- in fact, I don't think we need  
4 to go any further than what we have already and we can start with the  
5 cross-examination. That's unless -- I don't want to stop you,  
6 Ms. Richterova, if you do have some important additional questions that  
7 you would like to put, do tell me and I'm sure that we can find some  
8 cooperation from Mr. Cunningham too.

9           MS. RICHTEROVA: He will tell you right after the break.

10          JUDGE AGIUS: All right. Thank you.

11                                 --- Recess taken at 12.36 p.m.

12                                 --- On resuming at 1.04 p.m.

13          JUDGE AGIUS: Yes, Madam Richterova?

14          MS. RICHTEROVA: Your Honour, I have only one document which I  
15 want to show the witness.

16          Q. You have a document in front of you, it is P2094. And --

17          JUDGE AGIUS: Yes, we have that, I think, no?

18          MS. RICHTEROVA: Yes, you have it.

19          JUDGE AGIUS: Yes, yes, yes.

20          MS. RICHTEROVA: Can we go to private session, please?

21          JUDGE AGIUS: Yes, let's go to private session, please.

22                                 [Private session]

23          (Redacted)

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12 Page 17555 - redacted - private session.

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9 (Redacted)

10 [Open session]

11 JUDGE AGIUS: You are now going to be cross-examined by  
12 Mr. Cunningham. Please make sure that you answer each question that he  
13 puts to you as fully and as truthfully as you can just as you did with the  
14 questions coming from the Prosecution.

15 Can I count on you, Mr. Cunningham, that we will concentrate on  
16 what is important and finish by quarter to 2.00?

17 MR. CUNNINGHAM: I will concentrate on what is important, as to  
18 whether we will finish by quarter to 2.00, I can't guarantee that to the  
19 Court but I'll do my best and I certainly don't have any problem if I'm  
20 close to the end I'll inform the Court and if it's suitable with your  
21 staff and the interpreters to work a little late.

22 JUDGE AGIUS: No one likes that.

23 MR. CUNNINGHAM: I'm the leader of that group, believe me.

24 JUDGE AGIUS: Well, let's get it over. Go ahead.

25 Cross-examined by Mr. Cunningham:

1 Q. Mr. Witness, I want to make sure that you have access to the  
2 statements that you have provided to the Prosecution. Are those -- I'd  
3 ask the Prosecutor whether those statements are available to this witness?  
4 The statements I'm talking about are his statement to the AID 26 August,  
5 1992, his diary, his first statement to the OTP on 27 August, 1999, the  
6 second statement to the OTP, 13 February, 2001.

7 Sir, before you testified today, at any time before your trial --  
8 this trial, did you have an opportunity to review each and every one of  
9 those statements that you made?

10 A. Yes, I did.

11 Q. Okay. Remembering His Honour's statements to you about answering  
12 the questions concisely, I'm going to ask you questions that call for yes  
13 or no answers and try to do that as best as you can. The first statement  
14 I'm going to talk to you about is your statement that you made to AID 26  
15 August, 1992. You have that statement in front of you and you have  
16 reviewed it according to your prior testimony; correct?

17 A. Yes.

18 Q. Would you agree with me, sir, there is absolutely nothing in that  
19 statement about Mr. Brdjanin?

20 A. Yes. I would agree with you.

21 Q. You have provided the OTP with a 72-page diary that recounts the  
22 events in April of 1992. You have read that; correct?

23 A. Yes, correct.

24 Q. There is no mention of the defendant in that statement that you  
25 wrote?

1 A. No, there isn't.

2 Q. The very first statement that you provided to the Office of the  
3 Prosecutor was on 27 August, 1999; correct?

4 A. Yes.

5 Q. And in that statement, there is absolutely no mention of the  
6 defendant again; correct?

7 A. You're talking about?

8 Q. The statement of --

9 A. Didn't understand you, I'm sorry.

10 Q. Okay. Find your statement dated 27 August, 1999.

11 A. Yes, now I have it.

12 Q. That is a statement you've read and you would agree with me,  
13 wouldn't you, sir, that it's only in -- even in this statement there is no  
14 mention of the defendant; correct?

15 A. Correct. There isn't any.

16 Q. Okay. It is on 13 February, 2001, only after the defendant is  
17 indicted that you introduce him into your statements; correct?

18 A. Correct.

19 Q. And in that statement, you say that you met him -- actually you  
20 say that you saw him at a sporting event; correct?

21 A. Yes.

22 Q. Now, you met with Ms. Richterova, the Prosecutor, before your  
23 testimony and provided her with additional information about the  
24 defendant; correct?

25 A. When it comes to this statement and introduction of this



1 gentleman, that was part of the procedure of drafting this new statement.  
2 That's when I introduced this meeting between Mr. Brdjanin and  
3 Mr. Klickovic and that's the way I extended my statement. I spoke about  
4 the way we met. I was actually surprised when I heard that I might appear  
5 here as a witness for the Prosecution against Mr. Brdjanin, given the fact  
6 that my knowledge of him was rather superficial.

7 Q. You had absolutely no idea that you were coming to testify in his  
8 trial?

9 A. At that time, I didn't know that I would appear as a witness  
10 because the whole procedure, the whole process, started in 1992 when I  
11 gave my first statement and it lasted up to now, up to the time when I  
12 arrived here in The Hague.

13 Q. When you come to The Hague, all of a sudden, you have new  
14 information about the defendant, and that new information is not only did  
15 you see him at a sporting event but you were introduced to him.

16 A. Yes. That's exactly what I said. It took place at the  
17 International Hotel when we played that game. I don't remember.

18 Q. I'm going to stop you there because I don't have much time and I  
19 know you would like to get home for the weekend. Here is my point: How  
20 is it that you remember this stuff and bring up this new information about  
21 a personal meeting the day before trial?

22 JUDGE AGIUS: What do you mean? One moment. He spoke about the  
23 meeting he had with Radoslav Brdjanin when he was introduced by Klickovic  
24 in his statement of the 13th February of 2001.

25 MR. CUNNINGHAM: I believe he said that he saw him at a sporting

1 event. There was nothing about a personal introduction in there.

2 THE WITNESS: [Interpretation] No.

3 MR. CUNNINGHAM: I think he just confirmed that.

4 JUDGE AGIUS: Yes, you are right. So when did you confirm the  
5 first time to the Prosecution that you actually was -- you had Brdjanin  
6 introduced to you or you were introduced to Brdjanin?

7 THE WITNESS: [Interpretation] At the International Hotel when we  
8 were having lunch, as a team, as a group of athletes.

9 JUDGE AGIUS: Between 13th February, 2001, and when you arrived  
10 here in The Hague to give testimony, did you have any contacts of any  
11 manner with the Prosecution, particularly with regard to your testimony or  
12 with regard to testifying in this case?

13 THE WITNESS: [Interpretation] After the 13th February, 2001, I'm  
14 afraid I have not understood you properly.

15 JUDGE AGIUS: Were you -- after you made the statement of the 13th  
16 February, 2001, were you in contact with the Office of the Prosecutor  
17 regarding the -- your coming over here to give evidence?

18 THE WITNESS: [Interpretation] Yes.

19 JUDGE AGIUS: When was that? When did you learn that you were  
20 coming over here to give evidence?

21 THE WITNESS: [Interpretation] I learned that last month.

22 JUDGE AGIUS: Last month. And were you told in which trial you  
23 would be testifying?

24 THE WITNESS: [Interpretation] Yes. This one.

25 JUDGE AGIUS: Yes. And when you arrived here and you were briefed

1 by, interviewed by, again by the officer from the office of the  
2 Prosecution, you made this additional statement about Radoslav Brdjanin  
3 being introduced to you by Klickovic sometime in 1991.

4 THE WITNESS: [Interpretation] Yes.

5 JUDGE AGIUS: Did you make this statement arising out of a  
6 specific question or was it just your spontaneous contribution?

7 THE WITNESS: [Interpretation] I gave that statement in a  
8 conversation, when I was asked whether I knew Mr. Brdjanin and that's when  
9 I gave the statement the way I did, and I said that I knew him  
10 superficially, that I had a meeting with him, that I was introduced to  
11 him, and that I was disappointed when I saw him again on TV in Sanski  
12 Most.

13 JUDGE AGIUS: All right. And the obvious question that has been  
14 put to you is: Why, when -- why, when you were interviewed on the 13th  
15 February, 2001, you did not mention to the Prosecution that you had  
16 actually met Radoslav Brdjanin? Why did you just say that you had seen  
17 him, that you knew that he was a friend of Klickovic, without mentioning  
18 that you had actually been introduced to him by Klickovic himself? Why  
19 did you omit to mention that in the course of your 13 February, 2001  
20 statement?

21 THE WITNESS: [Interpretation] I don't know. It must have been  
22 spontaneously. That's the way the conversation was conducted. Nobody  
23 asked me to provide them with any details. I just spoke the way I did.  
24 It was a superficial question and it called for a superficial answer, and  
25 that's exactly what I gave.

1 JUDGE AGIUS: The Chamber is satisfied with his reply,  
2 Mr. Cunningham, you may proceed.

3 MR. CUNNINGHAM: Thank you, Your Honour.

4 Q. In a document handed to me today by the Prosecutor entitled  
5 supplemental information sheet, this is what the Prosecutor told me as a  
6 result of her meeting with you. She says that the witness states that  
7 Gojko Klickovic introduced the defendant to the witness during a sporting  
8 event in 1991 and it was in Bosanska Krupa. That's what the information  
9 provided me by the Prosecutor says. Here is my question: In your  
10 testimony today, you say that you met him in Banja Luka. Had you seen him  
11 in Bosanska Krupa?

12 A. Yes. I saw him in Bosanska Krupa and that is the first time I saw  
13 him. But as I was a student in Banja Luka, we often played games there  
14 and I would see him there amongst his associates. The two of us both had  
15 a large circle of friends and that's how I sort of knew him by sight. I  
16 knew him superficially but never was introduced to him before that.

17 Q. I'll stop you there. Remember I don't have much time and you want  
18 to go home so answer the question as best as you can. You told us, yes or  
19 no, you've seen him in Bosanska Krupa. When? What year?

20 A. I believe that this was in 1990. There was a, again, a game and  
21 it was played at the stadium in Bosanska Krupa.

22 JUDGE AGIUS: That's all.

23 MR. CUNNINGHAM:

24 Q. I'm going to ask you if you know Esad Velic and his brother. Do  
25 you know who they are?

1 JUDGE AGIUS: Esad Velic?

2 THE WITNESS: [Interpretation] I know both of them.

3 MR. CUNNINGHAM:

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 JUDGE AGIUS: No, it still doesn't work. Let's redact this.

8 MR. CUNNINGHAM: I apologise, Your Honour I was doing my best.

9 JUDGE AGIUS: Let's go into private session for a while.

10 [Private session]

11 (Redacted)

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22 [Open session]

23 THE WITNESS: [Interpretation] I can answer.

24 MR. CUNNINGHAM:

25 Q. I believe you can go ahead and answer now?

1           A.    Thank you.  As to why they didn't see him, it has to do with a  
2   specific nature of our meeting.  Gojko Klickovic was my associate in the  
3   same team.  He was the vice-president of that team and (Redacted)  
4   (Redacted)

5           JUDGE AGIUS:  Witness --

6           THE WITNESS:  [Interpretation]  Whenever we played those matches,  
7   these two persons never attended any of those matches.

8           JUDGE AGIUS:  Full stop.  That's your explanation.  Try to answer  
9   the question.  We are not interested on who Gojko Klickovic was, whether  
10  he was your associate.

11          JUDGE JANU:  Judge, this is very important for me.  I would ask  
12  those questions about those matches in my questions so I think it's better  
13  to ask it now.  I think it's important.

14          JUDGE AGIUS:  Please proceed, Mr. Cunningham.  And we are in open  
15  session so no names of protected witnesses.

16          MR. CUNNINGHAM:

17          Q.    I want to talk to you now about an organisation that you've talked  
18  about in your statements that were introduced and it's called the club of  
19  intellectuals and I take it that one of the things that the club did was  
20  to discuss the political events of the day in Bosanska Krupa.  My question  
21  is:  Is that right?  Did you talk about the political events in your  
22  municipality?

23          A.    Yes, sometime.

24          Q.    And in the course of your dealings at the club of intellectuals,  
25  you had dealings with Mr. Klickovic that we have talked about; correct?

1 A. Correct.

2 Q. And another individual by the name of Vjestica and I'm apologising  
3 for my pronunciation.

4 A. Yes, yes.

5 Q. Okay. Now, during the time that you were in the club of  
6 intellectuals and a resident of your municipality, you had the opportunity  
7 to have many dealings first of all with Mr. Klickovic; correct?

8 A. Only in the field of athletics, not in any other field.

9 Q. Isn't it true that you attended meetings where Mr. Klickovic was  
10 representing the SDS in April of 1991?

11 A. Yes. This was a joint meeting in the hotel with citizens.

12 Q. Okay. And also, Mr. Vjestica was present at this joint meeting  
13 with the citizens there; correct?

14 A. Yes.

15 Q. And the purpose for those meetings, this meeting, was to try to  
16 avert a conflict in your municipality; correct?

17 A. Yes.

18 Q. And at this meeting, the two people who were representing the SDS,  
19 Mr. Klickovic and Mr. Vjestica, made certain representations to the crowd  
20 about their connections?

21 A. That's right.

22 Q. Okay. Mr. Klickovic -- let me back up. At the meeting, you told  
23 us in the statement that the SDS made guarantees that the political  
24 matters would be handled by high-ranking officials in Sarajevo and  
25 Bosanska Krupa would not be affected by aggressive acts. Did they say



1 that?

2 A. They did.

3 Q. At this meeting, Vjestica said that he would influence the top;  
4 correct?

5 A. Correct.

6 Q. And I believe it was at a meeting on April 18 where Klickovic and  
7 others said that they had political connections that they could use to  
8 prevent an attack on your municipality; correct?

9 A. Correct. Adding that Krupa would be the last one if a war  
10 started.

11 Q. And you wanted to believe them when they -- believe Klickovic and  
12 Vjestica when they made these representations to you; correct?

13 A. I did, because that was a promise given to us and the people.

14 Q. So they led to you believe they had political connections that  
15 could avoid conflict; right?

16 A. Right.

17 Q. And they told you this even, I believe, up to the day before or  
18 the day of the attack; correct?

19 A. They said it then and the attack ensued three days later.

20 Q. And you felt totally betrayed by what they told you; correct?

21 A. Why, of course, because we had been deceived.

22 Q. Okay. Now, did you ever think that in addition to deceiving you  
23 about there would be no attack, did you ever think that he was deceiving  
24 you about their supposed connections with people at the top?

25 A. No. Because we believed that they really had connections at the

1 top, because previous visits of the Serb top-most authorities -- of the  
2 Serb top-most authorities to Bosanska Krupa had already taken place.

3 Q. I'll stop you there. You believed that -- you believed them when  
4 they said that conflict was avoided; right? That conflict could be  
5 avoided; right?

6 A. Yes.

7 Q. That turned out to be a lie.

8 A. It did.

9 Q. Okay. I want to talk with you about various statements that you  
10 made in your statement to the OTP that is in evidence and that's the  
11 statement February 13th, 2001. I invite you to have that statement ready  
12 in case you need to look at it. One of the things that you talk about is  
13 you make a statement in there and I apologise, I don't have the exact page  
14 number, but you're talking about either Klickovic or Vjestica having a  
15 connection with Karadzic. Do you remember making a statement like that?

16 JUDGE AGIUS: I will read out to him the relative parts because  
17 that's how we do it usually. I am reading from your own statement, sir.  
18 As mentioned earlier, Vjestica said he would influence the top, without  
19 naming anyone, and try to arrange something so that Bosanska Krupa would  
20 be the last attacked. Three days later, Bosanska Krupa was attacked which  
21 in my opinion is betrayal. It became obvious after the events the person  
22 he was supposed to try and influence was Radovan Karadzic. Then you  
23 continue saying, "I know that Banja Luka had to have an influence in these  
24 decisions."

25 MR. CUNNINGHAM:

1 Q. Here is -- when you're done reading that, let me know. Here is my  
2 question: You make a conclusion that the person he was supposed to try  
3 and influence was Karadzic. Do you have any real evidence, any documents,  
4 any proof, other than your conclusion, about this connection?

5 A. Well, we thought it was logical because we knew that Karadzic was  
6 on that top but before that, Mrs. Plavsic visited Bosanska Krupa too.

7 Q. My question was very simple. Do you have any documents, any  
8 physical evidence, to show this connection from your municipality to  
9 Karadzic?

10 A. No, no. I don't have that, no.

11 Q. At the same part of that statement you also say Banja Luka had to  
12 have an influence over these events and His Honour read that to you and I  
13 want to ask you questions about that statement. Are you aware of any  
14 documents that the Prosecutor has or that anyone in Bosanska Krupa that  
15 shows the defendant giving an order to Vjestica or Klickovic to do any of  
16 the things that they were responsible in your municipality? Do you have  
17 any documents like that or aware of any documents like that?

18 A. I personally, as a witness, do not have such documents and I'm not  
19 abreast of this.

20 Q. In your statement, and you say Vjestica and Klickovic cooperated  
21 closely with Pale and Banja Luka. You remember making that statement?

22 A. Yes.

23 Q. Do you think the two men that I just talked about, Vjestica and  
24 Klickovic, do you think on their own that they were capable of doing the  
25 things that happened in your municipality?

1           A.    At the time when we used to live together, I wouldn't have  
2   believed that they would be up to anything like that. I mean prior to the  
3   attack.

4           JUDGE AGIUS: I don't think he has understood your question,  
5   Mr. Cunningham.

6           MR. CUNNINGHAM: If the Court wishes to rephrase it otherwise I'll  
7   be glad to give it a try.

8           JUDGE AGIUS: Are you happy with his answer? I don't think he  
9   answered your question.

10          MR. CUNNINGHAM: I don't think he did either.

11          JUDGE AGIUS: Sir, look at me. It's not your fault. It's -- I  
12   realise that after three hours sitting there or I don't know how long, it  
13   becomes tiring for everyone. We are talking of the events not when you  
14   were living together in harmony but when things went wrong. And  
15   Mr. Cunningham wants to know Mr. Klickovic and Mr. Vjestica all of a  
16   sudden they took certain decisions and took certain attitudes and took  
17   certain actions. His question is: Do you believe that they had enough or  
18   sufficient power to be able to do that on their own or were they being  
19   orchestrated or directed by others? In other words, that they did not  
20   have a free hand, they had to do what others told them to do?

21          THE WITNESS: [Interpretation] In the first part, the arrests, one  
22   could feel that they were waiting to get something from somebody. I mean,  
23   and I'm talking about the fate of one -- of 1200 of us prisoners there  
24   prior to the deportation. But on the other hand, they did play the main  
25   role in all the events that took place in Bosanska Krupa. There is no

1 doubt about that. And I also can give you an example.

2 JUDGE AGIUS: Yes. Go ahead.

3 THE WITNESS: [Interpretation] May I?

4 JUDGE AGIUS: Yes, yes, yes, go ahead.

5 THE WITNESS: [Interpretation] On the 30th of April, when we were  
6 to be deported to Agici and then that sudden change to send us to Sanski  
7 Most, I was allowed by them to go to Jasenica as a delegation from the  
8 Arapusa camp (Redacted)

9 (Redacted) So that our discussion when we  
10 went to him was more or less at that level so I asked him why was I  
11 captured, and at the end, (Redacted)

12 (Redacted) and so on and so forth and I'm also a blood donor and  
13 14 -- before that I donated my blood to a Serb to save him. So I told  
14 him, "After all that why have I been arrested?" And he said, (Redacted) this  
15 was a -- this was a mistake because we -- I am a Serb, you're a Muslim and  
16 we are enemies."

17 JUDGE AGIUS: There are -- I understand this is Klickovic, no?

18 THE WITNESS: [Interpretation] No, Vjestica, yes.

19 JUDGE AGIUS: We need to redact from several parts, if you print  
20 his answer entirely I will indicate to you which parts need to be  
21 redacted. Again you were not careful. You mentioned your name, you  
22 mentioned who was your neighbour. Any way, Mr. Cunningham.

23 MR. CUNNINGHAM: Thank you, Your Honour.

24 Q. I'm going to talk to you and I'm not doing this to confuse you.  
25 There is an area I want to talk to you about and that involves another

1 portion of the events prior to the assault and that has to do with whether  
2 or not the local Muslims were armed. The defence of the city was offered  
3 by the police and the reserve police; am I correct?

4 A. You are.

5 Q. And there were Bosniak citizens who assisted in that defence;  
6 correct?

7 A. Correct.

8 Q. And at the time of the assault, you were a member of the club of  
9 intellectuals; correct?

10 A. Yes, yes.

11 MR. CUNNINGHAM: I'd like to have the witness, with the help of  
12 the usher, see defendant Brdjanin's Exhibits 142A and B. I've given  
13 Ms. Chuqing copies.

14 JUDGE AGIUS: Yes.

15 MR. CUNNINGHAM: If you could give a copy to the Prosecution?  
16 There is a set.

17 JUDGE AGIUS: Do you have a copy of it as yet?

18 MR. CUNNINGHAM: I'm tendering it now, Your Honour.

19 JUDGE AGIUS: Right. This will be tendered and accepted under  
20 seal.

21 MR. CUNNINGHAM: Yes. Yes, Your Honour.

22 JUDGE AGIUS: And if we are going to mention names, let's go into  
23 private session.

24 [Private session]

25 (Redacted)

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Page 17573 - redacted - private session.

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6 [Open session]

7 JUDGE AGIUS: You direct me Mr. Cunningham if we need to go into  
8 private.

9 MR. CUNNINGHAM: Judge, in private session, please, as a matter of  
10 caution because I'm going to question him about a written statement.

11 JUDGE AGIUS: Okay. So let's go again to private session.

12 [Private session]

13 (Redacted)

14 (Redacted)

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16 (Redacted)

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12 Page 17575 - redacted - private session.

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13 (Redacted)

14 [Open session]

15 MR. CUNNINGHAM:

16 Q. My question is do you remember telling us about that? Do you  
17 remember, roughly speaking, what month and what year that was?

18 A. It was roughly between the 3rd and the 7th, thereabouts, but  
19 before Kozarac, before the attack on Kozarac. It is then that I remember  
20 Mr. Brdjanin speaking on television, because we were already in a basement  
21 watching television.

22 Q. The 3rd and the 7th of what month, sir?

23 A. May, May.

24 Q. And what town or municipality were you in?

25 A. In Naprelje which is Sanski Most, in the village of Naprelje.

1 Q. I promise this is the last area. The second time you saw him on  
2 TV you said that I believe it was at a rally of some sort. Do you know  
3 where the rally was?

4 A. No. I can't recall but it was on television again, and he was at  
5 that particular moment, when we were watching, I recognised him and that  
6 is how we reacted to it.

7 Q. What municipality were you in?

8 A. Sanski Most was the municipality and the village was Naprelje.

9 Q. And what month was it?

10 A. That was May again, sometime between the 14th and the 19th of May.

11 MR. CUNNINGHAM: May I have just a moment, judge and I think I'm  
12 done and I think I took less than ten minutes.

13 JUDGE AGIUS: You did.

14 MR. CUNNINGHAM: Judge, I have no additional questions.

15 JUDGE AGIUS: Thank you. Is there re-examination?

16 MS. RICHTEROVA: No there is no re-examination.

17 JUDGE AGIUS: Thank you. And there are no questions from our side  
18 as well. I wish to take this opportunity to thank you, sir, for having  
19 come over to give testimony in this case. I thank you in my own name and  
20 I also thank you on behalf of Judge Janu and Judge Taya who sit with me in  
21 this case. You will now be escorted out of the courtroom by the usher and  
22 given all the assistance you require to enable you to return home. And on  
23 behalf of everyone in this courtroom, I wish you a safe journey back home,  
24 thank you.

25 Before we adjourn, two things. Mr. Cunningham, if you could

1 impress on Mr. Ackerman the need to have the responses ready by Monday if  
2 possible on those 92 bis, remaining 92 bis --

3 MR. CUNNINGHAM: [Microphone not activated]

4 JUDGE AGIUS: He's working on them?

5 MR. CUNNINGHAM: No, I'm working on them.

6 JUDGE AGIUS: Okay. So thank you. And last thing is I should  
7 like to publicly thank the interpreters, the technicians and everyone  
8 present in this courtroom, mentioned or unmentioned, I'm probably not  
9 aware of everyone. Thank you so much for your indulgence and for your  
10 cooperation which made it possible for this gentleman to be able to return  
11 home to his family this weekend and not next week. Thank you.

12 [The witness withdrew]

13 --- Whereupon the hearing adjourned at  
14 1.57 p.m., to be reconvened on Monday,  
15 the 16th day of June, 2003, at 9.00 a.m.

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