



United Nations
Nations Unies



International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yugoslavie

7.163

02108531

*ATTESTATION BY THE PRESIDING OFFICER PURSUANT TO
RULE 92 BIS(B)*

I, Krystal K. Thompson, Presiding Officer appointed by the Registrar of the International Criminal Tribunal for the Former Yugoslavia on 07.09.01 pursuant to Rule 92 bis of the Rules of Procedure and Evidence, with the assistance of a certified interpreter, certify;
that on 12.09.01 in [REDACTED] the following person appeared:

Surname, First Name: DŽAFERAGIĆ, Dževad
Date and Place of Birth: 24.09.49, Biljani, Ključ Municipality
Identitycard No.: [REDACTED]
Habitual Residence: [REDACTED]

- that in the attached statements dated 05.06.01 and 12.09.01 certified by the undersigned on 12.09.01 the said, DŽAFERAGIĆ, Dževad is identified as his author;
- that DŽAFERAGIĆ, Dževad was provided with a version of the said statements in a language that he understands;
- that DŽAFERAGIĆ, Dževad was informed, in a language that he understands, by the Presiding Officer that if the contents of the written statement are not true to the best of his knowledge and belief then he may be subject to proceeding for giving false testimony;
- that DŽAFERAGIĆ, Dževad was provided with a text of Rule 91 of the Rule of Procedure and Evidence, in a language he understands;
- that DŽAFERAGIĆ, Dževad declared that the content of his written statements are true and correct to the best of his knowledge and belief;
- that no pressure was brought to bear on the witness and that he voluntarily signed the attached declaration dated 12.09.01;



- that the following persons were present during the said declaration:

Krystal K. Thompson – Presiding Officer

Thomas Ackheim – Investigator

Samir Muhamedović – Interpreter

02108532

Done this 12.09.01

[REDACTED]

The Presiding Officer (Signature)

KK Thompson

Presiding
Officer



Rule 92bis

02108533

Prijevod

Original: engleski

MEĐUNARODNI SUD ZA KRIVIČNO GONJENJE OSOBA
ODGOVORNIH ZA TEŠKA KRŠENJA MEĐUNARODNOG PRAVA
POČINJENA NA TERITORJI BIVŠE JUGOSLAVIJE OD 1991.

IZJAVA SVJEDOKA

PODACI O SVJEDOKU:

Prezime: Džaferagić

Ime: Dževad

Ime oca: Daut

Pol: muški

Datum rođenja: 24. 09. 1949.

Mjesto rođenja: Biljani, opština Ključ

Nacionalnost: Bošnjak Vjeroispovijest: muslimanska

Jezik/jezici koje govori: bosanski i njemački

Jezici korišteni u toku razgovora: bosanski i engleski

Trenutno zanimanje: fabrički radnik

Prethodno: bravar

Datum(i) razgovora: 5. juna 2001.

Razgovor(e) vodili: Paul Grady

Prevodilac: Božica Jakovlev

Imena svih osoba prisutnih tokom razgovora: svjedok, Grady, Jakovlev

Potpis: /potpisano/



02108534

Prijevod

IZJAVA SVJEDOKA

Zovem se Dževad Džaferagić, rođen sam 24. septembra 1949. godine u selu Biljani, opština Ključ. Dobrovoljno dajem ovu izjavu Međunarodnom sudu za bivšu Jugoslaviju i spreman sam da svjedočim, ako budem pozvan kao svjedok. Ranije sam dao izjavu organima bosanske policije, u novembru 1996., a dao sam i intervju njemačkoj TV stanici RTL istog dana, ovdje u Bosni. Sada pristajem da se moja izjava otkrije odbrani.

Rođen sam i odrastao u Biljanima i završio sam četiri razreda osnovne škole u Biljanima, a četiri u školi u Sanici. Kasnije, učio sam za bravara. Odslužio sam obavezni vojni rok u JNA od novembra 1969. do aprila 1971. u Prizrenu na Kosovu.

Oženjen sam i imam troje odrasle djece. Mogu vam pružiti mnogo informacija o ratu u Bosni 1992-1995., ali postavljena su mi pitanja konkretno o pokolju u selu Biljani 10. jula 1992.

Tog dana, 10. jula 1992., oko 5:30 ujutro, spavao sam u svojoj kući u Biljanima sa svojom porodicom. Sjećam se da je bio petak, i da je kiša vani pljuštala. Probudio sam se uz zvuke paljbe iz automatskog oružja, veoma jake i duge. Bio sam na prvom spratu i kroz prozor sam vidio konvoj civila, koji su predvodili srpski vojnici. Ocjenjujem da je bilo nekih 50-60 civila, samo muškaraca, starih i mladih. Svi su držali ruke iza glave. Svi su bili u civilnoj odjeći. Srpski vojnici su nosili uniforme bivše JNA i puške. Ocjenjujem da je bilo nekih osam – devet vojnika. Od civila muškaraca koje sam vidio u toj grupi, prepoznao sam sljedeće: Fadila SUBAŠIĆA, Mesuda CRNULIĆA, Savka OMERDŽIĆA, invalida. To su bili ljudi iz sela Jabukovac Polje i Osmanović Naplavak, u opštini Ključ. Sve te ljude su vodili putem iz Ključa prema Sanici. Ocjenjujem da je moja kuća bila udaljena nekih 30 m.

Pored onih osam – devet vojnika koji su pratili tu grupu ljudi, vidio sam njih 4-5 koji su išli ispred tih koji su pratili muškarce. Oni su ulazili u kuće i iz njih izvodili muškarce, i vidio sam da ih tuku. Moja žena se tada već probudila, a moje kćeri su u to vrijeme bile u Hrvatskoj. Izvukao sam se iz kuće, jer sam vidio da prema mojoj kući idu dva vojnika. Pošao sam u pravcu džamije u Biljanima. Uvukao sam se u živicu nekih 15 m od glavnog puta i ostao tamo do 10 sati naveče tog dana. Sa svog mjesta u živici, bio sam nekih 300 m uzbrdo od škole u Biljanima, ali škola mi nije bila na vidiku.

Oko 6:15 ujutro, dok sam bio u živici na nekih 20 m od kuće Vehbije BOTONJIĆA, i njegovog tasta Omera OMANOVIĆA, vidio sam srpskog vojnika Mileta PEŠEVIĆA, koga sam poznavao, kako ih obojicu odvodi. Bila su tu još dvojica ili trojica drugih srpskih vojnika, ali nisam im mogao vidjeti lica. Vojnici su nosili uniforme bivše JNA. Čuo sam Vehbiju BOTONJIĆA, koji je rođen negdje oko 1945. kako kaže Miletu: "Mile, mogu li samo da se vratim u kuću da uzmem svoje insulinske injekcije." Mile PEŠEVIĆ je bio medicinar i odgovorio je: "Dobro, uzmi ih, ali neće ti

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trebati, iskoristićemo ih za našu vojsku." Poznao sam Mileta PEŠEVIĆA, jer je bio moj komšija.

Zatim je jedan vojnik, nekakvom toljagom ili batom, udario Omera OMANOVIĆA po ruci, koju je držao na vrh glave. U drugoj ruci držao je štap kojim se pomagao pri hodu. Omeru OMANOVIĆU bilo je nekih 70-80 godina i kapa francuzica mu je pala na zemlju. Srpski vojnici su ih onda odveli u školu u Biljanima i nikada se nisu vratili. Njihova tijela su ekshumirana i identificirana u jami Lanište I.

Deset minuta kasnije, vidio sam srpskog vojnika Dušana LAZIĆA pred kućom Rifeta AVDIĆA. Poznao sam Dušana LAZIĆA, on je naplaćivao TV pretplatu. Bio je sa drugim srpskim vojnicima. Čuo sam Dušana LAZIĆA i ostale kako od Habe AVDIĆ Rifetove žene, traže gorivo. Čuo sam i da jedan od vojnika traži ključeve traktora njenog muža. Zatim sam vidio da ju je ovaj vojnik udario u lice toljagom. Pala je na zemlju. Znam da su je tukli i nekoliko dana nakon toga, a to mi je ispričala dok smo zajedno bili u izbjegličkom kampu u jednoj drugoj zemlji. Kasnije je umrla od stresa zbog ovih događaja. Zatim sam vidio da su je posuli vodom i ona se osvijestila. Dala im je ključeve i vojnici su se odvezli njenim traktorom. Dok je traktor odlazio, nekih 20 metara dalje, tri kuće koje su pripadale Vehbiji BOTONJIĆU, Hazimu BOTONJIĆU i Fajiku DŽAFERAGIĆU, zapaljene su i gorjele su.

Oko 9:00 ujutro, vidio sam grupu od oko šest žena s djecom kako dolaze iz pravca škole. U ovoj grupi prepoznao sam: Rebiju BOTONJIĆ, Ifetu DŽAFERAGIĆ, Zehidu BOTONJIĆ, Zuhru AVDIĆ, izvjesnu ĆEHIĆ i izvjesnu ĆEHIĆ. Sve su bile iz sela Biljani. Svaka od njih je vodila po jedno dijete. Sve su bile uzrujane i plakale su i kukale kad su vidjele svoje kuće u plamenu. Otišle su kući Miralema ĆEHIĆA. To znam jer je s njima bio jedan srpski vojnik koji ih je pratio i on im je rekao da one (žene i djeca) moraju otići kući Miralema ĆEHIĆA i tamo ostati.

Između 9:00 i 10:00 ujutro primijetio sam da gori muslimanska džamija na brdu iznad mene u Biljanima. Vidio sam ranije Dušana LAZIĆA kako nosi bacač plamena, tako da pretpostavljam da su upotrijebili taj bacač plamena da zapale džamiju, budući da nisam čuo eksplozije. Ta džamija se zvala biljanska džamija.

Oko 10:00 ujutro dok sam se još krio u živici, vidio sam grupe srpskih vojnika, neke obučene u stare uniforme JNA, a neke u maskirnim uniformama, kako odvoze sedam – osam Muslimana do hambara Šemse DŽAFERAGIĆA. Dobro sam mogao vidjeti ovaj hambar, pošto sam se nalazio iznad njega i na udaljenosti od nekih 30 m. Po zahtjevu istražitelja, nacrtao sam skicu mjesta koje opisujem kod hambara Šemse DŽAFERAGIĆA. Označio sam ovu skicu svojih inicijalima Dž. Dž.-A. Prva grupa muškaraca Muslimana dovedena je do one strane hambara koju sam vidio. Muslimane su zaustavili pored te strane hambara i onda sam čuo i vidio jednog vojnika koji je pucao u te ljude. Vidio sam da ljudi padaju na zemlju. Samo jedan srpski vojnik je iz automatske puške pucao na ove ljude. Nisam prepoznao tog vojnika, a niti jednog drugog, a nisam poznao nijednog od Muslimana koji su ubijeni. Tokom smaknuća, čuo sam jednog vojnika kako kaže: "Šta s ovim?" - Čuo sam drugog da kaže: "I

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njega." Bilo je još pucanja. Mislim da su govorili o bebi koju je nosila jedna od žrtava. Pošto su pobili ove ljude, vojnici su napustili hambar i sišli niz put.

Nakon oko pola sata, još jednu grupu od sedam – osam muškaraca Muslimana dopratila su istim putem četvorica srpskih vojnika. Odveli su ih do istog hambara i sve ih strijeljali. I opet, samo jedan vojnik je pucao. Vidio sam ljude kako padaju. Ista stvar se ponovila još jednom ili dva puta, nisam siguran. Srpski vojnici doveli bi grupu muškaraca do hambara, zaustavili ih i postrijeljali bi ih. Sa svog mjesta u živici, nisam mogao vidjeti tijela koja leže kod hambara. Samo sam vidio muškarce dok su stajali.

Oko 6:00 uveče, još sam se krio u živici, kad sam vidio žuti rovokopač koji je stigao do hambara. Padala je kiša, tako da je rovokopač imao teškoća da dođe do puta. Jedan kamion stao je blizu nove kuće Šemsine DŽAFERAGIĆA. Vidio sam srpske vojnika da tovore tijela mrtvih Muslimana kod hambara na rovokopač. Rovokopač bi ih zatim odvezio do kamiona i istresao u njega. Čuo sam da jedan srpski vojnik kaže: "Da čovječe, ovako radi pravi Srbin." Nisam poznavao nijednog od tih srpskih vojnika. Uklanjanje tijela trajalo je oko 40 minuta. Rovokopač je ostao i počeo kopati oko Šemsine nove kuće, ne znam zašto. Kamion, čije oznake nisam mogao vidjeti, je otišao u pravcu škole u Biljanima. Kasnije sam saznao da su među pobijenim kod Šemsinog hambara bili njegova žena, Besima DŽAFERAGIĆ, njegov otac Mehmed DŽAFERAGIĆ, njegov brat Nail DŽAFERAGIĆ, njegova sestra Lejla DŽAFERAGIĆ i njegova nećaka Azra SINANOVIĆ i njegovo dvoje djece, Almir, star četiri godine, i Amila, stara pet mjeseci. Nisam vidio kad su ubijeni pošto su, kako sam saznao kasnije, oni ubijeni na drugoj strani hambara. Znam da su njihova tijela ekshumirana i identificirana iz jame Lanište I 1996. godine.

Htio bih da pomenem da sam, dok sam se krio u živici, čuo stalnu pucnjavu iz automatskih pušaka iz pravca škole u Biljanima. Ovo je trajalo dva do tri sata. U to vrijeme nisam znao šta se dešava kod škole, pošto mi škola nije bila na vidiku.

Ostao sam skriven u živici do oko 10:00 naveče, kad se smračilo. Provukao sam se kroz svoje kukuruzište do šume u pravcu Brkića i tamo ostao dva mjeseca. Preživio sam u šumi tako što sam uspostavio vezu sa svojom ženom preko jednog komšije. Moja žena i ostali su nam na određenim mjestima ostavljali hranu. Pored mene, krili su se i Mustafa DŽAFERAGIĆ i Muhamed AVDIĆ. Pošto smo se krili u šumi dva mjeseca, otišao sam u šumu koja se zove Gradina, blizu sela Jabukovac, blizu Jabukovačkog jezera, u opštini Ključ, jer sam se tamo osjećao sigurnije. Ovdje sam se krio s gorepomenutom dvojicom ljudi. Tamo smo ostali mjesec dana. U septembru, vratio sam se tajno u Ključ i skrivao u kući Zuhdije NAPRELJCA. U tih deset dana, moja žena je pribavila dokumente za konvoj iz Ključa. Ja sam se pridružio konvoju za Travnik 21. septembra 1992. godine.

Mogu pružiti još informacija o događajima u Ključu prije rata i nakon događaja koje sam gore opisao.

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POTVRDA SVJEDOKA

Izjava mi je glasno pročitana na bosanskom jeziku i sadrži sve što sam rekao po svom znanju i sjećanju. Izjavu sam dao dobrovoljno i svjestan sam da se može upotrijebiti u sudskom postupku pred Međunarodnim sudom za krivično gonjenje osoba odgovornih za teška kršenja međunarodnog prava počinjena na teritoriji bivše Jugoslavije od 1991, kao i da mogu biti pozvan da javno svjedočim pred Sudom.

Potpis: /potpisano/

Datum: 05. 06. 2001.

POTVRDA PREVODIOCA

Ja, Božica Jakovlev, prevodilac, potvrđujem sljedeće:

- 1) Odgovarajuće sam kvalifikovana i ovlaštena od strane Sekretarijata Međunarodnog suda za krivično gonjenje osoba odgovornih za teška kršenja međunarodnog prava počinjena na teritoriji bivše Jugoslavije od 1991. da prevodim sa bosanskog jezika na engleski jezik, kao i s engleskog na bosanski jezik.
- 2) Dževad Džaferagić mi je dao do znanja da govori i razumije bosanski jezik.
- 3) Gore navedenu izjavu sam usmeno prevela s engleskog na bosanski jezik u prisustvu Dževada Džaferagića koji je, po svemu sudeći, čuo i razumio prijevod ove izjave.
- 4) Dževad Džaferagić je potvrdio da su, po njegovom znanju i sjećanju, činjenice i ostalo navedeno u ovoj izjavi istinite, onako kako sam ih prevela, što je potvrdio svojeručnim potpisom na predviđenom mjestu.

Datum: 05. 06. 2001.

Potpis: /potpisano/

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02108538

12. septembra 2001.

United Nations
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Dodatak izjavi

Ime: DŽAFERAGIĆ, Dževad

International
Criminal Tribunal
for the Former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

Office of the
Prosecutor

Bureau du
Procureur

Dana 12. septembra 2001. dano mi je da pročitam bosanski prijevod izjave koju sam dao i potpisao 05. juna 2001. Želim napraviti nekoliko ispravaka u toj izjavi.

1. Na drugoj stranici (označenoj sa brojem 03010124) u četvrtom paragrafu stoji: Sve te ljude su vodili putem iz Ključa prema Sanici. Treba da stoji: ... putem iz Sanice prema Ključu.
2. Na trećoj stranici (označenoj brojem 03010125) u petom paragrafu pominje se hambar Šemse Džaferagića što je netačno. U pitanju je štala Šemse Džaferagića.

DŽAFERAGIĆ Dževad
Džaferagić, Dževad

Thomas Ackheim
Thomas Ackheim, istražitelj

Samir Muhamedović
Samir Muhamedović, prevodilac



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DEKLARACIJA OSOBE KOJA JE DALA PISMENU IZJAVU U SKLADU S PRAVILOM 92 BIS

02108539

Prijevod

Ja,

Prezime, ime: *Džaferragić, Dževad*

Datum i mjesto rođenja: *24.09.49, Biljani, Ključ Municipality*

Identifikacioni broj ili broj paso{a: [REDACTED]

ovime potvrđujem, u prisustvu predsjedavajućeg služenika *KRYSTAL K. THOMPSON*

da je sadržaj pismene izjave (izjava) koju sam dao (-la) dana *5.06.01 and addendum 12.09*

i koja je priložena ovoj deklaraciji, po mom najboljem znanju i uvjerenju, istinit i tačan.

Dana: *12.09.01*

U: [REDACTED]

Džaferragić Dževad

potpis davaoca deklaracije

potpis predsjedavajućeg služenika

K Thompson



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INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION
OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS
OF INTERNATIONAL LAW COMMITTED IN THE TERRITORY
OF THE FORMER YUGOSLAVIA SINCE 1991

02061864

7.163

WITNESS STATEMENT

WITNESS INFORMATION:

Last Name: DŽAFERAGIĆ
First Name: Dževad **Father's First Name:** Daut
Nickname: NO **Gender:** Male
Date of Birth: 24 Sept. 1949 **Place of birth:** Biljani, Ključ Municipality
Ethnic Origin: Bosniak **Religion:** Muslim
Language(s) Spoken: Bosnian-German
Language(s) Written (If different from spoken):
Language(s) Used in Interview: Bosnian-English
Current Occupation: Factory worker
Former: Locksmith
Date(s) of Interview(s): 05 June 2001
Interviewer: Paul Grady **Interpreter:** Božica Jakovlev
Names of all persons present during interview(s): Witness, Grady, Jakovlev.

Signature:

Dževad DŽAFERAGIĆ

Božica Jakovlev

[Handwritten mark]

WITNESS STATEMENT

My name is Dževad DŽAFERAGIĆ, born on the 24th of Sept. 1949 in Biljani, Ključ Municipality. I am voluntarily giving this statement to the International Criminal Tribunal for the former Yugoslavia and I am prepared to testify, if called as a witness. I have previously given a statement to the Bosnian Police authorities, in November of 1996 and I gave an interview to the German Television Station RTL on the same date, here in Bosnia. I am willing to have my statement disclosed to the defence at this time.


I was born and raised in Biljani and I finished four years of elementary school in Biljani and four years of school in Sanica. Later on, I have training as a locksmith. I did my compulsory JNA service in November 1969 to April 1971 in Prizren, Kosovo.

I am married with three adult children. I can tell you a lot of information about events that occurred during the war in Bosnia, 1992-1995, but I have been asked specifically about the Biljani village massacres on the 10th of July 1992.

On this date, July 10th, 1992, at about 05:30 a.m. I was asleep in my house in Biljani with family. I remember that it was a Friday, and it was raining hard outside. I awoke to the sound of automatic gunfire, very extensive and prolonged. I was on the first floor and I looked out the window to see a convoy of civilians, being led by Serbian soldiers. I would estimate that there were about 50-60 civilians, only men, young and old. They all had their hands behind their heads. They were all in civilian clothes. The Serb soldiers were wearing former JNA uniforms and carrying rifles. I would estimate that there were about 8-9 soldiers. Of the civilian men I saw in this group, I recognized the following men; Fadil SUBAŠIĆ, Mesud CRNULIĆ, Savko OMERDŽIĆ, disabled. These men were from the villages of Jabukovac Polje and Osmanović Naplavak, in Ključ municipality. These men were all being marched up the road leading from Ključ to Sanica. I would estimate that my house was about 30 metres away.

Apart from these 8-9 Serb soldiers escorting this group of men, I saw a group of 4-5 other Serb soldiers preceding those escorting the men. They were going to houses and removing males from the houses, and I could see them beating them. My wife was already up at this point, and my daughters were in Croatia at the time. I crawled out of my house, as I saw two soldiers coming toward my house. I went in the direction of the Mosque in Biljani. I crawled into a hedge about 15 metres from the main road and remained there until 10:00 p.m. on that day. From my location in the hedge, I was about 300 metres uphill from the Biljani school, but I did not have a line of sight of the school.

At about 06:15 a.m. while in the hedge about 20 meters from the house of Vehbija BOTONJIĆ and his father-in-law Omer OMANOVIĆ, I saw a Serb soldier who I knew as Mile PEŠEVIĆ, leading both of them away. There were two or three other Serbs soldiers, but I could not see their faces. The soldiers were wearing former JNA uniforms. I heard Vehbija BOTONJIĆ, who was born in about 1945, say to Mile; "Mile, can I just get back into my house to take my insulin shots". Mile PEŠEVIĆ was a medical worker and replied, "Ya, take it, but you won't need it, we will use it for our army". I knew Mile PEŠEVIĆ because he was a neighbor of mine.

 Dževad DžAFERAGIĆ
D.

Then, one of these soldiers hit Omer OMANOVIĆ on his hand, which was on top of his head with some sort of club or bat. In his other hand he had a walking stick which he used for walking. Omer OMANOVIĆ was about 70-80 years of age and his French cap fell to the ground. The Serb soldiers then led them away to the Biljani school and they never returned. Their bodies were exhumed and identified in Lanište I.

After ten minutes, I saw Dušan LAZIĆ, a Serb soldier in front of the house of Rifet AVDIĆ. I knew Dušan LAZIĆ, he was a TV subscription collector. He was with other Serb soldiers. I heard Dušan LAZIĆ and the others demanding fuel from Haba AVDIĆ, Rifet's wife. I also heard one of the soldiers demanding the keys to her husband's tractor. I then saw this soldier hit her in her face with a club. She fell to the ground. I know that she was also beaten for several days after this, as she told me this while we were at a refugee camp in another country. She later died of the stress of these events. I then saw them pour water on her and she regained consciousness. She got them the keys, and the soldiers drove away with her tractor. As the tractor was leaving, about 20 metres away, the three houses belonging to Vehbija BOTONJIĆ, Hazim BOTONJIĆ and Fajik DŽAFERAGIĆ, were all set on fire and burning.

At about 09:00 a.m., I saw a group of about a half dozen women with children coming up the road from the direction of the school. In this group, I recognized: Rebija BOTONJIĆ, Ifeta DŽAFERAGIĆ, Zehida BOTONJIĆ, Zuhra AVDIĆ, FNU ĆEHIĆ, FNU ĆEHIĆ. They were all from Biljani village. Each of them was leading one child. They all appeared in distress and were crying and wailing as they saw their houses were on fire. They went to the house of Miralem ĆEHIĆ. I know this because there was a Serb soldier escorting them and he told them that they (the women and children) had to go to Miralem ĆEHIĆ's house and not leave.

Between 09:00 and 10:00 a.m. I noticed that the Muslim Mosque was burning on the hill above me in Biljani. I saw Dušan LAZIĆ carrying a flame thrower earlier, so I am assuming that they used this flame thrower to burn the Mosque, as I heard no explosions. This mosque is called the Biljani Mosque.

At about 10:00 a.m., while I was still hiding in the hedge, I saw groups of Serbian soldiers, some dressed in old JNA uniforms, and others with camouflage uniforms, bring 7-8 Muslims to the barn of Šemso DŽAFERAGIĆ. I could see this barn well, as my position is elevated from the barn's location and about 30 metres away. At the request of investigator, I have drawn a sketch of the area that I am describing at Šemso DŽAFERAGIĆ'S barn. I have marked this sketch with my initials, DŽ.DŽ.-A. The first group of Muslim men were taken to the side of the barn that I had a view of. The Muslim men were stopped on the side of the barn and I then heard and saw one soldier shooting at these men. I saw the men fall to the ground. Only one of the Serb soldiers fired his automatic rifle at the men. I did not recognize this soldier, or any of them, and I did not know any of the Muslim men that were killed. During the executions, I heard one of the soldiers say "what do to with this one". I heard another soldier say, "Him too". There was then more shooting. I think they were referring to the baby that one of the victims was carrying. After the men were killed the soldiers left the barn and began walking back down the road.

After about half an hour, another group of 7-8 Muslim men were being escorted up the same road by four Serb soldiers. They took them to the same barn and shot them all to

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death. Again, one soldier did the shooting. I saw the men fall to the ground. The same process happened an additional one or two times, I'm not sure. The Serb soldiers would bring a group of men up to the barn, stop them, and open fire on them, killing them. From my position in the hedge, I could not see the bodies lying at the barn. I only saw the men while they were standing

At about 6:00 p.m. I was still hiding in the hedge when I saw a yellow excavator arrive at the barn. It had been raining, so the excavator had trouble getting out to the road. A lorry arrived near Šemso DŽAFERAGIĆ'S new house. I saw Serb soldiers loading the bodies of the dead Muslims from the barn on the excavator. The excavator was then driving to the lorry and dumping the bodies in the lorry. I heard one of the Serb soldiers say "yes man, that is the way of the true Serb". I did not know any of these Serb soldiers. This removal of the bodies took about 40 minutes. The excavator remained and began digging around Šemso's new house, I not know why. The lorry, which I could not tell the markings, left in the direction of the Biljani school. I later learned that some of those killed at Šemso's barn included his wife, Besima DŽAFERAGIĆ, his father Mehmed DŽAFERAGIĆ, his brother Nail DŽAFERAGIĆ, his sister Lejla DŽAFERAGIĆ, and his niece Azra SINANOVIĆ and his two children, Almir, age four and Amila, five months old. I did not actually see them killed since, as I learned later, they were killed on the other side of the barn I know that their bodies were exhumed and identified from Lanište I in 1996.



I would like to mention that while I was hiding in the hedge, I could hear constant automatic rifle fire from the direction the Biljani school. This lasted for two or three hours. I did not at the time know what was happening at the school, as I did not have a line of sight to the school.

I remained hidden in the hedge until 10:00 p.m., when it was dark outside. I went through my cornfield to the woods in the direction of Brkići and remained there for two months. I survived in the woods by making contact with my wife through a neighbor of mine. My wife and others would leave food in certain places for us. In addition to me, I was hiding with Mustafa DŽAFERAGIĆ and Muhamed AVDIĆ. After hiding in the woods for two months, I went to the woods called Gradina, near the village of Jabukovac, near Jabukovačko Jezero, in Ključ municipality, because I felt safer there. Here I was hiding with the above two men. We remained there for one month. In September, I returned to Ključ secretly and hid in the house of Zuhdija NAPRELJAC. In these ten days, my wife obtained the documents for the convoy out of Ključ. I joined the convoy for Travnik on the 21st of Sept. 1992.

I can provide more information about events in Ključ prior to the war and after the incident that I have described above.

WITNESS ACKNOWLEDGEMENT

This statement has been read to me in Bosnian and it is true to the best of my knowledge and recollection. I have given this statement voluntarily and am aware that it can be used in trial proceedings before the International Criminal Tribunal for the prosecution of persons responsible for serious violations of international law on the territory of the

DEPOLO DŽAFERAGIĆ



former Yugoslavia since 1991 and also that I may be called to testify in public before the Tribunal.

Signature: ĐEVAD ĐEAFERAGIĆ

Date: 05.06.2001

WITNESS ACKNOWLEDGMENT

POTVRDA SVJEDOKA

Ova izjava mi je pročitana na bosanskom i po mom znanju i sjećanju je istinita. Ovu sam izjavu dao/dala po slobodnoj volji i svjestan/svjesna sam da može biti upotrijebljena u sudskom postupku pred Međunarodnim sudom za krivično gonjenje osoba odgovornih za teška kršenja međunarodnog prava na području bivše Jugoslavije od 1991 godine, kao i da mogu biti pozvan/a da javno svjedočim pred Sudom.

Potpis: ĐEVAD ĐEAFERAGIĆ

Datum: 05.06.2001

(B)

INTERPRETER CERTIFICATION

I, BOŽICA JAKOVLEV, interpreter, certify that:

1) I am duly qualified and approved by The Registry of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991 to interpret from the BOSNIAN language into the English language and from the English language into the BOSNIAN language.

2) I have been informed by ĐEVAD ĐEAFERAGIĆ that he/she speaks and understands the BOSNIAN language.


3) I have orally translated the above statement from the English language to the BOSNIAN language in the presence of ĐEVAD ĐEAFERAGIĆ who appeared to have heard and understood my translation of this statement.

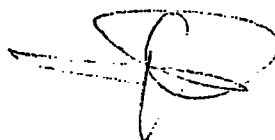
(Signature)

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4) IXEVAD DEAFERAGIC has acknowledged that the facts and matters set out in his/her statement, as translated by me, are true to the best of his/her knowledge and recollection and has accordingly signed his/her signature where indicated.

Date: 05/06/2001

Signed: 



SANICA ~~14/10/88~~

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SKOZA

SEMŠIJA KUE



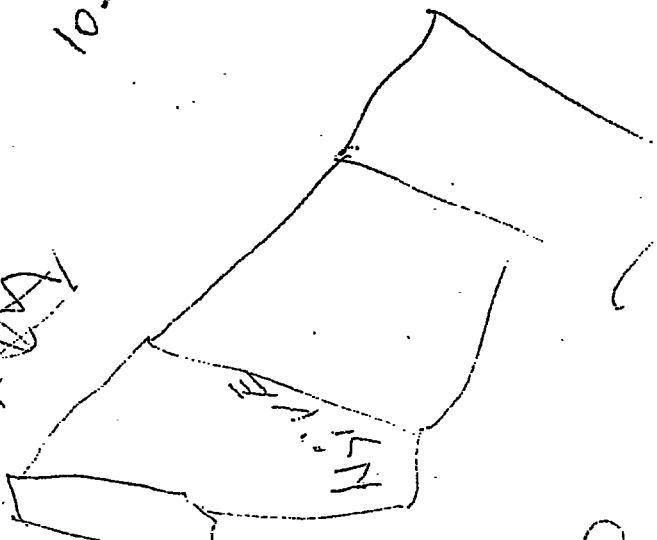
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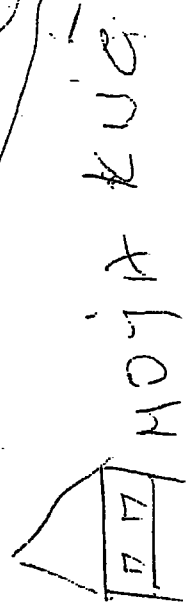
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DEAMIA

~~TRPNE OLA
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STARI PUT-



DEVID. DSA. > D.



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International pour
l'ex-Yougoslavie

Translation
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**DECLARATION BY PERSON MAKING A WRITTEN
STATEMENT PURSUANT TO RULE 92 BIS**

I,

Surname, First Name(s): DŽAFERAGIĆ, Dževad

Date and Place of Birth: 24 September 1949, Biljani, Ključ Municipality

Identity or Passport No.: [REDACTED]

hereby confirm, in the presence of the Presiding Officer: Krystal K. Thompson

that the contents of the statement(s) I made on 5 June 2001 and addendum on 12 September

and which is (are) now attached to this declaration, are true and correct to the best of my
knowledge and belief.

Done this: 12 September 2001

At: [REDACTED] Bosnia and Herzegovina

/signed/

The Declarer (Signature)

/signed/

The Presiding Officer (Signature)

12 September 2001

7.1103



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Supplementary statement

Name: Dževad DŽAFERAGIĆ

On 12 September 2001 I was given to read the Bosnian translation of the statement I had made and signed on 5 June 2001. I wish to make several corrections to that statement.

1. On page 2 (marked with number 03010124), fourth paragraph, the sentence "These men were all being marched up the road leading from Ključ to Sanica." should be replaced by the sentence "... the road leading from Sanica to Ključ."
2. On page 3 (marked with number 03010125), fifth paragraph, there is a reference to the barn of Šemso DŽAFERAGIĆ, which is wrong. The building in question is the stable of Šemso DŽAFERAGIĆ.

Dževad DŽAFERAGIĆ
/signed/

Thomas ACKHEIM, investigator
/signed/

Samir MUHAMEDOVIĆ, interpreter
/signed/