



Page 41991

1 Thursday, 25 June 2009

2 [Open session]

3 [The accused entered court]

4 [The accused Prlic and Coric not present]

5 [The witness takes the stand]

6 --- Upon commencing at 9.01 a.m.

7 JUDGE ANTONETTI: [Interpretation] Registrar, kindly call the
8 case.

9 THE REGISTRAR: Thank you, Your Honour.

10 Good morning, Your Honours. Good morning to everyone in and
11 around the courtroom. This is case number IT-04-74-T, the Prosecutor
12 versus Jadranko Prlic et al. Thank you.

13 JUDGE ANTONETTI: [Interpretation] Thank you, Registrar.

14 Today is Thursday. Good morning to Mr. Stojic, Mr. Petkovic,
15 Mr. Praljak, and good morning to the other three accused who are not in
16 the courtroom for reasons -- at least for two of them, for health
17 reasons.

18 Good morning to the Defence counsel. Good morning Mr. Stringer,
19 and my very good morning to all the people assisting us.

20 Mr. Karnavas, the Registrar told us that you have used up, so
21 far, one hour and 33 minutes. The Trial Chamber would like to know how
22 much time you will need to finish with your cross-examination,

23 approximately.

24 MR. KARNAVAS: Good morning, Mr. President. Good morning,
25 Your Honours. Good morning to everyone in and around the courtroom.

Page 41992

1 I can safely say that the remainder of my time will not be
2 enough. However, I will do my very -- my level best to complete my
3 cross-examination within the four hours the Trial Chamber has allotted
4 me.

5 JUDGE ANTONETTI: [Interpretation] Very well.

6 WITNESS: SLOBODAN PRALJAK [Resumed]

7 [The witness answered through interpreter]

8 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, do try to give
9 short answers, because I had the same problem; I thought that it would
10 take me only two or three days to put all my questions to you, but in
11 fact it took almost six days. So I think that Mr. Karnavas may be faced
12 with the same difficulty as I had. Do make an effort to provide short
13 answers, all the more so, Mr. Praljak, since you know that the Judges,
14 but also the Prosecutor and all the Defence counsel, have a good
15 grasp -- maybe not as good as yours, but a good grasp of the case. We
16 know quite a lot about the case, so that you can really go to the crux of
17 the matter when you answer, and the Judges, the Defence counsel, can then
18 ask questions that otherwise they would have been able to because you
19 provided too long answers before. But I know you do your level best.

20 But left us aim for efficiency, all of us.

21 You may proceed, Mr. Karnavas.

22 THE WITNESS: [Interpretation] I'll do my best, Your Honour.

23 Cross-examination by Mr. Karnavas: [Continued]

24 Q. Good morning, General Praljak. Let's pick up where we left
25 yesterday, just a few questions left on --

Page 41993

1 A. Good morning.

2 Q. -- on this particular document, which is 1D03 -- 1D03141 is the
3 document. And for you, the page number is going to be -- look at 1815.

4 THE INTERPRETER: Interpreter's note, could all the microphones
5 not in use please be switched off.

6 MR. KARNAVAS:

7 Q. Have you found it, sir? Let me repeat. We're on document
8 1D03141, and for you, if you look at the page, the bottom, you'll see
9 "1D51-1815." And it will be page 4 for those who are looking at the
10 English version.

11 And over here, it talks about that when Alija Izetbegovic was
12 president of the Presidency, at that period of time, that there was an
13 effort to get certain individuals that were arrested to be put in prison
14 and to have criminal proceedings launched against them, and an individual
15 by the name of Bakir Alispahic refused. Do you know who Bakir Alispahic
16 is?

17 A. Yes.

18 Q. Could you tell us, who is he, or who was he at the time, what
19 positions he held?

20 A. He was the head of the secret services at the time, the Muslim

21 secret services.

22 Q. Right.

23 MR. STRINGER: Excuse me. Could we clarify the time-frame,
24 whether it's 1996, which is the article, or whether it's during an
25 earlier period of time?

Page 41994

1 MR. KARNAVAS: If some patience is exercised, I will go to that.

2 Q. Can you please tell us what was the period?

3 MR. KARNAVAS: I understand the technique behind the objection,
4 Your Honour.

5 JUDGE TRECHSEL: Why must the answer be delayed, Mr. Karnavas? I
6 do not understand that.

7 MR. KARNAVAS: Well, usually you ask a question, you get an
8 answer, you ask a question, you get an answer. The question was -- he
9 told me who he was. The follow-up question, which I didn't have an
10 opportunity to respond -- forgive me for being aggressive, but it seems
11 that I'm coming under attack by the Prosecution and you now. I had asked
12 who the general was. The next logical question would have been, At what
13 period of time? So if everybody exercised a little bit of patience, I'm
14 get to it. I would certainly appreciate a little courtesy from everybody
15 around the courtroom.

16 Q. Now, could you please tell us at what --

17 JUDGE TRECHSEL: Mr. Karnavas, I do not think that you're very
18 well qualified to ask for courtesy, and it would have been courteous to
19 answer the question, which is an innocent question, I would say. I do

20 not understand this, but we've lost enough time now. Please go on.

21 MR. KARNAVAS: No, Your Honour, because my integrity is coming
22 under attack by you personally now, given your remarks. Now, I asked who
23 the gentleman was, I wasn't given an opportunity to ask at what period of
24 time, because the gentleman held several positions and we'll see his name
25 on earlier occasions. We know what period of time this document makes

Page 41995

1 reference to. So I would ask that you be a little bit patient.

2 And I understand that there is a great deal of animosity towards
3 me. I understand that, Your Honour. But I'm trying to be
4 professional -- as professional as I possibly can be; perhaps not to your
5 likings, but that's what I'm trying to do.

6 Q. Could you please tell us, at what period of time did this
7 gentleman hold the position?

8 A. I believe that he came to that position as the head of the AID,
9 the Muslim secret services, after the murder of Nedzad Ugljen in 1993 or
10 1994, sometime up to 1996, when he was removed. He was removed in 1996,
11 and approximately one or two years before -- actually, I can't be sure
12 exactly of the time when he was appointed, but I know that he succeeded
13 Nedzad Ugljen.

14 Q. All right. And we'll see that name --

15 THE INTERPRETER: Microphone for the counsel, please.

16 MR. KARNAVAS:

17 Q. We'll be seeing that name again. Now, if we go further down the
18 page, you would see that someone is quoted as saying: "I don't know" --

19 this is a Munir Alibabic, he says:

20 "I don't know why the Americans act so naively. They should have
21 seen what happened to us."

22 And he says this in November 1997. Alibabic also explains that
23 he was forced to resign:

24 "Because he was resisting the Iranian influence in the Bosnian
25 agency."

Page 41996

1 The article says that Alibabic's view was shared by Nedzad Ugljen
2 and Nedzad Herenda, as well as the fact that the author of the text spoke
3 with five more employees of the AID. Do you know who Nedzad Herenda was?
4 Do you know of him?

5 A. The name does ring a bell, in the same context with
6 Nedzad Ugljen, who was murdered to be prevented from telling what was
7 going on in Sarajevo. Nedzad Herenda was in the top echelon of the
8 secret services of Bosnia and Herzegovina or, to be more precise, of the
9 secret service of the SDA.

10 Q. All right. And we see further down in the text that at one point
11 the Presidency, which included Kljubic, Komsic, Ganic, they were informed
12 about certain activities by Alibabic. They accused him of unlawful
13 activities in the services, usurping the competencies, nepotism, drug
14 smuggling, intercepting Presidency members and high officials in the
15 government, espionage for foreign intelligence services, lack of
16 professionalism, and so on. This is in the following page, sir. It
17 would be on 1816, if you look at the following page.

18 And then it goes on, at the very last part of the paragraph:

19 "The most interesting part of the public was that the one about
20 intercepts, for the sake of the truth, and the then president of the
21 Presidency found that part most interesting because it was found out then
22 that the services at the time, when Alibabic was the head of the Sarajevo
23 Sector, of the SDB, with the consent of Alija Izetbegovic, was
24 intercepting Fikret Abdic and Miro Lasic."

25 Can you think of any reason why Izetbegovic would want to be

Page 41997

1 listening in and intercepting conversations of Fikret Abdic and
2 Miro Lasic?

3 MR. STRINGER: Mr. President, if I could just for the record, and
4 then I won't intervene anymore, just continue the objection from
5 yesterday about the relevance of this line of questioning. And then,
6 more specifically, the question here, it assumes that this article from
7 this publication, actually, is correct, which may or may not be, but to
8 take assertions and to sort of take for granted that they're correct and
9 then ask the witness to comment is sort of an extra leap that I think
10 goes, to the very least, at the probative value, if not the relevance.

11 So having said that, Mr. President, I'll try to avoid intervening
12 on relevancy grounds further. Thank you.

13 MR. KARNAVAS: Yesterday, we heard that Miro Lasic was one of the
14 individuals that Alija Izetbegovic did not want -- prevented from
15 attending negotiations in Geneva. Fikret Abdic, first of all, I believe
16 the President asked questions regarding this particular individual, and

17 so -- and it's no secret that he was an elected official, that he was in
18 the Presidency. We heard from Franjo Boris about Mr. Abdic. And as we
19 will see later on today, there are reasons why I'm asking these
20 questions.

21 Q. But can you think of any reason why the president -- assuming
22 that this is correct, why Izetbegovic would want to intercept members of
23 the Presidency?

24 A. I am very sure about the reasons. Fikret Abdic was the most
25 popular politician among the Muslims in Bosnia-Herzegovina during the

Page 41998

1 first free elections. He gained the most number of voters by far. But
2 it is very clear, and I know that the team of Young Muslims who joined
3 the SDA made it sure to throw out Fikret Abdic from the political game
4 completely, because he opted for totally different political options. He
5 was a Muslim, but he advocated a secular society, a democratic society,
6 and Fikret Abdic didn't care too much about that, and he also didn't care
7 too much about the positions of Iasic. And it is more than likely that
8 he intercepted them for that reason.

9 Q. Now, if we go to the bottom of page 5, at the very last sentence,
10 it begins, and it goes on to page 6, and it may be further down the next
11 page for you, General Praljak, it says:

12 "According to the latest finding of the investigation, identities
13 of all Bosnians arrested during the IFOR air drop have been charged and
14 the trainees were not practicing how to catch war criminals only, but
15 also how to hunt down and liquidate opposition and disobeying

16 politicians, including academician Muhamed Filipovic, Sefer Halilovic,
17 Alija Delimustafic, Miro Lazovic, and Adil Zulfikarpasic. Now, yesterday
18 we talked about Mr. Halilovic and there was an objection. Do you know
19 whether Mr. Halilovic was the target of an attack and whether his
20 family -- members of his family were killed?

21 Do you know --

22 A. Yes. Yes, I know that, and I also know that there was a special
23 unit under the control of the top echelon of the SDA, under the name
24 Seva, and that group went around Sarajevo killing Muslims which were not
25 suitable, as well as Serbs and Croats, and this was done mostly by

Page 41999

1 snipers. And that group comprised of four members of the former Yugoslav
2 Shooting Team. And that group was led by Nedzad Ugljen, and that group
3 made an attempt at Sefer Halilovic's life, but they made a mistake. They
4 mistook his brother-in-law for him, and that's how it came that they
5 killed a wrong person and his wife.

6 Q. And we'll get to that. We'll see more proof of that later.

7 But going on, this is what Izetbegovic had to say when confronted
8 with this information. He said:

9 "Yes, I know of Alispahic's contact with the Iranians. Alispahic
10 was contacting not only Iranians, but also, as far as I know, America,
11 British, and French intelligence services. He was the minister of the
12 interior for a long time and the head of AID for a number of years."

13 Now, do you know about what period of time Alispahic would have
14 been the minister of interior? And if you don't know, there's no need to

15 speculate. We'll --

16 A. I don't know exactly. It was before the war. I really can't be
17 sure. I can't be precise.

18 Q. And finally with this document, at the very end he's asked
19 about -- Izetbegovic was asked a number of questions, and his answer is:

20 "I did not know of the Pogorelica camp. I heard about it in Rome
21 when the media reported about SFOR entering the camp."

22 Now, how is it possible that this camp could be operating with
23 all of these services, conducting all of these affairs, with agencies
24 that are under Izetbegovic's control, and he not know about this camp?

25 A. It's impossible, it's absolutely impossible. 50 per cent of the

Page 42000

1 population of Bosnia-Herzegovina knew about that camp. It was almost a
2 public secret.

3 Q. All right. Now, we're going to switch to -- we're going to go
4 back to something else that we started yesterday because of some concerns
5 that we have on the Defence concerning the Croatian Community of
6 Herceg-Bosna. We're going to go back -- we're going to look at a map,
7 and that's 1D02843. And I'm going to go back to page 86 from yesterday,
8 because Judge Trechsel asked the question, and the question was, on
9 line 8:

10 "I'm quite aware of how complicated matters were ethnically, but
11 on the list of municipalities forming the HZ-HB, they do not figure, do
12 they, in the list of 18 November 1991?"

13 Now, I don't want to waste too much of my time on this matter,

14 but if we could go through some documents very quickly, perhaps we could
15 answer some of those questions, though I believe we have answered those
16 questions previously.

17 If we look at the map first, just look at it. Now I'm going to
18 turn to Exhibit 1D02255, 1D02255, and if you have that with you, and I'm
19 going to read, and we could look at the dates as well. That might help
20 us. It says here "20 August 1992." This is in regards to Usora, and it
21 states:

22 "Based on the initiative of Herceg-Bosna HZ Croatian Community
23 for all Croatian communities to join the single community of Herceg-Bosna
24 in Bosnia and Herzegovina, while expressing the will of the Croatian
25 people, at the meeting held on 20th August 1992, the Usora HZ Assembly

Page 42001

1 adopted the following:"

2 And we can see a decision was adopted:

3 "A decision is hereby adopted for Usora to join Herceg-Bosna HZ
4 in Bosnia-Herzegovina."

5 And could you please -- now, yesterday we went through the map,
6 because this goes to this whole notion of Banovina and the Prosecution's
7 intent on having borders drawn around Herceg-Bosna. If we could look at
8 the map very quickly, and maybe you can look at Usora, and you told us
9 that it was a very small place.

10 Can we switch back to the map, please. It's 1D02843. That's the
11 map. Okay.

12 Now, we covered it yesterday, but I'm going to eat up a little

13 more time just to clear up this matter, hopefully once and for all.

14 Where is Usora? We have it there. Okay.

15 A. [Marks]. I marked it.

16 Q. Okay. Now, this Croatian Community in Usora, was it setting up
17 borders, as in geographical borders, maybe with a wall separating, you
18 know, the Croats from the Serbs and the Muslims, like they do in some
19 countries where they have a wall separating the borders, be it the
20 American-Mexican border? Is that -- so do we have a border over there?

21 A. No, there is no border.

22 Q. Now let's go to the next document, which is 1D02252, 1D02252.

23 You can leave the map up there. If you don't have the -- you
24 have the document physically, but we --

25 A. [No interpretation]

Page 42002

1 Q. Okay. Now, let's look at this. This is 19th August 1992.

2 19 August 1992:

3 "Pursuant to Article 5 of the statutory decision on temporary
4 establishment of the executive authorities, the Presidency of the
5 Croatian Defence Council of the Croatian Community of Central Bosnia, at
6 the session held on 19 August 1992, adopted the following ..."

7 This is a decision, and I'm going to read part of it:

8 "On the basis of and in keeping with the will of the
9 representatives of the Croatian people of the Croatian Community of
10 Central Bosnia, the region of the municipalities of Zepce, Zavidovici,
11 Maglaj, and Teslic shall hereby join the Croatian Community of

12 Herceg-Bosna. With the act of accession of the Croatian Community of
13 Herceg-Bosna, all regulations adopted at the level of the
14 Croatian Community of Herceg-Bosna shall be valid in the joint
15 territories of the community."

16 Now, by this decision, General Praljak, were they setting up
17 borders, connecting all of these municipalities, to somehow carve out
18 this area so it could be part of some sort of an annexed portion to go to
19 Croatia or to ethnically cleanse the Muslims from the area?

20 A. No, no chance.

21 Q. Could you please tell us -- can you mark -- can you find those
22 municipalities and mark them here, the areas? And maybe if you can, tell
23 us exactly which areas in those municipalities of Zepce, Zavidovici,
24 Maglaj, and Teslic were the Croats located, because the impression some
25 have in this court, even after three years, is that they took the entire

Page 42003

1 municipality.

2 A. [Marks]

3 MR. KARNAVAS: All right. And could we have an IC number for
4 this document, Mr. President, so we can move on?

5 JUDGE ANTONETTI: [Interpretation] Please, Mr. Registrar.

6 THE REGISTRAR: The document shall be given Exhibit IC01033.

7 Thank you.

8 MR. KARNAVAS: All right.

9 Q. Now, let's go --

10 A. In these municipalities, Croats were a minority. They lived in

11 some of the areas of these municipalities. And faced with the
12 aggression, which was visible, faced with the lack of organisation among
13 the central government to defend themselves, they organised themselves
14 under the laws that were in place at the moment. Parts of the
15 municipalities, local communes and some other things, were allowed to
16 join in a wider organisation in order to defend themselves, and that is
17 the sense of what was going on at the time.

18 Q. All right, thank you. Now, we're going to move to a separate --
19 another topic, and now we're going to be focusing primarily on
20 Izetbegovic, and we're going to be going through some documents.

21 But first I want to refer to your testimony at page 40260. You
22 were asked some questions, and at some point you said the following. And
23 I'm just saying this as a way of background:

24 "I gained the impression," referring to Izetbegovic, "I have a
25 very good opinion of him as a human being. As a man, however, I do claim

Page 42004

1 and agree with what Mr. Filipovic says in his book. The leadership, and
2 that's what Filipovic says in his book, Izetbegovic wasn't the leader.
3 It was Cengic Senior and Cengic Junior, and the people around him,
4 Omerbegovic and so on. And whatever they didn't like, they would change.
5 If they didn't like something, he had decided they would change the
6 decision."

7 Now, that's what Mr. Filipovic writes about, and you seem to
8 agree with Mr. Filipovic. Now I'm going to go through a series of
9 documents, or portions of a couple of documents, and perhaps then ask you

10 whether you still maintain that Mr. Filipovic may be correct, because I
11 will put to you at the end that Izetbegovic was in fact the leader, was
12 in fact in full control, was in fact the one calling all of the
13 decisions, and was in fact pursuing his Islamic Declaration; that is,
14 setting up an Islamic country in Bosnia-Herzegovina, be it in part or in
15 whole. So I'm going to put to you, after we go through some documents.

16 And with that, I'm going to refer you to -- we're going to start
17 off with portions of the document that we have -- from the book "Unholy
18 Terror." And the number is --

19 A. I --

20 Q. The number of the document is 1D03137, and we're going to go
21 through portions of this, so I just -- and we'll also be covering the
22 Islamic Declaration. If we can focus on page 72, page 72.

23 MR. KARNAVAS: Your Honours, you have a special binder with the
24 entire document, so you won't have to -- you can just use that, and I'll
25 make references to the pages.

Page 42005

1 Q. So, Mr. Praljak, it would be 1873. Those are the -- 1872 and
2 1873. Those are the pages, those are the last four digits of the number,
3 1872, going into 1873. So if you follow along. And this part of my
4 cross deals with Izetbegovic's character.

5 We see -- we see that on page 72, the following is being
6 reported:

7 "Like most JNA generals, Kukanjac took a dim view of Izetbegovic,
8 whom he regarded as an unpleasant chameleon with dangerous views, yet he

9 had no choice but to deal with him. The military's perception of the SDA
10 leader --

11 THE INTERPRETER: Counsel is kindly asked to slow down when
12 reading. Thank you.

13 MR. KARNAVAS:

14 Q. "... was neatly summarised by a former JNA officer. He was known
15 as an extremist who was known from Tito's time. He was not taken
16 seriously, even though he had served a jail sentence for nationalist
17 activities. He undertook moves that the military leadership proclaimed
18 unconstitutional and illegal. And then stop worrying about him. Yet it
19 was perfectly clear that the only thing Alija Izetbegovic feared was the
20 JNA."

21 Now, if we go on to page 203, and I'll give you the page number,
22 General Praljak. This book was recently published, as I understand, in
23 Croatian. And so if you look at 1898, those would be the numbers on your
24 page. And for us, it's page 203.

25 We see here it says:

Page 42006

1 "Many Muslims quietly agreed with Adil Zulfikarpasic's verdict,
2 'Izetbegovic is worst than the Muslim's worst enemy.' Peace, for its own
3 sake, had limited appeal to the SDA leadership. They had willed a civil
4 war with their aggressive political Islam and their refusal to take the
5 rights of non-Muslims seriously."

6 It goes further down to say, the next paragraph:

7 "Even some of the president's closest confidantes were having

8 doubts about his political abilities. Izetbegovic's carefully-crafted
9 outwardly image -- other-worldly image, so effective with the Western
10 media, grated on many SDA higher-ups who found his retreat into prayer
11 and contemplation a hazard. 'Alija doesn't know what a state is,' stated
12 Nazif Sacirbegovic, the president's longest-serving partner in Islam.
13 'He belongs in a mosque, not in a government,' he said in 1993.

14 "Izetbegovic's political opponents were even more pointed,
15 particularly the irrepressible Fikret Abdic, who denounced the president
16 as, 'the cunning imposter and the biggest murderer of his own people.'
17 'Everybody now realises that Izetbegovic's goal is a Muslim state,' he
18 explained in 1993, adding a sketch of the man based on his personal
19 experience, 'Alija is again trying to remain a humble, nice man, the
20 eternal loser, but behind the scenes we actually have his love of power
21 and his life's dream of creating a state known only to himself, which he
22 conceived in his mind while he was doing time in Foca Prison and writing
23 his Islamic Declaration, which he has never renounced.'"

24 Now, first of all, if I could ask you one question. We know who
25 Mr. Abdic is. Adil Zulfikarpasic, I don't know whether you covered that

Page 42007

1 to any degree, but do you know that gentleman?

2 A. Yes -- no, we were never introduced, but I have been aware of his
3 life and work from before the war, quite a long time -- well, are you
4 interested in all this?

5 Q. I just wanted to know whether you knew the gentleman. Is it not
6 a fact that he was one of the founding fathers of the SDA?

7 A. I think so.

8 Q. All right. And this fellow, Sacirbegovic, are you aware that his
9 son at the time, who changed his name to Sacirbey, was also serving as
10 the ambassador to the United States for Bosnia and Herzegovina?

11 A. Yes, he served as ambassador to the US, and he is, in fact, an
12 American citizen, just as Zulfikarpasic has Swiss citizenship.

13 But just a correction. Well, you mentioned Omerbegovic when you
14 were listing Alija Izetbegovic's associate. It is Omer Behmen, not
15 Omerbegovic, so that needs to be corrected.

16 Q. All right. I want to switch to the "Islamic Declaration," just a
17 couple of passages, and we're going to be going into that document to
18 some degree.

19 So if we look at the "Islamic Declaration," -- and, Your Honours,
20 we have that in a separate binder for you as well. And for the record,
21 this is 1D00431, and we start off with just the motto at the beginning:

22 "Our goal: The Islamisation of Muslims. Our motto: Believe and
23 struggle."

24 And then we go on to page 4 in the English version. I'm just
25 going to cover some bits and pieces of it. It will be 2 for you, sir,

Page 42008

1 page 2. We see, in the second paragraph:

2 "In this conviction, we announce to our friends and enemies alike
3 the Muslims are determined to take their fate of the Islamic world into
4 their own hand and arrange that world according to their own vision of
5 it."

6 He later on goes on to say:

7 "Its novelty lies in that it seeks to promote ideas and plans to
8 organise action. The struggle towards new goals did not begin today. On
9 the contrary, it has already experienced jihada, and its history contains
10 pages of the suffering of its victims. Still, this is mainly the
11 personal sacrifice of exceptional individuals of courageous minor groups,
12 in collision with the mighty forces of the jihalija."

13 Those are the -- and we see they have translate -- definitions of
14 them at the bottom of the page:

15 "The magnitude of the problem and its difficulties, however,
16 require the organised action of millions."

17 Then if we go to page 28 --

18 A. I'm sorry. Just a correction of the interpretation I received in
19 Croatian. It was said that the Muslims are --

20 THE INTERPRETER: Interpreter's apology. This is impossible to
21 back-translate into English. It's virtually one-and-the-same thing.

22 THE WITNESS: [Interpretation] And it says here that the ideas and
23 plans should be translated into organised action, and this was
24 mistranslated. So this is just a correction.

25 MR. KARNAVAS: All right.

Page 42009

1 Q. Now I'm going to go to another area of your testimony, and
2 then -- because here again you make some assertions about
3 Alija Izetbegovic. And you say on page 39.740, you say the following:

4 "Alija may have thought that he would remain untouched in his

5 position, et cetera. That can be understood, in a way. He was probably
6 impressed. He was in fear for his own people, but certainly all those
7 who were being attacked from his territory saw -- looked at that from
8 another angle. And we asked him, Why didn't you do anything against
9 that, the same way the citizens of Zagreb did, something against things
10 they didn't like."

11 Now, this was in an answer to a question that was posed to you,
12 and again I'm going to be asking you later on about your impressions,
13 because you seem to be giving Izetbegovic the benefit of the doubt,
14 because then later on you go on to say again, and this is on page 40.258
15 of the transcript, again saying with Filipovic, you go back and say:

16 "Alija Izetbegovic wasn't independent in making his decisions.
17 He would make a decision, and then what would happen was that the party
18 leadership, which included these individuals, these Young Muslims, they
19 quite simply changed the decision. So what is important to see that, and
20 it's important for Their Honours to understand, that's why he changed his
21 decision so often."

22 And then you talk a little bit about the Young Muslims. But
23 isn't it a fact, sir, that Mr. Izetbegovic was a Young Muslim himself?
24 He was a member of the Young Muslims during World War II, was he not?

25 A. That's correct. He was actually tried twice for his affiliation

Page 42010

1 with the Young Muslims and for fomenting the ideas of the Young Muslims.
2 Once, immediately after World War II, and the other time it was in 1983.
3 In 1983, I was familiar with the trial. I followed it closely, and I

4 also studied in-depth the "Islamic Declaration," which was printed -- the
5 first printing run was 200.000 copies and it was widely available. So I
6 was quite familiar with the whole movement.

7 Mr. Karnavas, I'm speaking from the perspective of what I knew
8 from my meetings and talks with Mr. Izetbegovic. He simply -- well, a
9 decision would be made, and I am not aware of a single decision that he
10 didn't change afterwards. So it was my logical conclusion -- was that
11 somebody was somebody actually was running him. It's difficult to assume
12 that somebody is able to look you in the eye and just lie all the time.

13 Q. All right. But isn't it a fact, sir, that in the Islamic
14 religion, there is the possibility where -- at least this is what some
15 scholars are saying, that when it comes to the promotion of Islam, or if
16 Islam comes under attack, the individual is permitted, in fact
17 encouraged, to lie? Isn't that part of their own religious upbringing?
18 And the term, I believe, and we're going to get to it later on, but it's
19 called "takia."

20 A. Mr. Karnavas, I am relatively well acquainted with the Koran, and
21 as any other religion, Islam has a number of interpretations. It can be
22 interpreted in various ways. The holy book, the Koran, can be
23 interpreted in various ways.

24 For a long time when I lived in Mostar, I lived side-by-side with
25 Muslims, so apart from the Young Muslims, in Bosnia and Herzegovina

Page 42011

1 before the war, so before the influence of the hard-line Islam from
2 outside, the view of the Muslims was quite different. I have to say that

3 my friends, many friends that I have, and I still have them, simply did
4 not interpret the Koran in the way in which it is interpreted in the
5 other variants that come from Iran or Saudi Arabia. But it is true that
6 the Young Muslims interpreted the Koran as excluding the possibility of
7 any coexistence between Muslims and Christians; the real interpretation
8 of the Koran was the identity that affected both you, as a citizen, and
9 you, as a religious person.

10 Q. Let's look at -- I'll get ahead of myself a little bit. Let's
11 look at the "Islamic Declaration," going back to 1D00431. It's page 25
12 in the English version. I'm going to be looking at page 25 and then on
13 page 30. And we're going to be going back and forth on these two
14 documents. For you, General, it would be 10, page 00010.

15 It says at the bottom part of the page, the last paragraph -- the
16 last part of the paragraph:

17 "There's only one possible way out; the formation and grouping of
18 a new intelligentsia which thinks and feels Islam. This intelligentsia
19 would then fly the flag of the Islamic Order, and together with the
20 Muslim masses, take action to bring it about."

21 Then if we go to page 30 of the "Islamic Declaration," we don't
22 have time to go through every passage, but if we go to page 30, and I'll
23 give you the number real quickly, it's -- it would be page 12, it says
24 there, sort of in the middle of the page:

25 "First and foremost of these conclusions is certainly the

1 incompatibility of Islam with non-Islamic systems. There can be neither

2 peace nor coexistence between the Islamic religion and non-Islamic social
3 and political institutions. The failure of these institutions to
4 function in the instability of the regimes in Muslim countries manifest
5 in frequent change and coup d'etat is most often the consequence of their
6 a priori opposition to Islam as the fundamental and foremost feeling of
7 the people in these countries. By claiming the right to order its own
8 world itself, Islam obviously excludes the right or possibility of action
9 on the part of any foreign ideology on the territory. There is,
10 therefore, no lay principle and the state should both reflect and support
11 religious moral concepts."

12 Now, I'm not going to go on, but -- on this for right now, but
13 isn't it a fact that Izetbegovic, immediately after coming out of prison,
14 the first thing that he did was print copies of his "Islamic
15 Declaration," and then pass them out at the SDA founding session, and
16 copies were being printed and distributed throughout Bosnia-Herzegovina?
17 Isn't that a fact?

18 A. Yes, it is true, and it's a terrible, terrible text. There can
19 be no doubt about it. I have said so many times. It reflects the
20 political concept of Alija Izetbegovic and his circle. It is the most
21 extreme and the most hard-line interpretation of the Koran of Islam.

22 And the third point, Mr. Alija Izetbegovic never renounced the
23 "Islamic Declaration." Well, it is quite natural. If you draft your
24 philosophical world-view, and in 1993 Mr. Izetbegovic was, well, not an
25 old man, but he was well advanced in years, it was not written by a child

1 or a youth who would then be able to renounce the foolishness of his
2 youth, the delusions. It is a terrible book, a very terrible book, and
3 it had a great deal of political reverberations among Croats and Serbs,
4 because you cannot live with people [as interpreted] like that. This is
5 the "either/or" mathematical function, you or him, it cannot be both, so
6 it is an exclusive interpretation, ruling out the possibility of
7 coexistence. So there.

8 MS. TOMANOVIC: [Interpretation] I apologise. I have to correct
9 the mistake in the transcript. Page 22, line 21, the interpretation of
10 Mr. Praljak was "you cannot live with people like that." And what the
11 general said was "you cannot live with that." He did not mention
12 "people" at all. The point is that you cannot live with this ideology.

13 THE WITNESS: [Interpretation] Let me explain once again.

14 When this book was published, this brochure, this book, it was
15 clear that it advocates -- that this book advocates certain positions;
16 that it would be impossible to live together. The book claims that, We
17 cannot go together. When we are there, you will not be there, and you
18 will live under the laws of a completely religious state, the Sharia law
19 and so on. And of course it caused a great deal of political upset, and
20 then it spiralled into objections on the other side. People said, Well,
21 if they want an Islamic -- a Muslim state, we cannot agree to that. So
22 in addition to the Serb ideas where they had aspirations to territories
23 that did not belong to them, these are the causes of the war. All the
24 rest is just consequences.

25 In chess parlance, it is forced moves. Once you do two moves,

Page 42014

1 all the 15 moves that follow, follow from the initial two moves. So
2 these are forced moves, and it all goes on from there, as I've explained
3 to you, obeying the laws of nature.

4 Q. Well, all right, we heard -- we heard your answer, but now let's
5 go look at, again, back to the "Islamic Declaration," and perhaps this
6 may give us some food for thought at some point.

7 Page 24 in the English version, middle of the paragraph -- middle
8 of the page, it says here:

9 "By their acts," and this would be on page 0009 in your document,
10 "By their acts, modernists have created a state of internal conflict and
11 confusion in which any programme, Islamic or foreign, becomes
12 impracticable. The masses want Islamic action, but cannot carry it
13 through without the intelligentsia. An alienated intelligentsia imposes
14 a programme --"

15 THE INTERPRETER: Is it possible to have the reference again?

16 MR. KARNAVAS: Page 24. The interpreters should have both the
17 English and the Croatian version.

18 JUDGE TRECHSEL: You had said 34, and that's the problem. At
19 least that's what the record says and where I was looking.

20 MR. KARNAVAS: Okay. I apologise. Page 24, and we -- I have an
21 extra hard copy if the interpreters would -- in English --

22 THE INTERPRETER: No, we just wanted the page number. Thank you.

23 MR. KARNAVAS: My apologies. I'll start again:

24 "By their acts, modernists have created a state of internal

25 conflict and confusion in which any programme, Islamic or foreign,

Page 42015

1 becomes impracticable. The masses want Islamic action, but cannot carry
2 it through without the intelligentsia. An alienated intelligentsia
3 imposes a programme, but cannot find enough people prepared to contribute
4 blood, sweat and enthusiasm for this paper ideal. The opposing forces
5 cancel each other out, and a state of powerlessness and paralysis sets
6 in."

7 Now, going back to what you were saying, because there is one
8 reference where -- in the "Islamic Declaration," Mr. Praljak, as I'm sure
9 you're aware of, where he talks about creating an Islamic federation from
10 Morocco to Indonesia, from Tropical Africa to Central Asia. And then he
11 says, on page 61, which in your document would be -- and I apologise for
12 just having to do snippets of this, but I have time limitations. On
13 page 61, which is in your document, it would be 0024. It says:

14 "We find it, for instance, absolutely unacceptable and unreal
15 that in this day and age of concentration and association, one people,
16 Arabs, should be broken up into 13 units of states, that the Muslim
17 states stand on opposite sides on a number of significant international
18 questions, that Muslim Egypt is unconcerned about the sufferings of
19 Muslims in Ethiopia or Kashmir. That is the height of confrontation of
20 the Arab countries with Israel. Muslim Persia maintained friendly
21 relations with the aggressor, et cetera. If anything is unreal, then it
22 is not the unity of the Muslims, but its absence, the state of division
23 and discord. In fact, we find it today."

24 Now, let's just pause for a second.

25 JUDGE PRANDLER: I mean that it is good to pause a bit. Yes.

Page 42016

1 Thank you.

2 MR. KARNAVAS: Okay. Let's pause for a second.

3 Q. And here we hear some passages from the intelligentsia. The
4 Young Muslims, which Izetbegovic associated himself with, in forming the
5 SDA, were they not the intellectuals, or some of the -- I'm not saying
6 all of the intellectuals, but were they not, we call, part of the
7 intelligentsia?

8 A. Yes, that's correct.

9 Q. And here he's talking -- the second passage that I read, he
10 bemoans the fact that, for instance, Egypt is unconcerned about the
11 Muslims in Ethiopia and Kashmir, and of course during this period of time
12 when he was writing, and even today, there's conflict. Was it not a fact
13 that the Mujahedin, these Islamic fighters, came from such countries in
14 order to help their Muslim brothers in Bosnia-Herzegovina, or the Islamic
15 cause, I should say, in Bosnia-Herzegovina?

16 A. Yes, that was the reason why they came.

17 Q. All right. Now, let's go back to what Mr. Schindler has to say
18 in "The Unholy Terror," and that's 1D03137, and we're going to look at
19 page 36. And I'll give you the number in Croatian right now, it's
20 1843 -- 1842-1843, those are the digits that have you to look at.

21 At the very top, we see:

22 "The Young Muslims were collaborators with the Nazis from the

23 beginning of the Bosnia's occupation in 1941. They provided the Gestapo
24 with lists of 'progressive' students of Belgrade University, many of whom
25 were arrested, even killed, for suspected pro-Communism."

Page 42017

1 Then we go all the way to the bottom, last paragraph:

2 "Despite its modest fighting powers, the Handzar Division had
3 succeeded in tarring the Bosnian Muslims with the taint of collaboration
4 with the occupiers, specifically enthusiastic cooperation with the SS.
5 While it is unfair to place blame for this on all Bosnian Muslims, there
6 was ample liability in the case of the Muslim religious establishment and
7 especially with Islamist groups such as the Young Muslims. As the tide
8 of the war turned decisively against the Germans in 1944, and the
9 Wehrmacht commenced a gradual retreat out of the Balkans, those who had
10 collaborated with the Nazis and Ustashes faced a bleak future. It was
11 only in the last months of the war that the Muslims joined Tito's
12 Partisan forces in any numbers, and that was mainly because the
13 Communists enforced conscriptions in liberated areas which, by the end of
14 1944, included most of Bosnia and Herzegovina."

15 In brackets:

16 "(Among the less-than-willing soldiers in Partisan uniform in the
17 last months of the war were the Young Muslim activists Alija Izetbegovic
18 and Nazif Sacirbegovic)."

19 So it was a fact that he was a Young Muslim, correct, Alija
20 himself, Alija Izetbegovic?

21 A. Yes, that's correct.

22 Q. Now, you told us that he had been in prison for that. Now let's
23 look at page 39 of the same document, which is 1D00431 for the record,
24 and you will be looking, sir, at page number -- the last four digits are
25 1846. For us in English, it is page 39. It says:

Page 42018

1 "The Young Muslims found life under Communist uncongenial - not
2 least because some of its members were in prison or wanted for
3 collaboration with the Nazis - but they continued their activities
4 clandestinely. One of their major accomplishments was the publication of
5 their journal, 'El Mujahid (The Holy Warrior),' whose first edition
6 displayed unmistakable signs of Pan-Islamist radicalism: Calls for
7 jihad, ample Koranic quotes, recitation of the 'tekbir'."

8 And so on. And I'm going to miss -- I'm going to skip one part
9 and go to the text again. It says:

10 "The inaugural edition of 'El Mujahid' appeared thanks to the
11 editorial work of Alija Izetbegovic, who was arrested shortly thereafter
12 with his friend and co-conspirator Nazif Sacirbegovic."

13 And then it goes on. It says there -- I'm going to skip a couple
14 of lines. It says:

15 "Izetbegovic admitted his membership in the Young Muslims and
16 some of his conspiratorial activities, though he denied any personal
17 cooperation with the Germans or membership in the Waffen-SS."

18 And we see he -- that's -- he received a sentence.

19 Now, this would have been the first time that Izetbegovic went to
20 prison; is that correct?

21 A. Yes, that is correct. This spared him some later even stricter
22 sentences. But you can find this in a book that a Muslim wrote about the
23 Young Muslim organisation, and I've already presented all that to the
24 Judges.

25 Q. And the second time that he was imprisoned, he was tried, in

Page 42019

1 fact, by one of the lawyers who's appeared over here when she was a
2 Prosecutor. He was convicted and he served time, and that would have
3 been in the 1980s; correct?

4 A. From 1983 onwards for five years, I believe.

5 Q. That's correct, 1983 to about 1988. Now, if we go to page 40 of
6 this document, which would be probably the next page for you, sir, at the
7 third paragraph --

8 JUDGE ANTONETTI: [Interpretation] One moment, Mr. Karnavas.

9 There may be a mistake in the transcript on line 9, page 28. You
10 said that he was put in jail and he was tried -- no, he was defended by a
11 lawyer; is that right?

12 MR. KARNAVAS: No, no, no. The lawyer who is a Defence lawyer
13 here was a prosecutor at the time. She prosecuted him, and as a result
14 of the good work that she had done and the ample evidence, he was found
15 guilty, and he served a sentence of five years. And, of course, it's not
16 a secret that prosecutors eventually become or sometimes become defence
17 lawyers, or vice versa, so ...

18 JUDGE ANTONETTI: [Interpretation] Very well. What was her name?

19 MR. KARNAVAS: Well, I believe it was -- and I would prefer if we

20 went into private session for that. That's why I didn't mention the
21 name. But if you wished for me to put it on the record, I can do so.

22 JUDGE ANTONETTI: [Interpretation] Please proceed in open session.

23 We don't need the name.

24 MR. KARNAVAS: Okay.

25 Q. If we look at page 40 -- if we look at --

Page 42020

1 THE INTERPRETER: Microphone for the counsel, please. Microphone
2 for the counsel.

3 THE WITNESS: [No interpretation]

4 MR. KARNAVAS: Well, the light is on and it's red.

5 THE INTERPRETER: The interpreters can't hear anything.

6 MR. KARNAVAS: Okay. Can you hear me now?

7 THE INTERPRETER: Yes, we can, Mr. Karnavas.

8 MR. KARNAVAS: Sorry for that. The "run" light says red, but the
9 other one wasn't on.

10 Q. Page 40, and I believe I gave you the page number for you, sir,
11 which is 1847, it says:

12 "Beginning in the mid-1950s, the Young Muslims quietly
13 re-absorbed members emerging from prison and re-established ties with the
14 Muslim Brotherhood in Egypt. The two secret societies were closely
15 related, sharing an ideology and a conspiratorial milieu; the Bosnians
16 had nothing but admiration for the Brotherhood, which had burrowed itself
17 clandestinely throughout Egyptian society. Its motto summed up their
18 ambition: 'The Koran is our constitution; the Prophet is our guide;

19 death for the glory of Allah in our greatest ambition.' For their part,
20 the Young Muslims had a similar slogan: 'Our path is jihad.' Under
21 Izetbegovic's direction, the Sarajevo group maintained ties with the
22 Brotherhood via secret meetings in several countries and, and arranged
23 for contraband Islamic literature to be smuggled into Bosnia."

24 Were you aware of that, General Praljak, that Izetbegovic during
25 that period had not changed and was, in fact, pursuing his Young Muslim

Page 42021

1 agenda?

2 A. Mr. Karnavas, I reads the "Islamic Declaration" as soon as it
3 appeared and I studied it. That's number one. Number two, I know that
4 Mr. Izetbegovic and his associates never gave up on that ideology. And,
5 number three, before my very eyes during the war, something that we might
6 call the Islamisation of the population and the military went from
7 strength to strength. That world-view became more and more evident by
8 the day, and that world-view was what was governing life in the territory
9 of Bosnia and Herzegovina. I've already spoken about that. This was
10 visible in the way they greeted each other and so on and so forth.

11 Q. Let's go to page 44 of this document by Mr. Schindler, 1D00431.
12 And for you, it would be 1850, the very last paragraph. Now we're moving
13 up in history, and it says:

14 "But the final straw was evidence of ties between the Young
15 Muslims and Iran's revolutionary regime."

16 And I think Mr. Schindler is talking about the same regime that
17 we see on television today:

18 "In the summer of 1982, Alija Izetbegovic and his long-time
19 associate, Omer Behmen, who had served 11 years in Communist prisons for
20 his service to the Islamic cause, proceeded to establish contacts with
21 Tehran via the Iranian Embassy in Vienna, using a third Young Muslim,
22 Teufik Velagic, and as a courier, Velagic's task was passing a copy of
23 Izetbegovic's "Islamic Declaration," an unpublished manifesto of their
24 movement that had been circulated underground in "samizdat" fashion.
25 Apparently the Iranians liked what they saw, as they agreed to have the

Page 42022

1 leadership of the Young Muslims visit Iran; they also arranged to meet
2 with Bosnian Islamists in Abu Dhabi - a safer third country - to discuss
3 mutual interests."

4 And then further down on the same page, it says:

5 "The best witness for the prosecution was the 'Islamic
6 Declaration' which began with two maxims: 'Our objective: Islamisation
7 of the world. Our motto is: To have faith and fight.'"

8 "The unpublished book" --

9 THE INTERPRETER: Could you please slow down.

10 MR. KARNAVAS: This is Schindler's:

11 "The unpublished book called for 'political revolution,' and
12 stated without qualification, 'There can be no peace or harmony between
13 'Islamic religion' and non-Islamic social and institutions."

14 Let me go on with this whole subject.

15 We turn to page 48, and this is what Mr. Schindler says, and I'll
16 ask you, since you told us that you've read the document. This is 1853.

17 There is a section where Dr. Schindler has indicated:

18 "That Izetbegovic was an Islamist could be doubted by none who
19 read his writings with open eyes. The most damning indication of his
20 mindset was the 'Islamic Declaration' which had been of interest to the
21 secret police. Apparently written over years beginning in 1969, it was
22 not completed until the early 1980s; it was not available to the public
23 until its publication in Sarajevo in 1990, igniting a firestorm of
24 controversy; a singularly odd manifesto, the 'Islamic Declaration' is a
25 rambling document that never mentions Bosnia (that would have guaranteed

Page 42023

1 immediate arrest by State Security), yet places Izetbegovic's
2 religious-cum-political philosophy midstream in the Islamist current."

3 And if with look at the next page, which is page 49,
4 Dr. Schindler says, and this would be 1849 for you:

5 "The reaction of the Bosnian Christians to such rhetoric was
6 understandably immoderate. They viewed Izetbegovic's writing as 'a sort
7 of Islamic "Mein Kampf."' In American terms, this would be tantamount to
8 a white Southern politician who publicly extolled his slave-owning
9 ancestors where running for office on a platform calling for return to
10 ante-bellum values and practices. The opinions of African-Americans in
11 such a scenario would be easy to predict, and rather like how non-Muslims
12 in Bosnia viewed the rise of Izetbegovic."

13 Now, you told us that you had read and studied this document. Do
14 you have an opinion as to what Dr. Schindler is saying here and the
15 reactions that he claims the Bosnian Christians - that's his term, that's

16 not mine, and I suspect he's referring to the Bosnian-Herzegovinian
17 Croats and the Bosnian-Herzegovinian Serbs - but can you comment a little
18 bit on what Dr. Schindler is saying here?

19 A. I can. What Mr. Schindler writes in his book, if I had been the
20 one to tell him that in 1991, he would have proclaimed me a Croatian
21 nationalist, as everybody else did, and therein lies the problem.

22 The Americans could also read the "Islamic Declaration," and so
23 did the French and the rest of them. Nobody knew anything at the
24 beginning. They don't want to know, because they pursue ideas that have
25 nothing whatsoever to do with reality, Mr. Karnavas. Nobody has ever

Page 42024

1 studied thoroughly "Mein Kampf," nobody has ever understood "Mein Kampf,"
2 and that's why Hitler progressed. Nobody ever read this as they should.
3 And I -- obviously the Americans, who imposed embargo, were pushing us
4 towards Iran and allowed Iran to transport weapons via Croatia.

5 I spoke with the minister of foreign affairs, Viran Galat
6 [phoen], and I asked him why, why did this happen? Well, this is why:
7 Nobody wanted to read anything, nobody wanted to make an effort to
8 understand the situation. Every smart-ass comes and knows everything
9 within the first 15 minutes, catastrophic moves and decisions are made,
10 everything is then pushed into an abyss, and ten years later everybody is
11 wise. And this is history, unfortunately.

12 Q. Well, let's see what -- let's see what Dr. Schindler says about
13 that, tying in what you just told us. Then I'm going to go back to the
14 very beginning of this book and see how that might be able to help us a

15 little bit.

16 On page 201, page 201 of this document, 1D03137, and this would
17 be page 1979 for you, 1979 for you, sir, it says:

18 "Izetbegovic and his party succeeded in portraying this struggle
19 as Western secular and democratic, when it was actually Eastern Islamic
20 and authoritarian. Many Bosnian Muslims found the SDA vision acceptable
21 or at least better than the other options, and weren't too troubled by
22 Sarajevo's regular invocation of the jihad. For many, the SDA struggle
23 had become theirs, and they confused the defence of Muslims with waging
24 holy war, just as Izetbegovic wanted.

25 "In a revealing interview, Hase Tiric, the commander of the Black

Page 42025

1 Swans, a Muslim special-force unit that did its share of dirty work for
2 the SDA during the war, was asked, 'Are you fighting for a Bosnia or a
3 Muslim state?'"

4 And his answer, according to this quote, is as follows:

5 "What's the difference?"

6 Did you know this gentleman, by the way, that's being quoted
7 here, Tiric? Had you heard of him, and had you heard of the Black Swans?

8 A. I've heard of the Black Swans, and I know everything they did.

9 And I also heard of the gentleman, although I don't know him. But we had
10 complete, thorough information about the Black Swans. We knew what they
11 were doing, how they were doing things, and so on and so forth.

12 Q. All right. Now, you indicated that the Western media and some of
13 the Western governments were rather naive in the way they behaved and

14 what have you. Here we have a passage where we see Izetbegovic, how he's
15 trying to portray his party. But let's look at page 15 of
16 Dr. Schindler's book, 1D03137 for the record. That's page 15 in English,
17 and I'll get you the number real quickly, but it's in Chapter 1, the very
18 first page of Chapter 1 of the book, sir, the very first page of
19 Chapter 1. We're going to go to Chapter 1 and -- it's 18 and 19, sir,
20 I'm told. It starts with:

21 "It was the achievement of a lifelong dream. As
22 Adil Zulfikarpasic arrived at Velika Kladusa, in the northern --

23 MR. KARNAVAS: Is it okay now? Okay. Let me begin -- start
24 again.

25 Q. It's page 1825 for you, page 15 for us, document 1D03137:

Page 42026

1 "The achievement of a lifelong dream. As Adil Zulfikarpasic
2 arrived at Velika Kladusa in the north-western corner of Bosnia in
3 mid-September 1990, he felt a pride and a hope he hadn't known since his
4 youth."

5 It then goes, further down, the next paragraph:

6 "A devout Muslim, Zulfikarpasic was nevertheless a firm believer
7 in secular politics and the need for Bosnian Muslims and Christians to
8 coexist peacefully."

9 Then the last paragraph:

10 "It was therefore a shock for Zulfikarpasic to look out on the
11 enormous crowd gathered, at least 300.000 people - some said as many as a
12 half a million - in any event, it was the largest gathering of Muslims

13 ever in Bosnia - and see among the party banners -- among the party
14 banners deeply disturbing signs of jihadic [phoen]. There were
15 over-sized banners in bright green, the colour of Islam; men adorned
16 menacingly with sabres and turbans; shouts of 'Long live Saddam Hussein';
17 and, worst of all, banners and paearns [phoen] to Iran.

18 "Zulfikarpasic turned to Alija Izetbegovic, the new party leader,
19 who had recently been a political prisoner for advocating radical Islam,
20 and pleaded for reason: 'By God, Alija, why are you doing this? Don't
21 you know that in a half an hour, these pictures will be shown around the
22 world?' Zulfikarpasic was terrified of giving ammunition to the enemies
23 of Bosnia's Muslims. But Izetbegovic did not respond, even when
24 Zulfikarpasic - the party's chief fundraiser and one of its three
25 vice-presidents - admonished him, 'I don't want to participate in the

Page 42027

1 slaughter of Muslims. Why do you have Khomeini's picture?'"

2 That's the Ayatollah, not the recent -- not the Khamenei who's on
3 now, but the old one:

4 "Izetbegovic's non-response mystified and saddened the old man,
5 who quickly concluded that the new party was leading his people to
6 disaster. Two days later, he resigned his party posts and distanced
7 himself from Izetbegovic and the party they had founded together.

8 Zulfikarpasic said he found 'vast evidence of intolerance, religious
9 exclusion, clerical meddling, and deceit.' Adil Zulfikarpasic hastily
10 began a campaign trying to warn Bosnians that the party's programme and
11 leadership were charting a road to ruin. No one listened."

12 And my question to you, General Praljak, is: How is it possible
13 for no one to have realised what Izetbegovic was up to, given that at a
14 rally you have this sort of behaviour going on? How is it that the West
15 didn't pick it up? Can you give us -- do you have any explanations for
16 that?

17 A. Yes, I do. First of all, you cannot say that no one understood,
18 because I did, I understood, so please exclude me from saying this. A
19 friend of mine, who is an academic, a Muslim - I won't mention his name
20 now - I told him before the elections that in Bosnia and Herzegovina,
21 those would not be a political elections, but simply a census. So the
22 SDS would be the census for Serbs, HDZ for Croats, and SDA for Muslims.
23 The results would correspond. All the assumptions that -- or
24 catastrophic assumptions -- or, in fact, preparations for the catastrophe
25 were in place, and every war is prepared ten years before it actually

Page 42028

1 breaks out. Any serious observer or researcher is aware of it, but there
2 are none left. No serious observers or researchers are not there.

3 America created the al-Qaeda in Afghanistan to fight the
4 Soviets. I simply can not understand the American policy. It is
5 pursued -- they're running things as if it were a medium-size company,
6 and they send out people who, in 15 minutes, learn more about the
7 problem -- they know more than I do after 40 years of study, simply
8 because they're Americans; America is the greatest power, the most
9 powerful country in the world, and by dint of being an American, this
10 person is the smartest person in the world. And in 15 minutes, and

11 failing to understand anything, they make those catastrophic moves, and
12 the war is a result. The war will definitely support further
13 Islamisation, and if the people face extinction and killing, then they
14 will turn to God.

15 JUDGE ANTONETTI: [Interpretation] General Praljak, you're not
16 really answering the question put to you by Mr. Karnavas, and you're
17 extremely lengthy in your answer and wasting some of his time.

18 But I have a follow-up question, however. Like everyone else, I
19 took a look at this book, a book written by a person who seems to be a
20 scholar. He is a lecturer at the American Naval Academy, and there are
21 many sources to this book, notably expert from the OTP, Mr. Donia, as
22 well as former analysts from the OTP, Attila Ohare [phoen], to mention
23 him, who wrote a number of papers, including papers involving the
24 documents sent by Serbia to the OTP. He's also basing his paper on
25 sources coming from the CIA. So in this book, there are many things that

Page 42029

1 are extremely interesting.

2 And you just told Mr. Karnavas that you were one of those who had
3 understood everything, but if you had understood that Mr. Izetbegovic, in
4 his "Islamic Declaration" and with his troops, i.e., the Mujahedin, was
5 leading a holy war, why is it that you supplied them with weapons?

6 THE WITNESS: [Interpretation] Well, did you see how Croatia was
7 blamed for everything, for putting a stop to the supply of weapons to --
8 or had we stopped supplying weapons to the Muslims, we would have been
9 declared fascists, the worst kind of fascists and Ustashas in the world.

10 Simply, it's prejudice, and once the world accepts that Muslims are
11 victims because of what was going on in Sarajevo, and if you have
12 somebody from America, from France, walking around there, if you told
13 them something against the victim, if you tried to tell them that the
14 victim is not as innocent as all that, Your Honours, they immediately
15 branded you a criminal. In their opinion, the victim was unarmed, didn't
16 do anything, there were no Mujahedin.

17 There are truths that you cannot break down. It takes 15 years
18 for the truths to come out, the truths that I knew. I knew impeccably
19 the situation as it was developed, and the witnesses will say that in
20 their evidence.

21 JUDGE ANTONETTI: [Interpretation] General Praljak, you just
22 mentioned Sarajevo, but in this book the author mentions the gangs who
23 were operating in Sarajevo; notably, the notorious Juka Prazina, as well
24 as a well known Caco who were -- was pursuing ethnic cleansing, ethnic
25 cleansing of Serbs. You were the deputy minister to defence, and you

Page 42030

1 were also commander of the HVO at one point in time, so did you know all
2 this, were you aware of all this; notably, what this Juka Prazina was up
3 to?

4 THE WITNESS: [Interpretation] Yes, we knew everything. We knew
5 about the executions that were going on. Well, hundreds of people were
6 killed. Tens of thousands of people were expelled. Well, these were
7 things that were an open secret. Well, aside for a large number of
8 journalists, especially from UK -- well, please, don't talk to me about

9 objective journalism. It doesn't exist.

10 JUDGE ANTONETTI: [Interpretation] Very well. Mr. Karnavas, you
11 will continue, but I believe it's maybe time for a break, unless you have
12 a quick question? No, a break?

13 Let's break for 20 minutes, and then we'll resume.

14 --- Recess taken at 10.36 a.m.

15 --- On resuming at 10.57 a.m.

16 JUDGE ANTONETTI: [Interpretation] The court is back in session.

17 I believe that Mr. Ibrisimovic wanted the floor.

18 MR. IBRISIMOVIC: [Interpretation] Thank you very much,

19 Your Honour.

20 When Mr. Karnavas broached the topic as to who was a judge or a
21 prosecutor in the Izetbegovic case, in the trial, I was involved in 1983,
22 I was a lawyer in the law office that represented three of the accused.
23 And this group of 13 people was convicted of verbal crime, thought crime,
24 and the sentence that Mr. Izetbegovic received, nine years, was imposed
25 by the Federal Court in Belgrade. I think that Mr. Praljak knows what

Page 42031

1 the response was among the intellectuals, not only in Sarajevo, but in
2 Belgrade and Zagreb, and that's all I had to say.

3 THE WITNESS: [Interpretation] Yes, that's correct, I am aware of
4 this response.

5 JUDGE ANTONETTI: [Interpretation] Very well. Thank you,
6 Mr. Ibrisimovic.

7 Mr. Karnavas, the Registrar told me that you have an hour and

8 seven minutes left.

9 MR. KARNAVAS: Very well, Your Honour. And I wasn't aware that
10 Mr. Ibrisimovic was involved. I knew that Edina Residovic, I as
11 understand, was the prosecutor in the case, but that's my understanding
12 of it, but we appreciate that information.

13 Q. Let me pick up where the question from Judge Antonetti left us
14 with, because the question was, How come the Croats were funnelling arms?

15 If we look at Mr. Schindler's book, we also see that the
16 Slovenians -- we also see that the Slovenians and -- were involved, and
17 also that weapons were coming through Hungary. We also know that the
18 Americans were involved, as you told us. So can you please explain to
19 us, how is it that those countries, the neighbouring countries, first of
20 all, got involved in breaking the arms embargo and funnelling weapons to
21 the Muslims in Bosnia-Herzegovina, and why is it that they didn't see
22 that they were collaborating with extreme Islamic organisations?

23 A. For two reasons. The first reason was that a huge number of
24 these people believed that Muslims were fighting the aggressors. And,
25 secondly, because great sums of money were involved, and everybody was

Page 42032

1 making a profit.

2 MR. KARNAVAS: And for the record, Your Honour --

3 THE INTERPRETER: Microphone, please.

4 MR. KARNAVAS: For the record, Your Honour, I am referring to
5 page 155 from Mr. Schindler's book, where he talks about this well-known
6 organisation we heard here in this courtroom, TWRA, and he makes

7 reference on that particular page about gun-running, and in particular he
8 notes that by the summer of 1992, by the summer of 1992, Sarajevo had
9 opened an arms corridor through Slovenia using ex-Soviet Bloc aircraft,
10 11-76 transports and MiG-26 helicopters to ferry Warsaw Pact weapons from
11 Hungary to Bosnia through Slovenia airports. So here we have the
12 neighbouring countries, who are also hosting some of the refugees, also
13 involved in breaking the embargo and funnelling weapons into Croatia.

14 Q. Were you aware of that, sir, at the time?

15 A. Fully.

16 Q. Just by serendipity, just to kind of this topic and then we'll
17 move on, if we could look at a document that I just placed before
18 everyone, and it's in the e-court, 1D03145, this is from the
19 International Herald Tribune from yesterday, June 24, 2009. I happened
20 to see it this morning, just by accident, but I think it might -- it ties
21 in with Judge Antonetti's question and your answers.

22 And it begins by saying, and I'll read slowly, the title is:

23 "September 11 victims' families press lawsuit."

24 "Documents gathered by lawyers for the families of September 11
25 victims provide new evidence of extensive financial support for al-Qaeda

Page 42033

1 and other extremist groups by members of the Saudi royal family, but the
2 material may never find its way into court because of legal and
3 diplomatic obstacles."

4 It goes on. At one point, it says:

5 "Adding to the intrigue, classified American intelligence

6 documents related to Saudi finances were leaked anonymously to lawyers
7 for the families."

8 A few lines down, it says:

9 "The Saudis have long denied links to terrorists, and they have
10 mounted an aggressive and so far successful campaign to beat back the
11 allegations in federal court, based on a claim of sovereign immunity,"
12 not evidence, but just "sovereign immunity."

13 "Saudi links to terrorism have been subject to years of
14 government investigation and furious debate."

15 The last paragraph of the first column:

16 "A self-described al-Qaeda operative in Bosnia asserted in an
17 interview with lawyers in the lawsuit that another charity, largely
18 controlled by members of the royal family, the Saudi High Commission for
19 Aid to Bosnia, provided money and supplies to the terrorist group in the
20 1990s and hired militant operatives like himself."

21 And then one other passage I wish to read. The whole article is
22 rather interesting, but one other passage, it says:

23 "And a confidential German intelligence report gave a
24 line-by-line description of tens of millions of dollars in bank transfers
25 in the 1990s, with dates and dollar amounts, by Prince Salman bin

Page 42034

1 Abdul-Aziz and other members of the Saudi royal family to another charity
2 that was purportedly funding militants in Pakistan and Bosnia."

3 Now, were you aware of this activity? That's my first question.

4 And, secondly, since Alija Izetbegovic is being portrayed as the

5 president of the Presidency for the entire country, and looking after the
6 affairs of all those who are living in Bosnia-Herzegovina, which would
7 include the Croats, can you please tell us whether you know, based on
8 your position and experience, how much of the millions and millions of
9 dollars being funnelled in by Saudis and others made its way to the
10 Croats in Bosnia-Herzegovina who at the time were linked up with the
11 Muslim forces at various times in fighting off the Serbs?

12 A. According to the information that we had at the time, this
13 involved hundreds of millions of dollars -- well, more than a billion
14 dollars that were being funnelled in, we had no control mechanisms and we
15 couldn't achieve that the Croats get anything from that money.

16 Q. All right. Now, before we go on, I just have one housekeeping
17 matter, going back to the "Islamic Declaration," since we are moving it
18 in as an exhibit, albeit up to date it has been declared as not relevant
19 to these proceedings.

20 So if we could look at 1D03142, 1D03142, this is an excerpt from
21 a book that found its way in a footnote by none other than
22 Mr. Tomljanovic, who is an OTP employee who testified here under the
23 auspices of an expert, although as we know, he works for the Prosecution.

24 Now, in this book by Mr. Suad Arnautovic, "Elections in
25 Bosnia-Herzegovina in 1990" -- are you familiar with the book, first of

Page 42035

1 all?

2 A. No.

3 Q. Are you familiar with the individual, by any chance?

4 A. Yes. Oh, no, Suad Arnautovic, no, I don't know him.

5 Q. Now, he does say in his book, and for us in English it would
6 be -- if you look at the bottom pages, it would be 1832, it says:

7 "Democratic Action Party was not directly publishing special
8 publications, but the publisher of Sarajevo "Bosna" did publish a reprint
9 of the book 'Islamic Declaration' written by Alija Izetbegovic. This
10 edition was being advertised and distributed at the party gatherings and
11 other events during the SDA election campaign."

12 And it says:

13 "Also, during the campaign, Fikret Abdic's book, 'My Response,'
14 was being prepared and promoted during the campaign, and in early 1991
15 his other book, 'SDA, Will Do, Can Do and Know How to Do,' was also
16 published."

17 Now, again I want to make sure for the record, were you aware
18 that this publication, the "Islamic Declaration," was being -- you told
19 us it had been reprinted, but did you know it was actually being
20 distributed at the SDA gatherings by none other than the president of the
21 SDA during a period of time just preceding the conflict?

22 A. I know that it was published, I know that it was distributed.
23 I'm not aware that Mr. Izetbegovic did the distributing.

24 Q. Okay, thank you. So now we can go back to where we were.

25 If we go back to "The Unholy Terror."

Page 42036

1 JUDGE TRECHSEL: Excuse me, just an information. I do not see in
2 the passage that it is said that Mr. Izetbegovic distributed the book.

3 MR. KARNAVAS: And that's what -- exactly what General Praljak's
4 indicated, that he did not distribute it. It was being distributed.

5 JUDGE TRECHSEL: Yes.

6 MR. KARNAVAS: Well, he has it reprinted and it's being
7 distributed. It's not -- how did it find its way to the party gathering?
8 He never -- and as we've heard --

9 JUDGE TRECHSEL: I'm -- excuse me. I am referring to page 44,
10 lines 22 and following, where you asked Mr. Praljak:

11 "Did you know it was actually being distributed by none other
12 than the president of the SDA?"

13 MR. KARNAVAS: Yeah, I asked him, and we got his answer.

14 JUDGE TRECHSEL: Yes, but you implied that it was distributed by
15 the president of the SDA, and I wonder where the source of that knowledge
16 of yours is.

17 MR. KARNAVAS: Well, my source is as follows, Your Honour: This
18 is a party gathering. We saw the banners of Khomeini. He just gets out
19 of prison, he republishes it. How did the copies get there? It's an
20 assumption that I can make. You can reject it outright, and perhaps this
21 is a way of trying to keep the document from being actually into
22 evidence. But I dare say, we have ample evidence that he never renounces
23 the "Islamic Declaration." It is being promoted. We have Zulfikarpasic,
24 who is a devout Muslim, but nonetheless did not agree with Alija's
25 policies, and I'm entitled to make -- to ask that question, and he

1 provided the answer. The answer was he did not know of Izetbegovic

2 actually distributing it. So you can take it or leave it as you wish,
3 Your Honour.

4 Q. Let me go back, because there seems to be doubts on the part of
5 members of the Trial Chamber. Did Alija Izetbegovic, to your knowledge,
6 ever renounce the "Islamic Declaration," and renounce those who were
7 circulating it on his behalf, keeping in mind that he had been going to
8 Iran, promoting it, meeting with the Ayatollah and the others in order to
9 get funding from Iran, do you know of any instance where
10 Alija Izetbegovic renounced his beliefs that he claims in the "Islamic
11 Declaration"?

12 A. A precise answer would be I don't know of any public place where
13 Mr. Izetbegovic renounced the "Islamic Declaration."

14 Q. Did he ever renounce anyone for distributing the publication; in
15 other words, reproach them from circulating it, especially at political
16 rallies, where he, as the president of the party, was trying to galvanize
17 his party members to the party's agenda?

18 A. I don't know of any such instances.

19 Q. Let's look at page 52 of 1D03137. And for you, sir, it would be
20 1856, 1856. If we look at the very first paragraph, it says:

21 "Abdic soon broke with the SDA. However, viewing it as a nest of
22 Islamic radicalism, and Zulfikarpasic and Filipovic quit the party in
23 disgust after the Velika Kladusa rally that revealed the ugly side of
24 Izetbegovic's vision for Bosnia, Izetbegovic drove them out, purging them
25 after they had been milked for money and respectability and were no

1 longer needed. Abdic decided to run against Izetbegovic in the coming
2 Bosnian presidential election, while Zulfikarpasic and Filipovic founded
3 their own party, the Muslim Bosniak Organisation, to represent secular
4 interests."

5 This is the same Abdic that you were -- this is the same Abdic
6 that you were questioned about at one point in time, I believe, by
7 Judge Antonetti; is that correct?

8 A. Yes, it's correct as regards Abdic, and it is correct that
9 Abdic's policy and Zulfikarpasic's policy and Filipovic's policy were
10 different from the policy pursued by Mr. Izetbegovic.

11 Q. If we go further down, lest there be any mistake, at least
12 according to Mr. Schindler, he says, the following paragraph - I'll begin
13 in the middle of it:

14 "Bosnians were easily taken in by the SDA's bland declaration in
15 defence of Muslim rights."

16 And this is on page -- same page, 1857:

17 "As one voter admitted, 'The SDA is the only party. I still
18 don't know what their programme is, it's true. Somehow they don't say.'
19 Of the 40 founders of the SDA, only 8 had been Young Muslims, but those
20 veterans, Izetbegovic's trusted cabal, ran the party from its foundation.
21 They mostly held key posts behind the scenes, serving as the movement's
22 'untouchable core.'"

23 We go on, we'll skip a couple of lines:

24 "What the party looked like had been explained in the 'Islamic
25 Declaration,' 'The struggle for an Islamic system and a thorough

1 rebuilding of Muslim society can only be successfully carried out by
2 hardened personalities, forming a strong and homogeneous organisation.
3 This organisation is not a political party from the arsenal of Western
4 democracy; it is a movement based on Islamic theology.' In a rare moment
5 of candour, Izetbegovic admitted that the role of the Young Muslims was
6 vital. 'The fact is that a huge number of those people, most of them
7 participated in the creation of the SDA in 1990.'"

8 And just to make sure that we have it right, is this fellow --
9 Omer Behmen, was he a Young Muslim, to your knowledge?

10 A. Yes.

11 Q. Now, let's go to page 54.

12 JUDGE ANTONETTI: [Interpretation] Before you move to page 54,
13 let's stay with page 53.

14 Mr. Karnavas said something earlier, Mr. Praljak. He said
15 Mr. Abdic had had more votes than Mr. Izetbegovic, and I was quite
16 interested by this. If Abdic has more votes, why is it that he is not
17 head of the party, head of the Presidency? And then on page 53, we have
18 the results of the 1990 elections in November. We know that the Muslims
19 obtained 43.7 per cent, i.e. 1.905.000 people voting for them; the Serbs
20 have 31.4 per cent; and the Croats 17.3 per cent. These are figures well
21 known to everyone. We all have them and we all know about them. But it
22 goes on, and this is where I find it hard to reconcile. He says that
23 Izetbegovic had 874.213 votes, but Fikret Abdic got 1.040.307, 1.040.307.

24 Mr. Praljak, you know the ins and outs of politics, so can you

25 explain how it happened that even though Abdic had more votes, he did not

Page 42040

1 end up at the head of the Republic of Bosnia-Herzegovina?

2 THE WITNESS: [Interpretation] Abdic got more votes and he was a
3 public tribune, and Mr. Izetbegovic had a more powerful party apparatus
4 behind him, and that's why he became the president of the Presidency.

5 JUDGE ANTONETTI: [Interpretation] So it's the party organisation
6 that decided that he would be president of the Presidency, is this what
7 you're saying, it's the party apparatus that did this, despite the fact
8 that universal suffrage did give more votes to Abdic?

9 THE WITNESS: [Interpretation] That's correct, the party machine,
10 the machinery. The forces in the second and third line of command
11 demanded Abdic not to take the post, claiming that Izetbegovic would do a
12 much better job. And at one point, Abdic agreed to it, thinking that he
13 would keep his power. But from that time on, the power lies with the
14 organisation, and every organisation is much stronger than a tribune of
15 the plebs who does not have an organisation behind him.

16 MR. KARNAVAS: Thank you, Mr. President.

17 Now, if we go on to page -- it's going to be actually 50 --
18 bottom of 53, on to 54, and so I'm going to skip some portions, because
19 here we see that -- so it will be 1857 for you, sir. At the bottom of
20 the page, it says:

21 "Fulfilling the fears of State Security, Izetbegovic spent the
22 opening months in 1991 visiting friendly Muslim countries," and they're
23 listed.

24 And then it goes on to say:

25 "It was the visit by Izetbegovic and his retinue of SDA

Page 42041

1 higher-ups to Iran that caused the most discomfort back home. When the
2 delegation arrived in Tehran in early May, its stated task included
3 discussion of financial aid, founding a joint Iranian-Bosnian bank, the
4 opening of an Iranian consulate in Sarajevo ..."

5 And then it goes on to say:

6 "Izetbegovic asked Iranian leader Rafsanjani about the views of
7 Iranian intelligence regarding the situation in Bosnia, regarding the
8 risk of war, and explicitly asks for Iranian 'help' ..."

9 This would be on the following page, General Praljak:

10 "... and explicitly asks for Iranian 'help' if hostilities broke
11 out. The Bosnians were pleased when they were informed they could count
12 on Iran's full support. They received blank cheques, being informed
13 that, 'As for now, the state budget of Iran will be projected as if Iran
14 had 2 million more inhabitants than it currently has.'"

15 Were you aware or was anybody told what Izetbegovic was up to in
16 1991, when he obviously was making plans for the -- in the eventuality
17 that there was a war, that he would have the backing, at least the
18 financial backing, of Iran? Was anybody informed of that?

19 MR. STRINGER: Excuse me. Could counsel be more specific? "Was
20 anybody informed in that?" I'm not sure what --

21 MR. KARNAVAS: Well, in the press. I'll -- I'll --

22 Q. Did Izetbegovic -- let me rephrase. We've heard testimony here.

23 You've indicated at one point that Izetbegovic really wasn't preparing
24 for war. You told us that somehow Izetbegovic was being handled. At
25 least that's what Filipovic says, which you tend to believe. We now see

Page 42042

1 here evidence that Izetbegovic, as early as 1991, is going to Iran,
2 projecting that there may be a war and making provisions in that
3 eventuality.

4 Did Izetbegovic, as the president of the Presidency, at any point
5 announced to the other members of the Presidency, including the Croat
6 members, and to the Bosnians and Herzegovinians, Don't worry, we've got
7 the Islamic republic of Iran behind us, they will assist us in the event
8 there is a war in Bosnia-Herzegovina?

9 A. Mr. Karnavas, these are not mutually-contradictory things, public
10 statements by Mr. Izetbegovic that there would be no war and -- well,
11 those were statements that he made in the public, and that's a fact. So
12 in this respect, he didn't do anything to organise, apart from the
13 Patriotic League. First of all, he did not prepare his people
14 psychologically for the war.

15 And it is also true that he went to Iran, and we knew that, but,
16 please, the Americans knew that too. We received weapons from Iran,
17 through Croatia, with very clear tacit green light by the Americans. The
18 planes landed. Velayati [phoen] came.

19 Q. I understand that, but you're not answering my question,
20 General Praljak, and I'm pushing you to answer the question. And the
21 question is: Did Izetbegovic ever publicly announce, publicly announce,

22 that, I've gone to Iran, I've gone to Tehran, I met with the mullahs
23 there, they're behind us, they will financially support our war against
24 whoever it is that will be attacking Bosnia-Herzegovina? Did he ever
25 make such a public statement?

Page 42043

1 A. No, he did not.

2 Q. All right. Now --

3 JUDGE ANTONETTI: [Interpretation] General Praljak, you said that
4 you met with the Iranian [Realtime transcript read in error "Israeli"]
5 Foreign Affairs Minister Velayati. What did he say to you?

6 THE WITNESS: [Interpretation] I was at a meeting; not just me,
7 there were a few of us present. The meeting was in Croatia, and we
8 talked about delivery of weapons from Iran. We were facing an embargo,
9 which means that the West betrayed us and let the massacre happen. The
10 Western civilization did that. And when you are drowning, if somebody
11 extends a hand, will you obviously grab that hand, never even wondering
12 who or what is behind that hand, especially in view of the fact that the
13 West knew about all that, they knew about every aircraft, where it came
14 from, and what it carried. We accepted assistance from Hungary, from
15 Argentina, and so on and so forth, because the embargo was simply
16 inconceivable.

17 And then after a disastrous decision, everybody plays dumb and
18 they say, We can't lift the embargo, but you look around and see who can
19 help you. We received some weapons free of charge and sent it then to
20 the Army of Bosnia and Herzegovina, we kept some for ourselves, and what

21 we purchased on the market was seven or eight times more expensive than
22 would normally be the prices. And that brought the country to its knees
23 during the war. And then when we were really poor and weak, foreigners
24 came and bought all of our good companies. Let's not be naive. That's
25 how it happens.

Page 42044

1 JUDGE ANTONETTI: [Interpretation] Yes. It's not Israeli foreign
2 minister, it is Iranian foreign affairs minister. It's been corrected.
3 Thank you.

4 Please proceed, Mr. Karnavas.

5 MR. KARNAVAS: If we go to page 64 of this document 1D03137, we
6 see a reference -- and this is page 1866. We see where Dr. Schindler
7 notes that at one point in July 1991, while visiting Turkey, Izetbegovic
8 requested that Bosnia join the Organisation of the Islamic Conference, a
9 Saudi-backed forum with a reputation for propagandizing extreme forms of
10 Islam.

11 Q. Were you aware that Izetbegovic had made that request?

12 A. I wasn't aware of that.

13 Q. Now, if we go to page 95 of this document, same document,
14 1D03137, page 95, there are some references there. This would be
15 page 1893 in your -- in your document, sir. There are some references
16 about an SDA manifesto, "Virtuous Muslim State," written by Ednan Jahic,
17 the SDA party boss in Tuzla, and it says here Tuzla is the second largest
18 Muslim city.

19 Would you agree to that, that Tuzla is the second largest Muslim

20 city in Bosnia-Herzegovina, or was at the time, at least?

21 A. There are various booklets that were received via different
22 channels. I can't remember this particular one, but I'm familiar with
23 some of them, I'm familiar with some of the people behind them.

24 Q. But my question is: He represents Tuzla to be the second largest
25 Muslim city. Is that correct? Is that a correct assumption? Could it

Page 42045

1 be the third, fourth, or is it the second, to your understanding?

2 A. Yes.

3 Q. All right. And here, this is published in the second largest --
4 this is published, this article, in September 17, 1993. September 17,
5 1993. And he talks about this virtual Muslim state, and he says:

6 "The territory controlled by the Bosnian Army after the war would
7 be a Muslim state. This is the desire of the Muslim people, and, after
8 all, our secular leader, Alija Izetbegovic, and our religious leader,
9 Mustafa Cerić ..."

10 Now, sir, at that point in time in history, you know, starting in
11 July, August and we're into September, was it not a fact that the Muslim
12 Army, the ABiH, was trying to capture as much land as it possibly could,
13 while at the same time stalling at the negotiating table? Is that not a
14 fact?

15 A. It is a fact.

16 Q. It then goes on to say, the next bullet:

17 "The Muslim state would be the national state of Bosniaks, or
18 Muslims (with civil rights for minorities). All citizens will be

19 guaranteed equality before the law, while the level of personal
20 prosperity, besides individual initiative, will especially depend on the
21 degree to which the individual accepts and applies the principles and
22 spirit of the Islamic ideology."

23 Now, you studied history. Is he not -- is this gentleman not
24 promoting, in a sense, what the Ottomans did when they came to that
25 region, the same form of government?

Page 42046

1 A. That's true, you may understand it that way. Any such radical
2 interpretation of the Islam leads to a non-equality among the citizens in
3 such a state. There will be a distinction between the privileged, those
4 who belong and subscribe to the Islam, and those cannot be equal to them
5 because they don't belong to the Islam. This is the radical
6 interpretation of Islam, and, yes, when something like that happens, that
7 would apply.

8 Q. Now, when this SDA party leader in Tuzla says -- it talks about
9 the minorities, is he not talking about Serbs and Croats who are
10 constituent peoples in Bosnia and Herzegovina, and were at the time and
11 continue to be?

12 A. Correct. Serbs, Croats, Jews, and the rest.

13 Q. Now, did the Vance-Owen peace process, that you are aware of,
14 when they had various provinces, or the Cutileiro Plan, did it ever
15 envisage that whoever -- whichever national group would be in charge or
16 have the majority, I should say, in governance of a particular province
17 or area, did it ever envisage turning the constituent peoples, the

18 others, that is, into minorities, national minorities?

19 A. No, never, this was never envisaged in any plan of the internal
20 delineation of Bosnia-Herzegovina. Everything had to be equal. There
21 should have been equality, mirrored equality, in everything.

22 Q. All right. It goes on to the next bullet point to say:

23 "The Muslim state will have an Islamic ideology based on Islam,
24 Islamic religion, legal, ethical and social principles."

25 Is that what was being promoted through the Vance-Owen peace

Page 42047

1 process, as far as you know, or Cutileiro, or the Owen Stoltenberg Plan?

2 A. No, that was not admissible, not admissible. It was not
3 envisaged.

4 Q. Let's look at the next bullet point:

5 "No state has ever assisted its opposition, nor has it
6 deliberately offered the possibility for the promotion of opposing ideas
7 and political interests."

8 And then it goes on to the next bullet point:

9 "People who prove to be true Muslims, aware nationalists and good
10 believers, will naturally have higher social privileges than those who
11 persist in their opposition."

12 Are these the sorts of ideals that governed -- or that were
13 available or promoted by any of the peace plans that were in discussion
14 throughout this period, 1992 to 1994?

15 A. No, this is all contrary to whatever is known in the West as a
16 secular, civic, parliamentary, market democracy.

17 Q. Then it goes on to say:

18 "The Islamic ideology will aim to gradually abolish the duality
19 between sacred and secular, religious and political, which has been
20 imposed on us by secularized Christian Europe against our will."

21 Now, if you look at that, just pause on that a little bit, and
22 you look at the "Islamic Declaration" which has yet to be introduced,
23 despite repeated attempts, does this not sound similar? Is this
24 gentleman not promoting the ideology that Izetbegovic wrote, fought, and
25 went to jail for?

Page 42048

1 A. Mr. Karnavas, one of the ways to interpret the Koran and Islam
2 leads to identical conclusions. In the "Islamic Declarations" and in and
3 other things, this is simply a logic that always leads to the same
4 conclusion as to how should a Muslim state be organised.

5 Q. Okay, thank you. Now, it goes on, if we go on to page 97, which
6 would be the following page for you -- or it would be on page 1893, just
7 one part, it says:

8 "Izetbegovic thereby managed to win kudos from Western liberals
9 for his stated multiculturalism while accepting an award from the Saudi
10 government for his contributions to Islam and the jihad. Although the
11 SDA professed a deep desire to join Europe and create a secular, civil
12 society on the Western European model, this was actually the opposite of
13 what the party wanted. As Izetbegovic had explained his views, 'My
14 tolerance is not a European but of Muslim origin. I am tolerant first
15 because I am a Muslim, only secondly as a European.' Indeed, becoming

16 like Europe was a great fear, according to Dzermaludin Latic, one of the
17 SDA's leading ideologists, who issued a warning" --

18 JUDGE PRANDLER: Mr. Karnavas, it is the umpteenth time that we
19 ask you really to slow down. The interpreters have asked us, the Judges,
20 to tell you, to convey this to you. When you are reading, you have to
21 make some more efforts to do so.

22 MR. KARNAVAS: I apologise.

23 JUDGE PRANDLER: Thank you.

24 MR. KARNAVAS:

25 Q. Mr. Latic says in his warning:

Page 42049

1 "My God --

2 A. Latic.

3 Q. Latic:

4 "My God, the Bosnian Muslims will, as a large, ugly copy, become
5 a European nation culturally as well, with a European lifestyle, a
6 European abandonment of God, and thus moral indifference too."

7 Now, keeping this in mind, going back to what the gentleman said,
8 from Tuzla, the SDA party boss in Tuzla, and seeing what Mr. Latic tells
9 us here, is it possible that these sorts of gentlemen that were running
10 around making these sorts of public pronouncements in the press and what
11 have you, is it possible that they were doing so against the wishes of
12 Alija Izetbegovic or unknowns to him; he wasn't aware that Tuzla was
13 publishing this sort of pamphlet?

14 A. [Interpretation] I don't think that this was possible.

15 Q. When you look at the "Islamic Declaration" and you look at what
16 is being said here by Mr. Latic, is he not, more or less, stating the
17 same thing that Izetbegovic states in the "Islamic Declaration" when, for
18 instance, he sort of criticises Turkey for being too modern, being
19 secular, and in fact blaming Ataturk for not designing a modern Turkey
20 that is Islamic in nature, sort of like, more or less, Iran as it is
21 today?

22 A. It is true that this kind of interpretation of the sacred book of
23 Koran and Islam does not portray Turkey as something that they would find
24 convenient. I know that after -- or during his visits to Turkey,
25 Mr. Izetbegovic did not want to go and place a wreath on the grave of

Page 42050

1 Kemal Ataturk because he blamed him for having created a secular Turkey.
2 But, Mr. Karnavas, you know that this is a different civilizational
3 circle and that America has cherished very close ties for decades with
4 the royal family in Saudi Arabia. This is just the way the cookie
5 crumbles, and this is the world politics. The world politics does not
6 respect any principles. It only looks after its own interest.

7 Q. All right. And would that be your explanation, for instance, if
8 we went to page 141 of this document, where we -- Mr. Schindler notes
9 that there was a notorious incident in June -- this would be on
10 page 1931. You may have -- 1931. You may have heard of this incident in
11 June 1993. 1931 --

12 A. 931?

13 Q. 1931:

14 "In early June 1993, SDA representatives gathered at the Zagreb
15 Mosque, which was closely linked to Izetbegovic, for a fete to honour the
16 Ayatollah Khomeini."

17 Now, Izetbegovic didn't attend, himself. Salem Sabic, the SDA
18 vice-president and Mr. Izetbegovic's personal representative, was there,
19 and he stated:

20 "Bosnian Muslims are the best example of the Imam's," i.e.,
21 Khomeini's, "prophetic words that 'if they are not united, Muslims
22 worldwide will be suffering under American and Zionist regimes.'"

23 So you talk about the Americans quite often, and as an American,
24 I don't get offended because I'm just a defence lawyer, but how is it --
25 how can you explain Croatia, where the mosque, as I understand it, is in

Page 42051

1 the middle of the town, they're allowing an SDA gathering to honour
2 Khomeini, of all people, who at least by 19 -- by this period of time
3 everybody knew who the person was, what he stood for, and how he treated
4 anybody who opposed his radical Islamic ways? How do you explain that?

5 THE INTERPRETER: Microphone for the witness. Microphone for the
6 witness.

7 THE WITNESS: [Interpretation] It's functioning. Yes, I have it
8 back. One's working, one's not. No, both are working.

9 Mr. Karnavas, a large number of Muslims in Bosnia and Herzegovina
10 perceive Ayatollah Khomeini as somebody who has returned the dignity to
11 the Iranian people against the American oppressor, who had ruled there
12 for decades. That was the perception. A large number of Muslims, on the

13 other hand, did not support Imam Homeini. Secondly, Croatia was a modern
14 diplomacy which has diplomatic relations with Iran.

15 Secondly, in Croatia, there was freedom of assembly, speech, and
16 expression of thought.

17 Thirdly, Croatia was a secular state, whereas religion and
18 religious gatherings were allowed and were not control.

19 And, fourthly, America had diplomatic relations with Iran, and so
20 did Germany, France and others, and they sold not only to Khomeini but to
21 everybody else everything that they could sell.

22 So, Mr. Karnavas, please do not try to introduce principles into
23 politics because there are none. We are hitting a wall here, we're in a
24 blind alley and we're not likely to exit from it any time soon.

25 Q. All right. Well, my apologies for trying to inject politics

Page 42052

1 into -- or logic into politics.

2 Let's look at page 72 of this document, and this is in reference
3 to you suggesting that Izetbegovic simply wasn't preparing his people, at
4 least, or that he didn't prepare the people for what was happening, and
5 was either naive or was caught by surprise, or had hoped for the best.

6 If we look at 1873 in your document, and when you look at page 72
7 in English, at the second-to-last paragraph it says:

8 "By early 1992, military" --

9 I'll wait for you. 1873 is the page number. I'm sorry, 72 to
10 73. So it starts with:

11 "By early 1992, military counter-intelligence faced the difficult

12 situation of being aware of large-scale preparations for war by the
13 Muslim leadership, yet having no idea of what to do about it. A
14 full-scale preemptive assault on the SDA's paramilitary was out of the
15 question on political grounds. KOS chief Aleksandar Vasiljevic, unsure
16 how to proceed, requested a meeting with Izetbegovic ...

17 "Vasiljevic told Izetbegovic that he wanted to inform him about
18 the 'secret military organisation,' that he wanted -- that were operating
19 in Bosnia, something the president needed to be aware of. Izetbegovic,
20 pretending surprise, replied that the idea was 'ridiculous.' The KOS
21 chief countered with specific information about the Patriotic League, but
22 Izetbegovic still said he couldn't believe it was true. Vasiljevic then
23 showed him internal SDA papers, some of them encrypted, which discussed
24 the organisation and disposition of the Patriotic League obviously
25 obtained by high-level KOS moles in the party. To this, Izetbegovic

Page 42053

1 replied that the force wasn't illegal and was only intended to defend
2 Muslims," not Bosnians and Herzegovinians, but Muslims:

3 "Then he reconsidered and added that the documents looked
4 inauthentic, that KOS must have been fooled. Thus frustrated Vasiljevic,
5 who considered that his opponent was 'actually very good at the game.'
6 He then pulled out his trump card, a covertly obtained video of the
7 Patriotic League meeting, something seemingly impossible to discredit,
8 but Izetbegovic continued to deny that anything was amiss in the SDA.
9 For Vasiljevic, it was a maddening experience that convinced him that
10 dialogue with the Muslim leadership was fruitless, but it was a vintage

11 Izetbegovic performance."

12 Now, sir, please explain to us -- when you say that he wasn't
13 preparing his people, can you please explain how is it, as early as 1992,
14 the SDA is establishing a military wing to protect -- or to defend the
15 Muslims, as Izetbegovic says here, as this gentleman says? That is
16 number one. And, number two, why is it, if Izetbegovic is at the same
17 time the president of the Presidency, isn't doing that for everyone in
18 Bosnia-Herzegovina, including the Croats, who, as I understand, had been
19 beating the drums alerting the Presidency that preparations needed to be
20 made because of what was happening in Croatia, which then gave rise to
21 the establishment of the HVO for the Croats of Bosnia-Herzegovina to
22 protect themselves? So please tell me, how is it that you came up with
23 this conclusion that Izetbegovic was simply hoping for the best and not
24 really preparing his people? Because here it looks the opposite. He
25 went to Iran. He got promises for money. He's promoting his "Islamic

Page 42054

1 Declaration" for his beliefs. He's got his Young Muslims galvanized, and
2 now he's got his military force ready and willing to participate in the
3 eventuality that there is a war.

4 A. One does not negate the other, Mr. Karnavas. I was the first to
5 introduce documents about the establishment of the Patriotic League to
6 this Tribunal. I said when it was formed -- or, rather, established, how
7 it was established, and with what goal. It was established to defend the
8 Muslim people. Their oath was a religious oath. That is number one.

9 When you asked me, I claimed that Mr. Alija Izetbegovic was the

10 representative of the Muslim people, and his basic and fundamental
11 concern was to protect the Muslim population, and, if the historic
12 circumstances so allowed, if possible, to create a Bosnia-Herzegovina as
13 a state where he would have a majority over 50 per cent and the principle
14 according to which one person would enjoy one vote, and that would lead
15 to some sort of an Islamic state.

16 Secondly, if he didn't succeed in doing that, his goal was to
17 take as big a part of Bosnia-Herzegovina as possible and to create some
18 sort of an Islamic state in that part.

19 Thirdly, together with the Serbs and the Croats, and especially
20 with the Croats, he participated and cooperated to the extent necessary
21 for him to achieve his goal, and that's how he succeeded in using that
22 rhetoric and winning over the establishments of the United States of
23 America and many other states.

24 Unfortunately, the only information about the situation in
25 Yugoslavia reached those states based on Tito's policy of non-alliance,

Page 42055

1 and if any of these leaders managed to read one disastrously bad and
2 pathetic book by Rebecca West, "Grey Falcon, Black Land," or something to
3 that effect, and that book speaks about Balkan tribes, some ethnic
4 groups, some wild peoples and so on and so forth, and when you put all
5 that in a pot, you will end up with the thing that we witnessed for four
6 years. And now we are here, all of us, sitting in this courtroom trying
7 to get to the bottom of the guilt, who's guilty and of what.

8 Q. Well, in light of your answer, and you went on a little bit

9 longer than I wanted you to because you went further beyond the scope of
10 the question, be that as it may, if we look at page 158 and 159, and
11 we'll go on to look at those two first, and that would be 1943 and 1944
12 for you, I want to talk to you about a certain Muslimovic, if you were
13 aware of this individual.

14 A. Yes. And just ten seconds, let me add to what you just said.

15 The KOS had its agents throughout this period in the SDA and
16 BH Army leadership.

17 Q. Okay. And on page 158, there are references to this organisation
18 TWRA, which we already heard testimony on, and they're talking about a
19 shadowy force by the name, albeit -- one of Muslim Intelligence Services,
20 MOS. And then it talks about that there was this conspiratorial cabal
21 that was created in Vienna in 1991, before the war, at the recommendation
22 of Fatih al-Hassanein who sought a covert mechanism by which loyal
23 Islamist could gain control over a Bosnian Muslim government. Did you
24 know this individual or this Fatih al-Hassanein?

25 A. Yes, I've heard of him, and I did have information about --

Page 42056

1 reliable information about what was going on. They met in Zagreb. They
2 would meet in hotels, so it wasn't just like --

3 Q. On page 159, we see that Muslimovic gave covert cadre the
4 intelligence skills it needed to obtain funds and weapons for the Bosnian
5 jihad. Muslimovic then brought members of his circle into MOS as well.
6 And then we see some of the names, including Bakir Alispahic, which we
7 saw earlier today. And then we also see that Bakir Izetbegovic, the

8 president's son, was also one of them.

9 Further down the page, it says:

10 "The ideological vision was that of the Izetbegovic clique, the
11 former Young Muslims who controlled the SDA; an all-Muslim state in
12 Bosnia. This was the opposite of the multicultural Bosnia that
13 Izetbegovic and his government claimed to be fighting for; in practice,
14 the SDA was always willing to accept partition, so long as what Sarajevo
15 got consisted solely of Muslims."

16 Then it goes on to say:

17 "The devil, as ever, was in the amount of territory that the
18 Muslims were willing to settle for. To ensure that their hard-line views
19 won out, MOS, by 1993, was selecting the Bosnian diplomats who were sent
20 to embassies in Islamic countries. This was crucial for financial as
21 much as political reason, as Muslim embassy staffs served more as bag men
22 for the jihad than actual diplomats. Having 'trusted persons' running
23 embassies was also important because of the SDA."

24 Now, we heard -- when Mr. Akmadzic was here, he told us how every
25 single -- or virtually every single office, embassy office or consulate

Page 42057

1 that was opened by Izetbegovic, was occupied by a Muslim. This was when
2 Mr. Akmadzic was prime minister. Now, this organisation, had you heard
3 of it, and were you aware of what was it was involved in at the time?

4 A. Yes, I did hear of that organisation - the ambassadors were, of
5 course, Muslims - because had it not been for the money that the SDA
6 received from the Islamic countries, the Croats would -- well, they were

7 unable to pay for any of the ambassadors because Bosnia-Herzegovina did
8 not have a budget. And I know quite a lot about Muslimovic.

9 Q. Now, earlier we mentioned a name by Nedzad Ugljen, and if we look
10 at page 172, there's reference to this organisation called "The Larks."
11 And it says here on 172 - I'll give you the number real quickly. It's
12 page 1954:

13 "The Larks were led through the way by Nedzad Ugljen, a career
14 State Security officer, but the idea for the unit seem to have come from
15 the KOS cadre around Fikret Muslimovic."

16 And then later on we see it says:

17 "The Larks took care of the SDA's dirty work, especially in the
18 Sarajevo area. Nedzad Herenda," this would be on the following page, "a
19 founding member of the unit and one of its most active killers,
20 implicated the group in many crimes, including the murder of numerous
21 Serbs and Croat civilians, in an effort to scare non-Muslims out of
22 Sarajevo."

23 And then he goes on:

24 "Herenda then asserts that Lark snipers kept their skills sharp
25 by practicing on civilians in Sarajevo. In many cases, they spotted

Page 42058

1 targets by looking for black clothing customarily worn by elderly
2 Christian women."

3 And then if we go on to the next page, it talks about how
4 Sefer Halilovic was actually targeted and his family members killed.

5 MR. KARNAVAS: That would be on page 173, Your Honours, and 174.

6 Q. My question to you, sir, is: Had you heard of this gentleman by
7 the name of Nedzad Herenda, number one? Number two, were you aware of
8 this SDA sort of hit squad, if you want to call it, called The Larks, and
9 is it possible that The Larks could be operating without Izetbegovic's
10 knowledge? Those are three questions in one.

11 A. No. Well, one could not not know about the existence of The
12 Larks because they were run -- well, everybody knew what The Larks were
13 doing, and there were about 30 elite people in there. It was a known
14 fact that they were killing. It was a known fact who made an attempt on
15 Halilovic's life. It was a well-known fact that the commander was
16 killed, the chief of The Larks, just at the moment when he was ready to
17 tell some investigative organ or the ICTY who was doing all that, and on
18 whose orders he had been liquidated. So there were no secrets about that.
19 All of this was talked about and published, and we knew quite a lot of
20 that even during the war. The information was coming in.

21 Q. All right. Now, I'm going to --

22 THE INTERPRETER: Microphone, please.

23 MR. KARNAVAS:

24 Q. I'm going to skip around a little bit. On page 51, according to
25 Dr. Schindler -- I won't go into that part yet. I'm just going to -- but

Page 42059

1 on page 51, Schindler tells us that Izetbegovic regularly lied, that's
2 what he says, lied about the relationship between his party and Islam.
3 Would you support that proposition?

4 A. Yes.

5 Q. Okay. And --

6 JUDGE ANTONETTI: [Interpretation] Mr. Karnavas, it's always very
7 unpleasant for me to interrupt a lawyer and to remind him that the clock
8 is ticking, but it is ticking, unfortunately. You're done with your four
9 hours, which means now that all the time you are using up will have to be
10 granted to you by another Defence. Remember that altogether you have
11 20 hours.

12 I know that Mr. Nozica told us that she would need four hours;
13 Ms. Alaburic, four hours. But Coric weren't too sure, and we weren't too
14 sure about Mr. Ibrisimovic either, but it's only Mr. Coric or Mr. Pusic
15 that can grant you some time. I don't know whether they will or not.

16 MR. KARNAVAS: If I may, Your Honour, I understand --

17 JUDGE ANTONETTI: [Interpretation] Perhaps she will tell us.
18 Perhaps she will give you good news.

19 MS. TOMASEGOVIC TOMIC: [Interpretation] Your Honour,
20 unfortunately, no good news, because you misunderstood me yesterday
21 completely. I said that I would try to complete my cross-examination
22 within four hours, but if any remaining time were to be distributed, then
23 I would seek to get the time.

24 JUDGE ANTONETTI: [Interpretation] Ms. Alaburic.

25 MS. ALABURIC: [Interpretation] Your Honour, I would just like to

Page 42060

1 remind you that yesterday I asked for six hours.

2 JUDGE ANTONETTI: [Interpretation] Mr. Ibrisimovic, are you ready
3 to give some time to Mr. Karnavas?

4 MR. IBRISIMOVIC: [Interpretation] Well, Mr. President, I note the
5 ball is in your court now. We stated that we would need one session for
6 our cross-examination, so one hour and a half.

7 JUDGE ANTONETTI: [Interpretation] Mr. Karnavas.

8 MR. KARNAVAS: Well, I mean, I understand that some of my
9 colleagues also want additional time, so, I mean, the equitable thing
10 would be to take whatever remaining time and divide it by those who need
11 additional time, and I think that would be -- that would be one way.

12 If I could be given 15 minutes, if my colleagues would allow me
13 15 minutes. I'm asking my colleagues if they would.

14 MS. ALABURIC: [Interpretation] Well, if you allot two additional
15 hours to me, I'm ready to cede 15 of those two hours to my colleague
16 Mr. Karnavas.

17 MR. KARNAVAS: You see, Mr. President --

18 JUDGE ANTONETTI: [Interpretation] You have 15 minutes extra.

19 MR. KARNAVAS: Thank you very much, and I appreciate everyone's
20 understanding.

21 Q. Okay. Now, if we could go a little bit -- if we could go to
22 page 69 of the document, and -- because we touched a little bit on the
23 Patriotic League, but now I'm going to actually -- I want to unpeel the
24 onion a little bit more, as it were - this would be page 1871 for you -
25 because here we see, actually, that in the second half of 1991, contrary

Page 42061

1 to Izetbegovic's public pronouncement of a peaceful future, the SDA was
2 highly active in its preparation for the Bosnian war the party's

3 leadership knew to be imminent:

4 "As early as June, even before Slovenia and Croatia declared
5 independence and ten months before open hostilities broke out in Bosnia,
6 the SDA hierarchy agreed to form its own paramilitary, and behind closed
7 doors some party leaders flatly stated that a war was unavoidable."

8 Further down, it says:

9 "The Patriotic League was placed under the leadership of
10 Hasan Cengic, the 34-year-old cleric who came from one of the leading
11 Muslim clans and had been a confidante of Izetbegovic in 1983. He was
12 known as the 'flying imam' because he flew quite often."

13 Further down:

14 "Founding the Patriotic League was a top priority for
15 Izetbegovic."

16 Now, I'm pausing here. If you recall, General Praljak, earlier
17 we saw the one passage when Izetbegovic was confronted by the security
18 forces, and he claimed that he didn't know what was going on. It was
19 ridiculous, he said. So here the founding of the Patriotic League was a
20 top priority:

21 "The paramilitary, which drew on the structure of Bosnian
22 Territorial Defence units in Muslim areas, required weapons, munitions,
23 supplies, and uniforms. Hasan Cengic was sent to friendly Islamic
24 countries to raise funds. He told sympathetic audiences that the money
25 was needed to secure an all-Muslim state in Bosnia. Edhem Bicakcic, a

1 veteran of the Izetbegovic group, in the 1983 trial, defined the SDA's

2 'primary interest' consistently 'a Muslim state that will enable our
3 survival and not a shared life, what other nations have no interest in.'
4 Before long, KOS was receiving reports that the SDA was planning a
5 30.000-man force trained and equipped with assistance from Iran and Saudi
6 Arabia."

7 And then one further part. It goes on:

8 "While Cengic and others prepared for war, Izetbegovic continued
9 a double game that maddened his friends and foes in equal measure.
10 Adil Zulfikarpasic, putting aside his dislike of the SDA in favour of any
11 chance at peace, met with Izetbegovic in mid-July 1991 to discuss power
12 sharing with the Serbs to avert war."

13 This is something that you've told us:

14 "Izetbegovic agreed this was a worthwhile effort, but when
15 Zulfikarpasic returned with a plan to share power with the Bosnian Serbs
16 and thereby purchase peace, the SDA leader rejected it out of hand. The
17 details of this incident are revealing. When Izetbegovic returned from
18 Washington, D.C., on July 23, fresh from talks with senior Bush
19 administration officials on how to prevent a Bosnian war, he participated
20 in a group session with Zulfikarpasic and Mohammed Filipovic from the
21 Muslim side, and Radovan Karadzic, as well as two other top SDA
22 officials, Nikola Koljevic and Momcilo Krajisnik, representing the
23 Bosnian Serbs."

24 We can see no Croats were invited:

25 "In the group, Izetbegovic was positive and optimistic, stating,

1 'I think that our positions are very close, that we are close to reaching
2 an agreement,' and asked Filipovic and Koljevic to draft an agreement
3 between the Serbs and Muslims. But Izetbegovic had hardly left the room
4 when he renounced his request. To add insult to injury, he proceeded to
5 cut the negotiations off at its knees on live television."

6 And then it goes on.

7 This passage here, does it not represent vintage Izetbegovic, the
8 way you have encountered him, where he agrees to one thing, lies about
9 it, and then goes around and reverses? Is this not vintage Izetbegovic,
10 which speaks volumes of who his character was, and what his intentions
11 were?

12 A. Mr. Karnavas, it's even better -- actually, academic Muhamed
13 Filipovic described this even better in his book that was exhibited here.
14 The Patriotic League was set up -- well, we've explained all that, but
15 the Patriotic League, which later became the BH Army, was armed by the
16 Croats. Croatia, Bruno Stojic, Slobodan Praljak, and so on. And
17 Mr. Izetbegovic had much more support from the US administration than
18 from the Islamic countries in the implementation of his plans. Well,
19 everybody knew everything and why they did what they did.

20 Well, this Tribunal is not the right forum to decide or determine
21 all that, because it would take a long time.

22 Q. [Previous translation continues] ... that, let's pick up, then,
23 on 3D00920. If we just look at this very quickly, and we want to thank
24 the Stojic team for providing this document to us.

25 Very quickly, because I need to cover at least one more question

1 after this. 3D00920.

2 THE INTERPRETER: Microphone, please.

3 MR. KARNAVAS:

4 Q. And, of course, I would like you to look at this and look at the
5 names, and tell us -- and we can see names and places, where they come
6 from. First, can you identify this document?

7 A. Yes, I can. I asked for and I got this document, so, yes, I know
8 this document. My Defence requested this document.

9 Q. And what is the name -- what is the -- who generated this
10 document? My apologies.

11 A. The author is the Office for Cooperation with the ICTY in Bosnia
12 and Herzegovina, so it would be the state of Bosnia and Herzegovina as it
13 was after the war.

14 Q. And what does this reflect, sir? What's in the document? We see
15 a bunch of names. We see places like Morocco, Egypt, you know, Yemen,
16 Libya, Saudi Arabia, all the hot spots. What does this reflect, sir,
17 very quickly?

18 A. This document shows that in the 3rd Corps, according to their
19 knowledge, 715 foreign fighters were registered there.

20 Q. All right. Okay, so from here we can see that these are the
21 foreign fighters that were coming in to assist the SDA,
22 Alija Izetbegovic, in his cause; is that what that reflects?

23 MR. STRINGER: Objection.

24 Mr. President, given the fact that the document is one that the

25 general knows about and, in fact, requested and obtained through his own

Page 42065

1 Defence team, the objection would be to leading questions on this
2 specific document. I'm sure the general can tell us what he thinks about
3 it, but that on this point it's really part of his own defence and
4 leading questions are not appropriate.

5 MR. KARNAVAS: Okay. Hold on, Mr. -- out of principle, I have to
6 respond to this. Simply because it's his document and I'm using it
7 doesn't make this now direct examination. That's first and foremost.
8 It's a follow-up to my entire cross-examination, so I object on those
9 grounds. Now, I can reformulate to save time, but it's ridiculous to
10 suggest that if I use somebody else's document, it's direct examination.

11 Q. Now, General, what does this document reflect? Be brief about
12 it, please.

13 A. So in 3rd Corps alone, there were 715 fighters from a number of
14 countries, Islamic and non-Islamic. There were even those from the West
15 who had converted to Islam. And there is a list of people who were in
16 the El Mujahid unit. There were 1.774 of them. They're all mixed up
17 here, or, rather, local and foreign fighters.

18 Q. Now, there's one document -- we're going to switch now to
19 something else.

20 JUDGE TRECHSEL: May I just ask a question on this document.

21 Mr. Praljak, quite a number -- not a majority - far from - but
22 quite a number of names do not have an indication of the country where
23 they come from. Could you give an explanation for that?

24 THE WITNESS: [Interpretation] Yes, I have. A good fighter for
25 Islam conceals the country he is from and often changes names in order to

Page 42066

1 avoid detection. It's a secret organisation. They do not reveal the
2 data so easily as one would do if it were a normal recruitment procedure.

3 JUDGE TRECHSEL: Thank you.

4 MR. KARNAVAS:

5 Q. Very quickly, General, I'm going to switch to two quick
6 documents, 1D03139 and 1D03138. You should have them. This made the
7 news not too long ago.

8 William Montgomery, you know who he is, do you not?

9 A. Yes, I do.

10 Q. And he was at one point in time the ambassador to Croatia, was he
11 not?

12 A. Yes, first in Croatia and then in Serbia.

13 Q. Now, recently, in June 5, 2009, he came out in an editorial
14 called "The Balkan Mess Redux," where he explains that it would be best
15 that if the Serbs in the Republika Srpska were allowed to put a vote to
16 whether they should leave Bosnia and Herzegovina, and he seems to agree
17 with that concept, are you aware of that? That's on 1D03139.

18 A. Yes, I've read his text in "The New York Times" and some of the
19 answers he gave later on. What Mr. Montgomery is advocating here is part
20 of the indictment against me and others before this Tribunal.

21 Q. Now, in the next document, 1D03138, the gentleman gave apparently
22 an interview in Croatia, and on page 2 of the document he was asked:

23 "What would happen with the Croats in case of division in BiH?"

24 Montgomery says that:

25 "The creation of the Federation of BiH has proved to be a mistake

Page 42067

1 and that it is not functioning. If BiH survives, Croats need to get an
2 entity of their own with the same powers RS has."

3 Now, I take it that this is the position that the Croats were
4 advocating throughout that period, to have, just as the RS and the
5 Muslims would have their federation, for the Croats to have an entity of
6 their own within BiH. Isn't that a fact?

7 A. Yes, it is a fact. The only thing is that Montgomery is not a
8 Croat and he cannot be brought before a court for expounding those views.

9 Q. Now, setting aside that, if we go on, he says -- they're talking
10 about the Obama administration. He says:

11 "The Obama -- Obama's administration includes persons who are
12 intensely engaged in this area, such as Hilary Clinton, Joe Biden,
13 Richard Holbrooke. They will be more interested in the Balkans than
14 Bush's administration was."

15 Then he goes on:

16 "... but they will insist on the same old policy which can be
17 read from Biden's message, which are completely opposite to mine."

18 Now, we heard testimony and we looked at a Presidential
19 transcript where we saw that Tudjman was actually pressured by the
20 Americans, Redman, no less, to form this federation, an entity between
21 Muslims and Croats. In light of what has happened -- or what is

22 happening and what has happened, can you give us an opinion as to whether
23 Mr. Montgomery is correct in that things are not working and that the
24 Croats should have their own entity in BiH?

25 A. The things were not working. They're even worse than during the

Page 42068

1 war. Croats do have the right, and I don't renounce my right even at
2 this Tribunal, and I believe that this is sheer injustice. And, thirdly,
3 Bosnia and Herzegovina, Montenegro and the Balkans are all an experiment
4 of the powerful nations, from the Berlin Conference onwards. Everybody
5 is trying to test their ideas without any regard for the reality. That
6 has been lasting for a while, and I believe that this -- and I'm afraid,
7 actually, that this will go on for some time. These are the facts,
8 unfortunately. We are a test tube for anybody to carry out their
9 experiments in.

10 MR. KARNAVAS: Thank you, General. I have no further questions.

11 Your Honour, I appreciate the extra time given to me to discuss
12 these matters.

13 JUDGE ANTONETTI: [Interpretation] General Praljak, I have a
14 follow-up question for you, but let's move into private session first.

15 [Private session]

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

23 (redacted)

24 (redacted)

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Page 42069

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11 Page 42069 redacted. Private session.

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Page 42070

1 (redacted)
2 (redacted)
3 (redacted)
4 (redacted)

5 [Open session]

6 THE REGISTRAR: We're back in open session, Your Honours.

7 JUDGE ANTONETTI: [Interpretation] Thank you.

8 General Praljak, you noted this as well as I did. On several
9 occasions, the Trial Chamber was sort of challenged by Mr. Karnavas
10 because we did not admit the "Islamic Declaration." I checked that, and
11 indeed, back then, Mr. Karnavas tendered the "Islamic Declaration"
12 through the Witness Kljuic, and there was a unanimous decision by the
13 Trial Chamber to decide not to tender because it was not relevant or had
14 no probative value. I listened to the questions very carefully, and we
15 all have to decide again on whether to tender or not the "Islamic
16 Declaration," because I suppose that in his IC list Mr. Karnavas is going
17 to put it again.

18 So hence my question: When the Croatian Community was created in

19 Grude in 1991, was it created because of the Serb aggression? It was
20 created for that reason, that its sole objective was to face the Serb
21 aggression, but underway, later on, the BH Army is going to enter into a
22 conflict with the HVO, and one of the reasons for the conflict, as I
23 understand Mr. Karnavas' case, would be that the "Islamic Declaration"
24 would show that the Republic of Bosnia and Herzegovina must be an Islamic
25 republic in which we could have a fusion -- a merger of the political and

Page 42071

1 the religious, and that denying any rights to the Serbian or Muslim -- or
2 Croatian minorities, one wanted to create an Islamic republic, and this
3 would be the reason why we had the Croats in Herzegovina and in the rest
4 of the BiH that would "rebel," quote/unquote, and would oppose, through a
5 conflict, this Islamic republic. So, in fact, the HVO would have two
6 opponents: Serbs, to start with, and then the Muslims, because the
7 latter wanted to create an Islamic republic in which the Croats had no
8 right to exist.

9 Are these the reasons that prompted people like you and others to
10 get together within the HVO?

11 THE WITNESS: [Interpretation] For the most part. However, you
12 always have to look at the dynamic social characteristic. First of all,
13 it is impossible to understand the situation without the "Islamic
14 Declaration." It is equally impossible to understand where things were
15 going without the SANU memorandum and the position from which the Serbs
16 started.

17 At first, the main enemy were the Serbs. For example, Your

18 Honours, if you were looking at the images of a flood, you are looking at
19 an island, you see a tree, this is us. The Muslims and the Croats at the
20 time were together because the enemy was strong, and the enemy was the
21 flood, and in Velika Kladusa, there were a lot of Croat and Muslim flags
22 tied together. The enemy was strong, and the nucleus of the future
23 Muslim and Croat conflict was not yet developed, so our joint cause was a
24 fight against the Serbs. That was when the HZ-HB was being created.
25 Defence against the Serbs, because we were completely excluded by Mr.

Page 42072

1 Izetbegovic. Plus the protection of the interest in preserving the internal
2 order of Bosnia-Herzegovina. The Serbs were dominant, having taken 70% of
3 the territory, and were tolerated by the West, the embargo was on, and then
4 the Muslims found room to compensate for the territories they had lost to
5 the Serbs, at our expense. In the southern part, they launched an all-out
6 attack, and it was as simple as that. This is how things were.

7 We were falling through all sort of abysses. Clinton's administration
8 perceived Muslims as miserable, wretched, pounded in Sarajevo. They did
9 not do anything to counter the Serbs. And then when we started our
10 counter-attack, everybody thought that we were actually attacking.

11 I believe that you, yourself, came to this Tribunal with all
12 sorts of misconceptions, and how am I supposed to explain things to ten
13 Clinton's advisers who had their own misconceptions? That is why they
14 did not understand Tudjman, because Tudjman wanted to explain the genesis
15 of the conflict. He went at great -- to great length in explaining
16 things, but those people only had 15 minutes and they always slowed him

17 down and told him to be short and to be briefer, just like you do. How
18 can you be brief if you want to try to explain history to somebody? And
19 then they go away with totally erroneous conclusions, and then the
20 situation after that is compounded. You have to pin blame on somebody,
21 and here I sit today.

22 JUDGE ANTONETTI: [Interpretation] Mr. Karnavas, you were on your
23 feet. Did you want to say anything?

24 MR. KARNAVAS: I just wanted to say, Your Honour, that the
25 gentleman that was made reference to in closed session, there's also a

Page 42073

1 passage that quite clearly states, and it's not in the book -- in
2 Schindler's book, but also elsewhere, that it was that particular
3 ambassador who also convinced Izetbegovic to walk away from Cutileiro,
4 after he had agreed to it. So had it not been for that particular
5 gentleman, in addition to what we saw today, maybe Cutileiro would have
6 stood. But I put that -- I put that -- I put that only because it shows
7 the naivete --

8 JUDGE ANTONETTI: [Interpretation] Mr. Karnavas, my colleague is
9 now saying that you are testifying.

10 MR. KARNAVAS: I'm just pointing out that it's in the book and it
11 was brought out. Now, if I'm allowed -- if I'm allowed extra time to go
12 into the passage, I could do that.

13 JUDGE ANTONETTI: [Interpretation] Well, I'm sure you'll have an
14 opportunity to do so with other witnesses; there's no doubt about that.
15 But I've noted that, rest assured.

16 Mr. Praljak, you say this: You, Judges, when you got here, you
17 had preconceived ideas. You must note that as far as I'm concerned,
18 Mr. Praljak, I had no preconceived idea, because apart from very sort of
19 knowledge remote in time, I'd never known what had happened. And in my
20 country I had to try Ante Gotovina, and I did not know at all what he was
21 doing in Croatia. So as far as I'm concerned, I was absolutely neutral
22 when I came here.

23 I hope you are now feeling more reassured.

24 THE WITNESS: [Interpretation] The word that was omitted was the
25 word "possible." I said you were possibly harbouring some

Page 42074

1 misconceptions. I'm very precise in what I say. So I said that it is
2 possible that you arrived at this Tribunal, but I didn't assert that,
3 Your Honours.

4 JUDGE ANTONETTI: [Interpretation] Very well. We're going to
5 break for 20 minutes, and then we'll have the next cross-examination.

6 --- Recess taken at 12.45 p.m.

7 --- On resuming at 1.07 p.m.

8 JUDGE ANTONETTI: [Interpretation] We are back in session. There
9 are 40 minutes left.

10 Ms. Nozica, you may proceed.

11 Let me greet Mr. Scott, who's now with us.

12 MS. NOZICA: [Interpretation] Good afternoon, Your Honours. Good
13 afternoon to everyone in the courtroom.

14 Cross-examination by Ms. Nozica:

15 Q. Good afternoon, Mr. Praljak.

16 A. Good afternoon, Ms. Nozica.

17 MS. NOZICA: [Interpretation] I will kindly ask the usher to give
18 to the Judges the documents. We did not distribute the binders during
19 the break, to avoid any confusion, because they already had lots of
20 binders on their desks.

21 THE INTERPRETER: Interpreter's note, could all the microphones
22 that are not in use be switched off.

23 MS. NOZICA: [Interpretation] I thank the interpreters for the
24 warning. I'll try to make sure that my microphone is set in such a way
25 that everybody hears me very well, and please draw my attention to any

Page 42075

1 problems you might have.

2 Your Honours, I will begin today -- although it might appear
3 complicated at first glance, all those binders that I have, I will start
4 with binder number 1. It's already in front of Mr. Praljak.

5 I would just like to tell you that we have two binders of
6 documents, one a long transcript, although we will be using just one
7 sentence from it, and the small pink folder, where we have three or four
8 documents that were added over the last two or three days. And I will
9 always say clearly when I'm about to use any binder apart from binder
10 number 1. Thank you.

11 I think that we have now dealt with everything in technical
12 terms.

13 Q. So, Mr. Praljak, I would now like to ask you -- I'll show two

14 documents which, in a way, speak to the involvement and status of
15 Mr. Bruno Stojic.

16 My first question. Since you were in the Defence Ministry of the
17 Republic of Croatia, in the HVO, you've told us how long you knew
18 Mr. Bruno Stojic, my first question would be: To the best of your
19 knowledge, was Mr. Stojic ever involved in any way or employed in the
20 Croatian Army or in the Defence Ministry of the Republic of Croatia?

21 A. To the best of my knowledge, he was never employed in the two
22 bodies, in the ministry and in the Croatian Army.

23 MS. NOZICA: [Interpretation] Could we now look at document
24 2D3000. It's a document that's first in your binder, binder number 1
25 that you have in front of you, and it confirms precisely this.

Page 42076

1 Q. You have seen this document?

2 A. Yes.

3 Q. We've -- we've asked the justice minister to provide an opinion,
4 the Administration for International Cooperation, International Legal
5 Assistance and Cooperation with International Criminal Courts. We asked
6 them to obtain the information from the Defence Ministry of the Republic
7 of Croatia, and we can see here in paragraph 2 of this document that
8 this -- that what you've just told us is true. It has been confirmed by
9 the relevant ministry, the Defence Ministry of the Republic of Croatia.
10 Is that correct, Mr. Praljak?

11 A. Yes.

12 Q. Mr. Praljak, now I would like to you look at document 2D3001.

13 That's the next document in your binder. This is a certificate from the
14 Croatian Republic of Herceg-Bosna, the Ministry of Defence, dated the
15 21st of December, 1995. It's a certificate about the involvement of
16 Mr. Stojic in the period, as is indicated here, from the 27th of March,
17 1992, and then in the last paragraph it says "Until further notice," the
18 day when the certificate is issued.

19 Let me remind you of something that you might recall. You showed
20 us that your memory is extremely good. His Honour Judge Antonetti, at
21 page 41663, line 13 of the transcript, asked you about Mr. Stojic, as
22 defence minister in the HZ-HB or the HVO, and your answer at line 21 was
23 that in the time from the 21st of July --

24 A. 24th?

25 Q. Yes, 24. Actually, the line of your answer is 21. That's what

Page 42077

1 confused me. So from the 24th of July, 1993, until the 9th of November
2 of the same year, Bruno Stojic was the head of the Defence Department,
3 not a minister. And here we can see that he was first the assistant
4 chief of the Main Staff for Logistics in the period between the
5 17th of March, 1992, until the 12th of July, 1992; that he went on to
6 serve as the head of the Defence Department from the 12th of July, 1992,
7 until the 10th of November, 1993, which for the most part corresponds to
8 the time-period when you, yourself, served as the HVO commander. Is that
9 correct? And in the end -- well, I don't have to read the last two
10 items. He was the head of the Department for Production for maybe four
11 or five months, and then he went on to serve as the assistant to the

12 minister -- assistant minister for personnel issues.

13 To the best of your knowledge, Mr. Praljak, is this information
14 correct, and did you have any contacts with Mr. Stojic precisely while he
15 was serving in the posts listed here?

16 A. I had no reason to doubt the veracity of this document, so --
17 well, it's 100 per cent certain, and this is 99.99 per cent certain.

18 Well, I might be a little bit shaky on the dates.

19 Q. Well, as you said, 99 per cent, the 1 per cent concerns just the
20 dates that you do not know precisely?

21 A. Yes, that's right.

22 THE INTERPRETER: Interpreter's note, the speakers are kindly
23 asked not to overlap.

24 MS. NOZICA:

25 Q. We have been warned by the interpreters not to overlap.

Page 42078

1 Mr. Praljak, let me now move on to another topic. You will know
2 what the topic is when I show you the document, P5235. You have it in
3 front of you. That's the third document in your binder. It's an order
4 that you issued.

5 A. Yes.

6 Q. Very well. Let us move on to this order and everything that
7 preceded its issuance. I would just like to stress that this document
8 has already been admitted into evidence as an exhibit, and that the
9 document P4125 has also been admitted into evidence. It's
10 one-and-the-same document, actually.

11 Now, Mr. Praljak, in the course of your examination-in-chief, you
12 said that you had indeed issued this order, that the circumstances were
13 quite extraordinary, it was an emergency situation; that you were in
14 contact with Mr. Stojic regarding this order. Is that more or less it?
15 And if you might perhaps add, to the best of your knowledge, what kind of
16 an incursion by terrorist groups this document concerned.

17 A. Well, it was a fierce offensive by the BH Army in September, and
18 they managed to penetrate into the depth of our territory. There was an
19 incursion of their groups. They were infiltrated, and they committed
20 crime against our civilians, and there was discussion about that. The
21 information indicated there were five or six groups that infiltrated as
22 deep as tens of kilometres into the depth of our territory. And since we
23 were already aware of a situation that had very bad consequences, this
24 order was a normal consequence. It's quite clear. I don't know what I
25 might add to it.

Page 42079

1 Q. Mr. Praljak, you will see why I took this order as a basis for my
2 questions. It's good to add for the transcript that this order was
3 issued on the 20th of September, 1993.

4 Now could you please look at the next document, and that is
5 P5350. Again, it's your order which, in effect, speaks about the
6 infiltration of the terrorist group and the HVO activities taken
7 regarding this event; am I right?

8 A. Partially. Not only that, but it was also about this very fierce
9 offensive. So both things, the incursion and the offensive, which was

10 very strong at the time. There's talk about artillery here and so on.

11 Q. Now I would like you to look at the next document. That's P5232.

12 It's an order signed by Mr. Stojic.

13 A. Yes.

14 Q. It's about the same situation; am I right?

15 A. Yes.

16 Q. And here, what it says here in item 1 of this document -- of this

17 order:

18 "Engage all human and material resources with all available

19 military and civilian police organs, hunters' associations ..."

20 But let me stick to the police organs. It's quite clear that

21 this pertains to the civilian police. This document is already in

22 evidence, and His Honour Judge Antonetti asked pursuant to what authority

23 or how could civilian police be used. That's why I'm asking you about

24 this topic.

25 And could you please look at the next document in this regard,

Page 42080

1 because I'm sure that you have knowledge of it, although you might not

2 have seen this document.

3 A. Which document? What document are you talking about, whether I

4 saw it or not?

5 Q. 2D0 --

6 JUDGE PRANDLER: I'm very sorry to interrupt you, Madam Nozica,

7 but the issue is that I would like to ask a question probably from

8 Mr. Praljak about the orders which are issued here.

9 My only query is that we have seen two or three orders issued by
10 General Praljak at that time, on the 20th September, and now what you
11 have just introduced, Madam Nozica, that's also signed and issued by
12 Mr. Stojic, head of the Defence Department. Now, my question. Is that
13 both orders are issued on the same day, and they do not refer to each
14 other, so is there any kind of explanation why the orders were issued
15 separately at the same time, not having any reference to each other's
16 order? It is simply the question of coordination? If I may ask, then,
17 Mr. Praljak to explain this. Thank you.

18 THE WITNESS: [Interpretation] Your Honour Judge Prandler, the
19 explanation is very clear.

20 In this situation, it never occurred to me to dial phone numbers
21 or anything. It was a very serious situation, and all I had in my mind
22 at the time was how to prevent what was -- what had happened to us. The
23 people who were massacred, I didn't know where the forces -- the enemy
24 forces were behind our lines. Mr. Stojic didn't know that. And now
25 convening meetings, calling people, talking about it, it's out of the

Page 42081

1 question. We're talking about minutes, hours. So if I may assist you, I
2 even improved here. I turned Mostar into Ljubuski, because you can see
3 here, in this paper, that it says --

4 MS. NOZICA: [Interpretation]

5 Q. Well, Praljak, did you see any corrections?

6 A. Yes, I did notice that there was some changes made to the
7 original.

8 Q. I didn't want to even ask you whether you did that. I didn't
9 dare.

10 A. Yes. Well, it should have been "Ljubuski." I saw the mistake
11 and then I changed it into "Ljubuski," and I signed the correction to
12 indicate that that's what I did, turned "Mostar" into "Ljubuski."

13 JUDGE PRANDLER: Yes, thank you very much.

14 MS. NOZICA: [Interpretation]

15 Q. Mr. Praljak, could you please look at the next document, that's
16 2D3002. This regards the civilian police.

17 JUDGE TRECHSEL: Excuse me. I still have a question with regard
18 to the previous document.

19 Mr. Praljak spoke -- you spoke as if it were your document. It
20 is signed by Bruno Stojic. Is it so that you wrote it and had him sign
21 it, or how is this to be explained?

22 THE WITNESS: [Interpretation] No, no, Your Honour Judge Trechsel,
23 Mr. Stojic drafted it and signed it, but when I received it, and
24 immediately pursuant to this I drafted my own order, I simply corrected
25 "Mostar" into "Ljubuski," because Ljubuski was much more important and it

Page 42082

1 had been left out. That's all. And I signed it to indicate that I had
2 made the correction.

3 JUDGE TRECHSEL: Thank you.

4 MS. NOZICA: [Interpretation] Your Honours, well, you can see that
5 in the last paragraph of this document, right at the bottom, where
6 "Mostar" has been crossed out by hand, and Mr. Praljak's name is written

7 down, and he confirmed that he did it.

8 Q. So have you been able to find document 2D3002? Mr. Praljak, this
9 is definitely the same order that we have seen before, but this order is
10 signed both by the head of the Department of the Interior, Branko Kvesic.
11 Mr. Praljak, does that mean to you, based on your knowledge, that this
12 order -- by this order, Mr. Kvesic confirmed that the civilian police
13 could also be deployed, as well as other organisations that were part of
14 the civilian domain?

15 A. Yes. In a situation like that, it's not the government that's
16 sitting in a room with all the communications equipment; the house is on
17 fire, and you issue an order to the fire brigade, and then you go looking
18 for the chief of the firefighting service to approve it. It's quite
19 clear.

20 Q. Mr. Praljak, I'm sure it's clear to you, but we have to clarify
21 it. Well, what was the basis for the previous order issued by
22 Mr. Stojic, where it says "civilian police"?

23 A. I was obliged to show that there was an order from the head of
24 the Department of the Interior, when it comes to the use of the civilian
25 police.

Page 42083

1 Q. Mr. Praljak, these are all the questions that tell us about the
2 ordeal regarding the call-up, the insufficient number of personnel, and
3 this is something that Mr. Stojic had to deal with. But you felt the
4 consequences of this whole problem and regarding the insufficient
5 staffing?

6 A. Yes, and even broader than that; communications, the fact that
7 people were in various places, some were travelling. When a system is
8 not functioning, and in wartime even excellent systems do not function,
9 you have to bypass the system at times, issue orders, and take steps that
10 you are not authorised to take in accordance to your place in the chain
11 of command, because your failure to act would result in -- would have
12 resulted in great damage.

13 Q. Mr. Praljak, this document also shows, am I right, that the
14 call-up or the mobilisation was an activity that was ongoing? It was not
15 just a one-off activity that was completed after that one time; it was a
16 constant activity?

17 A. Yes, and this was, indeed, one of the biggest problems, in terms
18 of its implementation, bringing the people in, and also the destruction
19 of the morale of people who were fighting, because we were powerless.
20 Everybody was powerless. Nobody could bring in people that had fled.

21 Q. Mr. Praljak, could you please look at the next document. That's
22 P5769. We're still on this same topic, mobilisation, and this is the
23 last document on that topic.

24 Yes, it's correct. It's a session of the HVO. The date is the
25 9th of October, 1993. We can see that you attended this session. And

Page 42084

1 what I would like to refer to is paragraph 4. You spoke about that,
2 didn't you? It's about the mobilisation of students. Do you recall this
3 period? We heard quite a lot about it from you. So is this the
4 time-period when there was this large-scale offensive by the BH Army?

5 A. Yes, I stand by what I said and what was indicated in item 1 of
6 this document about the functioning of the civilian authorities, the
7 functioning of the civilian authorities, and how that affected the army.

8 Q. I just wanted to ask you this: When we're talking about
9 mobilisation, it was such a serious problem and such a serious topic that
10 even the HVO of the HZ-HB on several occasions, and in this particular
11 case we see that you were also involved and you attended the session, in
12 other words, that the HVO of the HZ-HB dealt with the problem?

13 A. Yes. It was a huge problem all that time.

14 Q. I would like to move on to my next topic. Mr. Praljak, you've
15 already spoken about that topic at great length, and it has to do with
16 the previous topic. And the topic is the appointment of people, of
17 commanders and all the others who were in the command chain of the HVO.
18 You've already spoken about that. You've spoken about the influence of
19 the municipal power wielders that lasted throughout the time; no
20 appointment of commanders before you arrived in the area, before the
21 Defence Department ever became operational.

22 Let's now look at 2D3003. This document confirms what you have
23 already spoken about. Have you found it?

24 A. Yes.

25 Q. This is about Municipality Rama, and it is the 12th of August,

Page 42085

1 1993. One could expect that the system was already in place and
2 functioning well, and here we have a proposal for the appointment of the
3 Rama Brigade. I believe that you are the most competent person to tell

4 us how all that functioned in the area.

5 It says in the first sentence, during the HVO Rama Conference, in
6 the presence of an extended number of representatives, members of the
7 HVO, chief of the Rama Brigade, commanders of the battalions, and the
8 session was held on the 12th of August, 1993, there was a unanimous
9 decision to appoint Mr. Ante Pavlovic [Realtime transcript read in error
10 "Pavelic"] as the commander of the Rama Brigade. And it says, so far
11 he -- Mr. Marinko Zelenika was the brigade commander. He requested that
12 he be replaced by Mr. Ante Pavlovic. And it says at the end that
13 Mr. Pavlovic has already accepted the appointment and he is already
14 discharging the duties of the brigade commander. This is submitted to
15 the Main Staff, to the Defence Department and to the Presidency.

16 Mr. Praljak, does this actually illustrate the influence of the
17 civilian authorities on the selection of the command structures in the
18 HVO throughout the entire period?

19 A. Not only that, Ms. Nozica. Allow me just one minute, if I may.

20 In any normal military, normal military, that is, all people want
21 to be promoted. They want to climb the military hierarchy ladder. A
22 soldier -- or, rather, a company commander wants to become major, a major
23 wants to become colonel, and so on and so forth. In the HVO, the
24 situation was diametrically opposite. People didn't want to be
25 commanders. A majority of those who took certain duties did that after

Page 42086

1 some gentle persuasion. A majority of the people would say, I'm a good
2 fighter, let somebody else do it. Maybe there is somebody better suited

3 to do it. People were not actually sure that they were able to perform
4 the job.

5 This is the 11th commander of the Rama Brigade, if my memory
6 serves me well. Three got killed, and the rest of them were removed or
7 replaced. So you did not have a pool of people, ranging from good to
8 even better, from which you could select a person who would be good.
9 Municipal authorities, Stojic and myself, had to employ our persuasion
10 techniques in order to appoint people.

11 For example, this Pavlovic, the brigade had been in feathers, I
12 asked for him to be found in the Croatian Army because I knew that he had
13 been a member of the 1st Guard Brigade from Rama, and I asked people to
14 find him and to persuade him. It took a while for him to accept, and
15 then a few months later he wanted to go back.

16 And let me expand about it a bit more. Not only did they meddle
17 with the matters, but there was a problem as to who would do the job.

18 Q. Mr. Praljak, I wanted to say that you have already spoken at
19 great length about the problem, but I just wanted to use some documents
20 to demonstrate clearly how this reflected, and I would like to point out
21 two very important things. The first one was that the HVO of the
22 municipality of Rama -- yes, I have an alert from my colleague. The
23 gentleman's name is Pavlovic, not Pavelic.

24 And did he hail from Rama, sir?

25 A. Yes, he did.

1 Q. We would like to emphasise something else, and that is how the

2 Rama Municipality took it upon itself to issue this proposal. And the
3 second thing: Mr. Praljak, was it actually logical, given the fact that
4 you said that the HVO did not have well-educated troops, it did not
5 inherit a lot of people from the JNA, and a lot of people were afraid?
6 Would the reason be that people were not educated? Was that a fear or
7 apprehension based on lack of education?

8 A. Yes. There were very few such people. For example, we had very
9 little data about somebody, like he's a good fighter, he doesn't drink,
10 he could be a good commander, and you had to persuade him, plead with him,
11 "take the company battalion over". Plus, a lot of people were getting killed.

12 Q. I'm asking you this: Mr. Praljak, in order to avoid the impression
13 that nobody wanted the job, but there was an apprehension, a fear, lack of
14 confidence, which was all based on the lack of experience and education?

15 A. This is exactly what I said. They wanted to remain fighting, but
16 they didn't want to assume the responsibility, because they did not know
17 whether they would be capable of commanding, for example, a battalion.
18 They knew that they were good fighters, but they didn't know what else
19 they could do.

20 Q. Mr. Praljak, this is a topic which is very simple, and you've
21 already spoken about it at great length. I just wanted to corroborate
22 all that with documents.

23 And now I'm going to ask you to look at a number -- a series of
24 documents that were based on the principle, proposal, which originated
25 from a brigade, for example, and then approval which was supposed to be

1 given by the Main Staff, and for the final appointment that was executed
2 or exercised.

3 And I don't want to ask any leading questions, but let me ask you
4 this: When it came to the brigade commanders, who was in charge of their
5 appointments?

6 A. As far as I know, it was Mate Boban who was in charge of that.

7 Q. When it comes to others --

8 A. Above brigades, Mate Boban. Below brigades, Bruno Stojic.

9 Q. Okay, we have clarified that. This has already been repeated
10 several times, but sometimes we have to ask additional questions in order
11 to clarify things.

12 Let's move on quickly to the documents that we have before us.
13 The first one is P02685. This is a proposal dated 9 June 1993, by the
14 commander of the Operation Zone South-East Herzegovina, Mr. Lasic, and in
15 my subsequent questions I will be dealing with the IPD, the SIS, and I
16 will want some clarification. We can see here that the proposal for
17 appointment in the command of the 4th Battalion, Tihomir Misic of the 3rd
18 Brigade of the HVO, and we can see that, for example, the assistant
19 commander under 4 is IPD, and proposal is issued for the battalion
20 commander, the assistant, under 4, for IPD, and the assistant commander
21 for SIS is under 6.

22 Mr. Praljak, this is what the proposal looked like, to the best
23 of your recollection? All of this pertained to the period before your
24 arrival, but I'm just asking you whether this was the principle that was
25 followed.

1 A. To be honest, I don't know whether this was the principle or the
2 violation thereof when it came to the IPD and the SIS. One could issue a
3 proposal for the SIS. However, from what I knew, and from what I still
4 know, had to be confirmed by the chief of the SIS itself.

5 Now, as to whether the brigade commander, i.e., the zone brigade,
6 had the right to propose somebody for the SIS, I can't tell you exactly,
7 but in this particular case he did that. This is true, he did issue his
8 proposal.

9 Q. Mr. Praljak, I heard from you, and I have taken that into
10 account - you said it yourself, don't ask me about legal norms and how
11 things should have been worded. I'm just showing you how things were in
12 effect, and this is not my point. We can see that the proposal was
13 issued. There's no dispute about that. I'm trying to talk about the way
14 people were appointed and the chain of appointment from the proposal to
15 the actual appointment. This is my topic and this is reflected in the
16 document.

17 My next document is 2D3004. The same topic, we're still talking
18 about the same thing. We have a proposal for deployment, and this was
19 already during the period while you were there, and according to this
20 proposal, Anto -- Bruno Pusic, and this was signed by Major Anto Luburic.
21 I apologise. This is 2D3004. Thank you. 2D3004.

22 A proposal is here issued for the appointment of the
23 2nd Battalion, Vitez, Ivica Carls Jelcic; is that correct?

24 A. Yes.

25 Q. Is that the proposal?

Page 42090

1 A. Yes.

2 Q. Very well. And now we have the following exhibit, which is 2D --

3 JUDGE ANTONETTI: [Interpretation] We'll stop now, and we'll
4 resume next week. We have an entire series of documents to look at.
5 Thank you, Ms. Nozica, for having placed them in order. That way it's
6 very easy to follow, rather than skipping from one page to the other.
7 So, please, in the future, could you try and place the exhibits in order?
8 That way, it's much easier for the Judges to follow what's happening.

9 The Registry will -- Registrar will now take stock of the time
10 you've used up so far. You haven't used much. We'll continue next week
11 with your cross-examination, Monday, Tuesday, Wednesday, and Thursday.

12 Mr. Stringer, do you have anything to say before we finish this
13 session?

14 MR. STRINGER: Very quickly.

15 Just one request, Mr. President. One of the documents that
16 counsel referred to so far during the direct was not in Case Map and it
17 was -- I'm sorry, not in e-court. It was probably an oversight. But
18 we're working in e-court, which helps us follow along quickly, and could
19 we just -- it really helps. The Prlic Defence had all of theirs, the
20 books and everything, in e-court, which was very helpful. If perhaps
21 they could just double-check over the weekend to make sure that the
22 documents they're going to use are in e-court, we'd be grateful.

23 Thank you.

24 JUDGE ANTONETTI: [Interpretation] Ms. Nozica, you've heard this,
25 so please check.

Page 42091

1 MS. NOZICA: [Interpretation] Yes. I would like to thank my
2 learned friend for his observation. We have provided him with a hard
3 copy. I'm going to have a word with my case manager and see why
4 everything is not in e-court. Rest assured, I will deal with this.

5 JUDGE ANTONETTI: [Interpretation] Ms. Nozica, you have used up
6 32 minutes up until now.

7 I wish you all an excellent afternoon, and we will resume on
8 Monday at 2.15.

9 Let's adjourn.

10 --- Whereupon the hearing adjourned at 1.45 p.m.,
11 to be reconvened on Monday, the 29th day of June,
12 2009, at 2.15 p.m.

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