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1 Thursday, 7 May 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 2.17 p.m.

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

9 THE REGISTRAR: Good afternoon, Your Honours. Good afternoon,  
10 everyone in and around the courtroom.

11 This is case number IT-04-74-T, the Prosecutor versus  
12 Prlic et al.

13 Thank you, Your Honours.

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

15 Today is Thursday, 7th of May, 2009. Good afternoon to  
16 Mr. Stojic, Mr. Petkovic and Mr. Pusic. Good afternoon, Mr. Praljak, who  
17 is testifying these days. Good afternoon to the Defence counsel,  
18 Mr. Stringer, and all his associates. Good afternoon to all the people  
19 assisting us.

20 Regarding today's hearing, we'll first work until 4.00. We'll  
21 break then for 20 minutes, and we shall then resume until 6.00.

22 Secondly, I have a brief ruling to deliver in private session,

23 Mr. Registrar, please.

24 [Private session]

25 (redacted)

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11 Pages 39748-39749 redacted. Private session.

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1 (redacted)

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8 [Open session]

9 THE REGISTRAR: Your Honours, we're back in open session.

10 JUDGE ANTONETTI: [Interpretation] Open session.

11 Yes, Mr. Stringer.

12 MR. STRINGER: Just one other very brief thing, Mr. President.

13 The Trial Chamber may notice over the next couple of weeks our  
14 case manager, Ms. Winner, will be absent from the courtroom because of a  
15 personal matter. Today we're joined by another of our very capable case  
16 managers, Mr. Sebastian van Hooydonk. I hope I've pronounced the name  
17 correctly. And he will be joining us not only today but on other  
18 occasions as well.

19 JUDGE ANTONETTI: [Interpretation] The Trial Chamber welcomes you,  
20 case manager, as part of the Prosecution team. Our best wishes for  
21 efficient work, and I hope you'll help us work very well. Thank you.

22 Mr. Kovacic, you may proceed. So far, I believe you have used  
23 something around four hours.

24 WITNESS: SLOBODAN PRALJAK [Resumed]

25 [The witness answered through interpreter]

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1 MR. KOVACIC: [Interpretation] Thank you, Your Honour. We are  
2 informed about the time. We keep track, with the help of the legal  
3 officer.

4 Examination by Mr. Kovacic: [Continued]

5 Q. [Interpretation] Good afternoon, Mr. Praljak.

6 A. Good afternoon.

7 Q. I suggest we go on. Yesterday, we saw one DVD where, among other  
8 things, there was a video of the attack of the JNA on Croatian coast  
9 towns, Sibenik, Zadar and Dubrovnik. You spoke earlier as well about the  
10 military danger to the Republic of Croatia, emanating from Bosnia and  
11 Herzegovina, where the JNA was strong and where it had moved its weapons;  
12 and inter alia Presiding Judge Antonetti asked whether and how it was  
13 possible to pass towards Split, whether it was possible for the JNA to  
14 get through to Split. Can you tell us about that? Was it possible, was  
15 it dangerous, and so on?

16 A. Good afternoon. Good afternoon to everyone in the courtroom.

17 Good afternoon, Your Honours.

18 The honourable Judge Antonetti, in reaction to my clear  
19 statements that the former JNA units based around Mostar had already  
20 captured the areas around Stolac, Nevesinje, towards Dubrovnik, had the  
21 intention to create Greater Serbia, which was its general intent, I put  
22 forward one of the many books about that written by General Cokic. It's  
23 called "The beginning of the End." It's 3D03546, 3D03546. At the  
24 beginning, we see --

25 JUDGE TRECHSEL: Excuse me. Mr. Praljak, could you indicate to

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1 the Chamber in which binder we can find the document because we have  
2 about six binders by now.

3 THE WITNESS: [Interpretation] The first one.

4 JUDGE TRECHSEL: Thank you.

5 MR. KOVACIC: Binder number 1. Before that is only an outline of  
6 Mr. Praljak's statement.

7 JUDGE TRECHSEL: Thank you very much.

8 MR. KOVACIC: So if I'm not wrong, first one is binder with  
9 statement of Mr. Praljak. And second one, I think that this one had  
10 number 2. That is the first one we need for this document. There is a  
11 list of documents on the beginning of the binder.

12 JUDGE ANTONETTI: [Interpretation] Mr. Kovacic, the Trial Chamber  
13 has one binder containing Mr. Praljak's statement. Then we have three  
14 binders numbered 1, 2 and 3. Then we have smaller documents.

15 MR. KOVACIC: [Interpretation] 1, 2 and 3. This one is number 1.

16 JUDGE MINDUA: [Interpretation] So I believe this is binder  
17 number 2.

18 MR. STRINGER: Mr. President, while you're looking, I just would  
19 take the opportunity to remark that if this were a paperless tribunal,  
20 we'd all be looking at the document now. Thank you. And my thanks to  
21 the Praljak Defence, because the document is in e-court, and so no  
22 problems on that.

23 JUDGE ANTONETTI: [Interpretation] Yes, Mr. Stringer, you're  
24 right. But when we have documents of dozens of pages, you can't see all  
25 the pages in one go on the screen. If you have the paper document, you

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1 can really leaf through it, you know, have a quick glance at it all, and  
2 work better therefore. But you may be a whiz of the screen, you know. I  
3 grant you that readily.

4 THE WITNESS: [Interpretation] So Jevrem Cokic was a general of  
5 the Yugoslav People's Army. The book is called "The Beginning of the  
6 End." It's 3D03546. The book was published, as we can see on the  
7 following page after the cover page, in 2008.

8 And now I would kindly ask everyone to look at B/C/S page 12.  
9 That's 3D410614, paragraph 2. In this second paragraph, the general  
10 explains, from his own point of view, of course, the problems they were  
11 facing, the existence of right-oriented separatist forces aspiring  
12 towards secession and creation of their own armies, these forces forged

13 territorial defences under their own command, and that all this worked to  
14 break the Yugoslav People's Army from within.

15 He also says that the armed forces of Yugoslavia were composed of  
16 the army and the Territorial Defence, the latter being a republican  
17 regional force, and that this Territorial Defence was within the  
18 jurisdiction of republics and provinces. He also says that this created  
19 grave problems in command because there existed six republican, two  
20 provincial and one federal army; and all this was very complex and  
21 problematic.

22 Then he says that in the mid-1980s, in a plan that I have already  
23 shown to this Court, the top military echelon adopted a plan called  
24 "Jedinstvo," "Unity," the essence of which was to restructure the entire  
25 organisation forces of the SFRY, and to this end the units of the JNA

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1 were made larger, military districts were established along the borders  
2 of the Greater Serbia, as it was designed, from the level of corps  
3 downwards, and these districts used to coincide with republican borders.  
4 And according to the plan, there were four theaters of war created.

5 Let us now go to page 217 of the Serbian original. It says the  
6 military top echelon had the task to realise the plan of defence of the  
7 remaining Yugoslavia along the borders of the republics with majority  
8 Serbian population. The top military echelon had the task of  
9 implementing the defence of Yugoslavia, the rump Yugoslavia, that means  
10 without Slovenia and the part of Croatia that is west of the border

11 Karlobag-Karlovac-Virovitica, on the line that coincided with the  
12 majority Serb population area. Nobody knows, of course, so what they  
13 considered to be the Serbian majority population. But he says in order  
14 to implement this, they proceeded from an evaluation of the situation in  
15 Bosnia-Herzegovina, and especially of the prospects for the future. And,  
16 therefore, they planned regrouping of the existing forces in Dalmacija,  
17 in Herzegovina, and the bringing in of forces from the other areas.  
18 Preparations began for the implementation of defence of the remainder of  
19 Yugoslavia. The key areas -- the key territories were Dalmacija and  
20 Herzegovina.

21 Towards the end of July, he was invited by General Blagoje Adzic,  
22 who was then chief of the General Staff of the JNA, and Blagoje Adzic  
23 brought him up to date and told him of the decision to form a group -- a  
24 task group for Dalmacija and Herzegovina. He was appointed commanding  
25 officer, commander. He was tasked to plan an operation urgently, to

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1 organise operation groups, and establish an operation group that was to  
2 carry out this operation in Dalmacija and Herzegovina, together with the  
3 Civilian Protection and Territorial Defence in that territory.

4 On page 218, he continues this same story and says the command of  
5 the operation group, together with staff units, was to be set up to  
6 include commanding officers from inspectorates of the military forces,  
7 units of the 1st Military District located in the broader area of  
8 Sarajevo and a certain number of commanders from the General Staff of the



9 JNA. And he goes on to say that all this was supposed to be done in a  
10 coordinated action with the Territorial Defence of the  
11 Dalmacijan-Herzegovinian territory, which was the territory of  
12 Bosnia-Herzegovina, and on the part of the JNA the Knin Corps was to be  
13 involved.

14 I would like to show where all this is on the map, if you can  
15 turn on the --

16 MR. KOVACIC: Usher, could you please be so kind to assist  
17 Mr. Praljak with ELMO. He brought a map to show those locations.

18 [Interpretation] The Judges have the map, and it's always of  
19 assistance.

20 THE WITNESS: [Interpretation] Knin is here in Croatia. I'll mark  
21 it with 1 [marks]. So the Knin Corps was to be involved parts of the  
22 Sarajevo Corps - I'll mark it 2 [marks] - then the 37th Uzice Corps from  
23 the 1st Military District, Uzice is in Serbia; but I'm not going to look  
24 for it now, then the 2nd Titograd Corps, Titograd is in Montenegro,  
25 that's number 3 [marks]; and the naval district, which is practically

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1 this entire area here on the coast. He -- the author talks about how all  
2 this was to be done, because the situation was chaotic in Bosnia and  
3 Herzegovina, but he couldn't do anything about that, but the operation  
4 was a priority task. And he says that upon receiving and understanding  
5 this task, he conceived how to do it with basic forces from the areas of  
6 Herzegovina and the Knin Krajina, Herzegovina being here [marks], and the

7 Knin Krajina, which is this [marks], and the naval forces from the sea  
8 who were to crush the forces in Dalmacija and link up with forces of Knin  
9 Krajina in Western Bosnia. He simply wanted, from this area of Knin  
10 [marks] and this area of Western Bosnia [marks], to crush Split, Sibenik,  
11 Zadar, and to emerge here [marks].

12 Due to the secrecy of this plan, only the commanders of the corps  
13 involved were let in on it. The commander of the 2nd Corps of Titograd,  
14 Mr. Radomir, Ratko Mladic from the Knin Corps, Major General  
15 Milan Torbica from the Uzice Corps - Milan Torbica is mentioned, as  
16 you'll remember, in orders to attack Mostar - and the commander of the  
17 Naval Sector Boka. This is Boka Kotorska, number 4 [marks], but the area  
18 covered by the naval authority was broader. And he says in stage 1, it  
19 was planned to use forces that are in touch with Croatia and the Knin  
20 Krajina, to continue offensive action, to capture Ravni Kotari.  
21 Ravni Kotari is here [marks], this entire area of hinterland of the  
22 Zadar. This is Ravni Kotari, so the plan was to take control of  
23 Ravni Kotari, "RK" [marks], to take control of Zadar and Sibenik, and to  
24 threaten Split from the west, to attack Split from the west.

25 Parts of the operation group from the Kupres Plateau, which is

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1 going to be 7 on the map [marks], the Kupres Plateau, from that plateau  
2 they were to take control of the broader area of Livno - Livno is this,  
3 number 8 [marks] - to prevent the emergence and spreading of intra-ethnic  
4 conflicts in Bosnia and Herzegovina and the emergence of paramilitary

5 units from Croatia and Bosnia and Herzegovina. Of course, to talk about  
6 incidents caused by Croatian paramilitaries in Bosnia and Herzegovina is  
7 ridiculous, because we were barely able to defend what was left up here  
8 and all this was nonsense. He planned, upon completing this task, to  
9 continue the attack towards the broader area of Dubrovnik via Trebinje  
10 and to take control of areas such as Popovo Polje, which is here in the  
11 hinterland. Popovo Polje is here [marks]. The number will be 9 -  
12 towards the Adriatic coast to crush Ustasha forces and take control of  
13 Southern Dalmacija, and then go down the valley of Neretva to prevent  
14 further blockades by the JNA and the outbreak of inter-ethnic conflicts.  
15 So their idea was that everyone here were Ustashes, all the Croats and  
16 everyone that was not with them were Ustashes, and that was an excuse --  
17 a pretext for mounting this operation. At the same time, they were to  
18 threaten the Adriatic thoroughfare to make traffic impossible. The first  
19 stage was supposed to be implemented within ten days, and then the second  
20 stage, the attack down the valley of the Neretva River[marks]. They had  
21 their positions on both the right and the east -- left bank of the Neretva.

22 They were to go from this area of Mostar towards Split, and with part  
23 of their forces they were to attack from Drnis to Split [marks].

24 The task of these forces was with the support of the air force  
25 and the navy to take control of Dalmacija. The predicted duration was

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1 between 12 and 15 days, and that was the dead-line for completing these  
2 operations.

3 I have nothing further to add.

4 Can we have page 245 of the Serbian or, rather, 3D41-0618.

5 Here he goes on to say that he had learned about the elements of  
6 the 37th Corps already being in the catchment areas. The  
7 3rd Partisan Brigade was there and so on and so forth, the 37th Corps in  
8 Herzegovina. This is a poor photograph, but you can see columns of tanks  
9 moving.

10 Your Honours, perhaps you will remember about when the people  
11 from Herzegovina stopped that tank brigade column heading towards the  
12 Kupres field with their bodies, that they were carrying tea there, and  
13 they were talking, and then Mr. Izetbegovic came and asked for the tank  
14 brigade to be allowed to pass through to the Kupres field. The column  
15 that was allowed to pass through was one of the main agents of this  
16 attack that was planned. Instinctively, of course, people knew that this  
17 would be the case. Nevertheless, politicians more often than not had  
18 little room for manoeuvre. I'm not saying that it was a bad thing,  
19 necessarily. But the people there knew that those tanks should not be  
20 allowed through, because it would soon blow up in their own faces.

21 Page 246, the next one, 0619, he says that from the command post  
22 of the 37th Corps at Nevesinje, right here [marks] - Nevesinje is right  
23 next to Mostar. It's not marked on the map -- or, rather, it is. Here  
24 it is. That's Nevesinje, number 10. He ordered the command of the  
25 operative forces to start moving immediately. By midnight, the 20th of

1 September, they were to reach the Ivkino Selo, Nevesinjsko Polje general  
2 area. We're talking about 1991 here. And so on and so forth.

3 The next page, 247, the 3D number is the same, 41-0619, he says  
4 as units were being gathered in Herzegovina, at the same time in Serbian  
5 Montenegro there was a mobilisation progress of units that were supposed  
6 to then be joining the operative group. Members of the 37th Corps were  
7 located in the Nevesinje area and Mostar. The 2nd Corps was in the  
8 sectors of Stolac, Ljubinje, Trebinje, and Igalo. That is this barrier  
9 in East Herzegovina. And some elements of the 4th Corps were in the  
10 Mostar sector. The 9th Military Naval District had its units in the sea  
11 near the coast and the coast itself, and then air force support were at  
12 their permanent locations in the Neretva River valley, meaning the Mostar  
13 Airfield. That's where they were receiving support from.

14 The last thing, page 352, 3D41-0620. Having received treatment  
15 at the General Staff of the Yugoslav Army, November of 1992, as chief of  
16 the General Staff, I found General Zivota Panic. I knew him to be a  
17 naval officer of a somewhat Bohemian disposition, but with leadership  
18 skills. He was appointed chief of the General Staff as a general who  
19 commanded the units of the JNA in Eastern Slavonia and Western Srem  
20 during operations conducted there, Eastern Slavonia here meaning Vukovar  
21 and the area around it. I will put in number 11 there [marks]. Did I  
22 mark that correctly or not? No. He goes on to say that this was  
23 certainly a very high recommendation for the position to which he was  
24 eventually appointed.

25 So much for this book. I think the book is crystal clear, in

1 terms of confirming everything that we have been discussing so far. All  
2 the documents point in that direction, as well as all the facts. I could  
3 bring up other books, should the Chamber so require.

4 Could we please have a number for this map?

5 JUDGE ANTONETTI: [Interpretation] Mr. Registrar, could we have a  
6 number for this one, please.

7 THE REGISTRAR: Your Honours, the map marked by the witness shall  
8 be given Exhibit IC1009. Thank you, Your Honours.

9 THE WITNESS: [Interpretation] My apologies.

10 Your Honours, I was going to keep marking the map, as far as  
11 here. It doesn't look very pretty, but I think it's very clear. Thank  
12 you.

13 MR. KOVACIC: [Interpretation] The map that was used for this  
14 demonstration is 3D03545. It is the same map that you have,  
15 Your Honours, and we'll be using it whenever necessary?

16 Q. General, I would like to ask you a question about what you've  
17 just said. Right at the outset, you quoted the author. Every now and  
18 then, he talks about Dalmacija and Herzegovina. He sees this area as a  
19 single area. What about that detail? It's something that you mentioned.  
20 If you could please sum it up for us again. Is that in support of the  
21 theory that in a military sense, from a military perspective, this was a  
22 single theatre of war; the state borders were entirely irrelevant for  
23 this particular JNA operation?

24 MR. STRINGER: I object to the leading question, Mr. President.

25 MR. KOVACIC: Well, Mr. Praljak actually said that, but I can

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1 rephrase. No problem.

2 Q. [Interpretation] General Praljak, in addition to what you have  
3 been telling us about the JNA activities there and their plans, what else  
4 does that indicate to you, from a military perspective, in terms of state  
5 borders?

6 A. I'm not sure how much point there would be in repeating this over  
7 and over again. He's very clear about this. We'll take whatever remains  
8 of Yugoslavia. It's not like he's having second thoughts about the  
9 republics or anything like that. What is at stake here for the JNA is  
10 that the plan to take the remaining areas and preserve Yugoslavia, as  
11 well as taking the Virovitica-Karlobag-Karlovac line, that was their  
12 objective, and there is not a single document to disprove that.

13 Q. General, I know you understand that, but we have to do our best  
14 to make this clear to everyone in this courtroom.

15 A. But he says it two or three times, at least in the book, doesn't  
16 he?

17 Q. Fair enough. Thank you very much.

18 Unless the Chamber has further questions, I would like now to  
19 move on to my next topic.

20 JUDGE ANTONETTI: [Interpretation] I have two technical questions  
21 to ask, because when you show a document, you can imagine that the Judges

22 are going to scrutinise it, and on page 217, there are two matters which  
23 I've seen.

24 This general of the JNA says this: He is speaking of  
25 paramilitary units, a few words, paramilitaries of Croatian paramilitary

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1 units. Could you tell us, in a few words, what are these paramilitary  
2 units, Croatian paramilitary units, in a few words?

3 THE WITNESS: [Interpretation] To him everything that had been  
4 done in Croatia to that point were paramilitary units. At the time in  
5 Croatia, given the fact that it was perfectly clear by this time that  
6 Croatia, not having yet declared its secession from Yugoslavia, could not  
7 have an army, true and proper; therefore, they pulled the reserve police  
8 forces up to that level to the extent possible at that moment. That's  
9 why I said yesterday that the first weapons that we could obtain legally  
10 were given to us by Hungary. We were allowed to buy weapons for the  
11 police, and then through legal channels, without violating any laws, we  
12 bought from Hungary 30.000 Kalashnikov automatic rifles and some  
13 ammunition to go with that.

14 Another thing that was allowed was the establishment of the  
15 National Guards Corps, not an army proper. Those units numbered several  
16 thousand men. As a rule, when those units reached the lines along which  
17 the JNA had previously penetrated, they viewed all of us as paramilitary  
18 units. I was a paramilitary. We were all paramilitary. Any attempt to  
19 put up armed resistance was seen as a paramilitary attempt.



20 JUDGE ANTONETTI: [Interpretation] [Previous translation  
21 continues] ... in 1991. Since 1945 - this is more than 40 years,  
22 roughly, nearly 40 years - this army, the popular Yugoslav, exists with  
23 all its elements, whether Serbs, Croatian, Muslim? You agree with me?  
24 And we know, and you said so, that several elements have established  
25 this. There are, in the structures of command sometimes, when number 1

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1 is Croatia, number 2 may be Muslim, number 3 Serbian, and so on, or the  
2 reverse, conversely.

3 Now, in this book he writes -- where he speaks of 1991, he  
4 qualifies the Croatians as Ustasha. How is this possible? How is it  
5 possible that this general calls the Croatians who are in the opposite  
6 camp of Ustasha? Do you have an explanation to give us? Well, for  
7 decades there was this army which was functioning, and because of  
8 dismantling of the country, immediately this word is being used. What is  
9 the explanation? Is it a sociological factor, psychological factor, or  
10 is it for propaganda? And you are a specialist, yourself, since you were  
11 chief of a department. For what reason is the word "Ustasha" used here  
12 on page 217 all the time?

13 THE WITNESS: [Interpretation] Your Honours, first of all, what  
14 you said about this commander and a deputy being a Croat, that's not  
15 right. That applied to political bodies, for example, in Bosnia and  
16 Herzegovina, but not to the army.

17 Most of the men in the JNA, the greatest majority in all

18 positions, were either Serbs or Montenegrins, in relation to the entire  
19 population. The share of the Muslims was substantially lower. I have  
20 used the statistics and shown it to you before, but I could do that  
21 again; next to no Muslims and even fewer Albanians. There was no way  
22 they could get promotion. For example, one of them was in the Croatia  
23 Army, General Ademi. Obviously, he was in the Croatian Army, but there  
24 is no way he could have made general in the JNA unless in pure theory.  
25 I'm not aware of a single Albanian who ever made it to the rank of

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1 general in the JNA. It was hard enough for the Croats, obviously.

2 Back in 1991 -- let me say the following first. In 1991, people  
3 of the JNA came to the Croatian Army. The air force commander, Tus, he  
4 was air force commander in the JNA. Spegelj came too. There were two  
5 Serbs who crossed, for example, and many more, obviously, but I remember  
6 two; Sumanovac, who was General Agotic's commander, who was in charge of  
7 Croatian Army's air force. I'm not sure if General Imra Agotic is an  
8 ethnic Hungarian. I can't quite remember. And there was another Serb  
9 who defected. His name was Jezercic, and he crossed over to the Croatian  
10 Army. There was an ethnic Slovene, Gorinsek, who had been a JNA general.  
11 There were large numbers joining. At the time, he was saying something  
12 to the effect of, I'm not sure if two or three Croats should be in the  
13 JNA. Everyone had changed sides already and joined the Croatian Army.

14 And now to the other question. I'll try to keep it as brief as  
15 I can. Ever since 1945, those Croats who even spoke out loud were

16 immediately declared to be Ustashas. It was synonymous, at least for the  
17 purposes of Serb propaganda. If you spoke out publicly, somewhere in a  
18 public place, and said that you were a Croat, it was nearly equivalent to  
19 saying that you were a Ustasha. And there was this myth that was created  
20 about Jasenovac and the NDH, and this was something that was foisted on  
21 all Croats as some sort of collective guilt, with no end to it. It was  
22 impossible to live on under that pressure. I watched this happen for  
23 decades.

24 And I will just tell you two things. For example, you needed a  
25 loan to build a road or a railway between Belgrade and Bar. Normally,

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1 this would amount to several million dollars. The investment was shared  
2 by Serbian Montenegro, say, and they bankrolled this together to keep the  
3 Croats from standing up against something like this. For months before,  
4 you would get a lot of propaganda about some Ustashas or some other.

5 Needless to say, Croatia's political leadership had to calm  
6 things down and sweep the whole thing under the carpet and not say  
7 anything about it. Or this, for example: There was a large travel  
8 agency, Yugo-Tourist, Belgrade-based, and I followed that for about 20  
9 years. They printed brochures. There was never a single brochure, never  
10 a single leaflet, not a single year that the word "Croatia" was  
11 mentioned. If you wanted to go to Croatia's coast, you would go either  
12 to Istria, or to Dalmacija, or to the Dubrovnik coastal area, but not to  
13 Croatia. In case you went any further south, you were headed for

14 Montenegro's coast. Montenegro was a name that was used. So much for  
15 the history.

16 It was very troublesome. All of us were branded as Ustashas  
17 en masse. General Tus, General Agotic, General Gorinsek, a Slovene, as  
18 soon as they joined the Croatian Army, they all of a sudden became  
19 Ustashas, and he branded his colleagues of yesteryear as Ustashas  
20 immediately.

21 MR. KOVACIC: [Interpretation] Thank you very much, Your Honour.

22 Q. General, the situation being what it was back in 1991, when the  
23 aggression began, there were, of course, some reactions abroad. You have  
24 told us about that, and no doubt you will more at a later stage. What  
25 was at the very outset the position of the US president concerning this

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1 entire situation? What was the position that they took in relation to  
2 everything that was going on?

3 A. Well, you see all this propaganda regarding Croats and all that.  
4 Even earlier on, it's not like this was something that began in 1945,  
5 after Ante Pavelic's regime, which was what it was, but it goes further  
6 back. Across the world, this propaganda gave rise to misgivings about  
7 Croatia. It simply wasn't something that you could avoid. To establish  
8 Croatia as a state was a work of art, simply because we were up against  
9 so much prejudice and reservation, the sort of thing that was being  
10 spread in those diplomatic statement circles ever since 1945.

11 General Bobetko and General Tudjman, all of them had to defend

12 themselves from this accusation. They were all partisans, but still they  
13 had no choice but to repeat the whole thing over again, that this was  
14 something that was not the case at all. It was very difficult to these  
15 ruts, these ways of thinking that were now deeply rooted. For some  
16 reason, they wanted Yugoslavia to remain. Croatia is a small country,  
17 and who cared about that anyway, especially given the fact that at the  
18 time all of this was going on, the great powers had more serious problems  
19 on their hands; the breakdown of the USSR, the reshuffle of NATO, no  
20 Warsaw Pact around anymore, the unification of Germany. Europe, as I was  
21 being told at the time by the French, the Germans, and all those who  
22 came, was this: Our war came at a very inconvenient time, because no one  
23 was free to look into our situation. There was no consistent foreign  
24 policy in this regard by the European community at the time.

25 In this regard, we tried to repeat, over and over again, what are

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1 our principal positions were, how we wanted this state to exist and that  
2 we had no aspirations against anyone else, and also that the Serbs in  
3 Croatia, and you will be seeing that later on -- I will be showing  
4 documents, and this is something that is very important because this was  
5 something written in "Croatian Soldier" magazine which expressed our  
6 position at the time for Franjo Tudjman, Gojko Susak, some other general,  
7 myself. They were facts and so on and so forth.

8 And there was a huge effort being made to disprove all this false  
9 information, unfounded information regarding our efforts, regarding our

10 conclusions, regarding any agreements that we signed, and there you go,  
11 and so on and so forth. And here, there. When you read this later on to  
12 see what was reported, what I prepared here is several very short pages  
13 reflecting how the US president saw the entire situation.

14 Bill Clinton, in his book "My Life," where as a matter of fact we  
15 see and where he tells us himself about all these basic problems and  
16 disagreements in the West about what to do in the area, especially given  
17 the fact that by this time there was the Gulf War already, and America  
18 was late jumping on this whole train. And when they finally joined the  
19 fray, they spoiled all the plans previously hatched by the French and the  
20 English. And when he wanted to join in, the French and the English tried  
21 to put a spoke in his wheel, the plans to resolve the situation in Bosnia  
22 and Herzegovina.

23 And then all of this had a dreadful effect on the situation in  
24 Bosnia and Herzegovina, because people, generally speaking, and soldiers  
25 had certain expectations, thought that there would be an agreement that

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1 would be signed, and then that was that, the whole thing would be over.

2 But when your expectations are let down, especially in the middle  
3 of a war, what you get as a result is that you have to keep climbing the  
4 ladder. And then there is another cease-fire that is signed, and a new  
5 plan comes along to sign. The Croats are the first to sign, and then  
6 suddenly everybody gets their hopes up, This must be the end now, we've  
7 reached an agreement. And this is again refused by Izetbegovic, more

8 seldom, perhaps, Karadzic all the time, almost as a rule. And then the  
9 whole thing falls through again, comes to nothing, and then the chaos  
10 increases.

11 But the saddest thing of all in this whole thing is that whenever  
12 these new proposals were tabled by the international community, conquests  
13 that had taken place up to that point in time were recognised as a  
14 fait accompli.

15 Q. It might be a good idea, now that we've got the book in front of  
16 us, to hear about your position on the UN arms embargo. We might link  
17 that up to some topics that we'll be tackling later on, but perhaps you  
18 might want to tell us now.

19 Clinton claims that the Americans at one point changed their  
20 position on that embargo imposed back in 1991.

21 A. Mr. Kovacic, we'll tackle this briefly.

22 At page 487, 3D330826, down towards the bottom of the page, and  
23 I'm skipping some paragraphs, he says, back in 1992, the European  
24 community recognised Bosnia as an independent state.

25 Q. Perhaps just to give the Chamber a hand, in the English it's

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1 0839. The page in the book is 509, the right-hand column. Yes, it's  
2 right there.

3 A. I don't have the same -- it's 487, 3D33-0826.

4 Q. Yes, I got it right. It's got a different number in English.

5 A. In April, the European community recognised Bosnia. Okay. The

6 first thing that has been perpetuated up to this very day, the name of  
7 the country is Bosnia-Herzegovina. The name is not Bosnia, it's  
8 Bosnia-Herzegovina. From the perspective of the great powers, obviously  
9 the same difference, Bosnia, Bosnia-Herzegovina, but everybody keeps  
10 saying "Bosnia." My position is that this has certain negative political  
11 implications as well. He says the first independence achieved by that  
12 country since the 15th century. That's quite right. In the meantime,  
13 Serb paramilitary units continued terrorising the Muslims and killing  
14 citizens. There you go. Not a single word about the Croats in Bosnia  
15 and Herzegovina again, and they were doing the same thing both to the  
16 Muslims and to the Croats.

17 Then he goes on to say that Milosevic put on a show, pretending  
18 that he was withdrawing this soldiers from Bosnia, while he placed more  
19 supplies and more weapons under the command of Ratko Mladic, which of  
20 course is true.

21 And then moving on to the next page, 488, that's a translation,  
22 3D330827, talking about some economic sanctions that were meant to be  
23 imposed.

24 At the beginning, there was resistance from the Secretary-General  
25 Boutros-Ghali, the French and English, who believed that Milosevic should

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1 be given a chance to stop the violence that he had triggered. Needless  
2 to say from the perspective of those of us who were there, this seems  
3 absurd, Milosevic being given a chance to stop the violence that he,



4 himself, had triggered. It makes no sense at all. He triggered the  
5 violence with an objective in mind, and the only way to stop him from  
6 achieving his objective was for someone to tell him, Stop where you are,  
7 man, or else you get bombed.

8           And then on from there, Clinton says that the problem with the  
9 embargo was the fact that the Serbs had sufficient weapons and ammunition  
10 to fight for years, to keep fighting for years. Therefore, the only real  
11 consequence of keeping the embargo in force was making it virtually  
12 impossible for the Bosnians to defend themselves. When he says "The  
13 Bosnians," he probably means the Muslims and the Croats. If he means  
14 that, then that's correct. What it should say is the Bosnians and the  
15 Herzegovinians. Then he says in 1999 we managed to push through, somehow  
16 we got the weapons, and then we suppressed the Serb forces, which is  
17 entirely untrue because no one could suppress or crush the Serb forces.  
18 All he says through small-scale supplies from Croatia that somehow  
19 slipped through the NATO blockade on the Croatian side. Well, that now  
20 is true, not small-scale supplies but, rather, maximum large supplies,  
21 the largest that could be achieved by Croatia under embargo.

22           And then Mr. Clinton goes on to say that he proposes for this  
23 embargo -- for the arms embargo to be lifted, and then the Europeans were  
24 focusing on putting an end to the violence.

25           The British prime minister wanted to force the Serbs to stop

1 their siege of Bosnian cities, and they dispatched 8.000 soldiers to

2 protect a convoy. Did they protect these convoys? Not well. To some  
3 extent, probably they did, but actual what this shows is no chance of me  
4 accusing anyone, I'm just stating a fact. The West -- the Western  
5 countries, for whatever reason, at no point in time really faced the  
6 facts on what was going on in Yugoslavia.

7           And then for whatever reason, down towards the bottom of the  
8 page, Mr. Clinton says when he became president, and that was as far as I  
9 know, at the beginning of 1992, as always, the arms embargo and the  
10 European support for the Vance-Owen Plan weakened, weakened. It weakened  
11 the Muslim resistance against the Serbs. Even the evidence of the  
12 massacres against the Muslims and their rights was clear enough already.

13           Now, one thing I don't understand. The European support for the  
14 Vance-Owen Plan, it never weakened, because in the next sentence  
15 Mr. Clinton says, In early February, I decided not to back the  
16 Vance-Owen Plan. It is my deepest conviction -- or, rather, based on  
17 what we knew, that was a total disaster, because the Americans now said,  
18 and I think that this is something that Lord Owen mentioned in his own  
19 book, and I think Mr. Karnavas also raised that, they were embittered  
20 because the Americans said, There you go, you and your plan.

21           And then Clinton claims he met Brian Mulroney previously,  
22 Canada's prime minister, who told him he didn't like the plan. And then  
23 they completed a new plan for a new Bosnian policy, and Warren  
24 Christopher said that the US now will be joining the whole thing.

25           Further on, he speaks about the road ahead, and he says that that

1 road to a joint or unified policy is very long.

2 "At the beginning of 1992, during our first meeting, French  
3 president Francois Mitterrand let me know that although he had dispatched  
4 5.000 French troops as part of the humanitarian forces to prevent  
5 violence, that he was inclined to support the Serbs, and he was less  
6 inclined to see a united Bosnia under the Muslim leadership. I don't  
7 want to draw any conclusions."

8 This is what it says, and this was written by the president of  
9 the United States of America, and there is nothing for me to add.

10 And then he says, on the 26th of March, he's met with Kohl, and  
11 Kohl was inclined to support the lifting of the arms embargo. Kohl was  
12 inclined to support the lifting of the arms embargo. However, it  
13 continues by saying that Kohl and Clinton could not convince the British  
14 and the French of the same. They believed, in their turn, that the  
15 lifting of the embargo would prolong the war and jeopardise the UN troops  
16 on the ground.

17 And now again I don't want to provide any comments. I just wish  
18 to say this: We can conclude, if we are going to draw any conclusion,  
19 that they expected for the Serbs to win very soon, and thus the war would  
20 end, or that they would conquer the part of the territory that they would  
21 be satisfied with and then they would stop. Otherwise, how could you  
22 have the third side without any arms and that the war could stop in that  
23 way? The only thing that could happen was for one side to kill everybody  
24 else on the other side, and then peace would arise.

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1 White House. Gore was the deputy president of the United States of  
2 America, and there was also the assistant for national security, and he  
3 was responsible for our failure to lift the embargo. Both Kohl and  
4 Mr. Clinton said to Izetbegovic that they were taking everything they  
5 could, for Europeans to take a firmer position in that regard. And after  
6 that, the Serbs were prevented from carrying out flights, which was not  
7 important at all.

8 In April, Americans returned from Bosnia, requesting for military  
9 intervention. People who had been on the ground were very clear on that.  
10 They requested for a military intervention in order to prevent further  
11 slaughter.

12 Further on, it says here they saw the killings, they saw ethnic  
13 cleansing on the ground. Elie Wiesel, a survivor of the holocaust,  
14 publicly requested from the president to do as much as he possibly could  
15 in order to stop violence.

16 Up to the end of that month, the foreign policy team recommended  
17 that if the -- if the Serbs could not be convinced in any other way, the  
18 embargo for Muslims should be lifted. No mention of Croats there again,  
19 which is absolutely unclear to me. And so on and so forth.

20 And it finally says after the first 100 days, we were still not  
21 close to a satisfactory solution to the crisis in Bosnia and Herzegovina.  
22 The Britains and the French refused, the attempts of Warren Christopher,

23 and reasserted their right to be -- to play the main role in dealing with  
24 the problem.

25 On the ground, we knew that. We knew in our countries that there

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1 was a competition between the states who would reach a solution. This is  
2 a competition between the states from Europe and the United States of  
3 America in various combinations to see who would take credit for solving  
4 the situation. The matter of the fact was nobody was actually doing  
5 anything to solve the situation in any efficient way.

6 Here, Mr. Clinton states that the tragedy would take two years to  
7 resolve and that there would be 250.000 dead, but this is not true. In  
8 Bosnia and Herzegovina, the number of dead on the three sides was around  
9 98.000, of which 64 or 5 thousands were Muslims, Bosniaks. In percentage  
10 terms and in absolute terms, they had the highest number of victims.  
11 About 26.000 Serbs were killed, and around 8.000 Croats were killed, give  
12 or take a few.

13 And now he says something that I believe is very important.  
14 Dick Holbrooke called something the largest collective security omission  
15 in the West from the 1930s, and this is something I have to deal with. I  
16 have to agree with him, unfortunately. All the facts were clear.  
17 Everything was very clear, who wanted what on what side.

18 So, Your Honours, I believe we proposed that at the very  
19 beginning you could have dealt with the crisis in Yugoslavia in a very  
20 simple way. All it would have taken was to place NATO troops on the

21 borders and say there would be no war, and, You in the country employ all  
22 the highest standards of democracy and deal with the problem. Croatia  
23 was eager to reach such a solution; however, without any success.

24 And now what he says here is this: Holbrooke says an erroneous  
25 interpretation of the history of the Balkans. It was considered that the

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1 ethnic clash was too old and too deeply rooted for foreigners to get  
2 involved. However, this was not an ethnic conflict at all.

3 Second of all, the obvious loss of strategic position of  
4 Yugoslavia after the Second World War -- I apologise, I'll repeat. So  
5 this is correct. Yugoslavia, which had been balancing between the East  
6 and the West and served as an example of a different Communist, although  
7 it was no different at all, but that's what the West wanted to convey as  
8 a message, when the Soviet Union broke up, Yugoslavia lost its strategic  
9 position.

10 The victory of nationalism over democracy, as a dominant ideology  
11 of the post-Communist Yugoslavia, I can't agree with that, because no  
12 nationalism won over democracy. Democracy has its two parts, and the  
13 first part is introducing legal democratic standards; and then it takes  
14 years, for people who lived under the Communist rule, to learn how to  
15 apply democratic norms of behaviour.

16 It takes a lot of time for people to learn that, and the best  
17 example is East Germany. East Germany, Prussia, and so on and so forth,  
18 before the beginning of the Second World War, were in very many ways much

19 more developed than the western part of Germany. After having spent 40  
20 years under the Communist rule, the psychology of that people changed  
21 radically. The Prussians, who had enjoyed a reputation of a very  
22 well-organised state, behaved the way they did, behaved as people would  
23 in socialism, and German sociologists concluded after that that people,  
24 Germans who lived in West Germany and those who lived in East Germany,  
25 that they would reach the same level of development once the children who

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1 went to East German nurseries died. And fourth of all, less willingness  
2 on the part of Bush's government --

3 JUDGE PRANDLER: I have a number of remarks. One is, in a way,  
4 procedural and helping the interpreters; and I would like to ask you  
5 again and ask everyone in the repertoire, including the Bench, that we  
6 should take into account that the interpreters are suffering a lot,  
7 because everybody speaks here without due attention to their work. It is  
8 my first remark.

9 My second remark is that I really don't understand what is the  
10 relevance of, for example, the last items which you have taken as subject  
11 material, so how the Prussians behaved, et cetera, concerning our  
12 indictment. And we have talked about it yesterday. I do not want to  
13 waste time about it, but I would like to remind you and Mr. Kovacic which  
14 it is, indeed, our task to address the indictment and to talk about it,  
15 and of course to enhance your case which we are ready to listen to.

16 Thank you.

17 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, Judge Prandler is  
18 absolutely right. Our concern is the indictment, so please keep in mind  
19 throughout what you say what is stated in the indictment.

20 I have not read the book written by Bill Clinton. I'm sorry I  
21 haven't, but I haven't, and it might be better somehow, because then  
22 I can remain absolutely neutral with respect to what you have just said.  
23 But I'm sure you have read the book, and since you are under oath, I  
24 absolutely trust the answer you're going to give me.

25 In Clinton's book, and I -- and Judge Prandler just said it so

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1 rightly, I stick to the indictment. When he wrote this book, I suppose  
2 that he wrote the book surrounded by his advisers, people from the State  
3 Department, the CIA, the secret services, et cetera; so I suppose that he  
4 has good sources because when a former head of state writes a book, he  
5 can't afford to write any odd thing. So we can be -- we can believe that  
6 what he has written is serious, very serious, indeed.

7 So based on this, does Mr. Clinton, in his book, mention three  
8 issues that concern me: The issue of the Greater Croatia? Does he say  
9 anywhere that Mr. Tudjman wanted to have a hostile take-over on  
10 Herzegovina in order to recreate the Banovina? Does he say so,  
11 expressly?

12 Secondly, you spoke about ethnic cleansing, but I understood that  
13 you meant the Serbs in saying so, but does Clinton say anywhere that  
14 there was ethnic cleansing in Bosnia and Herzegovina because of the



15 Croats in Herzegovina? Does he say so in his book?

16 So these are my two main concerns, and I remind you that I don't  
17 know what is in the book, all the more so since I don't have the  
18 translations into English in the binder I received from Mr. Kovacic.

19 THE WITNESS: [Interpretation] I apologise for sometimes  
20 wandering, and I thank you for your warning.

21 Let me say that nowhere in the book did I find that Mr. Clinton  
22 says that he heard Franjo Tudjman speak about a Greater Croatia. That's  
23 number 1.

24 Second of all, I read the book, and I didn't see in the book that  
25 Mr. Clinton spoke about any sort of ethnic cleansing that would have been

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1 carried out by Croats in Herzegovina. What I wanted to demonstrate, on  
2 the basis of this book, is the following: The Western states were not  
3 unified, and it says here that in some European governments, they were  
4 not happy about having a Muslim state in the heart of the Balkans,  
5 because they feared it could be -- it could be turned into a base for the  
6 import of fundamentalism.

7 What I wanted to show is this: War in Bosnia and Herzegovina was  
8 moderated by the discord among the states of the Western part of the  
9 world. One wanted one thing; the others wanted something else. And what  
10 I'm saying is this, Your Honours: The representatives on the ground  
11 followed their government's policies. That's how the English behaved,  
12 that's how the French behaved, that's how the Americans behaved. And

13 they created additional chaos and additional confusion, and the whole  
14 thing made the war even longer and created a cause that in the indictment  
15 is actually ascribed to us, and I believe that's why this is relevant.  
16 And Clinton said in his book that he wanted to lift the embargo, and then  
17 he says, for example, I was against the decision to lift the arms embargo  
18 that was proposed by Senator Dole because I feared that would weaken the  
19 position of the United Nations.

20 I also claim that after that, the American, as far as we learned  
21 in our contacts, that America weakened the embargo which stayed in place.  
22 However, the 6th American Fleet no longer controlled what was being  
23 transported across the Adriatic, and they also kept quiet when Turkish,  
24 Iranian, and other planes landed full of weapons.

25 And let me not go on enumerating and accusing states. They would

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1 let all these things. The first plane from Iran that they had not  
2 approved, I suppose - this is a detail that is important - that was  
3 seized. However, they allowed us to destroy just one part of the  
4 weapons, because people on the ground had seen that what their  
5 governments were doing, in simple words, was not good; that one could not  
6 allow two peoples being killed without allowing them to get arms. For  
7 that reason, many officers and officials who served with the  
8 United Nations assisted us. The French did, the Spanish did, and they  
9 did it secretly, unbeknownst to their governments. They did it covertly.  
10 They couldn't do it in openly and publicly. They were not allowed to do

11 that. However, they saw this as a good deed on their part.

12 I wouldn't add anything to that. I would like to finish on that  
13 note. However, let me just say that Clinton says that he had made a  
14 confederation with the Washington Accord and he had forced Izetbegovic  
15 and Franjo Tujman to adopt that federation of Muslims and Croats in  
16 Bosnia and Herzegovina, and that that federation would be part of a  
17 confederation with Croatia. To this day, I'm really not clear about  
18 this line of logic. And I'm just saying that this is how things  
19 happened, because if that part of the Federation of Bosnia-Herzegovina,  
20 consisting of Croats and Muslims, would have become part of a  
21 confederation with Croatia, then the Serbs would have entered into a  
22 confederation with Serbia, which would mean that there  
23 was no longer Bosnia-Herzegovina, or, rather --

24 JUDGE ANTONETTI: [Interpretation] General, just one last question  
25 to go to the heart of the matter, because you can see that all my

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1 questions are now based and focused on essential things.

2 Last question: There, where you're sitting today, several months  
3 ago we had the US ambassador in Zagreb. He came to testify. You heard  
4 it as well as I did, and I remember very vividly that he said that,  
5 Basically every day we'd go and see Mr. Tujman. He would call him, but  
6 he was permanently, he said, close to Mr. Tujman; for instance, also in  
7 November 1993, when the events occurred in Stupni Do. You, yourself, had  
8 positions of responsibility in the Croatian government because you were

9 assistant minister, and then you joined the HVO, and then you went back  
10 to Zagreb as of the 9th of November, 1993. But in the various positions  
11 you held, did you feel that Mr. Tudjman's policy was under American  
12 control or that his policy was an absolutely independent policy?

13 THE WITNESS: [Interpretation] I would sincerely thank you for  
14 this question, Your Honour.

15 The policy of Franjo Tudjman was in his aspirations very clearly  
16 directed towards one goal. In order to reach that goal, under the  
17 circumstances of a complete -- and he always claimed, and he repeated and  
18 he parroted, and I'm not trying to insult the late president, that the  
19 Croatian state could not be organised if it was in discord with the  
20 international community, if there was no agreement with the international  
21 community, and that's why he always wanted to be in agreement. He wanted  
22 to be absolutely clear on what the West wanted. And the goal was for  
23 Croatia to be a democratic state, to be within the framework of borders  
24 prescribed by Badinter Commission. But look here, he had to obey, he had  
25 to listen, because those people didn't just come to have a chat. They

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1 said, You have to. If you don't, we will introduce an embargo, we will  
2 impose this and that and the other. We were too weak to talk at the  
3 equal footing with them.

4 The ambassador of the United States of America was not a person  
5 with whom I could talk with as I would with my equal, regardless of what  
6 I thought of him, but he was a big person who was a representative of a

7 big force. Franjo Tudjman could not tell Galbraith, I'm not going to see  
8 you today. He was not in a position to do that.

9 And the second thing, Your Honours, it would have created a lot  
10 of confusion, and I know it fully well in some positions of  
11 Franjo Tudjman that were misquoted. Franjo Tudjman had two stories. One  
12 was real and pragmatic; he will do this and that and the other. And the  
13 second story was an attempt to explain, in historical terms; and they  
14 didn't want to listen to any of that, what would be the best thing for  
15 them to do in order to resolve the situation in the area. As historian  
16 with 20 or 30 years of experience before the war, he wrote his works, and  
17 he always repeated that we should do what the Scandinavian navy and  
18 states had done. He was somehow obsessed with the idea of a Scandinavian  
19 state and how they reached peace, and he believed that we should do the  
20 same, we should reach the peace in the same way. However, he never drew  
21 a clear line between his historical explanations and proposals as to how  
22 to best achieve the goal. And people who were listening to him  
23 misconstrued that, and that's why -- that's one of the reasons why they  
24 misunderstood him.

25 An American does not have the time to listen to you talking about

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1 history. An American is here for 10 or 15 years as a company with a  
2 clear goal and a clear timeline.

3 MR. KHAN: Could I respectfully request that General Praljak  
4 speak a little bit slower. Sometimes it's difficult to keep track. It

5 would be of some assistance.

6 JUDGE ANTONETTI: [Interpretation] Do try to slow down,  
7 Mr. Praljak.

8 Yes, please continue, Mr. Kovacic.

9 MR. KOVACIC: [Interpretation] All right.

10 Q. I think there's no room for further questions on this. Could you  
11 just look at the screen from time to time, and then you will see how far  
12 behind the LiveNote is lagging. You do need to slow down.

13 In this last portion, one of the main thesis is the existence of  
14 a variety of positions among big and powerful states on the developments  
15 in Bosnia and Herzegovina and the whole region, so the positions of the  
16 big powers were different. We just spoke about the Americans. How did  
17 the British look upon all this? Margaret Thatcher first condemned  
18 Milosevic; if it were not for him, there would be no war. Is it a  
19 simplification or did the British really understand the reasons for the  
20 war better?

21 A. I will try to slow down. Just let me say one more thing about  
22 the Clinton book. He says, We did not really enforce the embargo on  
23 weapons because we knew that Bosnia could not survive. Weapons could not  
24 come through Croatia.

25 Ms. Thatcher was no longer in British politics at the time. The

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1 her time was over by then. But she wrote a book which is called  
2 "Statecraft: Strategies for a Changing World," and of all the big

3 leaders, she was the one who best understands what proceeded, what -- how  
4 the problems developed and emerged, who made a mistake where, and how it  
5 all happened. I could subscribe to everything said in that book. She  
6 put very clearly what it was all about. And as far as I am able to  
7 see -- again, you might ask what this has to do with the indictment, but  
8 I'd like to say a few things about the book.

9 Look, for instance, at this lovely sentence. She speaks about  
10 the kind of policy where every national sentiment is labelled  
11 "nationalism." It's on page 15 of the introduction, 3D41-0098.

12 JUDGE ANTONETTI: [Interpretation] Please indicate where it is on  
13 the page.

14 JUDGE TRECHSEL: I'm sorry. We can find perhaps the page if you  
15 give the number of the document first.

16 THE WITNESS: [Interpretation] 3D02642.

17 JUDGE TRECHSEL: Thank you.

18 THE WITNESS: [Interpretation] I would like your permission to  
19 cover a few topics that I believe are relevant to the indictment and are  
20 relevant to the case, but it's the break now; isn't it? Okay.

21 THE INTERPRETER: The interpreters do not have the page on  
22 e-court.

23 THE WITNESS: [Interpretation] That's 3D41-0098.

24 Rare are those among us who are so indelicate to fail to  
25 notice --

1 THE INTERPRETER: Could Mr. Praljak repeat this or have this put  
2 on the ELMO or in e-court. We cannot do this like that.

3 THE WITNESS: [Interpretation] If you look at the history of  
4 Croatia and see all the problems that Croatia had with other states, the  
5 moment the border with Hungary was established, the relationship between  
6 Hungary and Croatia became perfect.

7 Page 25. That's 3D41-0098.

8 THE INTERPRETER: Please indicate the paragraph on the page.

9 THE WITNESS: [Interpretation] Sometimes fences have to be put up  
10 in order to have a good relationship with your neighbour. Our  
11 relationship with Hungary, with Italy, with Austria, were brilliant. All  
12 these were areas with which we used to have problems. Our relations with  
13 Serbia are improving, and they might even be good in some 15, 20 years,  
14 when certain issues are resolved.

15 I'll skip all this.

16 MR. KARNAVAS: It would be helpful also, when Mr. Praljak reads,  
17 to designate the paragraph so that the translators can follow along. And  
18 it might also be useful if counsel puts his headphones on so he can hear  
19 what exactly is being said in the booth. I don't mean to be directing  
20 around here, but someone has to.

21 JUDGE ANTONETTI: [Interpretation] In the future, when you prepare  
22 a document, Mr. Praljak, do endeavour to keep in mind that we need, of  
23 course, the page in B/C/S, but also the page in English, if you can, but  
24 in principle so that the English-speaking people can follow the text.

25 THE WITNESS: [Interpretation] Thank you.



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1 Page 224 in translation, English text, 3D41-0104. That's the  
2 English, paragraph 4. The heading is: "Criminal Courts for the former  
3 Yugoslavia and Rwanda." Paragraph 2 says:

4 "The establishment of the Tribunal for the former Yugoslavia and  
5 Rwanda...."

6 And so on and so forth:

7 " ... constitute an act whereby the West and the broader  
8 international community admit defeat. In the former Yugoslavia,  
9 Slobodan Milosevic, and the main vehicles of his policy, had already used  
10 the Yugoslav People's Army and paramilitary gangs of Serb extremists to  
11 wage war against non-Serb population."

12 Mind you, not Slovenia, Croatia, Bosnia-Herzegovina; non-Serb  
13 population:

14 "Milosevic did this so barbarically and ruthlessly, in the plain  
15 view of the West, that Europe and the US could not have failed to see it.  
16 Moreover, on several occasions messages were sent that Belgrade  
17 interpreted as a green light for continuing these actions. After the  
18 greatest world's superpower, America, made a number of bad evaluations at  
19 the beginning of the 1999 conflict, and then persistently tried to  
20 apportion blame equally upon the victim and the aggressor, it had to find  
21 a way to respond to the increasing outrage throughout the world."

22 Page 224, that's 3D33-0728, paragraph 1, one sentence that we  
23 studied in history:

24 "Bismarck said on one occasion the whole of the Balkans is not  
25 worth the bones of one Pomeranian Grenadier."

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1 Many would agree with opinion of the iron chancellor.  
2 Unfortunately, that sort of thing was rampant in our war, but I would not  
3 agree with Bismarck on this. But the people who came to our country came  
4 with little brochures full of so many simplification and so much scorn  
5 and disdain that it was sickening to listen to.

6 Page 245, that's 3D330729, the second paragraph in the middle:

7 "The West finally did intervene in order to try to preserve the  
8 old Yugoslavia together, and exerted great pressure in public on those  
9 who are insolent enough to want to secede. Western states, among other  
10 things, imposed an embargo on the import of weapons, putting the  
11 aggressor in a far better position, and thus adding fuel to the  
12 aggression."

13 A little further below, Baroness Thatcher says that the West  
14 mediated in numerous cease-fires, addressed numerous threats, and she  
15 thinks that it might have been better not to interfere in that way. It  
16 would have been better, in her opinion, to let us deal with it ourselves.

17 On page 248 -- no, no, I can't do this one.

18 MR. STRINGER: Excuse me, Mr. President. Just -- I've been  
19 quiet, and I'll continue to be quiet because it appears that the  
20 Trial Chamber, despite the admonitions to General Praljak to try to bring  
21 this testimony more closely to what's alleged in the indictment, the

22 Trial Chamber is agreeable to his continuing, but just for the record,  
23 the Prosecution objects to this testimony as irrelevant. He's reading  
24 books of various individuals, politicians, the president, the  
25 prime minister, which is all sort of interesting, and maybe his point is

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1 that it's the international community that's responsible for the crimes  
2 that he's charged with. If that's his position, then let him say it. I  
3 mean, that seems to be where he's going. But it's our submission that  
4 this is irrelevant.

5 I'm not going to object any more on this, because I think  
6 ultimately we get off track and we lose time, but that's the Prosecution  
7 position. This is irrelevant testimony. It's not linked to the crimes  
8 that are alleged in this indictment, which by the way doesn't include any  
9 crimes committed by any Serbs. But that's our position, and I'm just  
10 going to put that on the record for now and be quiet.

11 JUDGE ANTONETTI: [Interpretation] Yes. You have produced  
12 resolutions of the Security Council, articles or stories from the British  
13 press. You have also produced several documents. So why don't you want  
14 an accused to be able also to produce some documents which come from  
15 political people of the United States, English, or other countries who  
16 are talking about these events? Why prohibit the accused to talk about  
17 this?

18 But, Mr. Praljak, as for the book of Ms. Thatcher, which I  
19 haven't read - I think my colleagues haven't read it either - the only

20 question, and I'm coming to the objective of my colleague Judge Prandler,  
21 and he's perfectly right, it is the indictment, and my question is very  
22 simple: Does Ms. Thatcher, in her book, speak again of the three  
23 subjects I talked to you about in the book of Mr. Clinton; a Great  
24 Croatia and the ethnic cleansing? Those are the subjects which are  
25 important. Does she speak or write about them, or as I got an

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1 impression, she only writes about the Serbs, the Serbians?

2 THE WITNESS: [Interpretation] Out of three things you mentioned,  
3 Ms. Thatcher did not ascribe a single one to Croatia or Mr. Tudjman. She  
4 speaks not only about the Serbs and the attitude of the West; she speaks  
5 about how the war started, how it developed, and about the conduct of the  
6 international community in all of that. You will allow that the indictment  
7 contains allegations about the joint criminal enterprise and our desire to  
8 carve up Bosnia and Herzegovina, and we read in Clinton's book that he  
9 brought Alija Izetbegovic and Milosevic to Washington to sign an agreement  
10 with Croatia, and that was a carving up of Bosnia and Herzegovina. After  
11 all I am not without intelligence and don't tell me that I have committed  
12 war crimes before it has been proven in court. So, if it were just about,  
13 "Praljak, you have done it, and so on", then all of this would be  
14 unnecessary. What we are talking about here is the effect of the embargo.  
15 Ms. Thatcher had a very good understanding of why things were happening the  
16 way they were happening. She understood the effect of the mass of Bosniaks  
17 expelled by Serbs, and the ethnic composition had been very balanced until

18 then; and she understood how this fed the inter-ethnic conflict because  
19 disturbing the balance of ethnic population by expelling population and  
20 giving them abandoned apartments to occupy, that produces effects later on.

21           These people do not care for anyone else. They are busy simply  
22 surviving. I think the conflict in Mostar and the conflict in Travnik,  
23 if there had been no peaceful ethnic occupation, meaning expulsions by  
24 Serbs, would perhaps have happened anyway, but it would have happened  
25 much later, on a much smaller scale and with much smaller effects. And

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1 it's very important to know this and very relevant to this indictment.

2 I believe that lack of understanding of these things amounts to a logical  
3 fabrication and a legal fabrication. By presenting this book by Bill  
4 Clinton and the book by Ms. Thatcher, I wanted to show their thinking.

5           And it's also important, in my mind, to know that the length of  
6 the war, as a particular variable on the actions of every individual, and  
7 on the moral stakes, will be the greater in proportion to the length of  
8 the war. The longer the war, you will have more and more individuals who  
9 will break down from killings, from starvation, attrition. These are  
10 important things. Or perhaps I don't understand anything. Of course, it  
11 is up to you Judges to see what you will do with it.

12           JUDGE ANTONETTI: [Interpretation] It's time for the break now.

13           JUDGE TRECHSEL: Perhaps I can be helped after the break.

14           If you look at page 42, lines 8 to 12, I must confess I  
15 completely fail to understand what Mr. Praljak tries to say here. Maybe

16 it is lost in translation. So let's go into the break, and maybe  
17 afterwards it can be sorted out.

18 JUDGE ANTONETTI: [Interpretation] Yes. We'll break for 20  
19 minutes.

20 --- Recess taken at 4.03 p.m.

21 --- On resuming at 4.27 p.m.

22 JUDGE ANTONETTI: [Interpretation] The hearing starts again.

23 MR. KOVACIC: [Interpretation]

24 Q. Mr. Praljak, perhaps you could explain -- that is, clarify for  
25 Judge Trechsel what you meant on page 42, lines 8 and 9, where you said

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1 that the conflict in Mostar and Travnik, in the circumstances of these  
2 peaceful ethnic occupations of refugees caused by the Serbs -- something  
3 might have been omitted here. Could you explain?

4 A. I can. Your Honour Judge Trechsel, when I come to the paragraph  
5 of Ms. Thatcher that is relevant, I'll explain it very slowly and  
6 clearly.

7 JUDGE TRECHSEL: Mr. Praljak, I need no paragraph at all. I want  
8 a re-translation or just what you have said between lines 8 and 12,  
9 because you speak there that the conflict could have been avoided,  
10 I think, or something, if there had been no peaceful ethnic occupation,  
11 and this seems very strange to me. I don't think that you wanted to say  
12 something like that. So if you can recall what you actually wanted to  
13 say, and say it slowly. Then the interpreters will translate that. It's

14 a linguistic problem that I have.

15 THE WITNESS: [Interpretation] Right. It's very simple. The  
16 waves of refugees, mostly Muslims that Serbs had expelled from their  
17 homes in Bosnia and Herzegovina and Croatia, a large number of them went  
18 to Croatia and a large number of these refugees came to Central Bosnia.  
19 In that way, the ethnic balance between Muslims and Croats was upset, and  
20 that was an important factor that contributed to the open war that broke  
21 out in March 1993 between Muslims and Croats.

22 JUDGE TRECHSEL: Thank you. This is very clear now. It makes  
23 sense, and I'm grateful.

24 THE WITNESS: [Interpretation] Let me finish, Your Honour  
25 Judge Trechsel.

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1 What I just quoted is written by Ms. Thatcher on page 261 in the  
2 Croatian translation, and in English it's 3D33-0743, paragraph 3.

3 I claim, once again, that the waves of refugees that upset the  
4 ethnic balance in Mostar and Central Bosnia were an important  
5 contributing factor in the conflict that broke out between Muslims and  
6 Croats, that is, between the BH Army and the Croat forces, because these  
7 people, in the general situation as it was, felt that they had no  
8 guarantee of ever being able to come back to their native areas. A huge  
9 number of them has still not returned, nor will they ever return. They  
10 were very embittered. They were people looking for a place to live, to  
11 inhabit, and neither in Mostar, nor anywhere else -- I'm not saying that

12 the conflict would never have broken out, but even if they had broken out  
13 eventually, without this upsetting of the ethnic balance, the conflict  
14 would not have been so bad. And I believe that this was even done  
15 deliberately to provoke a conflict between Croats and Muslims. That was  
16 the purpose.

17 I'd like to come back to page 250 now.

18 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, unfortunately I do  
19 not have the page you are reading from or you're looking at. There has  
20 been, indeed, a technical problem, but could you exactly say the sentence  
21 which was pronounced so that we'll have it on the transcript? It's  
22 probably only two or three lines. Could you please say exactly what she  
23 says on this question?

24 THE WITNESS: [Interpretation] I'll read it exactly. Page 261 in  
25 the Croatian translation. In English, it's 3D33-0743. I quote:

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1 "It is evaluated that 900.000 people sought refuge in  
2 neighbouring countries and in Western Europe, while 1.3 million were  
3 displaced within Bosnia itself. The burden of accommodating such a large  
4 number of people, especially in Croatia and Bosnia, was unbearable."

5 Next paragraph:

6 "Those waves of refugees brought about instability, and that was  
7 the purpose. The arrival of thousands of Muslim refugees in Central  
8 Bosnia, which upset the ethnic balance between Muslims and Croats, is an  
9 important factor that contributed to the open war which broke out between



10 them in March 1993."

11 MR. KOVACIC: [Interpretation] Just a moment, Mr. Praljak. In  
12 e-court, it's 3D33-0632, in English, and the page of the book is 301 in  
13 the English original, in the chapter "War Against Bosnia."

14 JUDGE ANTONETTI: [Interpretation] Very well. Thank you for  
15 having read this passage. The members of the Chamber appreciate it.  
16 Right.

17 THE WITNESS: [Interpretation] I'd like to go back now to the  
18 page 250 in Croatian. How come my numbers are different for English?

19 MR. KOVACIC: [Interpretation] No, Mr. Praljak, that's not  
20 English. That's for the Croatian version. It's the original page in the  
21 book and the e-court number for Croatian.

22 THE WITNESS: [Interpretation] In the first paragraph,  
23 Ms. Thatcher visited Vukovar in 1998 and says that everyone should at  
24 least once in their life face the material reality of evil, because when  
25 she saw Vukovar, she saw evil assuming a real face that no one can ever

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1 forget. She says that the area of Eastern Slavonia peacefully  
2 reintegrated into Croatia because Croatia gave up on any military action,  
3 and the United Nations scored its first success in peaceful  
4 reintegration, which was led by General Klein. And she says:

5 "I also believed, as I had believed from the very start, in the  
6 summer of 1991, that Croatia, as a New Democratic state, needs all the  
7 support it can get, and that the support it had so far received from the

8 West was almost negligible. Therefore, I accepted the invitation of the  
9 Croatian president, Dr. Franjo Tudjman, and the Croatian government to  
10 come for a long-postponed visit."

11 And then in the next two paragraphs, she talks about the fact  
12 that Croatia belongs to Mediterranean Europe and that the rest of Croatia  
13 belongs to Central Europe. She says that Dubrovnik is a sublimely  
14 beautiful city and that the shelling of Dubrovnik was one of the  
15 stupidest tactical moves by Belgrade. She also says that the shelling of  
16 Dubrovnik --

17 JUDGE TRECHSEL: I'm sorry, Mr. Praljak. We really need -- do  
18 not need Maggie Thatcher to tell us that. This is completely redundant,  
19 because everyone knows it, and certainly the members on the Bench are  
20 very well aware of that.

21 MR. KOVACIC: Thank you.

22 [Interpretation] For the sake of the record and in order to  
23 facilitate reading, what Mr. Praljak has just read is on 3D33-0626. The  
24 original page is 288. The chapter is "Vukovar." There is a photograph  
25 there -- rather, the image of a map on that page. Thank you.

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1 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, you have read from  
2 a part of this book. There may be another one you might have read, which  
3 I'm discovering now and which I will summarise quickly so that we save  
4 time.

5 Apparently, two years before 1993, let's say in 1991,

6 Ms. Thatcher had brought her support to Croatia and supported Croatia,  
7 and according to what she writes, she was going to be rewarded with a  
8 doctorate at the University of Zagreb. And there is also -- and because  
9 of that, she didn't go. So she cancelled her visit, and she says that  
10 those were attacks by Croatians, extremists of Croatia. Can you comment  
11 on this? Do you have anything to say about this? Because you used the  
12 book and also everything which is written in it, which is directly linked  
13 to the indictment. So this is what she's written. What can you say  
14 about this?

15 THE WITNESS: [Interpretation] I know about that, Your Honour.  
16 Ms. Thatcher was supposed to visit, but she cancelled the visit after  
17 what had occurred at Ahmici. Ahmici became a worldwide topic at the  
18 time. As far as I knew at the time, she believed that this was not a  
19 good time for her to be visiting Croatia, although we ended up wondering  
20 what Croatia had to do with Ahmici. Nevertheless, that's what happened.

21 JUDGE ANTONETTI: [Interpretation] You're not answering the other  
22 part of my question. Why does she speak about Croatian extremists? Do  
23 you have an answer? Because it's written here.

24 THE WITNESS: [Interpretation] I didn't understand. Otherwise, I  
25 would have replied.

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1 It is not contentious, Your Honour, that there were groups of  
2 persons in Bosnia and Herzegovina. This is in relation to Ahmici. She  
3 is referring to extremists involved in that event. That is my

4 understanding. It is a fact that the chaos of war in Bosnia and  
5 Herzegovina, there were, on both the Croat and Muslim sides, groups of  
6 people who were out of control and who were extreme and impossible to  
7 control, those who operated at night.

8 In broad daylight, they would have formed part of the HVO, for  
9 example, but no one really knew what they were doing once they were back  
10 home from the front-line, with 15 or 20 days off to follow. Control was  
11 impossible under those conditions. Everyone, ranging from Franjo Tudjman  
12 to all the others, were saying, because this was a new democracy, and she  
13 refers to all these problems faced by new democracies, that it wasn't  
14 possible to lay the blame at the door of the leadership, be it Croatia's  
15 leadership or the HZ-HB's leadership, for not fighting hard enough to  
16 suppress that sort of thing. I clearly demonstrated that this is an  
17 arduous enough task even for states that are not at war, for full-fledged  
18 democracies.

19 We were severely affected by this for the following reason: We  
20 ended up looking like we were to blame, and yet there was nothing at the  
21 time that we could do to eradicate things like that. To put it in the  
22 simplest of terms, it was powerlessness. A classic case of powerlessness.

23 JUDGE ANTONETTI: [Interpretation] Mr. Kovacic.

24 THE WITNESS: [Interpretation] All right, I'll continue just very  
25 briefly.

2 the Croatian translation, paragraph 2, and now you can tell me what the  
3 English reference would be.

4 In this paragraph, Ms. Thatcher says that the Western leaders,  
5 faced with the threat, meaning Yugoslavia, committed three key errors:

6 Firstly, they tried to preserve Yugoslavia, thereby making it  
7 known to the JNA that the foreign powers would not oppose their attempts  
8 to prevent secession.

9 Secondly, the international community imposed an embargo, thereby  
10 making it impossible for Slovenes, Bosnians and Croats to defend  
11 themselves.

12 And thirdly, quote, "in a bid to, 'in an unbiased fashion,'  
13 distribute the blame for these events," while in reality that was only  
14 one side - that was the aggressor - while the other side was the victim,  
15 the West became a kind of a co-culprit for the crimes that were  
16 committed. This was no, and I quote -- Ms. Thatcher quotes, rather,  
17 "fine hour "for Europe, as claimed at the time by the Luxembourg Foreign  
18 Minister Jacques Poos. Rather, this was the moment of European disgrace.

19 In the last paragraph, she says a third of Croatian territory was  
20 occupied, roughly speaking, and I quote:

21 "The UN forces were passive onlookers to the continuing ethnic  
22 cleansing of Croats from Croatia's territories. As Croatia's strength  
23 grew, they started to operate as the protectors of the Serb aggressor."

24 Meanwhile, Milosevic and the military leadership, who had been  
25 allowed by international negotiators, without any difficulties being

1 presented, to withdraw their heavy weaponry to Bosnia, were now able to  
2 set them to work against the non-Serb inhabitants there.

3 Ms. Thatcher says:

4 "What needed now doing? Number 1, when the constituent peoples  
5 expressed their desire to leave Yugoslavia, the attempt to preserve  
6 Yugoslavia at all costs was not permitted. Secondly, the side that was  
7 attacked had its right recognised."

8 Number 3, one had to condemn the aggression against Slovenia and  
9 Croatia at its early stage, and place an ultimatum followed by military  
10 action. Air-strikes, combined with a supply of arms to the besieged,  
11 would undoubtedly saved Vukovar and other Croatian cities.

12 Just to wrap this up, Your Honours, this is something that we  
13 and -- this war could have quite simply been stopped, nipped in the bud,  
14 quite efficiently. All one had to do was deploy along the borders, give  
15 us weapons to defend ourselves, and the Serb aggression would have been  
16 to no avail at all. This was simple. It would have proved efficient.

17 Nothing is further from my mind than to accuse anyone at all, but  
18 the fact is, as is written here, this failure of the West to find its  
19 feet in this situation led to the results that we are looking at today.  
20 So that's that.

21 MR. KOVACIC: [Interpretation].

22 Q. Because pages 48, 49 and 50 were followed with a delay, the last  
23 bit read by General Praljak, that's from 3D33-0631. The next page, 0632,  
24 the pages would be 298 and 299 of Baroness Thatcher's book entitled "The

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1           A.    And just to add something that I forgot to say to Judge Trechsel  
2           before: The refugees and the very duration of the war, with all the  
3           expectations being let down, and this is something that has to do with  
4           the indictment, each month or every two months, there was an exponential  
5           growth in the numbers of people who were becoming morally decompensated.  
6           Throughout the war, the amount of chaos and the impossibility to exercise  
7           any form of control over the amount of problems that the war and the  
8           failure to find one's bearings, and the loss of any reference points, as  
9           far as the aid that was expected from the West was concerned, this goes  
10          to the very heart of the indictment.

11                I assert that what is termed the political and military  
12          leadership of the HVO and I invested an endless effort; yet we were  
13          unable to overcome these problems. As for myself, I say, and I've  
14          managed to establish that, regardless of the daily amount of work that I  
15          put into it, which was never under 20 hours, regardless of my  
16          unquestionable courage, it was impossible to overcome the amount of chaos  
17          that was there. In that regard, I have to repeat this: If the  
18          indictment was already there and I was facing the same situation in the  
19          area, I don't know what else I could have done. I don't know what I  
20          could have done better. I did the best that I could.

21                Q.    Thank you very much, General Praljak. If there are no  
22          questions --

23 JUDGE ANTONETTI: [Interpretation] I have a few follow-up  
24 questions on this document which I'm reading for the first time here.  
25 Therefore, I have questions to put straight off the cuff.

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1 First of all, I'll tell you how to read my questions. As a  
2 criminal judge, I tried to really look into depth and to have a clear  
3 overview of everything that is stated in an indictment, including what is  
4 in between the lines of an indictment. By way of an example, when a  
5 criminal law judge has to assess an air crash, he may say that there was  
6 a crash because there was a defect in the engine. Then the criminal  
7 judge will draw conclusions, make findings as to the cause.

8 But if he is really thorough, he may find there was a defective  
9 engine, but when there was a breakdown, there was a light that lit up and  
10 pilots that were drunk did not factor that in. If they had, they could  
11 have corrected the situation. This is my approach, no matter what the  
12 field is. This is the way I work. I try to have a comprehensive  
13 overview of all problems.

14 We've been here for three years, and I realise that the Serb  
15 element has to be taken into account when assessing the indictment.  
16 Ms. Thatcher says so in her book on page 302 in the English version. She  
17 says that while there was 31 percent of the population, they occupied  
18 70 percent of the territory. This is a fact that cannot be ignored. But  
19 she goes further than that, so it seems, because she's a former  
20 prime minister of Britain; so what she says is probably better than what



21 a journalist may say or than somebody who's just been on the ground for a  
22 few hours, because if she writes anything, she must rely on various  
23 sources. She wouldn't write anything. And her book is a very explicit  
24 criticism of the Vance-Owen Plan. She seems to say that there were  
25 consequences. One of the consequences is that the parties, be they

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1 Muslims, Croats or Serbs, wanted to take control of territory, which  
2 brought about, inevitably, conflicts, but she seems to put aside the  
3 Croats, at least in the pages that we have here. I don't have the entire  
4 book, but in these pages she speaks about Serbs, but she also speaks  
5 about Muslims, with the Mujahedin phenomenon. But curiously enough, I  
6 fail to find in these pages anything at all between the quote/unquote  
7 "the siege of Mostar."

8 You have read the book. Does she anywhere in the book speak  
9 about Mostar? And if she doesn't, why doesn't she, in your view?

10 THE WITNESS: [Interpretation] Your Honour, I've read the book,  
11 yes. I'd just like to say this, a sentence in passing: The bibliography  
12 on that war runs into about a thousand books. I've read them myself and  
13 we have 28. We won't be referring to them all, needless to say.

14 Why is that the case? I entirely agree with Ms. Thatcher when  
15 she says that when the plan fell through -- rather, look at it this way:  
16 The negotiators come to Geneva whenever they met, and the pressure is  
17 exerted on the weakest link, invariably, all the time. No principles  
18 were in force there. It wasn't a principle line of reasoning that was

19 followed.

20 JUDGE ANTONETTI: [Interpretation] We'll have an opportunity to  
21 revisit this. Just answer my question. Does she speak about Mostar or  
22 not? Why doesn't she? Because the "siege," and I always put it in  
23 quotation marks, of Mostar, she should have spoken about. Why doesn't  
24 she?

25 THE WITNESS: [Interpretation] Your Honour, I can only speculate.

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1 I don't know why she doesn't speak about Mostar, except perhaps she knows  
2 about what I'm telling you.

3 The outbreak of clashes in Central Bosnia, in my opinion, and I  
4 have reason to assume that she had similar information at the time, was  
5 linked to the Mujahedin, the BH Army, and the ethnic dis-balance, because  
6 by this time they had understood that in international circles, those  
7 areas were recognised that were under some form of military control.

8 As the BH Army didn't have the power to take back or reclaim the  
9 territories now held by the Serbs, it was only logical for them to turn  
10 to the Croats. For that reason, a theory was created here that several  
11 thousand or 8.000 people from Central Bosnia, from the HVO, attacked 2  
12 Corps of the BH Army, and this borders on military insanity. This is  
13 something that I will use, books written by Muslim generals, to  
14 demonstrate to the Court beyond any doubt at all. And then they launched  
15 an operation towards the south, Mostar and as far as Ploce and Neum, and  
16 this is something that is written by the commander of the Muslim forces

17 in his book. It's not something that Praljak is suggesting. It is then  
18 saying it in no uncertain terms. Had they won a victory there, they  
19 would have come to the negotiating table to say, All right, the West was  
20 well disposed to recognise and take for granted the solution that was  
21 already there.

22 JUDGE ANTONETTI: [Interpretation] I infer from this that you do  
23 not have any specific explanation for this, so let's stop here.

24 MR. KOVACIC: [Interpretation] I just wanted to state for the  
25 record, when you asked the general the question, he said, No, and then he

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1 continued his explanation. But he said, No, while you were still being  
2 interpreted, and that is off the record.

3 Q. General, let us try to speed things along a little, since we have  
4 lost a lot of time already. I don't think we should go into  
5 Richard Holbrooke --

6 A. Or perhaps the three questions that we had in mind.

7 THE INTERPRETER: Interpreters note, one speaker at a time,  
8 please. The interpretation is becoming exceedingly difficult.

9 JUDGE ANTONETTI: [Interpretation] Do not say that we have wasted  
10 a lot of time.

11 MR. STRINGER: Mr. President, we did not get your last remarks  
12 over the English channel.

13 JUDGE ANTONETTI: [Interpretation] Yes. I was asking Mr. Kovacic  
14 why he just said that we'd wasted a lot of time, but he has answered now.

15 He said that he thought that we are just sort of lagging behind, that's  
16 all.

17 MR. KOVACIC: [Interpretation] Perhaps we should not start quoting  
18 Richard Holbrooke.

19 Q. Maybe just something that we touched upon today. The Presiding  
20 Judge, His Honour Antonetti summed it up. What about Holbrooke, what  
21 about his entire book, not only the portion that we're using; any  
22 references at all to an alleged policy to create a Greater Croatia?

23 A. I read Holbrooke's book "To End a War." I never came across any  
24 references like that.

25 Q. Thank you very much. Is it not his assertion in that book that

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1 the Croats, be it Croats from Bosnia, be it Croatia as a state, with its  
2 own army, were committing any acts of ethnic cleansing against the  
3 Muslims in Bosnia?

4 A. I can't say specifically. I don't quite remember.

5 Q. All right. Are there any references at all to the position that  
6 the Republic of Croatia was trying to annex parts of Bosnia-Herzegovina?

7 A. To the best of my recollection, no references at all. That's the  
8 way I remember it right now. I've read a whole lot of books, but I would  
9 say no.

10 Q. All right. Let's leave Holbrooke aside for the time being. We  
11 have now included the reference to him. The book is there. By virtue of  
12 his position at the time, he was in a position to provide relevant

13 information. Anyone is free to go back to that, should they so wish.

14 I think we should now move on to Dr. Alois Mock's book, edited by  
15 Herbert Vyitska.

16 This was given to you separately, to the Registrar, because new  
17 numbers were assigned. Could that please be distributed to the Judges.

18 No, no, I apologise. Only the general and I were given copies, and we

19 have to give you the old page references for the transcript. I just

20 wanted to simplify matters a little. The number in e-court will be

21 3D03552. In your binders, the numbers should be 3D0 -- or, rather, that

22 remains, that's the e-court number now in your binders, it was 3D02649

23 and, in part, 3D03538.

24 Mr. Praljak, can you get the new folder, look at what I'm --

25 A. I'll just try to be brief about this.

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1 Q. All right. My first question -- or, rather, what I wish to ask  
2 you first: Tell the Chamber why you think that the views of Dr. Mock are  
3 certainly relevant. That is the first thing that I would like you to  
4 explain. And, secondly, aren't Dr. Mock's positions essentially the same  
5 or do they not coincide with those of Baroness Thatcher?

6 A. I read the book entitled "The Balkans in Croatia," written by  
7 Alois Mock. The then-foreign minister of Austria, was an outstanding  
8 connoisseur of the conditions in the former Yugoslavia, it's economy,  
9 it's politics, it's ethnic problems. He knew a lot about all these  
10 problems in their entirety. In the war, he played a very prominent role

11 as moderator and particularly as someone who passed on the explanations  
12 to those further along in the West. He explained to everyone what  
13 warranted their attention. I assert that Dr. Alois Mock reached many  
14 conclusions that were similar to those reached by Ms. Thatcher there.

15 Q. Do you wish to point to any of his assertions that summarises  
16 positions of some relevance for Defence?

17 A. It would take us too far. I'm saying that he detects the same or  
18 similar problems as Ms. Thatcher in a very exhaustive way. I could go on  
19 talking about that for hours, but maybe that would not be welcomed by the  
20 honourable Trial Chamber. But what I'm saying is what I'm saying.

21 Q. Thank you very much. The next book that we would like to use is  
22 3D03553. The author is Brendan Simms from -- and the title is "Britain  
23 and the Destruction of Bosnia." What is the main thesis in the book that  
24 prompted you to use this document as evidence and as one of the  
25 explanations of the situation?

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1 A. When it comes to the positions of Mr. Brendan Simms, the title is  
2 the best illustration, "The Unfinest Hour: Britain and the destruction  
3 of Bosnia."

4 Q. Mr. Praljak, can you please quote number that is on the bottom as  
5 the page in e-court?

6 A. This is the title. 3D410230. I believe that the title page is  
7 the best illustration of everything that Mr. Simms writes in his book,  
8 "The Unfinest Hour," and it speaks about Britain and the destruction of

9 Bosnia. If I were to try to show everything that is in the book, and the  
10 book is very long, written by a connoisseur, by someone who knew the  
11 situation very well, he speaks about the campaign of ethnic cleansing  
12 that fell upon Bosnian Muslims in North-West Bosnia. This is on page 7,  
13 at the very beginning of the book.

14 JUDGE ANTONETTI: [Interpretation] For the transcript, who is  
15 Mr. Simms?

16 THE WITNESS: [Interpretation] I don't know, I don't know. He is  
17 a politologist. He has offered some -- in any case, he is a political  
18 analyst.

19 MR. KOVACIC: [Interpretation]

20 Q. The first thing that you wanted to draw our attention to is in  
21 the preface of the book?

22 A. Yes, this is in the preface.

23 Q. This is 3D410785.

24 A. In the preface, I'm reading from it now, it says, and I quote --  
25 I quote half a sentence:

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1 "The Serbs have taken it as their goal to create an ethnically  
2 clean state from which they would eradicate every trace of the Muslim  
3 heritage."

4 Further on, it says that they carried out ethnic cleansing, and I  
5 quote:

6 "During the largest part of the year 1992 in Bosnia, there was no

7 war. It was a slaughter, and Serb military circles, armed to the tooth  
8 and well organised, used their advantage against unprotected civilians.

9 Q. Very well.

10 A. And so on and so forth. And then of course what is important  
11 here is this: He speaks about the behaviour of British military and  
12 political circles, and on the preface on page 9, he says as follows, and  
13 I quote:

14 "Therefore, the most recent claim by Milosevic's Defence team in  
15 The Hague --"

16 Q. Can you give us the page reference?

17 A. It's page 9 in the preface. This is 3D410206.

18 JUDGE TRECHSEL: I have an observation. I don't know if it just  
19 regards the transcript, but the number given for this transcript on,  
20 sorry, page 58, line 6, is "3D03553." I have spent I don't know how many  
21 minutes trying to find this. It's a wrong number. It seems, at least in  
22 my binder, there are two numbers, 3D03100 and 3D03539. It would be very  
23 helpful if these numbers could be given carefully and correctly, because  
24 we lose time, and while we're looking for it we do not get everything the  
25 witness is saying.

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1 I have found it now, but it's an observation pro futuro.

2 MR. KOVACIC: [Interpretation] Yes. Unfortunately, you're right,  
3 Your Honour. However, there has been some confusion, or people try to  
4 deal with yesterday's [indiscernible], which we were alerted. We tried



5 to use some new technology and introduce everything together in e-court.  
6 The situation -- the very situation was not the best, and this is not  
7 good either, but everything was prepared even before that, so we have a  
8 problem at the moment and we can't deal with it, unfortunately.

9 JUDGE TRECHSEL: Thank you. I understand that there is some  
10 chaos even here. Thank you.

11 THE WITNESS: [Interpretation] If I may, I would like to quote  
12 from page 9 in the preface of the Croatian translation, and now you can  
13 give me the number for the English translation. Brendan Simms -- I'm  
14 going to say just a few things so that we don't lose much time with that.

15 On page 9 of the preface --

16 MR. KOVACIC: [Interpretation]

17 Q. Very well. We can read the number now. This goes from 3D41/0785  
18 to 3D41-0790 in e-court.

19 A. I quote: "Through the Security Council of the United Nations  
20 in New York, and the NATO Consul in Brussels, for three long years the  
21 Brits resisted the use of air force by NATO.

22 At the same time, British statesmen and diplomats were looking upon,  
23 in inverted commas, - strong - Serbia, as the best guarantor of peace  
24 in the Balkans. British mediators treated Serbs very amicably, and  
25 they were arrogant with Bosniaks at the same time. They used every

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1 possible way and mean to sabotage any American plans for a military  
2 intervention. Therefore, the most recent claim by Milosevic's Defence

3 team in The Hague, according to which Lord Carrington and Owen had given  
4 him the green light," in inverted commas, " does not surprise at all."

5 And then he says that this policy undermined the international  
6 reputation of Britain, and so on and so forth, or, and I quote from  
7 page 28 -- we are no longer dealing with the preface. We are dealing  
8 with something else. On page 28 --

9 Q. If I may, this is in e-court 3D41-0790. Yes.

10 A. I quote the paragraph in the middle:

11 "Of course, when you and commanders on the ground ask for a  
12 military intervention, British statesmen did not hasten to meet their  
13 demand. 'No cease-fire,' complained General Abdulrazek in December 1992.  
14 'There is no progress. The situation is getting worse. All our efforts  
15 to save life and restore the basic services do not yield any results.'  
16 He demanded," the UN general, "to give a dead-line to Bosnia-Herzegovina  
17 under the threat of force. 'Guardian' wrote about a military operation.  
18 It is no longer possible to rest on one's laurels and say that this is  
19 being opposed by those on the ground. Nothing happened. There were  
20 no -- any advances, even when the French UN commander, General Cot,  
21 requested air-strikes in early 1994, after which he was immediately  
22 dismissed by the Secretary-General of the United Nations."

23 And how did this look in propaganda terms? This is on page 29.

24 Q. This is the following page immediately after the one that we have  
25 just dealt with, thank you.

1           A.    And here Mr. Simms shows an example of a situation in which a  
2           girl, Irma Hadzimuratovic, had been hit by a Serb shell, and her mother  
3           was killed, and the girl was in a coma; and it says here her example was  
4           nothing out of the extraordinary. Numerous children suffered such  
5           wounds. However, thanks to the efforts of the BBC and the tabloid press,  
6           Irma's fate briefly became a national preoccupation in Britain. After  
7           swift intervention by the prime minister, the young girl was flown out of  
8           Bosnia, with maximum publicity and whilst disproportionate expense.

9           I quote:

10           "The aid agencies on the ground, who knew the British  
11           government's lamentable record on the evacuation of injured adults, were  
12           understandably contemptuous. Sjlvana Foa, the UNHCR spokeswoman, pointed  
13           out that Sarajevo was no supermarket for patients."

14           And we quote her:

15           "Does that mean that Britain wants only children? Maybe they  
16           want only blonde and blue-eyed children, maybe only children under the  
17           age of six."

18           JUDGE TRECHSEL: I'm sorry, Mr. Praljak, I'm lost again. This is  
19           an accusation against Great Britain, which may be justified and  
20           interesting, but I do not see any relation to the indictment.

21           THE WITNESS: [Interpretation] Your Honour --

22           JUDGE TRECHSEL: And it's something to which you have not been a  
23           witness, have you? Have you been there? Have you seen anything of this?

24           THE WITNESS: [Interpretation] Maybe I can add some clarity, maybe  
25           I can answer the question.

1 MR. KOVACIC: [Interpretation] This was the objective of this and  
2 some other chapters, but I believe I can put my question now.

3 Q. As you were reading the last part in this chapter, what did you  
4 actually want to convey, what message did you want to convey? What  
5 impression did you want to convey? What were the facts that had an  
6 influence on the conditions during the war?

7 A. I wanted to say the following: I quoted this not to accuse  
8 Great Britain. This was not my intention at all.

9 However, the Croatian Defence Council and myself transported  
10 10.000 wounded members of the BiH Army to Croatia, and this means at  
11 least 8.000 times some ambulance had to go to Split and further afield.  
12 We transported hundreds of wounded from the Mostar Hospital. The one,  
13 first, and then two helicopters that the HVO had at its disposal, I never  
14 managed to use it because it was always used to transport wounded,  
15 including wounded Muslims.

16 There was a lot more publicity in Britain given to the transport  
17 of this one girl than anything that we might have done for over 10.000  
18 people, and I am sitting here accused by a report when I was in Rama and  
19 in Uskoplje, when I transported a Muslim child suffering from leukemia,  
20 and its mother. And I was the one who brought over the TV crew to record  
21 what was being done because there were daily accusations against us.  
22 There were no facts to corroborate any of these accusations. There are  
23 no facts you can use to fight against such accusations if somebody is not

24 going to accept a fact. You can do whatever you will. In keeping with  
25 this, in their reports about us, they he wrote the same things that were

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1 requested from them, from the British government, that they lied, they  
2 lied to everybody, and nowhere, in none of the reports, did they mention  
3 a reference to the existence of the Mujahedin in Central Bosnia.

4 Your Honour Trechsel, that's by way of answering your question,  
5 and this is why I quoted a passage from this book.

6 Q. I don't think there's any more need to dwell upon this book.

7 A. No.

8 Q. If there are no further questions, I would like to move on to a  
9 completely new chapter.

10 JUDGE ANTONETTI: [Interpretation] A question. Mr. Praljak, you  
11 have read this book, and you have seen that it uses a certain number of  
12 witnesses who came to bear witness here, in particular from the British  
13 Battalion. Some elements in the book come directly from the mouth of  
14 certain witnesses who came to bear witness here. This professor of  
15 Cambridge who wrote this book, tell us what you want -- I listened to you  
16 very carefully. What exactly do you want to show? Do you want to show  
17 that the British did not understand properly what was going on, and then  
18 you take issue with the very fact that they didn't understand the threat  
19 of the Mujahedin? What exactly are you trying to tell us by using this  
20 book?

21 THE WITNESS: [Interpretation] Let me put it in very simple terms,

22 Your Honour. It is my deep conviction that the Britains, who are  
23 brilliant politicians and have been for centuries, knew exactly what was  
24 happening with the Mujahedin, because it would have been impossible not  
25 to understand. They were absolutely well aware of what was happening in

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1 Yugoslavia and during the war in Bosnia and Herzegovina, and I claim that  
2 by following the policy of the British government and its political and  
3 military circles that is very precisely depicted here as a lamentable  
4 policy by Brendan Simms, I believe their people on the ground reported  
5 wrongly, erroneously, incorrectly, that they lied, and that their reports  
6 went in the direction in which this was suitable to the British policy,  
7 the policy of the British government, which was biased in favour of Serbs  
8 and which treated the Muslims and the HVO with arrogance. Incorrectly,  
9 arrogantly, their reports did not correspond to the truth; they did not  
10 reflect the truth.

11 For example, if they saw three people from Croatia bearing the  
12 HVO insignia, they depicted them as an HVO brigade. They never wrote  
13 anything positive about us. I'm not saying that there were no people of  
14 that kind at all. However, the evidence is clear, the HVO, the HZ-HB,  
15 the overall structures, when they transport, with the resources that we  
16 had at our disposal at the time, when they transport 10.000 wounded of  
17 the BiH Army and everybody else, and nobody writes a single word -- a  
18 single positive word about you, how is that possible?

19 You, Your Honours, listened to the testimonies by the

20 representatives of the Spanish Battalion. Under my own leadership, on  
21 four occasions, we transported wounded from the east side of Mostar by  
22 helicopters, and except in their secret report, there's nowhere else a  
23 word about that in no newspapers or magazines. And that's how the  
24 situation was at the time, and in such a situation you could not  
25 demonstrate anything to these people, because they were looking through

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1 you and they were saying, We will write what we want, with -- and they  
2 treated you as aborigines or tribes. This was insulting. However, we  
3 were weak. If they invited you to a meeting, you would be insulted  
4 there. If you weren't -- if you didn't go, then you would go down as  
5 bad-mannered or ill-mannered, and so on and so forth.

6 There was a meeting, and I'm telling you my own experience. The  
7 commander from Uskoplje asked to come to my office in Rama for a meeting,  
8 and I accepted that. He entered a room that was maybe six or seven  
9 square metres big, and he had a lower rank than me. He brought into that  
10 room his soldier with a cocked rifle. He sat down, and his soldier was  
11 there all the time with a cocked rifle. That was his attitude. Of  
12 course, I told him to go out, because I would not have been humiliated by  
13 anybody. I would not have sold my dignity, but this resulted in an  
14 argument. He asked me who was I, to not allow his soldier to stand  
15 there, and then I said I will bring four of my own, if that's what he  
16 wanted to do. That's what the attitude of these people was towards us.

17 JUDGE TRECHSEL: Mr. Praljak, you started off complaining about

18 bad press from the English. Now you're speaking about a commander of  
19 Uskoplje, which if I recall correctly would also be called Gornji Vakuf.  
20 Was that a British -- was that a Brit?

21 THE WITNESS: [Interpretation] Yes, yes.

22 JUDGE TRECHSEL: The commander of Uskoplje?

23 THE WITNESS: [Interpretation] Yes, yes. Uskoplje, Vakuf, yes.  
24 I'm a Croat, and I call it "Uskoplje." It has two names.

25 JUDGE TRECHSEL: Yes, but this commander, was it a commander of

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1 BritBat?

2 THE WITNESS: [Interpretation] Correct, yes, yes, the commander.

3 I don't know if it was BritBat or just one segment of a bat in that area.  
4 In any case, he was somebody, a major.

5 JUDGE TRECHSEL: Thank you. That's an important point, because  
6 one could not see that it was a British person by reading the transcript.  
7 Perhaps you were a bit too fast. Okay, thank you for the explanation.

8 JUDGE ANTONETTI: [Interpretation] For the transcript, on page 198  
9 of the book, Colonel Bob Stewart wrote this: Several of his soldiers --  
10 no, he's speaking about the soldiers, and he said some were professional  
11 servicemen, but they were all brave people. That's what  
12 Colonel Bob Stewart said about the commanders, about military commanders.  
13 We could spend hours on this book.

14 Please proceed, Mr. Kovacic.

15 MR. KOVACIC: [Interpretation] Thank you, Your Honour.



16 Now I would like to move on to a different topic, and that's the  
17 general's work in the Ministry of Defence in the Republic of Croatia.  
18 You, Your Honours, have that in your binder, as we call it here, and the  
19 title is "The Ministry of Defence of the Republic of Croatia."

20 JUDGE ANTONETTI: [Interpretation] Yes, Mr. Stringer.

21 MR. STRINGER: Could we have an exhibit number, please?

22 MR. KOVACIC: Of what?

23 MR. STRINGER: Counsel indicated that we're moving to a different  
24 topic, and he referred the Judges to the binder, The Ministry of Defence  
25 in the Republic of Croatia, and that suggested there was a new exhibit

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1 coming up.

2 MR. KOVACIC: I'm merely assisting the Judges to find out first  
3 the binder, and then we go through the documents.

4 JUDGE ANTONETTI: [Interpretation] Which binder is it?

5 THE INTERPRETER: Microphone for the counsel, please. Microphone  
6 for the counsel.

7 MR. KOVACIC: The binder should have on the side the title  
8 "Croatian Ministry of Defence." Yes.

9 [Interpretation] There are a lot of documents in this binder, of  
10 course, and unfortunately there is not enough time to look at all of  
11 them. It is our intention to just go briefly through some of the  
12 documents to allow the general to give an overview of his different  
13 activities while he worked in the Ministry of Defence. We want him to

14 demonstrate that he did all sorts of things there. Somebody had to do  
15 those things, and at that moment it was him.

16 As for the relevance with the indictment, in order to avoid some  
17 future questions, is the fact that the indictment alleges that  
18 Mr. Praljak was a permanent liaison between the Ministry of Defence and  
19 the HZ-HB or, rather, HVO; and if I can put it this way, he was in the  
20 Ministry of Defence of Croatia, he should have been sui Generi ambassador  
21 of the HVO or HZ-HB, and we would like to point out to some of the  
22 positions he held and jobs he did.

23 Q. First, General, could you please look at 3D00482. This should be  
24 at the very beginning.

25 A. Why did we skip the first two? I would like to go through them

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1 in my own order.

2 Your Honours, can I read the numbers? Can I provide comments?  
3 It will take much less time.

4 Q. You can do that, but then we will not be able to deal with all  
5 that we have planned.

6 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, I mean, your  
7 lawyer is the one asking questions of you. He tells you what documents  
8 you are supposed to look at, and then you have to provide the answers.

9 Please proceed, Mr. Kovacic.

10 MR. KOVACIC: [Interpretation] We could take any of these  
11 documents. I simply tried to pick the most interesting ones.

12           The first document in the binder is 3D00375.

13           Q.    Look at it, please, and explain, in a sentence or two, what the  
14 document represents.

15           A.    The 22nd of October, 1992, the American General Consulate -- just  
16 to say it briefly, the duty of the --

17           Q.    Please, General, just for the sake of the Croatian, the accurate  
18 name of IPD, what would that mean?

19           A.    Information and Psychological Activity, which doesn't mean that  
20 it didn't deal with political topics, not just within the army. The IPD  
21 was a rather broad organisation. There was a section with psychologists  
22 who dealt with psychology across the units, and then all the units up to  
23 battalion level and even company level had their IPD men. One had to  
24 look after the wounded, the general condition of a unit, contact with  
25 journalists, providing all possible information to the journalists.

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1           Part of this was also the "Croatian Soldier," which was the  
2 magazine of the Defence Ministry. There was the brass band, and so on  
3 and so forth. In a way, anyone outside the ministry, when they needed  
4 something like, for example, a person shooting a movie, needing a tank  
5 for the movie, or someone tracking down new expressions, in terms of  
6 language used in the army, they would come to us for help.

7           A broad range of people addressed us for assistance, this  
8 department which I headed until my departure. Among other things, here  
9 there is a lady from the American General Consulate requesting assistance

10 for (redacted) to go to Zadar, Split and Ploce, to inspect that. By the  
11 way, (redacted) later on became a military attache, him being in charge  
12 of the humanitarian aid provided by the US, was obviously a perfectly  
13 normal cover used for someone who pursues other activities --

14 THE INTERPRETER: Interpreters note, one speaker at the time,  
15 please. We are no longer able to follow. Thank you.

16 MR. KOVACIC: [No interpretation]

17 JUDGE ANTONETTI: [Interpretation] Please, Registrar, an order  
18 straight away. Please continue.

19 MR. KOVACIC: [Interpretation]

20 Q. So please refrain from mentioning the name and the --

21 A. All right. So that's what they're after.

22 Needless to say, I seconded someone from my own department who  
23 was fluent in English and had university education, so in this other  
24 document, 3D00376, the gentleman, thanks for the exceptional assistance  
25 provided by the organisation, and so on and so forth.

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1 And by the way, no one ever came away unassisted, regardless of  
2 the country they came from. All possible forms of assistance were  
3 offered, in terms of travel, inspecting something or other. Whatever  
4 they were after, what they wanted to know, our positions, I'm under oath  
5 now and I'm telling you this, we were entirely open both in Croatia and  
6 in the HVO. All the journalists, all the TV crews, any organisation that  
7 approached us, they were free to go where they liked, for as long as they

8 liked, in any way they liked, regardless of any military plans, forms of  
9 protection and so on and so forth.

10 Q. All right. Let's move on, 3D00482.

11 A. The 13th of January, 1993. The document has been mentioned  
12 before. Really, the representative delegation arrived from France. I  
13 won't enumerate them because the list is here. This is who came. They  
14 were met by General Tus and me. It's all there. Tus, of course --

15 Q. All right, General, let's leave Tus and what he's saying aside  
16 for the moment. I would like to draw your attention to the paragraph  
17 following Tus, on page 2 of the note. This is 3D19-0232, followed by  
18 page 234 and page 235. Those are the e-court references.

19 Can you please tell them what you said in this conversation?

20 A. It's quite simple here. I told General Quesnot that the Serbs  
21 had promised their people a Greater Serbia. In this Greater Serbia or  
22 for the sake of this Greater Serbia, they were ready to give up on  
23 20 percent of the territory, or even less than that, that they weren't  
24 interested in. Therefore, this whole story about Herzegovina seceding  
25 was something that emanated from Serbia's propaganda machinery; and I

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1 will use other documents to demonstrate that at a later stage.

2 They proposed to the Croats to get Western Herzegovina in return for Krajina  
3 that would later be taken from them, and all the rest. Here, I go on  
4 to say that the Muslims were promised a common Muslim state. Alija  
5 Izetbegovic's positions were clear on that. Before the elections, he said

6 either a civil state or a civil war. That's what he said, and documents  
7 will show that. I am saying here that they were in favour of a state.  
8 They had not prepared for war. They had suffered a lot of deaths during the  
9 ethnic cleansing, and now I know this first-hand from talking to Alija  
10 Izetbegovic, he simply -- for example, he did not wish to deblock Sarajevo--

11 Q. There is something missing either in the transcript or in the  
12 interpretation. You said the Muslims suffered the most, the largest  
13 number of deaths... all right --

14 A. Yes, yes. And then I say here that the Croatian position has  
15 been clear from the start.

16 Q. Thank you.

17 A. Yes, the Croatian position has been clear from the start, we are  
18 speaking of Bosnia and Herzegovina.

19 THE WITNESS: [Interpretation] The territory belonging to the Croats.  
20 Mind you, when we say "belonging to the Croats," the whole time we're  
21 saying things about this, it's not only to the Croats, belonging only to  
22 the Croats, but belonging to an administration over which the Croats --  
23 all right, all the time we were talking about this from the beginning of  
24 the recognition of Bosnia-Herzegovina, Cutillero's plan. This state, the  
25 condition for the recognition of Bosnia-Herzegovina was that the state

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1 would be made up of three not pure ethnic -- no, no, no and no, but  
2 predominantly Croat. Of course, I'm not using the correct expression here,  
3 because that's what one said, belonging to the Croats, which stands for

4 belonging to the territories that is predominantly Croat territory, which  
5 then overlaps with the borders of Banovina Croatia from the Kingdom of  
6 Yugoslavia; but not the Banovina that ended up belonging to Croatia, because  
7 this stems from the following explanation: The consistence with the 1981  
8 census here -- I repeat, the Croats are in favour of an integral Bosnia-  
9 Herzegovina as a state, and they advocate the rights for Croats as a  
10 constituent people in that state. The problems between the Muslims and the  
11 Croats in Bosnia-Herzegovina are a result of the different aims of the  
12 political struggle. The Croats are fighting for a Bosnia-Herzegovina with  
13 autonomy for predominantly Croat-populated areas, so that's the point, and  
14 the Muslims are fighting for a civil state. What does this concept mean, a  
15 civil state? This is about a majorisation of the most powerful ethnic group.  
16 We were against a state that would be merely a civil state. You can't have  
17 a state that is not civil at the same time, but if it is only civil, then  
18 the group making up about 18 percent of the population cannot protect their  
19 own interests in any way at all. I then go on to say this --

20 Q. The expression here is "civil state." We use a different  
21 expression here, a different term, which I think is better for our  
22 purposes. Do you remember the term that we used?

23 A. United or unitarian state. When you say "in a multi-national  
24 state with constituent peoples," just civil, that means unitarian, because  
25 simply a greater number of civilians make decisions unable to protect a

1 minority. In Croatia today, we have the protection of minorities rights,

2 so they are elected directly to Parliament, regardless of whether there  
3 are 500 or 700 of them. Furthermore, and this is crystal clear when I  
4 say it, the Serbs are the common enemy. Good mutual relations, and the  
5 meaning here is between the Croats and the Muslims, get further apart or  
6 closer together depending on the activity of this common enemy.

7 Your Honours, on the 13th of January, I mean, I believe that I  
8 precisely and without making any mistakes, say when our relations were  
9 based on the existence of a mutual enemy; but the fundamental problem of  
10 Bosnia and Herzegovina has not been resolved, and that was the internal  
11 political structure of that country.

12 So what stems from this is the following: When the Serbs take  
13 the territory that they eventually took when they have been cited, there  
14 will be problems that arise between the Croats and the Muslims; A,  
15 because there is too little territory left. And then it goes on to say  
16 good mutual relations will be like that, depending on the activity of the  
17 common enemy.

18 The Croats are better organised. They fought better. They  
19 started earlier on. They protected their own territory. The Muslims, at  
20 the outset, avoided any fighting at all. They simulated the status of  
21 refugees. They voluntarily became refugees, and they talked about an  
22 enormous number of units that belonged to them, but there were nowhere to  
23 be seen on the ground. And among the fighters, this created a huge  
24 psychological rift.

25 In other words, on the one hand, you had a group with 17 percent,



1 2.7 times fewer than the Muslims, assumed upon itself the burden of the  
2 war. At the beginning, it was 90 percent, and then later on it still  
3 remained over 50 percent of the burden, and obviously the fighters were  
4 saying, Hey, hold on a minute, I hear them saying that they have 20.000  
5 soldiers in this corps and that corps. I don't see them anywhere along  
6 the front-line.

7 Q. Fine.

8 A. I go on to say that I'm convinced that 80 percent of the Muslims  
9 would accept a joint policy without any problems, as would all the  
10 Croats. And then I'm also saying what the honourable Judge asked, a  
11 problem is a large number of former JNA officers, who were Muslims who  
12 worked for their people

13 Q. Did not work.

14 A. Did not work, yes. Who did not work for their people -- no, no,  
15 of course I can't prove that, but you know I moved about a lot in the  
16 area, and one thing I can say is that a large number of officers from the  
17 JNA who came to the BH Army, well, a good number of them were working for  
18 the KOS, and they were working against the best interests of both the  
19 Muslims and the Croats. And when I get to that, when I start talking  
20 about Mahmuljan, I will show you how that works.

21 Q. I would like to draw your attention --

22 JUDGE TRECHSEL: I'm sorry. There's one sentence -- one  
23 expression you have used, Mr. Praljak, that I would like you to comment  
24 upon. You say of the Muslims, on page 74, line 21-22: "They simulated

25 the status of refugees." I find that a bit surprising, in that we have

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1 heard about large amounts of refugees, but the expression "simulated  
2 refugees" is something I would like you to explain.

3 THE WITNESS: [Interpretation] Your Honours, that is a misinterpretation.  
4 They didn't simulate anything, refugees or anything. They went abroad to  
5 become refugees, but they simulated units, units. In my book that I will  
6 present here, in his book Sefer Halilovic claims that he has an army of  
7 over 250.000 men. For God's sake, 250.000 men.

8 JUDGE TRECHSEL: You have answered my question.

9 MR. KOVACIC: [Interpretation] Thank you quite sufficient.

10 THE INTERPRETER: The interpreter did not hear the other sentence  
11 uttered by counsel.

12 MR. KOVACIC: [Interpretation]

13 Q. The part that you were talking about, you're now finished; right? Okay,  
14 you're done with that. And then the last thing I would like to ask you about  
15 that document is page 4, the paragraph down towards the bottom of the page.  
16 You talk there or rather you given there -- or rather in that last paragraph  
17 here -- is this a faithful reflection of your position on UNPROFOR's role?

18 A. Yes, that's right.

19 Q. Briefly, please, no more than three sentences, what exactly were  
20 you trying to say?

21 A. The message here is that we -- or, rather, Croatia's leadership agreed to  
22 the presence of UNPROFOR. We wanted them there, and so on and so forth. All

23 I'm saying is UNPROFOR is made up of the various contingents or elements.  
24 There were professional units involved who were doing a good job, and there  
25 were also those that weren't doing a good job. I'm not saying which ones,

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1 I'm not saying what I think, but there was a lot of smuggling going on.

2 Q. General, just a very brief question, please. You talk here about  
3 UNPROFOR in Croatia; right?

4 A. Yes, yes.

5 Q. Another question about this. What about the late --

6 JUDGE ANTONETTI: [Interpretation] A quick last answer, because  
7 we're going to have to adjourn. Your last question.

8 MR. KOVACIC: [Interpretation] Thirty seconds.

9 Q. General, what about later on in 1993? Again you came across  
10 UNPROFOR troops from different countries but the same organisation.  
11 Basically, did your criticism remain?

12 A. Yes, it was the same criticism. [Indiscernible] zones, there you  
13 go. From the beginning of the cease-fire, we had 600 civilians who were  
14 killed and 500 soldiers, and they deployed right there in order to  
15 restore peace. They were great units, they were doing great jobs,  
16 professional units from certain countries, but there was a lot of  
17 drunkenness, alcoholism, prostitution, smuggling, all sorts of shady  
18 dealings going on. Again, not all of them. Most of them were  
19 professional, doing a great job. But they were just people, and that's  
20 how it was.

21 MR. KOVACIC: [Interpretation] I think we have --

22 JUDGE ANTONETTI: [Interpretation] We have to stop, Mr. Kovacic.

23 This week, you have used seven hours and twenty minutes. I think it was  
24 difficult to get going, but now I believe that General Praljak is aware  
25 of the Judges' concerns. We really want to be glued to the indictment.

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1 So whenever your lawyer asks a question, factor that in, and I think  
2 you'll be much more efficient. We'll run much more smoothly and much  
3 more quickly next week, and it will be 10 to 12 hours of your testimony.

4 Well, you have the weekend to get ready, based on the remaining  
5 documents. You know what our objective is. We're listening to every  
6 word of yours, but it has to be relevant to your Defence case. In this  
7 way, the Judges can ask questions based on the documents, even though I  
8 initially was waiting towards the end of your testimony. But if I  
9 discover a document, if I see anything interesting in it, I do have to  
10 ask a follow-up question.

11 So this is what I wanted to convey to you. I'm sure that it's  
12 going to get better all the time.

13 I wish you a good evening. We shall reconvene on Monday at 2.15.  
14 We'll be working in the mornings next week, though.

15 [The witness stands down]

16 --- Whereupon the hearing adjourned at 6.00 p.m.,  
17 to be reconvened on Monday, the 11th day of May,  
18 2009, at 2.15 p.m.

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