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1 Tuesday, 19 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 9.00 a.m.

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

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

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

13 Thank you, Your Honours.

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

15 Today is Tuesday. I'd like to greet Mr. Praljak, Mr. Stojic,
16 Mr. Petkovic, and Mr. Pusic. I would also like to greet the Defence
17 counsel, Mr. Stringer, his associates. I just am turning around to see
18 whether Mr. Scott is there, but he's not. I also greet him, and the
19 court reporter as well, and all the people assisting us in the courtroom,
20 of course.

21 We need to resume Mr. Praljak's testimony. I shall therefore
22 give the floor to Ms. Pinter.

23 WITNESS: SLOBODAN PRALJAK [Resumed]

24 [The witness answered through interpreter]

25 MS. PINTER: [Interpretation] Thank you, Your Honour. Good

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1 morning to you and everybody else in the courtroom.

2 Examination by Ms. Pinter: [Continued]

3 Q. Good morning, General. We left off yesterday discussing the book
4 "The Young Muslims," and you explained what the Young Muslims were. And
5 you said that Sead Trhulj had written a book about them, so I'd like to
6 ask you now to turn to page 3D41-0239, and in English the pages are
7 3D40-1561. The document number is 3D03540, and for Their Honours, it is
8 to be found in binder number 3 among the book selection.

9 General, let's begin.

10 A. There are two sentences on page 59 that I'd like to comment on.

11 Q. No, I just identified the book and the pages in the book, and
12 we're now going to start by discussing it. And on page 3D41-0239, or in
13 English 3D40-1561 and 3D40-1562, we have a chapter under the heading of
14 "Alija Izetbegovic." Tell us, please, what do you want to point out in
15 that section?

16 A. Well, we're just going to go through the excerpts which
17 Alija Izetbegovic gave after the war to Sead Trhulj, and here at the
18 beginning, briefly, he discusses the circumstances which led to the
19 formation of the Young Muslim movement and organisation.

20 And let me just say that the Muslim people had been left without

21 a leader between the two world wars, and that during that period, during
22 the Kingdom of Yugoslavia, a division of Bosnia had already been carried
23 out, and that the Muslims left and went to Turkey in large numbers, and
24 that these were all reasons for which they decided to form an
25 organisation of that kind.

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1 And now we can go on to page 59.

2 Q. That is 3D41-0241 in Croatian, and for the English it is
3 3D40-1562.

4 A. Here, when asked whether the programme documents -- what kind of
5 programme documents the Young Muslims organisation had, he goes on to say
6 that there was an item, a point about the unity of Muslims throughout the
7 world, that's what it referred to, unity of Muslims worldwide, and how
8 this could be practically realised, the practical realisation of Islam.

9 And then the secret formula was "no comment," and Mr. Izetbegovic said that
10 the Young Muslims always read this as the creation -- interpreted it as the
11 creation of a large Muslim state. So that would be that.

12 Q. Let's move on to the next page. Would you give us the number.

13 A. It's page 61.

14 Q. That is 3D41-0242 for the Croatian and 3D40-1562 for the English.

15 A. Mr. Izetbegovic says here -- he's speaking about the tragedy of
16 the Muslim people, and he says that he could not join any party -- he
17 could not join the partisans because the partisans were led by the
18 Communists, which would have meant that the Muslims would have lost their

19 soul if they had decided to join up with the Communists and partisans.
20 And, on the other hand, you had the Nazi system which threatened them
21 with physical extermination. And further on, when asked what role
22 religion played in all this, he said that religion was of absolute
23 importance, then and now. He is certain that Islam is the basis for
24 Muslim identity in these parts, and he goes on to say that it is only
25 Islam which can provide the Muslim people with meaning, and, That is my

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1 firm conviction, he says. There is nothing more I would like to add.

2 Q. Let's move on to the next page. It is 67, which in the Croatian
3 version is 3D41-0249; and for the English it is 3D40-1563 and 3D40-1564.

4 A. Now, towards the end there, the author of the book asks him about
5 1983 and what prompted this group of people to go public that year. And
6 there was a big trial against Young Muslims in that year. Many of them
7 ended up in prison, among them, Mr. Izetbegovic himself. And they wanted
8 to demonstrate to the Muslims the path they should follow, because he
9 says the alienation of the Muslim people had instilled itself. It had
10 become fairly prevalent, this alienation from their religion. It became
11 a regular occurrence and the Muslims were in danger of losing
12 their way in this secular society.

13 And he says they imprisoned them, and I quote:

14 "Over a thousand people went through the prisons and
15 investigation process."

16 And that all the prominent Muslims, in one way or another, were

17 searched and investigated and taken through prisons or interrogations,
18 interviews, and that this was a fate that all the former Young Muslims
19 went through, those who were taken to court in previous years, 1946,
20 1947, and so on.

21 Q. Now let's move on to page 70, which in the Croatian text is
22 3D41-0252. And for the English it is on page 3D40-1565.

23 A. Let's just look at the end of that excerpt, where he says that
24 the organisation was forcibly destroyed, but that it survived in the
25 individuals, in the people. The organisation was destroyed, but people

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1 who believed in their ideas remained.

2 And now I'd like to quote a sentence here, and I quote:

3 "With them, memories and recollections survived, recollections of
4 an organisation, its messages, demands and programme."

5 And he says that a vast number of those people, the majority in
6 fact, participated in the creation of the Party of Democratic Action in
7 1990. So there was no continuity, as far as the organisation itself was
8 concerned, but there was continuity through people, through the human
9 factor and their ideas and ideals, et cetera. So this was the oath that
10 these people took; that they would work for the Muslims and for Islam.
11 And these people throughout Bosnia-Herzegovina worked for the SDA. And
12 then he goes on to say that from that aspect, we should assess the
13 historical role of the Young Muslims organisation in those parts.

14 Q. Now, on page 121, which is 3D41-0253 for the Croatian, and in

15 English it is 3D40-1565, we have a text there which you wanted to comment
16 on and show Their Honours?

17 A. Yes. These are documents which the author of this book quotes,
18 the solemn oath by the Young Muslims. It's self-evident. And he goes on
19 to say that they will adhere to all the regulations laid down in the
20 Qur'an. And the important point here is that they will fight
21 uncompromisingly against everything that is non-Islamic. Everything
22 non-Islamic is hostile to Islam, according to the interpretation of the
23 Young Muslims.

24 And then he goes on to say that he will fight for the glory of
25 Islam, for the well being of all Muslims throughout the world, for the

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1 greatness, power, and glory of Islam, as well as for the benefit of all
2 the Muslims in the world, and that is the pan-Islamic movement, in their
3 eyes. I'm not saying that. It's what they think.

4 Q. Now, on page 122, which is the same text in English, 3D40-1565
5 or, rather, 1566, and in Croatian 3D41-0254, we have something that you
6 wish to highlight for Their Honours' benefit?

7 A. This is a brochure or the copy of a brochure which was compiled
8 for the purposes of the Young Muslims, and it talks about the fact that
9 they must have -- or, rather, that they will be superior than their
10 adversaries and foes; that they have ideological power and force and
11 might, and that this provides them with the necessary superiority over
12 their adversaries. And it goes on to say that this ideological strength

13 will provide them with an iron will, and that they will have the
14 necessary fanaticism and viciousness to protect and defend Islam, that
15 they will be fanatics in a discussion, in the war of nerves, in polemics,
16 and so on and so forth.

17 Under point 2, he goes on to explain this -- or, rather, they go
18 on to explain it. They say that in their collective, there must never be
19 any discord and differences of opinion.

20 And in point 3, he talks about the creation of an Islamic
21 community and environment.

22 Q. Just a moment. We're dealing with 3D40-1567 of the English
23 version and 3D41-0255 for the Croatian.

24 A. As I was saying, they say that they will fight for the spiritual
25 and material and the establishment of an Islamic order, the establishment

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1 of an Islamic culture and civilization, that that's what they will strive
2 for.

3 And then in point 5, there's a sentence there where they say:

4 "Only once we have gained political power can we freely implement
5 all the rules of Islam in an Islamic society."

6 So political power is the basis for all this. It is a basis for
7 them to be able to realise the premises of their movement, because then
8 that will enable them to create a social system and a spiritual system
9 according to their ideals propagated by them.

10 Q. Now we come to page 126. Yes, we can skip 24.

11 A. We can skip 24 and go on to 126.

12 Q. So page 126 is 3D41-0258 for the Croatian, and for the English it
13 is 3D40-1568 and 3D40-1569.

14 A. This is a brochure, once again, written in Mostar and taken over
15 in Sarajevo. Let me say that these brochures were written earlier on,
16 not during this war, but they were written sometime after the Second
17 World War. But they have remained and survived as a permanent oath and
18 solemn declaration of that organisation. And it speaks of the shameful
19 year of 1917, when the Serbs took control of the state after their
20 victory in World War I, and how badly the Muslims fared, and so did the
21 Croats, they suffered too. And it says that to rely on the friendship between
22 the Serbs and Croats is the biggest nonsense and delusion of oneself and
23 one's community, and that the Serbs and the Croats, it says, will never --
24 well, they will never believe in their good intentions. And they refer to
25 the Qur'an again, which says, and I quote: "Shall ye seek friends among

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1 infidels." And once again I'm going to quote:

2 "Neither Christians nor Jews will be your friends for as long as
3 you refuse to accept what they stand for."

4 And then it goes on -- they go on to explain what they mean --
5 what they think of the Serbs and the Croats, and it says that all they
6 wish to do is to topple Islam and to take revenge for Kosovo, to loot and
7 pilfer the crescent and so on.

8 And then in the text, they go on to speak about pan-Islamism and

9 the possibility of the practical application of Islam to life. And they
10 say that with Allah's help, they will join the Jihad, and so on and so
11 forth, right through to the end of the brochure. And I have nothing to
12 add there.

13 Q. We shall now move to page 131, which is 3D41-0261 for the
14 Croatian and 3D40-1570 for the English version.

15 A. This is another text which served as a set of instructions for
16 the work of the members and the organisation on the ground. The
17 instruction was drafted after the war, and I mean after the Second World
18 War here. All the power wielders are here proclaimed infidels, under
19 item 2 of this text. A reference is made to their distorted point of
20 view, which has to be corrected. And it is also said that one has to be
21 very fervent and adamant in attacking non-Islamic principles which are
22 seen as good all over Europe and in the rest of the cultural world, and
23 the "cultural" here is under the inverted commas, which means that that
24 part of the world is seen as exactly the opposite, not being cultural.
25 And here it says that the morale of that society is bad, that they're

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1 inhumane, that they speak against modern fine arts and sculpture, immoral
2 works of literature, film. And it says here that Europe --

3 JUDGE TRECHSEL: It appears to Mr. Praljak that you now reading
4 parts that are not in the translated document we have before us. Is that
5 correct?

6 Ms. Pinter, you can control.

7 THE WITNESS: [Interpretation] I don't think so.

8 MS. PINTER: [Interpretation] It should have been translated.

9 However, I believe that we have a mistake in the last paragraph under
10 number 2, and I will have an answer for you right away. We have
11 translated all the pages that the general wanted to discuss. However,
12 I'm lost among the pages at the moment.

13 On page 3D41570, instead of the last paragraph under number 3, it
14 should read the last paragraph under number 2, and you will be able to
15 find the text -- the relevant text that the general has been quoting
16 from, not the paragraph under 3 but rather the paragraph under 2.

17 A. Yes, it is the paragraph under number 2.

18 Q. There is a mistake in the English translation, because it says
19 here that the paragraph is under number 3.

20 JUDGE TRECHSEL: Could you please assist me by pointing to the
21 reference on modern art and sculpture? That I have not yet found, and I
22 might find my place again. Thank you.

23 THE WITNESS: [Interpretation] Item 2, Nika, item 2.

24 MS. PINTER: [Interpretation] Item 2. However, as regards modern
25 arts -- just a moment.

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1 THE WITNESS: [Interpretation] Yes, in the middle of item 2,
2 modern art, sculpture, a big number of bad and immoral works of
3 literature and films.

4 MS. PINTER: [Interpretation]

5 Q. This hasn't been translated, General.

6 A. How come? Very well then, if it hasn't been translated.

7 Q. That part has not been translated. Just one part has been
8 translated, and herein lies the problem.

9 A. We can skip that.

10 It goes on here to say that America and Europe are founded on
11 very bad and rotten foundations.

12 Q. This is the end of that, and I would like to ask you just one
13 more question now that we've been through the topic or, rather, the book,
14 "The Young Muslims." What is in this book that you have considered
15 important for the Trial Chamber? What is important for the understanding
16 of the context of the indictment and the events that ensued?

17 A. Your Honours, as Mr. Izetbegovic said, the idea remained in the
18 heads of the thousands of people who belonged to the organisation which
19 promoted this, and those people later on took over the SDA completely.
20 Of course, one cannot assume that people who fought for decades for that
21 idea of theirs, that they changed all of a sudden, that they changed
22 their school of thought.

23 One has to understand this kind of thoughts that existed among a
24 number of people in order to understand everything that happened in
25 Bosnia and Herzegovina, because those people were in charge of the party.

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1 If you don't understand this, you will not be able to understand why a
2 lot of effort that we invested, we Croats, either in Croatia or in the

3 HZ-HB, why all the negotiations and cease-fires fell through, why nothing
4 came out of our strives to create a joint command, why all this failed,
5 and why, for that matter, the Mujahedin were so well received and they
6 had such a strong support in Central Bosnia. You will not understand all
7 that if you don't know what the background of all of that was, the
8 ideological background. I believe that this is all very important for
9 the understanding of the whole situation.

10 Q. Thank you very much, General. I would kindly ask you now to take
11 document 3D00855 --

12 A. No, no. We have to discuss the end of item 3 or, rather, 2,
13 which has been translated. The end of item 2 has been translated. I can
14 see that. It says here that one has to be on a standby and fully
15 prepared, that they have to demonstrate the fervour and the sincere
16 desire to destroy everything that is non-Islamic. So the essence of the
17 movement among these people, of course I'm not going to talk about all
18 Muslims in Bosnia-Herzegovina of whom I know that a majority of them were
19 not infested or not accepted these ideas; however, the nucleus of this
20 organisation treated everything non-Islamic in the same way the Serbs
21 treated everything that was non-Serb. And this is the essence for the
22 understanding of any future events that ensued.

23 And then we have just one small part in item 3, which is on
24 page 132.

25 Q. This is 3D40-1570 and 1571 for the English version, and 3D41-0262

1 for the Croatian version.

2 A. Yes, just that little portion. They point to the fact that in
3 discussions, their goals have to be pointed out, and their goals are to
4 create and education real Muslims who will be the custodians of Islam on
5 the Balkans, and that was the most important task at that moment, and
6 also the unity of the Islamic world, with a view of creating the
7 possibility for the implementation of the laws of Qur'an and Hadis, which
8 means that the state organisation has to be established in accordance
9 with the Qur'an and not vice versa.

10 And then on page 133, items 3, 4, and 5, I want to go through
11 them just briefly.

12 Q. 3D41-0263, and in the English it is 3D40-1571.

13 A. Well, here you have a list of everything that is banned. There
14 is a ban on visiting mixed beaches and promenades. There's a ban on
15 dancing. And it says that a Muslim who would engage in all that would
16 not be a good Muslim; he would not be on the Jihad road. And if they do
17 not behave in the way they should, they would be eradicated by the rest
18 of Europe. They have to put up against and remain victorious, and that's
19 why no entertainment may be allowed.

20 And it goes on to say under item 5 that they shouldn't go to the
21 theaters, operas, ballet performances, circuses, cinemas. All that is --
22 and then on the following page 134 --

23 Q. 3D41-0264, and 3D40-1571 for the English version.

24 A. And then he goes on to explain that the theatre is based on
25 acting, and this is enough for the theatre to be rejected, rejected by

1 everybody. It says that Europe has more harm than benefit from the
2 theatre that they foster. It says that men and women come into contact
3 as actors and behind the scenes in the theatre, and this should be banned
4 and rejected. In other words, an actor cannot be a wife and a mother, as
5 they should be, and so on and so forth.

6 And then under item 7, it says that hand -- shaking women's hands
7 should be minimised, because this is not in accordance with Islam. You
8 shouldn't be the one to shake -- to extend your hand to shake a woman's
9 hand first. If you do that -- if you don't extend your hand, the women
10 will understand that you don't want to shake hands with her, and that
11 will serve to avoid any non-Islamic way of communication.

12 So this would be all from the book that I wanted to read.

13 Q. And now I would like to ask you to go to 3D00855. The book is in
14 binder 3, for the Trial Chamber, and in the English --

15 JUDGE ANTONETTI: [Interpretation] General Praljak, you said
16 something earlier, but it's not on the screen anymore. But you said that
17 according to you, when reading the book, according to you the state must
18 be organised along the Qur'an, and it shouldn't be the other way around.
19 So you said this, and I looked at the text to see if this had been
20 written black on white, and I can't see it. I can't see it black on
21 white. So is this a conclusion that you're drawing from this, that
22 you're inferring? Or was this actually said in Mr. Izetbegovic's
23 interview?

24 THE WITNESS: [Interpretation] In the rules that I was reading
25 from, it is spelled out explicitly. I can find it for you, if you will

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1 allow me to do so. I've even quoted from that part. It says here that
2 in order to implement the Qur'an, society has to be fully Islamised. It
3 doesn't say so explicitly in Mr. Izetbegovic's interview, but it does say
4 so very explicitly in the rules from which I was reading.

5 JUDGE ANTONETTI: [Interpretation] Yes.

6 MS. PINTER: [Interpretation] Page 15 -- Senka, once again,
7 please. 3D41-151040.

8 MS. NOZICA: [Interpretation] Your Honours, if I may be of
9 assistance. I apologise for standing up. It's easier than communicating
10 with my learned friend sitting down. I can see that Mr. Praljak had in
11 front of him page 3D40-1570 when he was discussing this matter.

12 MS. PINTER: [Interpretation] This is the instructions for work,
13 page 131.

14 JUDGE ANTONETTI: [Interpretation] Very well. But,
15 General Praljak, let me ask you one thing. The fact that
16 Mr. Izetbegovic, Young Muslims, are saying that everything must be
17 Islamised, does it mean that he believes everyone must be a Muslim and
18 everybody must have a Koran, without this leading to ethical, legal, or
19 state modifications? Do you believe that this leads immediately to
20 changes in the constitution of Bosnia-Herzegovina? That is the crux of
21 the question.

22 THE WITNESS: [Interpretation] It is correct, Your Honours, that
23 this would mean a fundamental change in the constitution. However, this
24 is just the road that they want to take. They want to implement the
25 project. They want to realise the project. Some people were obviously

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1 aware that at that moment that was not really possible, and that is why,
2 in the Islamic Declaration that I personally -- since it was printed in
3 so many copies and everybody read it, it says there, We are not in a
4 position to do this right now; however, if we end up having Bosnia and
5 Herzegovina the way we want it to be, then Mr. Izetbegovic says
6 explicitly, When we have 51 percent, then we will have a possibility,
7 since we will have a majority, to choose the government that will change
8 the constitution. And then we will be able to create a constitution
9 which will benefit the Islamic religious teaching.

10 MS. PINTER: [Interpretation] Thank you, Your Honours.

11 Q. General, let us go back to the initial document that I've already
12 mentioned, 3D00855. That's a book entitled "The Time of the Infidel."
13 It was written by Mr. Tudjman, and just to say that this was also in the
14 same packet where the book "The Young Muslims" were.

15 General, you wanted this book to be presented to the Court, and
16 could you please tell us at the outset why you think it's important for
17 the Court to be aware of the facts from this book?

18 A. Well, because in the course of the proceedings, there were
19 several occasions where a secret meeting between Milosevic and Tudjman

20 was mentioned, the meeting in Karadjordjevo, which being a secret
21 meeting --

22 MR. STRINGER: Excuse me. The transcript indicates that the
23 title of the book is called "The Time of the Infidel." What I have is "A
24 Time of Perjury," and I just wanted to clarify that we're all with the
25 same exhibit.

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1 THE INTERPRETER: The interpreter agrees, it is "The Time of
2 Perjury --" perjurer.

3 MS. PINTER: [Interpretation] It is the same exhibit, and the
4 transcript just did not reflect it correctly. So it is "The Time of the
5 Perjurer."

6 Q. General, please go on.

7 A. Well, in this mythology and in this whole story of, what I would
8 call, something that came from the spin doctor's laboratory about the
9 facts of the war of 1991 to 1995, I refer to these people as Ostap Bender
10 characters. And these people are like those from the Ostap Bender
11 workshop to produce Ostap Bender characters which produced lies.
12 However, because they were so professional in producing lies, and
13 according to the old Goebbels precepts, they always perpetuated -- always
14 perpetuating anew the story, until those people who do not really deal
15 with the problem finally begin to believe in it, and it becomes a fact, so
16 the perception of this lie becomes a fact. In other words, it becomes
17 the truth. One such lie that had its ramifications in all these states

18 was that Milosevic and Tudjman, in 1991, held a secret meeting in
19 Karadjordjevo where they agreed on the division of Bosnia.

20 Your Honours, I spoke on several occasions about this being
21 logical lunacy, because if Milosevic did have the plans that he did, and
22 he was attacking in order to implement those plans, how would then they
23 divide Bosnia? But who cares about logics. After all the stories that
24 were circulating, this story was totally of no interest, in the political
25 sense. And for this same reason, the son of Franjo Tudjman,

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1 Miroslav Tudjman, who was, by the way, an acquaintance since 1971, and he
2 is a professor of Communications, a university professor, and he's well
3 aware how information can be manipulated and how it is produced, he wrote
4 this book to, as he says, defend the truth, but also, in part, to defend
5 his father. And I would just like to point out some portions of that
6 book - not too many - in order to show how it really was and what it was
7 all about. And this is why I feel that this Court should see some of
8 those portions.

9 Q. Well, does this book contain the positions of the author, in
10 other words, Miroslav Tudjman, or just the facts that you want to refer
11 to?

12 A. I just want to refer to the facts. His positions are completely
13 irrelevant.

14 Q. Thank you. Now, since you mentioned the secret meeting in
15 Karadjordjevo, we can go to page 136 in Croatian. That is 3D23-0407, and

16 in English this would be 3D23-0761. And then it goes on to the next
17 page, 3D23-0762 and 3D23-0763.

18 General, please go on.

19 A. Well, here we can see Mr. Miroslav Tudjman, first of all, denies
20 this tenet that this was a secret meeting, and he mentions the research
21 conducted by Dusan Bilandzic, an academic, who testified in this
22 Tribunal, in the Blaskic case, where the Prosecutor Kehoe mentioned the
23 secret meeting, but he couldn't even recall the date of this meeting,
24 whether it was on the 10th or the 11th of March.

25 MR. STRINGER: The Prosecution objects to this exhibit.

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1 Mr. President, I've been looking at the table of contents. It
2 appears to be Mr. Tudjman's comments on trial proceedings in the Blaskic
3 case, the Blaskic judgement. He's certainly entitled to his opinion on
4 that, but it seems to me that his opinions aren't really any more
5 legitimate than anyone else's. And commenting on proceedings in another
6 trial isn't going to really be of any relevant use to the Trial Chamber.
7 That's all this is, and we object to this. It's wasting our time. I
8 suggest we move on.

9 JUDGE ANTONETTI: [Interpretation] Well, you believe it's a waste
10 of time, and the Defence believes that it's not. The Judges do not have
11 all the elements at hand to know anything. You know, they read the
12 Blaskic judgement and the trial, as everyone else. I know that in this
13 document there is mention of Mr. Kehoe, the Prosecutor who was during the

14 examination-in-chief, and if I'm not mistaken, now Mr. Kehoe is the
15 Defence counsel of Mr. Gotovina, unless I'm mistaken.

16 MS. PINTER: [Interpretation] If I may add something, Your Honour.
17 I've explicitly asked the general if the positions of the author will be
18 put forth or just the facts alone. Now, we will not discuss the entire
19 book, but only the facts that are relevant for this assessment, whether a
20 secret meeting was actually held in Karadjordjevo, and this is in the
21 indictment.

22 JUDGE ANTONETTI: [Interpretation] Mr. Stringer.

23 MR. STRINGER: Well, I'll hold my fire, if I may put it that way.
24 Maybe just one brief remark, if I can make it in private session,
25 Mr. President.

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1 JUDGE ANTONETTI: [Interpretation] Yes, very well.

2 Mr. Registrar.

3 [Private session]

4 (redacted)

5 (redacted)

6 (redacted)

7 (redacted)

8 (redacted)

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20 (redacted)

21 [Open session]

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

23 THE WITNESS: [Interpretation] So on this page that we have before
24 us, HINA, the news agency, Croatian news agency, as all countries have
25 these agencies, this agency is called HINA. So on the 25th of March HINA

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1 published that Milosevic and Tudjman met -- had met in Karadjordjevo and
2 that they discussed the economic crisis, the future relations within
3 Yugoslavia, the forthcoming meetings of republican presidents, and so on.

4 MS. PINTER: [Interpretation]

5 Q. Just for the transcript, will you tell us what year this was.

6 A. 1991. Next, now this on page 48 --

7 Q. In English, that's 3D23-0764 and 3D23-0765; and in Croatian

8 that's 3D23-0408.

9 A. Well, here, further on it says they concluded that in order to
10 resolve the current Yugoslav problems, two months should be foreseen for
11 this resolution; that the Chamber of Commerce of Yugoslavia's proposal
12 for the change the federal government should be discussed, and this was
13 what this meeting was about.

14 Further on, in a Ljubljana paper and Radio Slovenia, and this
15 again was reported by HINA on the 26th of March, so the Slovenia media
16 also reported on this meeting, and they state that this policy between
17 Tudjman and Milosevic, which was contradictory in itself, was beginning
18 to affect Milosevic's position, and also the authority that Tudjman had.
19 And in Belgrade there were already mass rallies against Milosevic. In
20 Knin, the Knin Krajina was already threatening to secede. And of course
21 all of this put Tudjman in a completely different situation, facing a
22 different problem, how to resolve that. And again a period of two months
23 is mentioned. And then there is also talk about the removal of
24 Ante Markovic, who was at the time the prime minister, the president of
25 the Federal Executive Council. And it says that many issues were touched

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1 upon which still await resolution. And, of course, this is what the
2 Slovenian journalists were able to learn.

3 Next, HINA, on the 27th of March, quotes the reporting in the
4 French Catholic newspaper, "La Croix," where it says that Yugoslavia was
5 on the way to confederalism, something along the lines of the European

6 community, and they published the well-known analysis of the historian --
7 now, I'm not sure how I'm going to read this in French --
8 Francois Feuilletteau, where he says that this meeting was a great step
9 forward in the restructuring of Yugoslavia. And then the German
10 Handelsblatt also speaks -- reports on this meeting. The report is by
11 Georg von Hubbenet, the Belgrade correspondent of that newspaper,
12 stating that the formal constitutional amendments should be in place and
13 whether -- and so on and so forth. And then there is also mention
14 whether to accept the proposal by the Chamber of Commerce, and so on and
15 so forth.

16 In other words, here at this time there's still discussion about
17 confederation, so Tudjman was still hopeful that he would be able to talk
18 Milosevic into abandoning his rigid political plan. Of course, that was
19 an illusion, but he was making an effort.

20 And then further on it says that they adopted a conclusion which
21 is here toward the end of the page.

22 Q. Just to say in English, this is 3D23-0766 in English, and in
23 Croatian it's still the same page.

24 A. That they agreed that presidents of republics will meet to find
25 the solution. This was the period when there were rotational meetings of

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1 presidents of each republic. They would move from one to the other
2 republic. They met in Sarajevo, Zagreb, Belgrade, Skopje. They
3 travelled from place to place as a group of men who were trying to

4 resolve this Gordian knot. However, the political options that Milosevic
5 had, and all the others, they were not possible to bridge, the gap that
6 existed between them.

7 Q. 3D23-0409 is the number for the Croatian, and for the English it
8 is 3D23-0767 and 0768 and 69.

9 A. Here, and we've already seen this in this trial, I presented a
10 letter written by Mr. Izetbegovic to Franjo Tudjman in his own hand,
11 and --

12 Q. Just a moment, General. That is Exhibit 3D00295. Go ahead.

13 A. Anyway, from this letter we can see that Alija had already heard
14 from some of these spin doctors and agents about the story. The story
15 was already going 'round put out by them that Milosevic would offer up a
16 division of Bosnia and Herzegovina to Franjo Tudjman before the meeting
17 actually took place. So the meeting hadn't even taken place and rumours
18 were already going 'round as to what was being offered up, and all with
19 the aim of preventing a possible better alliance between the Croats and
20 Muslims. So that was very simple; it was a very simple thing.

21 And on page 141, one can conclude what we were going -- what we
22 see later on when Milosevic says it, and he says, For goodness sake, had
23 there been an agreement on the carve-up of Bosnia, we wouldn't have
24 needed any of the following meetings and the war wouldn't have gone the
25 way it went, because when Milosevic's power, with the Yugoslav People's

1 Army behind him, had he reached an agreement with Franjo Tudjman on the

2 division of Bosnia, then Bosnia would have been carved up within the
3 space of five days.

4 So that's it, and we can move on.

5 THE INTERPRETER: Microphone, please, for counsel.

6 MS. PINTER: [Interpretation]

7 Q. Page 144 in the book is page 3D23-0411 on e-court for the
8 Croatian, and in English it is 3D23-0774 and 3D23-0775, and on what's
9 3D-0776.

10 Go ahead, please, General.

11 A. At the time -- well, since meetings were being held, this story
12 about Karadjordjevo no longer existed, but it was brought up again in
13 1993. There was a resurgence when, for some dark forces, they wanted to
14 revive the Muslim-Croat conflict and disputes. And then the Muslims were
15 told once again, Well, there you go, Franjo Tudjman divided up Bosnia and
16 shared it up with Milosevic a long time ago. So that was the reason why
17 this problem, which from 1991 to 1993 didn't crop up, suddenly re-emerged
18 in 1993, and stories were going 'round about some division two years
19 previously. In the meantime, the war had flared up and so on. And so
20 mention is made here of the letter of the 16th of July, 1993, which was
21 sent by Franjo Tudjman to the Secretary-General of the United Nations,
22 Boutros Boutros-Ghali from VONS, and he says that the pressure and claims
23 made that Croatia was concerned, and he says that Croatia recognised
24 Bosnia-Herzegovina as an integral and sovereign country, whereas there
25 had been no agreement between Croatia -- well, anyway - and Serbia - about

1 the division of Bosnia. Croatia was cooperative in seeking a solution,
2 Croatia would support any solution acceptable to the peoples of Bosnia-
3 Herzegovina, and so on and so forth. Croatia supports the principle of
4 territorial integrity and independence and autonomy, and that the war could
5 end and so on. Unfortunately, Mr. Tudjman had to justify himself, because the
6 perception was -- that was going 'round was that there had been a
7 division in 1991, and now they're using it as a fact. So we all found
8 the need to justify ourselves from these fabrications that were going
9 'round.

10 And furthermore, Tudjman goes on to say -- well, he kept
11 repeating to the journalists, and he says here again, I repeat, once and
12 for all, that never was there any alleged agreement on the division of
13 Bosnia between myself and the other side. And that is to be found in
14 footnote 31, and everything is explained there, the agreements that had
15 been signed and so on.

16 And in part F, and I can testify to this myself -- well, in all
17 the negotiations and talks, Your Honours, Croatia always requested that
18 UNPROFOR should not only stand between the two parties in Croatia, the
19 two sides in Croatia, that is to say Milan Martić's forces and
20 Milan Babić's one side in Croatia, but to take positions along the
21 borders of Croatia. So if Croatia was a recognised state and we kept
22 repeating this, then take up positions along the Croatian borders, so to
23 stop the war from spilling over. However, that never happened, once
24 again, for reasons that are not quite clear, because from the very

25 beginning of the war, when emissaries were sent to the territory, the

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1 international forces, all they had to do was to deploy along the borders
2 of Croatia and -- Serbia and Croatia and Bosnia-Herzegovina, and nobody
3 would be able to touch them, and then states within those borders could
4 be -- lay down conditions, and they could state that minorities had to be
5 protected, that the constitutions and laws must be along the lines of
6 those in Europe. So what I'm saying is that the war could have been
7 prevented very easily at the very beginning, had there been the will to
8 do so.

9 Now, let's stay on that page, and here Milosevic said -- told
10 this to Ms. Zilber [phoen] and Alan Little in 1996 on the books they
11 wrote, on page 124 of that book. And Milosevic says, Tudjman told me
12 that he wants an independent state. We couldn't agree on that. That is
13 to say, Milosevic could not agree to that. And he says there was
14 speculation about the fact that we had agreed to carve up Yugoslavia.
15 And he was always direct in his speech, and he says this very directly,
16 and he says, I'm telling you now, had we decided to do so there, we could
17 have done it straight away. Had we decided to do so there, we could have
18 done it. And that's the crux of the matter.

19 Had the strong Serb forces reached an agreement with Croatia,
20 which also had its own forces, on the division of Bosnia-Herzegovina, who
21 could have stood up to that? They could have put it into practice in the
22 space of three days. And he says, We could have done it straight away,

23 and he wouldn't have attacked Croatia immediately afterwards, and we
24 wouldn't have had the events that followed in 1995.

25 And then further on, on page 146 and 147 --

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1 Q. Those are pages 3D23-0412 for the Croatian, and 3D23-0777 for the
2 English, on to 0778 and 0779.

3 A. Here we have a quotation -- a statement made by President Tudjman
4 to Milosevic from Geneva on the 17th of July, 1993, something they both
5 signed, a statement that was signed by both of them. And they state that
6 speculations about the division of Bosnia-Herzegovina between Serbia and
7 Croatia are completely unfounded. And, secondly, they agree that for
8 lasting peace to be achieved in Bosnia-Herzegovina, an assertion of the
9 interests of all three constituent peoples must be met and agreement
10 reached on the establishment of three republics within the frameworks of
11 a confederation. So those were the proposals made by Stoltenberg and
12 Lord Owen at the time, that was their plan.

13 So they say that they agreed to the plan, and speak of this
14 solution, and go on to say that -- well, Borislav Jovic states his views
15 on that later on, and he was Milosevic's right-hand man. They did
16 everything but sleep together, I think. Anyway, he says, Well, as far as
17 I'm concerned, that would have been a great surprise to me, because at
18 that point in time a solution of that kind would have meant a deviation
19 from our overall policy. So Jovic says that our overall policy was not
20 to gain a part of Bosnia but to gain a Yugoslavia up to Karlobag,

21 Virovitica, and Karlovac, up to those borders.

22 And then Jovic speaks up again, and this is recorded in the
23 footnote. He says that Milosevic hid this from him -- or, rather, he
24 said that this wasn't possible because it wasn't in keeping with the
25 goals of the Serb leadership, and it would be in contravention with our

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1 views of the way in which the Serb question should be solved in Croatia,
2 and with our concept of preserving Yugoslavia. So that's quite clear.

3 It was Serbia's policy to resolve the Serb issue in Croatia in the way in
4 which we have seen, and all the books and articles written about this say
5 how this was to be done. And Bosnia and Herzegovina, according to that
6 plan, including three-quarters of Croatia, was to be incorporated into
7 Yugoslavia.

8 On pages 148 and 149, well, Professor Smilja Abramov, who took
9 part in this, says the same thing. She addresses that issue, so there's
10 no need for us to go into that. Bilandzic says the same thing, that
11 there were no talks, no meeting. Milan Babic does the same, and
12 Milosevic promised him a state on the territory of Bosnia-Herzegovina.
13 So that's what that deals with.

14 But we can move on, if you want briefly to look at the final
15 section.

16 Q. That is on page 3D23-0437, and it's page 197 of the book. In
17 English, it is 3D23-0847 onwards. We're not going to skip any pages, so
18 I don't have to quote the numbers.

19 JUDGE ANTONETTI: [Interpretation] One moment, please.

20 Before you address this document: From what I understand, when I
21 listen to you, I believe that you challenge that this secret meeting ever
22 took place, when this secret meeting is something which was noted as a
23 fact in the Blaskic judgement, in paragraph 105 of the judgement. You
24 challenge this version of the facts. That's all very well, but maybe
25 this is something which you're going to discuss later.

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1 Milosevic, who was tried here, must have been questioned about
2 this meeting. Did you look into this and see what he may have said?

3 THE WITNESS: [Interpretation] I can't say with certainty, but
4 I think that he said at this trial -- at that trial as well, first of
5 all, the meeting wasn't a secret one because it was broadcast by the
6 media, so how could it be secret if the Germans and French and Croats and
7 everybody else writes about it? And, secondly, everybody took part,
8 Abramov, Bilandzic, Babic, Milosevic, Tudjman, and all of them say --
9 well, never mind the fact that they say this, but logically, logically,
10 if you look at it logically, Milosevic couldn't have had a political plan
11 to have a Yugoslavia of this type and then to divide up
12 Bosnia-Herzegovina with this man. That goes against the grain. It is
13 illogical, because you exclude two options in one head. And I think that
14 Milosevic confirms that here in talking to a witness. I think that
15 Stipo Mesic was a witness, and I think he took this up with him, although
16 I can't say for certain.

17 So I'm challenging -- or, rather, the documents are
18 challenging -- well, the meeting was held. The meeting was not secret,
19 and there was not, nor could there have been with these political options
20 on the table, could there have been any talk of the division of
21 Bosnia-Herzegovina at the meeting. And had that happened --

22 JUDGE TRECHSEL: Excuse me, please. I was of the opinion that we
23 were hearing a witness. I hear pleading after pleading, discussions of
24 opinions of others they write in book, the others quote others again, and
25 the others again are quoted by the Court again.

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1 In my view, Mr. Praljak, I'm sorry, this is not testimony. This
2 is not talking about facts. This is sheer pleading. And the pleading,
3 of course, is something legitimate, but this is not the moment for it.
4 And would really think that it would be conducive to the good conduct of
5 these proceedings if we can find our way back to what can truly be called
6 testimony.

7 JUDGE ANTONETTI: [Interpretation] One moment.

8 Mr. Praljak, my colleague is drawing your attention to this fact.
9 We need to know whether this meeting actually took place or not. You
10 have said that this meeting took place, but at the meeting the carving up
11 of Bosnia-Herzegovina was not addressed, as the Prosecutor ascertains.
12 Now, to prove this fact, it is necessary, on the basis of documents which
13 are shown to you, to tell us that the meeting was organised for another
14 reason, other than the reason put forward by the Prosecutor. That is a

15 fact we're interested in.

16 Have you understood?

17 THE WITNESS: [Interpretation] Yes, the meeting was held,
18 Your Honour. It wasn't secret, because the Slovenes were reporting on
19 it, as well as the Croatian agency, and the French journals, German
20 newspapers, and so on. And according to the information at that time,
21 they stated what was discussed at the meeting. Never at that time was
22 any mention made of the fact that at that meeting there was an agreement
23 on the division of Bosnia-Herzegovina.

24 I took part at the time in the political life, if I can put it
25 that way, of the country, and nowhere did you have mention of the

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1 division of Bosnia-Herzegovina. The division of Bosnia-Herzegovina began
2 to appear at the meeting in 19 -- or, rather, began to be written about
3 in 1993, and I quoted Tudjman's letter, Boutros-Ghali's statement,
4 Milosevic's statement. I said what Borislav Jovic thought about the
5 matter, and all the other people taking part, and they all said that that
6 just did not happen. So what evidence do you want me to present?

7 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, the Chamber seized
8 of the Blaskic case -- well, since you have mentioned this, I have
9 mentioned the Blaskic judgement. And in that judgement it is stated that
10 this confidential meeting was held. There are four footnotes which I
11 don't see right now. I shall read the judgement a little later on, and I
12 would like to see what these footnotes refer to. 204, 205, 206, and 207,

13 these are the footnotes. And it seems that it's on the basis of these
14 four footnotes that the Chamber draws its conclusion. They may have made
15 a mistake; I don't know.

16 But as far as you are concerned, without pleading here the facts,
17 you are saying that this meeting was not organised for the reasons that
18 some people claim it was organised for; am I right in saying this?

19 THE WITNESS: [Interpretation] Yes, Your Honour Judge Antonetti.
20 The story about the division of Bosnia-Herzegovina appeared only in 1993.
21 You saw yesterday, Your Honours, that at the same time when this
22 notorious meeting was taking place, Filipovic was talking to Tudjman and
23 Tudjman was offering things for Bosnia and Herzegovina which were totally
24 different, and this was simultaneous. The arrival of Mr. Filipovic in
25 Zagreb and Slovenia that we discussed yesterday coincided with this

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1 alleged division of Bosnia and Herzegovina by Franjo Tudjman and the
2 others. I claim, based on everything I know, on the facts that I'm aware
3 of, that the meeting was not secret, and there's no single participant
4 that will assert that it dealt with the division of Bosnia-Herzegovina.
5 That political lie appeared only in 1993 in order to put pressure on
6 Croatia and only for that reason.

7 MS. PINTER: [Interpretation] General --

8 MS. ALABURIC: [Interpretation] Your Honour, if you will allow me,
9 I would like to point to an ambiguity in the interpretation that might
10 lead to a misunderstanding.

11 On page 30, lines 17 and 18, and page 31, line 11, if I -- it
12 says that the stories on the division of Bosnia and Herzegovina appeared
13 only in 1993. If I understood General Praljak properly, he said that in
14 1993, stories appeared about the meeting in Karadjordjevo discussing the
15 division of Bosnia-Herzegovina.

16 THE WITNESS: [Interpretation] Yes.

17 MS. PINTER: [Interpretation] Thank you, my learned friend
18 Alaburic.

19 Q. General, at the Karadjordjevo meeting --

20 JUDGE ANTONETTI: [Interpretation] One moment, please.

21 Just to finish talking about this subject, you mentioned
22 Mr. Mesic, and I see that in Miroslav Tudjman's book, he mentions this.
23 Now, to sum up, what did Mr. Mesic say about this meeting held in
24 Karadjordjevo?

25 THE WITNESS: [Interpretation] Mr. Mesic testified at this

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1 Tribunal, and he said that he had heard that at that meeting
2 Bosnia-Herzegovina was being carved up. This book was written about that
3 testimony. Stipe Mesic perjured himself, and he was telling lies here,
4 and he did that because he wanted to settle political scores with Franjo
5 Tudjman, both alive or dead, actually more dead than alive. This was after
6 Franjo Tudjman's death. Mr. Mesic did not present truthful facts. Mr. Mesic,
7 as you could see in "The Croatian Soldier," "Hrvatski Vojnik," in 1993, in
8 his interview, he says that their policies that they were pursuing was wise.

9 Now, the question arises: How come Mr. Mesic, in 1991, if he heard that the
10 division of Bosnia and Herzegovina was discussed by Tudjman and Milosevic,
11 that he was against, why didn't he say so publicly and openly at that time?
12 And he was the second person in the state, just next to Franjo Tudjman. How
13 come that he never mentioned that in any of the meetings, some of which I
14 attended? He was waiting for everything to pass, and only then did he engage
15 in settling political scores with a dead man.

16 MR. STRINGER: Excuse me. I'm going to object to this
17 speculation on the part of the general. He can give his own theories and
18 suppositions as to why he thinks someone else did or didn't do anything,
19 but it's not relevant evidence. The question was: What did Mesic say?
20 And that has now become a speech against words and testimony of another
21 witness in this Tribunal. Ultimately, it's for the Trial Chamber to
22 decide. But it's my objection that this sort of comments and criticism,
23 coming from an accused who's in the box, is not helpful and it's not
24 relevant. If he could just address himself to the question that came
25 from the Trial Chamber, which was: What did Mesic say about Karadjordjevo?

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1 MS. PINTER: [Interpretation] Your Honours, I believe that
2 General Praljak was answering questions and that he said it loud and
3 clear as to how Stipo Mesic reacted, and he shared with us only the
4 facts. He said that Stipo Mesic, from 1991, was involved in politics,
5 and that in 1991, if he had been aware of this so-called secret meeting
6 and the division of Bosnia-Herzegovina discussed at that meeting, he

7 never said anything about that in 1991.

8 So the general is not presenting his views and his assessments.

9 He is presenting only the facts which were taking place, and in doing
10 that he quoted from "Hrvatski Vojnik," which was discussed here, in which
11 Stipo Mesic never pointed to the fact that the division of Bosnia and
12 Herzegovina had been discussed or agreed between Tudjman and Milosevic.
13 I believe, therefore, that General --

14 JUDGE TRECHSEL: Sorry, Ms. Pinter. I find it difficult to
15 accept that Mr. Praljak is talking about facts. He's reading from books.
16 He's reading from books and saying what other people think happened.
17 That, I'm sorry, is not facts. That is opinions of other people. I'm
18 very sorry. If he were present at some time, if he could say, I have
19 heard Mr. Tudjman say this, that would be different. The fact that he
20 lived at that time doesn't make him a witness of these things. And he
21 does not say, I know this and that. He reads from books. This is not
22 testimony. I'm very sorry.

23 THE WITNESS: [Interpretation] Just a moment. Please bear with
24 me.

25 Your Honours, the facts are as follows: In 1991, 1992, 1993, I

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1 was a member of the VONS, and I met with Mr. Tudjman and Mr. Mesic at
2 many meetings. Never, ever, not for a single moment, not with a single
3 word, did anybody mention, and that includes Mr. Mesic, any story
4 regarding the fact that Franjo Tudjman and Milosevic, in 1991, in the

5 spring of that year, had agreed on the division of Bosnia. That story,
6 and this is my experience which I am testifying to, appeared only in
7 1993, two years subsequently, two years after the meeting. And I know
8 that the story turned up out of the blue because the political show-downs
9 had started. I know that. Stipo Mesic was not at that meeting. He
10 knows all I know. He testified about that meeting here, and he also
11 speculated. There were two people at the meeting, and those people said
12 what they had to say. And what I'm saying now is my testimony, and the
13 facts are listed in here. They have been publicised, and this is my
14 testimony.

15 JUDGE TRECHSEL: Mr. Praljak, what you have told us now was, in
16 fact, your testimony, and that's fine. I have no problem with your
17 saying, I have never heard anything of that kind. That is your
18 testimony. But then what so many other people told third people, that
19 goes beyond what is testimony. It's expertise, perhaps, a history
20 lesson.

21 MR. KOVACIC: [Interpretation] If I may just add one thing,
22 Your Honours.

23 Your Honours, we are here presenting our case, the Defence case.
24 It is not up to us to prove anything. We don't have the burden of proof.
25 The Prosecution included this thesis on the secret meeting in

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1 Karadjordjevo in the indictment, and they offered some evidence which was
2 nothing but hearsay in the second or third instance. And their

3 evidence boiled down to, This gentleman heard that or that gentleman
4 heard something else.

5 In his testimony, Mr. Praljak has found some facts that he is
6 testifying to, and finally he has just told us what he knows directly.
7 And he can only say what other people are saying, and especially what the
8 participants were saying, or very close associates of the participants,
9 and that's what we have just heard. And I believe that this is just the
10 kind of testimony which is necessary about the facts that exist in the
11 reality that the Defence and the accused have managed to find or
12 organise, and that includes also the part, but is also that part that the
13 accused is personally aware of. This is his direct, personal knowledge.

14 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, I'll check
15 something with you and then we'll take a break, so I'll be very short.

16 You told us that you were a member of the VONS, that you attended
17 the meetings of the VONS, which is the supreme organ with the Presidency
18 of Croatia, in 1991, 1992, and 1993. We have a number of minutes of
19 these meetings. I don't know, but I'll check whether we have any minutes
20 from 1991. But you attended these meetings, so please tell us the
21 following: When Mr. Tudjman met foreign political dignitaries, did he
22 necessarily during this meeting tell all the attendants, who were not
23 very numerous -- did he tell what the members of the VONS, who were not
24 very numerous, what had been addressed during these meetings with
25 foreigners?

1 THE WITNESS: [Interpretation] First of all, Your Honours, save
2 for the VONS meetings, there was a series of other meetings which were
3 not official, with Tudjman, Mesic and others. At those meetings, we
4 discussed hundreds of matters.

5 Second of all, Your Honours, up to 1993 I never heard anybody
6 mentioning the secret meeting in Karadjordjevo and the division of
7 Bosnia-Herzegovina.

8 Third of all, Your Honours, Franjo Tudjman, and I know that for a
9 fact, this is my testimony, Franjo Tudjman had a shortcoming when
10 discussing things with people, that people misunderstood very often,
11 especially Americans. He tried to separate his own pragmatic political
12 position. He tried to show cooperativeness, democracy, and all the
13 things that we discussed, but he also wanted to show these people, and
14 that was his mistake, he wanted to explain to everybody the historical
15 context, and all those people did not have the time for that, especially
16 Americans didn't have the time to listen to all that. The Americans
17 would come, they would have 15 minutes in order to deal with the problem
18 of the states, just like they do with the problems of the Wall Street
19 investment and so on and so forth. And that kind of approach bothered
20 them; they didn't understand that. And if they did understand something,
21 they misunderstood things, and they thought erroneously and often what
22 their talks boiled down to was nothing but a misunderstanding. They
23 thought his historical interpretations were tantamount to his political
24 views.

25 And let me conclude, Your Honours, I, myself, tried to explain

1 there to my president. I tried to explain to him that those people did
2 not have the desire or goodwill to listen to everything, to everything
3 about the historical forces that were trying to get involved in the war
4 and that he felt as a historian. I tried to tell him to opt for shorter
5 and pragmatical solutions, but it fell on deaf ears. This was the source
6 of a misunderstanding that I tried to point out to my president as the
7 cause of the misunderstanding.

8 MS. PINTER: [Interpretation] Can I just put one more question
9 before the break, before the break?

10 JUDGE ANTONETTI: [Interpretation] No, we'll have the break.
11 We're already late. So you'll come back to this after the break. We
12 have everything in mind, and we will resume in 20 minutes.

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

14 --- On resuming at 11.00 a.m.

15 JUDGE ANTONETTI: [Interpretation] Ms. Pinter, I believe you had a
16 question that you wanted to put to the witness.

17 MS. PINTER: [Interpretation] Yes. Thank you, Your Honours. The
18 question had to do with your question; namely, I assess that
19 General Praljak had not fully answered your question, so I wanted to
20 point it out to him.

21 Q. A portion of the question of Judge Antonetti was whether at VONS
22 President Tudjman informed you on his meetings with foreign
23 representatives.

24 A. Well, I didn't understand that part of the question. Otherwise,
25 I would have answered it. My answer is yes, yes, and we will here

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1 present some minutes of those meetings. Not only did he inform us of
2 that; that was one of the main things that President Tudjman was involved
3 in, and that was he wanted to try and understand what the countries of
4 the international community actually wanted to see happen there, and then
5 he wanted to try and find some sort of position that would be acceptable
6 for his policies so that he would be able to establish Croatia, because
7 there were many representatives of various countries that had different
8 positions. The international community, and we could see this from the
9 documents, that France, Germany, Britain, America, they did not have a
10 single position. Each country had their own view, and it was very
11 difficult to understand what was the plan for each of those actors for
12 the Balkans, and that was one of the things that President Tudjman had as
13 his preoccupation. He wanted to adapt to the international situation
14 because he was aware that without being adapted and without actually
15 winning over the West so that they could understand what it was that he
16 was after, he would not be able to create Croatia.

17 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, earlier you talked
18 about Witness Bilandzic. Who exactly is this person? Could you tell us?

19 THE WITNESS: [Interpretation] Bilandzic was -- he is a historian.
20 Actually, he was a Communist historian, to be honest. His "ouvre" that
21 I've read in good part, I consider that it was completely partial. But,

22 in any case, the party also promoted him into academician, although he
23 was not very active in the political events, President Tudjman actually
24 asked him to take a role on.

25 JUDGE ANTONETTI: [Interpretation] I had never heard of this

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1 person, but he's mentioned in the Blaskic judgement. It's a public
2 judgement, and I believe that I can refer to it. This historian,
3 published a paper in "Nacional" in October 1996, and it was about this
4 negotiation. And he would have -- that's in judgement that two
5 commissions would have been set up, two commissions that had been
6 organized to discuss how Bosnia-Herzegovina was to be divided. In the
7 Blaskic judgement, to say it all, the Trial Chamber continues and says --
8 it links the Babic-Karadzic meeting in Graz, with this one, so it seems
9 that there is a logic.

10 Now, to your knowledge, can you tell us whether commissions were
11 actually set up to discuss the division of Bosnia-Herzegovina, as the
12 Blaskic Trial Chamber seems to be indicating it in its judgement on
13 paragraph 205? I had to do some research during the break. (redacted)
14 (redacted)

15 THE WITNESS: [Interpretation] Your Honours, Bilandzic, in his
16 text which was published in "Nacional," I can say, and that would be
17 putting it mildly, he's not speaking the truth. And in the Blaskic case,
18 on page 150 of this book, a quotation was taken out, and Ms. Nika can
19 find it for you, if you'd like.

20 MS. PINTER: [Interpretation] Well, that's in English 3D23-0783

21 and 3D23-0784 and 85, whereas in Croatian that would be 3D23-0414.

22 THE WITNESS: [Interpretation] Yes, and even before this,

23 Ms. Abramov referred to that. But here we can see that he speaks of some

24 sort of commission where discussions were, for the most part --

25 95 percent of the discussions related to the 1974 constitution. And then it

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1 says as for maps and some specific divisions, that was not under

2 discussion. We did not discuss at all the carving up of the borders

3 between Serbia and Croatia in Bosnia and Herzegovina, because my

4 colleagues and I did not believe at all in the realism of such a policy,

5 and we thought that we shouldn't enter into it at all.

6 Now, if Franjo Tudjman established a committee that was to carve

7 up Bosnia and Herzegovina, why would he then discuss whether it should be

8 carved up or not? And this was not something that they discussed.

9 Now, the committee on the division of Bosnia and Herzegovina, it

10 would appear from this, was something that Franjo Tudjman had come up

11 with, but these are subsequent political games being played, and this is

12 in retaliation by a Communist historian who did not agree with Tudjman.

13 And here we can see what Blaskic said; that there were no borders drawn

14 up. He had the role, and had he been given a task to divide Bosnia and

15 Herzegovina, he could have refused to implement it, but he did not get

16 such a task. They were discussing the constitution, and most of the time

17 was devoted to that.

18 And on the previous page, 148, Dr. Smilja Abramov speaks about
19 this. She was a Serbian president of the Constitutional Court, and we
20 can see here what Ms. Abramov said about the same thing.

21 MS. PINTER: [Interpretation] Your Honour, for your information,
22 and also in part as an answer to the honourable Judge Trechsel, the
23 Defence dealt with this topic also because this honourable Chamber, on
24 the 7th of September, 2006, established the decision on adjudicated
25 facts, one of them being paragraph 105 from the Blaskic judgement, which

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1 deals with the meeting between Dr. Tudjman and Milosevic and the division
2 or partition of Bosnia-Herzegovina. So the Defence has the right to
3 question those facts, the adjudicated facts, and that's one of the
4 reasons why we are discussing this now and why we are referring to the
5 facts that we have at our disposal, just as they were at the disposal of
6 those who had discussed them in the Blaskic case.

7 THE INTERPRETER: Interpreter correction: Agreed facts, not
8 adjudicated facts.

9 JUDGE TRECHSEL: I just have to make it quite clear that I do not
10 in any way challenge your right to contest whatever you want to contest.
11 That was not my point. My point was more a technical one of what can be
12 regarded as testimony, as opposed to, for instance, contesting and
13 arguing.

14 MS. PINTER: [Interpretation] Thank you, Your Honour.

15 THE WITNESS: [Interpretation] Your Honours, I can testify to two

16 things. First, all these meetings that were held up until 1993, in all
17 those meetings I had never heard that there was any mention of the
18 partition of Bosnia and Herzegovina in Karadjordjevo. I did not hear it
19 from Dr. Franjo Tudjman, Mr. President. I didn't hear it from the
20 president -- or the speaker of Parliament, Mr. Mesic. I didn't hear it
21 from any of the chiefs of -- from the chief of all the security services
22 and intelligence services of Croatia. I didn't hear it from Gojko Susak
23 or from the prime minister, the president of the Croatian government,
24 Mr. Gligoric. No one ever mentioned that, none of them. That's
25 number 1.

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1 Number 2, and I've said this before, there is a major
2 misunderstanding between the internal governance of Bosnia and
3 Herzegovina, and this was always referred to as the partition of Bosnia
4 and Herzegovina. In other words, the Cutileiro plan was referred to as
5 the partition of Bosnia and Herzegovina both in "Javnost" and in other
6 papers. The Vance-Owen Plan was also referred to as the partition or
7 division of Bosnia and Herzegovina. The Owen-Stoltenberg Plan was also
8 referred to as the division or partition of Bosnia and Herzegovina.

9 I know that President Tudjman -- Presidents Tudjman, Izetbegovic,
10 and Milosevic met on the 12th of April in Split, in the Dalmacija Villa.
11 This was in 1991.

12 MS. PINTER: [Interpretation]

13 Q. Could you repeat the date, please.

14 A. The 12th of June, 1991.

15 Q. Yes, yes.

16 A. Well, I don't know if this information is accurate, but that was
17 about that time, anyway. They met, and this meeting lasted for five
18 hours, which was followed by a press communique. But it was leaked to
19 the press that there was this meeting, and here is what the papers
20 published about the meeting of these three presidents.

21 Q. Which page?

22 A. Well, I won't read this from the article, because I know of this
23 myself. This is my testimony. So it was leaked that at this time, they
24 had also discussed the internal governance or type of government for
25 Bosnia-Herzegovina, and the papers published this under the following

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1 titles: "Vecernji List," "Bosnia, like Switzerland." This was on the
2 13th of June, 1991. Then the next title was "The Collapse of
3 Yugoslavia." Then the following title, "Cantonisation of Interest." And
4 then "Slobodna Dalmacija" published "Cantons, A Done Deal?" And then
5 "Oslobodjenje" publishes this "There Will be no partition." And then the
6 "Danas Weekly" from Croatia published an article under the title of "All
7 Bosnian Nuances." And then in "Oslobodjenje", we see "The Cantonisation
8 of Bosnia-Herzegovina, For and Against Nebulous Ideas." And then in
9 "Vijesti," a daily from Croatia, we see an article entitled,
10 "Cantonisation is Impossible." "Borba," the Serbian daily, says "How
11 Many Cantons for the Land of Bosnia." And so on and so forth.

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11 Page 40342 redacted. Private session.

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Page 40343

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17 (redacted)
18 (redacted)

19 [Open session]

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

21 THE WITNESS: [Interpretation] Your Honours, yesterday or the day
22 before, you were able to see what the -- what President Tudjman knew when
23 he explained to Mr. Filipovic what was going to happen, and that came
24 before this particular meeting. So compare the two. Compare what
25 President Tudjman told Filipovic, and his knowledge about how events

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1 would develop, and the testimony of Mr. Mesic. That's my first point.

2 Secondly, why is Mr. Mesic saying that at a meeting of the
3 Croatian Assembly or VONS, and nowhere up to 1993, or I don't know when,
4 when he separated from President Tudjman -- when was that, you say? When
5 was it? 1994, is that what you say?

6 It was only when he -- when each of them went their different
7 political ways that he began telling this story. And the
8 "Hrvatski Vojnik" is a paper that I helped edit. In the interview that I
9 showed you, Mesic says, Let's wage a reasonable policy from 1993. So
10 wouldn't it then be logical that after this information from
11 President Tudjman, he didn't say, Mr. President, I don't agree with that,
12 and present his views, say that out loud? No, Your Honours. No, no, and
13 again no.

14 The facts brought out here about the meeting was within a
15 settling of accounts, political settling of accounts, and has nothing to
16 do with what happened and what I'm testifying about here.

17 MS. PINTER: [Interpretation] The general referred to the talk
18 between Dr. Tudjman and Muhamed Filipovic from document 3D03554. The
19 page in the Croatian is 3D41-0834.

20 And for the record, on page 42, line 8, the name of the
21 individual you mentioned was not recorded.

22 Q. Who was the head of all the secret and intelligence services?

23 A. Manolic.

24 Q. Josip Manolic?

25 A. Yes.

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1 Q. Thank you. Yes, yes, in Croatia, I meant.

2 Now, General, in your book -- or, rather, we referred to the
3 letter written by Alija Izetbegovic to President Tudjman, and that is

4 3D00295, and it's already an exhibit in this trial. But, anyway,

5 Alija Izetbegovic knew that a meeting would be held.

6 Now, do you know whether Dr. Tudjman and Milosevic informed

7 Alija Izetbegovic about that meeting which they held in Karadjordjevo and

8 whether there was any discussion about the meeting, since that was a time

9 when the presidents were meeting and circulating, had these rotational

10 meetings, as you said earlier on today? If you know about that.

11 A. Well, Mr. Izetbegovic knew that a meeting would be held. He was

12 in contact with President Tudjman, and I do believe that he was informed

13 about it. But the essential point here is that somebody already, as

14 Franjo Tudjman says, one of those KOS people or State Security people,

15 that somebody had already put forward the thesis according to which

16 Milosevic is going to put a document on the table to Franjo to divide

17 up -- to partition Bosnia-Herzegovina.

18 Now, after some ten meetings that were held, it became obvious

19 what was afoot, so that here this false -- this red herring is being put

20 forward, and that's something that Tudjman says to Filipovic. He says,

21 Let's move together, but Izetbegovic, as he says, under the influence of

22 these other people, and he said, It will be difficult to achieve that.

23 Q. Let's move now to page 197 and look at the 48 meetings between

24 President Tudjman and Milosevic, which is to be found on page 3D23-0437

25 of the Croatian; and for the English it is 3D23-0847 and onwards until

1 the 48th meeting.

2 Go ahead, General.

3 A. Here we have enumerated all the meetings from the 25th of
4 January, 1991, in Belgrade, the first meeting, all the meetings between
5 Tudjman and Milosevic, the first one being the 25th of January, 1991, in
6 Belgrade. I think that this meeting in the Villa Dalmacija was held on
7 the 28th of March, that is to say, before the meeting in Karadjordjevo,
8 so I think there's a mistake there. But I'm not quite sure about that,
9 it's too far away in time now for me to remember exactly. But, anyway,
10 Your Honours, I don't have the time to go through all the 48 meetings,
11 but I'd just like to say that this gives a good clear review of them,
12 when and where they were held, who took part in them, and what was said.

13 Of the 48 meetings, at 31 of them Mr. Izetbegovic took part. And
14 in four meetings where this question of the Bosnian partition was
15 discussed, Stjepan Mesic took part. So apart from taking part, he was
16 also well informed. And I can say nothing else but to state that
17 enormous efforts were made for these meetings held in 1991 to arrive at a
18 solution to the problem, but unfortunately there was no solution because,
19 let me repeat this, was the Serbian plan -- Serbian political plan for
20 Serbia to stretch along these lines [indicates], and I'll point to this
21 on the map. These are the western borders of Serbia [indicates], and
22 that's where Karlobag is. So this part of Croatia [indicates] can go,
23 and everything to the east of that would be Yugoslavia. And I have
24 nothing to add to that.

25 MR. KARNAVAS: Just for the record, Your Honour, General Praljak

1 was looking at the map and pointing at the map, and I see that the Judges
2 were not focusing on that. So perhaps General Praljak could again
3 demonstrate with the map so we have a record.

4 JUDGE TRECHSEL: It would even be preferable, Mr. Praljak, if you
5 could verbally be as precise as possible so that we have it in the
6 record, because the record will not, itself, show where your hand and
7 your pointer go.

8 THE WITNESS: [Interpretation] For the record, then, the western
9 borders of Serbia, as they were developed over the centuries and appeared
10 in 1986 in the SANU memorandum and Milosevic's politics, according to
11 that, all countries east of the Croatian border, all land east of the
12 Croatian border, Virovitica, Karlovac, Karlobag, everything east of that
13 would be Yugoslavia, including the entire region of Dalmatia and
14 Bosnia-Herzegovina and Montenegro and Macedonia. And Milosevic did not
15 want to share that with anybody. Had he wanted to, I assume they would
16 have agreed on that in 1991. So all of Croatian territory except perhaps
17 for this area that they were prepared to let go [indicates], which was a
18 fifth or a sixth of Croatia, not to be within Yugoslavia or Serbia.

19 MS. PINTER: [Interpretation]

20 Q. Once again, General, let's remind the Court, although we began
21 with this topic. After March 1991, what happened in the Republic of
22 Croatia, after that meeting?

23 A. Well, large Serbian rallies began to be held in Knin, Obrovac,
24 Glina. All the emissaries came in from Serbia. Chetnik cockades were

25 worn, and an uprising was raised, and Croatia was intensively preparing

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1 for a war at that time.

2 Q. Did the war begin?

3 A. Yes, it did.

4 Q. And we've shown that.

5 A. They put up logs to block the main road running from Split to
6 Zagreb. They put up logs which prevented the tourists from passing. And
7 I, who was coming back from the coast at that time, was going via Bosnia
8 and Banja Luka, because you couldn't go from Split to Zagreb across
9 Croatia anymore because of these obstacles that had been erected in the
10 form of logs and rocks.

11 JUDGE ANTONETTI: [Interpretation] General, I heard you commenting
12 on the 48 meetings that were held between Milosevic and Tudjman. The
13 meeting in Karadjordjevo took place on the 25th of March, 1991. If, in
14 fact, what is alleged actually happened, some kind of secret agreement
15 was concluded, why is it, then, that this was not mentioned again three
16 days later on the 28th of March, and then again two weeks later on the
17 4th of April in Belgrade, and then again on the 11th of April, and so on
18 and so forth, unless all of this remained between the two of them?

19 THE WITNESS: [Interpretation] Well, Your Honour Judge Antonetti,
20 you can make the same conclusion yourselves, just like I can. There was
21 no agreement, because had there been -- well, my testimony follows my
22 logic. If they had reached an agreement, what would have been the

23 purpose of all these other meetings, then? If you assume that the two of
24 us reach an agreement, and we're rulers, well, what do we need the other
25 people in the hall here for, in the courtroom? We have decided, we have

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1 might and power on our side, so why would we need all these other 30- or
2 40-odd meetings, or however there were subsequently, if that had been the
3 case?

4 MS. PINTER: [Interpretation]

5 Q. General --

6 A. Judge Antonetti, please allow me to say something else.

7 JUDGE ANTONETTI: [Interpretation] One moment, please. I have an
8 issue with the translation.

9 On line 1 of page 51, in English it says "entirely secret." I
10 had said "between face to face, between two individuals." If it's
11 entirely secret, other people could be present. I wanted to correct the
12 transcript. What is it you wanted to say?

13 THE WITNESS: [Interpretation] Your Honour, let me give you a bit
14 of history.

15 When Hitler and Stalin decided to divide up Poland, they did so.
16 When Chamberland and Hitler reached an agreement on how England and the
17 others wouldn't meddle in taking Czechoslovakia and Austria, he took
18 Czechoslovakia and Austria. And I could quote hundreds of agreements
19 like that. When two powerful people reach an agreement, they act upon
20 it, and then they don't need to meet further, whereas this is quite

21 senseless. I do apologise, but that's my testimony. It's a subsequent
22 political settling of accounts that took place afterwards.

23 JUDGE TRECHSEL: I'm sorry. That is an opinion. That is not
24 testimony. It's purely hypothetical, just a conjecture.

25 THE WITNESS: [Interpretation] Very well.

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1 MS. PINTER: [Interpretation]

2 Q. General, when did the war begin in the Republic of Croatia, the
3 war with the JNA and Serbian Montenegro?

4 A. Well, straight away at the start of the summer of 1991.

5 Q. And where did the fighting take place? We've already shown that,
6 but let's hear it once again.

7 A. Well, it's like this: The war began -- the constitutional order
8 of the Republic of Croatia was overthrown when, in the spring -- or,
9 rather, late spring, when the police forces of the Republic of Croatia
10 set out for Knin to deal with the traffic situation there, then the JNA
11 aeroplanes forced helicopters, police helicopters, to go back on pain of
12 them being shot down, and thereby this -- this was tantamount to an act
13 of aggression against Croatia. And in one of my books, I give the exact
14 date. I say how the helicopters were intercepted by the JNA. So that is
15 an aggression. The army intervened against the police forces of a
16 sovereign republic, and they could not have done that under the
17 Yugoslav Constitution.

18 Q. That was in 1990, was it?

19 A. Yes, 1990, when, according to how I see matters, the aggression
20 against Croatia started, because in Yugoslavia the republican police
21 forces had power over their own republican territory, and the JNA, when
22 the police wanted to intervene towards Knin and allow the traffic to
23 start functioning normally and to prevent the unrest there, should not
24 have intervened. The Yugoslav Army said, You can't do that. That, as
25 far as I was concerned, was the beginning of the aggression against

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1 Croatia which later on developed gradually as it did.

2 Q. In the meetings that were held between the six presidents and
3 when they negotiated the manner in which Yugoslavia could be disbanded,
4 can you tell the Court what position was taken by Serbian Montenegro,
5 what position Croatia and Slovenia took, and what position Macedonia and
6 Bosnia took? Can we clarify that once again?

7 A. Yes. Slovenia and Croatia, at the beginning, agreed to a
8 confederation of republics; that is to say, that all the republics of the
9 former Yugoslavia should form a confederation, an association which would
10 be a confederation within Yugoslavia.

11 Montenegro and Serbia wanted to have the kind of Yugoslavia that
12 I have explained, a sort of expanded Serbia, whereas Mr. Izetbegovic and
13 Kiro Gligorov proposed something that was called an asymmetrical
14 confederation, an asymmetric confederation or federation. In other
15 words, this meant that Bosnia and Herzegovina and Macedonia should remain
16 with Serbia and Montenegro within a federation, and that Slovenia and

17 Croatia should be within a confederation with the other republics. So
18 that was one of the proposals put forward. It was completely idiotic,
19 but what can you do? People think up all sorts of things to avoid a war.

20 So at least the Slovenes and Croats and Alija tried to avoid a
21 war. How far they were successful and how far they had intelligent
22 plans, well, we've all been witness to the outcome of those.

23 THE INTERPRETER: Microphone, Counsel, please.

24 MS. PINTER: [Interpretation]

25 Q. How do you know all these facts?

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1 A. Because I was very well versed politically, I read everything
2 that there was to read, and I followed current events, because that was
3 something that we were involved in daily, and it had to do with our fate
4 and destiny.

5 Q. Thank you. I think now we can put away this book and turn to
6 document 3D02005. This is the "Hrvatski Vojnik."

7 A. That's not the right soldier or "vojniki."

8 Q. Can you tell me which one it is, though?

9 A. Well, I don't have the copy. It's not the right interview.

10 Q. All right. We'll leave that for some later time.

11 General, discussing these conversations --

12 A. Well, I can -- I can explain it here, and then we'll show it
13 later on.

14 In "Hrvatski Vojnik," "Croatian Soldier," Your Honours, that big

15 rally in Sisak on the occasion of the anniversary of the 1st Partisan
16 Detachment in Europe, which happened to be in the territory of Croatia as
17 well, Franjo Tudjman, and I did not point that out then, declared, and
18 this was in 1993 -- he again gave his opinion about this so-called
19 agreement in Karadjordjevo, and this was done before the Diplomatic Corps
20 and all the other people present. And he said there, There was no
21 agreement of any kind between me and Milosevic. And of course we will
22 subsequently go back to this.

23 Q. Yes. After the break, we'll give you the page numbers.

24 General, let's just wrap up with this general situation, and then
25 we will move on to some specific events.

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1 So I'd just like to ask you about the referendum that was held in
2 Bosnia and Herzegovina on the 28th of February and the 1st of March, and
3 what the circumstances were at the time when this referendum was held,
4 why it was held, and what you personally knew about the referendum, and
5 how the citizens of Bosnia and Herzegovina responded to this referendum,
6 especially those of Croatian decent.

7 A. I will not go into the conversations that I heard of here about
8 Livno form of the referendum, and so on and so forth. What I know is the
9 following:

10 The Croats in Bosnia and Herzegovina were dissatisfied with the
11 way the question was formulated, the question was adopted in the
12 Parliament of Bosnia and Herzegovina, which was that Bosnia and

13 Herzegovina should be proclaimed a unified state -- a unique state, a
14 single state, which was the condition for its international recognition
15 according to the Badinter Commission. And I know the following: Even as
16 the referendum was being prepared, Franjo Tudjman sent Slavko Degoricija,
17 a man who was highly positioned in the Croatian government and who was
18 usually the man -- the envoy -- Mr. Tudjman's envoy for discussions with
19 Serbs, and he had over 100 meetings with the Serbs in Croatia in order
20 to -- in search for a solution. So he sent this man to Bosnia and
21 Herzegovina, and he was supposed to rally the Croatian people by
22 asking -- calling on them to respond to the referendum and to circle the
23 "Yes" answer.

24 Second: On the first day of the referendum, not many Croats
25 actually responded, and there was a danger that the referendum would

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1 fail. I know for a fact that Dr. Franjo Tudjman pleaded with the
2 Catholic priests who were in this area in Bosnia and Herzegovina and who
3 enjoyed great reputation among the Croatian people in this country, so he
4 asked them to call on the people on the second day of the referendum in
5 their masses, in the services they held in their churches, that they
6 plead with the people to respond to the referendum, to go and circle the
7 answer "Yes," the affirmative answer which was in favour of Bosnia and
8 Herzegovina. And that by -- through his political influence with the HDZ
9 in Bosnia-Herzegovina, he called on them to mobilise people to vote "yes"
10 for an integral Bosnia and Herzegovina.

11 In my view, the Croatian people in Bosnia and Herzegovina, in
12 view of the way the question was couched at the referendum, which did not
13 provide for the foundations of the government in Bosnia and Herzegovina,
14 so they -- the people of -- the Croatian people of Bosnia and Herzegovina
15 would not have responded to this referendum the way it was framed, the
16 question was framed.

17 Q. And what would have happened if they did not respond to the
18 referendum?

19 A. Well, I leave it to you to conclude.

20 Q. I can -- I would now like to see document 1 -- or, rather, 3D --
21 that's 3D02003. That was related to the "Croatian Soldier" magazine, and
22 in English that's 3D31-0080. General, I believe we are done with the
23 books.

24 Could the usher now please provide the Capljina-Stolac binder or
25 file to the honourable Chamber.

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1 I'm being warned that I should intervene. In the transcript, the
2 English page of "The Croatian Soldier," that's number 3D02003, 3D40-0933.

3 So now we will move on to your whereabouts in 1993, but just let
4 me explain beforehand to the Trial Chamber. This portion of the
5 testimony will relate to paragraph 7, 15, 25, 26, and 27 of the
6 indictment.

7 JUDGE TRECHSEL: I'm sorry. I'm a bit lost. I don't know where
8 you're heading, because you said, on page 57, line 2 following, that you

9 would go to 3D02003. And then you talked about the Capljina binder, and
10 then you ask about the whereabouts in 1993. Where are we going?

11 MS. PINTER: [Interpretation] Your Honours, it's my error because
12 I speak too fast. I was going to move to a different topic -- I was
13 going to move to a different topic, and then my colleague, Mr. Kovacic,
14 gave me the number of "The Croatian Soldier" that was the reference of
15 Mr. Praljak, where he said that it published the interview of
16 Mr. Franjo Tudjman, where he said that he -- there was no mention of the
17 partition of Bosnia and Herzegovina. So then I mentioned this number
18 3D02003, which is actually a reference to "The Croatian Soldier." In
19 other words, the document in the binder entitled "Croatian Soldier." And
20 then I was asked to give the English page, which was a wrong number, and
21 then I was told to correct this error, and that's how this whole
22 confusion came about. But it's really my fault because I was too fast,
23 and I will try to be as -- to speak as slowly as I can.

24 Now we will move on to 1992 and the Capljina-Stolac binder.

25 Q. We've already heard before and we've also presented evidence that

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1 in 1992, you came to the territory of Bosnia and Herzegovina or, more
2 specifically, to Herzegovina, so, General, could you please tell us when
3 it was exactly that you came there, why did you come there, and what was
4 the situation that you found when you arrived in Bosnia and Herzegovina?

5 A. Well, it's hard. I don't know where to begin.

6 Q. Well, let's begin by you telling us why you came to Bosnia and

7 Herzegovina.

8 A. Well, let me say this: In March, there was already information
9 about the situation in Herzegovina and what the intentions of the
10 Yugoslav People's Army were in regard to Bosnia and Herzegovina, and that
11 those intentions had already been formulated. The Croats in Bosnia and
12 Herzegovina were already setting up volunteer small units in villages in
13 Mostar. That would have been in neighbourhoods and so on.

14 Now, the information that I had, and I've already explained this
15 before, was that all this together was insufficiently organised in order
16 to stop the advance of the Yugoslav People's Army according to the plans
17 that I showed before, the plans drawn up by General Cokic, but others
18 have also mentioned this and talked about it. I talked about this with
19 Gojko Susak, the minister of defence, whom I met with briefly in the
20 evening around 8.30, after we finished all the other -- the day's work.
21 We met on these occasions as friends and not as superior and subordinate.
22 And the information that he had was such -- it was more rosy, it was
23 rosier, and that's because people usually present to their bosses in that
24 part things in rosier shades than they really were. And that's how we
25 went on for a couple of days, but I kept saying, The situation is not

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1 good. They will break through towards Split, towards Ploce. We won't be
2 able to defend ourselves. And at one point I decided --

3 JUDGE ANTONETTI: [Interpretation] One moment, Mr. Praljak.

4 You mentioned the month of March. This is March 1992?

5 THE WITNESS: [Interpretation] Yes, Your Honour.

6 JUDGE ANTONETTI: [Interpretation] Very well. You said something
7 earlier. You said that in the small villages, there were volunteer
8 Croats that had set up small units. As you know, the Judges went to all
9 these locations and we visited these villages. Were these formations set
10 up spontaneously, people did this of their own accord, or were they
11 obeying orders?

12 THE WITNESS: [Interpretation] Well, as far as I know,
13 Your Honour, there was no order. These were individuals. In Ljubusko,
14 for instance, people gathered, people of similar beliefs, and I know they
15 took them for training to the coast and then brought them back. There
16 were nine, they called them battalions, whereas in terms of numbers, they
17 were not even platoons. So there were some units in Ljubusko, in
18 Radisici, some in Grude. And the HOS, the Croatian armed forces, were
19 actually the forces best organised, but they were an army of a political
20 party, the Croatian Rights Party. And they had their units until
21 Franjo Tudjman ordered, because they even had a building in Zagreb which
22 was secured and guarded by armed guards, and they had to disarm them by
23 force. So there was no strength and no time, and especially not in
24 Bosnia and Herzegovina, to establish an organisation that could in any
25 way be comparable to an orderly armed force of any Western state.

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1 MS. PINTER: [Interpretation]

2 Q. Speaking of orderly armed forces, General, could you tell us what

3 the situation was between various towns when you arrived in Bosnia and
4 Herzegovina?

5 A. Well, I will tell you about it, and you can interfere when you
6 feel you need to.

7 So when I arrived in the area, there was a Croatian officer with
8 me, Crnjac. He hailed from those parts, and that was the situation.

9 Q. General, we have to explain how you happened to go there. Were
10 you sent by the minister of defence, or did you go of your own accord?
11 We have to say that.

12 A. Well, we weren't sent by the minister of defence. We went there
13 voluntarily, of our own free will.

14 I think there is no need to repeat this, but there could be no
15 orders sending a Croatian soldier -- any Croatian soldier to a foreign
16 territory.

17 Q. But you could have been sent there to inform of the situation
18 there?

19 A. No, that could not be the case.

20 Let me tell you this: My mother and father lived there, my
21 sister lived in Sarajevo with two children and a husband, I also had a
22 number of relatives there as well, and in addition not only these people,
23 the people of Bosnia-Herzegovina, what would happen is they would
24 actually reach the border of Dalmatia and we wouldn't be able to defend
25 ourselves. So I think we don't have to do it this way. It's very

1 elementary. We don't have to behave as if this was an elementary school.
2 So there was one enemy, and this was one theatre of war and one defence,
3 and their intentions were absolutely clear, and that's, I assume, a fact.

4 So we returned, and then I informed of my visit. Franjo Tudjman,
5 I said to him, Mr. President, they will break apart Bosnia and
6 Herzegovina, and if we go on like this, they will also break up Croatia.
7 So I proposed that he let me and General Crnjac, who was from those
8 parts, and General Roso, to go there as volunteers and help organise the
9 defence, because otherwise we would be expelled and murdered not only in
10 Bosnia and Herzegovina but also in Croatia.

11 And you can see easily, if you look at the border
12 here [indicates], they had already been -- they had already taken control
13 over what they called the military Krajina, so I did not see how we could
14 put up a defence. He agreed with this, and I went there as a volunteer,
15 and on the 10th of April, 1992, I took over the Operational Zone of
16 South-Eastern Herzegovina, which is the territory from the River of
17 Neretva from Konjic up to Capljina and the border with Croatia. I first
18 arrived in Capljina, and now I can describe the situation.

19 The situation was what is called in the sociology of society
20 quite simply chaos, complete chaos from what normally functions in a
21 normal state; electricity, traffic, bus routes, the police and whatever.
22 There was none of that. There was something that in social psychology is
23 called hysteria. Hysteria was prevalent. People wanted to do something,
24 but nobody knew what it was that they wanted to do. And some lines were
25 set up around Medjugorje, some small lines. The guys in Mostar defended

1 their own districts. They destroyed Capljina. The JNA Army, and I've
2 already said this, bombed towns, the towns of Siroki Brijeg, Grude,
3 Citluk, Capljina, Ljubuski, killed civilians and children, and there you
4 have it.

5 And I arrived in Capljina in that kind of situation. There was a
6 JNA barracks in Capljina, and behind Capljina, next to the village where
7 I was born, in actual fact, and we began to defend ourselves.

8 Now, what happened over there? The people of Ljubuski dug
9 trenches. The Ljubuski municipality, Your Honours, dug trenches towards
10 Medjugorje. Medjugorje dug trenches towards Ljubuski. In Siroki Brijeg,
11 the commander or, rather, the president of some crisis staff or whatever
12 was an artist, a painter, and they dug some trenches on the slopes of
13 some hill. Complete chaos.

14 Q. There weren't any Serbs over there for them to be digging
15 trenches. That's something the Judges don't know about.

16 A. What Serbs?

17 Q. Well, why were they digging trenches?

18 A. Well, each municipality closed itself off and were digging
19 trenches facing each other. There was no communication, so you had to
20 start from scratch and have your embryo and develop it. You have to be a
21 psychologist, a mother, a father, a friend, a psychiatrist, to go first
22 hot, then cold, and to develop this embryo as much as you could for it to
23 shape into something that would be akin to some sort of organisation.

24 For example, in Capljina, they brought in some guys by Radisa.
25 They said, The Neretva River is there, you're behind the embankment. And

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1 then they forgot them for 48 hours. They left them without any water.
2 The guys were 20 years old. They hadn't been in the Yugoslav People's
3 Army. They were standing there for two days, hungry, thirsty, quite
4 exhausted and beside themselves, waiting to see the 6th American Fleet
5 turn up. And the only thing that you could feel as being the
6 crystallisation of something was their desire and will to fight. But how
7 were they to fight? That's the question.

8 And I'll give Their Honours an example from the Franco-Turkish
9 wars, and this is it: A Turk, fighting against two French soldiers, was
10 victorious. Ten French soldiers was equal to 10 Turkish soldiers; but
11 100 French soldiers would vanquish 200 Turkish soldiers. And this an
12 important principle in a war. Organisation is vital, how to set up the
13 army's organisation, because if you have chaos, you cannot rule and you
14 cannot perform in chaos.

15 And as I say, for at least 20 hours a day, I would be working,
16 touring all the positions, talking to the people, manning them and
17 everybody else. And the staff was like a waiting room at a station,
18 railway station. People were coming and going. Someone would come in
19 and say that his house had been destroyed through shelling. People came
20 in with all sorts of problems. It wasn't any army command or army staff;
21 it was just a general help bureau, sort of thing.

22 And as I say, there was hysteria, and the general view that
23 suddenly prevailed was that we should give signs to the opposite side.
24 For example, if a car was going uphill, you would see a reflection of
25 their lights, so they were giving these signs to the Serbs. And then

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1 they arrested a relative of Bruno Stojic. Some policeman managed to
2 catch him in Citluk and said that he was giving signs to the opposite
3 side. And I went to intervene and asked them, Well, tell me, who was he
4 signalling to, what kind of signs was he sending out, what kind of
5 signals? Nobody had any idea. There was no rational explanation for any
6 of this. But there was hysteria, and hysteria doesn't need rational
7 explanations.

8 Anyway, someone from the civilian police force remembered that
9 you weren't allowed to drive around with your lights on at night. And as
10 I drove around visiting my units in this area fairly frequently, I drove
11 around at night, suddenly they would jump out at a certain point and ask
12 me why I was driving around with my lights switched on, with my
13 headlights on. And then I would stop and say, I am deep within
14 Bosnia-Herzegovina, and what's that got to do with my headlights being
15 on? Who cares about whether they're on or not? The artillery uses
16 charts to fire their -- fire at their targets. You have planes flying
17 overhead. We have no capacity to aim against those planes. But of
18 course this is all social psychology, and individuals in this historical,
19 chaotic situation quite simply become completely irrational people; not

20 everyone, of course, but the vast majority. The vast majority of people
21 were completely lost, and you have to take it step by step to use your
22 energy and knowledge and harness this to deal with the situation.

23 Now, you also have to raise your level of organisation, because
24 you can't, Your Honours, issue an order that nobody's going to respect
25 and act upon. Then your respect would have been destroyed. And even if

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1 you wrote down an order, there was nobody to implement those orders.

2 Now let me give you another example, a command -- army command
3 from Capljina, for example. It deployed to four or five kilometres
4 outside Capljina, because they thought they would control somebody over
5 there, but they had nobody to manage and control over there. And I
6 replaced that entire setup, that entire command, because what had
7 happened, in fact, is that they had fled. You have to be there, and if
8 you're killed, you're killed. So it's an organisation that you had to
9 create rather than manage. You had to take it from man to man, from hour
10 to hour, from day to day, from one part of the territory to another,
11 patiently and with all the knowledge you can muster.

12 Secondly, there was no telephone communication between Citluk and
13 Siroki Brijeg. I told them to set up a line there so I could have this
14 communication at all times, and at one point I picked up the telephone
15 receiver, although the line had been cut. I sent two
16 guys to go and see what had happened, where the line was cut. And they
17 returned, and their explanation was that, We checked the situation up, up

18 to our borders, and the line -- the communication line is all right
19 there. Beyond that isn't our municipality. So I called them up to check
20 that out.

21 THE INTERPRETER: Interpreter's correction, telephone receiver.

22 MS. TOMANOVIC: [Interpretation] I apologise, but I would like to
23 make a correction to the transcript, because the sense is changed unless
24 what General Praljak said is interpreted fully. On page 65, line 22,
25 General Praljak said that he received an explanation according to which

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1 they had checked out the lines up until the borders of their
2 municipality, and that they weren't interested in going further.

3 THE WITNESS: [Interpretation] Yes, correct.

4 Now, Your Honours, if these were normal times, I would sit these
5 people down and say that a war -- you don't have municipalities separated
6 in a war. I would talk to them, but -- and I would have been very angry.
7 I would have shouted at them, slammed my fist on the table, broken some
8 chairs and instilled fear into their bones. But I didn't have time to do
9 all this. I didn't have six months to put some order into this. But
10 through my reactions, I would react very strongly, and then I'd talk to
11 them the next day and said that this wasn't personal, it's just that
12 things like that couldn't be done that way.

13 There are thousands of details and instances of that kind. It's
14 difficult to explain to people who haven't been in a situation like that
15 themselves.

16 Well, I started with Citluk. Anyway, they said at the meeting
17 that they weren't going to go to war anymore until the money problem had been
18 resolved. I set up -- I set the team up at 5.00 in the morning. I sent
19 them off on a march. I shouted at them. I forced them to go. Then I
20 talked to them calmly. I talked to them like a parent, not like their
21 commander, because you had to bring them up like you bring up children.
22 You had to educate them, train them. They were wonderful guys, young men
23 who wanted to fight. But organisation is a different matter altogether.

24 MS. PINTER: [Interpretation]

25 Q. General, could you please slow down, because the record didn't

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1 reflect what you said in Citluk, that they wouldn't go to war until some
2 problem had been solved. What was the problem?

3 A. Problem about money, some pay. Anyway, something completely
4 irrelevant.

5 Then you saw Mr. Buntic's position here. He was angry because of
6 something over there, and he tendered his resignation. Resignation? He
7 wanted to leave the army. He's a wonderful man, full of good qualities.
8 But you can't tender your resignation in the middle of a war, so I
9 pointed a gun and said, Go back to work. We've been friends for
10 ten years, but now I'm telling you to go back to work. Well, I wasn't
11 ready to actually shoot at him, but he couldn't know how far I was
12 prepared to go and prevent him from making a fool of himself and handing
13 in his resignation.

14 Anyway, up until June we had an army which was ready and had
15 liberated the right bank, although I was there for a far shorter period
16 of time. I wasn't a legal commander for a long period of time. I was
17 appointed and then relieved of my duties.

18 Now, the other important thing is to look at the situation around
19 the Capljina barracks. A situation that had to be solved was the JNA
20 barracks in Capljina, the garrison there. Capljina, Grabovina, whatever.

21 I talked to General Perisic at the time, on two or three
22 occasions, I believe, and offered him a solution. I said that the army
23 could leave Capljina quietly and slowly and that the officers could take
24 their weapons with them, according to the book, the rules and regulations
25 that I'd once read about how this should be done. He shouted over the

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1 phone, said he'd destroy everything, said he knew where I was hiding. He
2 used a nickname, "Baco" or something like that. Anyway, all this was
3 beyond any type of civilised exchange.

4 And pursuant to the international agreement, people tried to pull
5 out their husbands and children. A Serb tried to get his son out. A
6 Muslim arrived from Bosnia. He was frightened for his child's life.
7 There was several women whose husbands worked there as non-commissioned
8 officers or officers and who lived around the barracks. Anyway, I wasn't
9 able to reach an agreement with them and to have them leave the barracks
10 in orderly fashion. The condition was that they should leave the weapons
11 that were in the barracks. And after they had been taken over there were

12 two tanks there, a lot of machine-guns, anti-aircraft cannons,
13 single-barrel, double-barrel. I think there was a four-barrelled one as
14 well. Anyway, the barracks -- Capljina was in the middle. The Serbs
15 were on one side, across the Neretva River. Then the barracks were on
16 the other side. They shot at one point. There was chaos in Capljina.

17 And, Your Honours, when we're talking about all this and the
18 chaos, I tested how I would obstruct the tanks from leaving, block the
19 tanks. People were shooting at me in my back. The bullets lodged in the
20 soil right beside my feet. Anyway, there were killers in town, the ones
21 that had been in Sarajevo and so on. They killed civilians, these
22 people.

23 And after that, I said that all the blinds on all the windows
24 must be lowered because, you see, there was nothing to stop retaliation.

25 And that's enough of that. We can go on to discuss the barracks.

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1 If the Judges have any questions, I'm willing to answer them.

2 JUDGE ANTONETTI: [Interpretation] I have a question.

3 If I understood you correctly, you organised everything as of
4 March 1992. There is only one enemy, right, the Serbs?

5 THE WITNESS: [Interpretation] That's right.

6 JUDGE ANTONETTI: [Interpretation] Very well. In the
7 constitution -- in the way -- the formation that you're setting up, the
8 military formation you're setting up, are there Croats and Muslims
9 together?

10 THE WITNESS: [Interpretation] Both. At the beginning, more
11 Croats, and then after that there were more and more Muslims.

12 JUDGE ANTONETTI: [Interpretation] From your position, if I
13 understand you correctly, you are alone and you're not receiving orders
14 from anyone. Is that it?

15 THE WITNESS: [Interpretation] From no one, Your Honour. At that
16 time, there was so much work to do, so many things to see to, that when
17 General Petkovic arrived and when he became chief of the Main Staff of
18 the HVO, I don't know whether we managed to see each other once at a
19 meeting before June or whatever. There was nothing to receive, no orders
20 to receive from anyone, nor could you issue any written orders, because
21 you had nobody to issue the orders to. You had to create a piece of --
22 or have a piece of paper and then write things down. Everything was done
23 orally, by word of mouth; first of all, on a human, friendly basis.
24 Then you would shout. Then you would beg. Then you would try and use other
25 methods. For example, in Capljina, a young guy arrived. He was from the

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1 area, himself, but he had been in Borovo Selo and Vukovar, and he was in
2 the war there. He was a quiet young man. He used to live in Canada, in
3 a civilised way. Anyway, I appointed him the commander of Capljina. His
4 name was Luburic. And I handed out the lilies to the BH Army for them to
5 carry as their emblem, so I brought him to that position.

6 Then you had to think up a commander for Siroki Brijeg, because
7 this painter who had been to the Academy of Arts had absolutely no clue

8 as to how this was done.

9 JUDGE ANTONETTI: [Interpretation] Just a minute. This is
10 March 1992, you're setting everything --

11 THE WITNESS: [Interpretation] We're in April now, Your Honours.

12 JUDGE ANTONETTI: [Interpretation] Fine, April 1992.

13 Now, at the time the Republic of Bosnia-Herzegovina was
14 recognised. In April, it had been recognised. So did you ever have the
15 idea of trying to contact those who are in Sarajevo to say, I'm Praljak,
16 and I would like to be under the command of the Army of
17 Bosnia-Herzegovina? Did you do that, actually?

18 THE WITNESS: [Interpretation] No, Your Honours, I did not follow
19 that path. Well, you will see there are other things I'll tell you, but
20 you will see what the situation was in Sarajevo, and this is in the
21 description of the Muslim leaders. They were barely able to save their
22 own heads. We had no communication with Mostar at all. I was forced to
23 enter Mostar on a road that was shelled from three different Serb positions,
24 and they managed to actually hit my car on one road -- bend of the road.
25 And, in fact, I travelled this road on a number of occasions, and they

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1 did not manage to hit me. I wasn't even able to reach Grude. I had no
2 idea what was going on in Grude, let alone in Sarajevo. So there was
3 absolutely no way of getting in touch with, let's say, Sarajevo.

4 Secondly, there were -- there was no authority in Sarajevo.

5 There was no government, there was nothing, because that was not even

6 possible if you bear in mind how Alija Izetbegovic, the commander,
7 behaved in this wartime situation, because three days earlier he had
8 claimed that there would be no war. This was, simply put, an uprising, a
9 self-organised popular uprising.

10 MS. PINTER: [Interpretation]

11 Q. General, did the Army of Bosnia and Herzegovina exist in April
12 1992?

13 A. No.

14 Q. You talked about the Grabovina barrack and you described what the
15 situation was there, who was there, and under whose auspices, as it were,
16 these people actually gathered there, the people whose members of family
17 were within the barrack. We can show this in our video here, and that's
18 3D03131. The transcript was distributed, I believe, to everyone, and I
19 would appreciate you to comment as we look at this video excerpt. You
20 will also hear what's being said, and you can tell us who's being shown
21 on the footage and what it's about.

22 [Video-clip played]

23 MS. PINTER:

24 Q. Is this Capljina or Grabovina?

25 A. I do not have the video image. All right, I have it now. This

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1 is Grabovina.

2 Q. And this is the HVO Army; correct?

3 A. Yes.

4 Q. This was in April 1992; correct?

5 A. Yes.

6 Q. Are these soldiers?

7 A. Yes. Some of them have rifles, some don't. These are just young
8 men who got together. They didn't even have a commanding officer.

9 These are women awaiting the outcome of that discussion or
10 negotiation, because according to the agreement between the commander of
11 this barrack and the European Monitors who were there at the time.

12 So this was Luburic, the young man I appointed as commander.
13 That's him.

14 So these women, according to the agreement, were supposed to go
15 and talk to -- and this here we see is Mr. Moro. So these women were
16 supposed to go to the barracks gate. Of course, these people were used
17 to something, and that's quite understandable, and that was that
18 according to an agreement between the commanders of the armies, that this
19 agreement would be honoured and that there wouldn't be any problem with
20 them getting inside the barrack and seeing their family members. But, of
21 course, I knew that it didn't work that way with the Yugoslav People's
22 Army, so I sent Luburic and I was there too. I was around there
23 somewhere too. I sent Luburic to monitor this, because I had good reason
24 to assume that there will be at least some complications and that they
25 might even kill someone. And if anyone did get killed, it was

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1 absolutely -- it was quite certain that it would -- that the HVO would be

2 blamed for it.

3 Now, believe me, I had an example of that type. The Swede, the colonel, who
4 was the chief of the European Monitors at the time, at Cula, one of his
5 men was killed. And when his men would the Yugoslav People's Army and
6 saw the order there, the office and --

7 Q. General, please, we apologise. We can see that you're here in
8 the footage, so can you describe what's going on here?

9 A. Well, I came to see how this conversation, this negotiation, is
10 going to go on, because I didn't believe that it would have a good
11 outcome.

12 Now, this is the road leading to the northern gate of the
13 barrack. Could we just fast-forward? There's nothing to see here.

14 Q. Well, unfortunately we can't do anything about it. This is
15 electronics.

16 THE INTERPRETER: [Voiceover] "Well, will you stop that maniac
17 with that rifle?"

18 THE WITNESS: [Interpretation] Well, there was a shot from the
19 barracks that had already started. You can't hear it in the footage, and
20 I was here calling on them.

21 THE INTERPRETER: [Voiceover] "Will you check what the fuck who
22 is that idiot there shooting at people and killing people?"

23 THE WITNESS: [Interpretation] Well, I was actually -- well, I was
24 actually swearing because they had come here for negotiations, and
25 throughout this time, and we'll see it in a moment. Your Honours, I'm on

1 the road, and since I'm mentioning my own role there, you can see that
2 I'm a perfect target there. I was some 80 metres from the gate to the
3 barrack, and I can just tell you that I was simply beside myself every
4 time there was any kind of violation of any kind of rules. So here I am
5 sitting there as a target, and I am telling him these were mothers of
6 these men there and that he was a criminal. He was a criminal.

7 MS. PINTER: [Interpretation]

8 Q. Who?

9 A. Well, that idiot, whoever was.

10 Q. Could you give us a name?

11 A. I don't know the name. How should I know that?

12 Now, here you can see that's the gate to the barrack,
13 Your Honour. You will see a little later this house that was already
14 dilapidated because no one had lived there for a long time, this was the
15 house of my late grandfather. I'll point it out later.

16 You see -- and you'll see here this is one of these women --
17 could you please just stop here. This is the moment where even the
18 person who was filming this did not dare go out and film it.

19 When they reached the gate, this idiot shot at these people, and
20 these people fell to the ground. They threw themselves on the ground. I
21 went there to help them get up, and I escorted them back, and I was a
22 clear target then.

23 Now, throughout all this, these people, this gentleman, Mr. Moro,
24 and these women and so on, they've given a statement to this Tribunal

25 regarding these events. And when I refer to those statements I will only

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1 do that to avoid talking about myself, but rather to allow you to hear
2 the statements that are authentic, and their only reason for giving those
3 statements was to establish the truth, the whole truth, and nothing but
4 the truth. And I will just ask for you to allow us to read these
5 statements, because they will significantly contribute to describing and
6 explaining what the situation was.

7 Now you can see here this is the gate, the entrance to the
8 barrack. The barrack is some 70 metres away. Now you can see in what
9 kind of mental state these people were.

10 By the way, in this house on the right-hand side, in this room
11 there -- so they shot at these people. These people threw themselves to
12 the ground. And, Your Honours, I went to help them get out of there, in
13 my full size and presence, and I'm not a small man. And that's a
14 contribution to the portrait of Slobodan Praljak the criminal. Although this
15 gentleman here, he's a Serb, and the husbands of these women, they were
16 employed by the Yugoslav People's Army.

17 Q. And they were within the barrack?

18 A. Yes, of course. They went to see them.

19 We can wrap up here. There's nothing to add.

20 Q. All right, General. But you began your sentence, and you never
21 finished it. You said that on the right-hand side there is a house and this
22 room where - what? And then you were interrupted. What were you going to say?

23 A. Well, since you mentioned it, my mother was at Vis. She was with
24 the partisans. She fell in love with my father there, I guess, and got
25 pregnant, and she was sent back to give birth here in my grandfather's

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1 and grandmother's house, and this is the house in which I was born.

2 Well, this is just a detail to also give you some detail that's not
3 really too important.

4 Q. What do you mean, it's not important?

5 A. Well, why would it be important? It's just literature, as it
6 were.

7 Q. Well, I'd like to interrupt you here. You mentioned the Swedish
8 representative, and you said that he was at Cula. Could you please tell
9 us about that?

10 A. Well, a representative of the European community was killed by
11 the Yugoslav People's Army at Cula. However, when a member of a regular
12 army, Sweden in this case, comes to the premises of the Yugoslav People's
13 Army to see Perisic or whoever, what he can see is that there is a
14 regular army there. They salute, there's order, and so on. So when
15 these people tell him that his men had been killed by the HVO, and then
16 when he comes to see me and sees my troops and my soldiers, of course he
17 would believe the orderly army. So I had to take this gentleman to the
18 place where our positions were, to show him that spot. Then I went with
19 him to the spot where his man had been killed, and again I showed him the
20 Serbian positions which were about 120 metres from there, and I explained

21 to him that there was no chance, in theory even, that we could have shot
22 this man. But the only way to actually prove this is to take the man
23 there, to tell him, Let's go there, and then I will expose myself to
24 their fire too, because this man -- such a man, whenever he's -- when he
25 saw us, we -- in his mind, we were a sort of renegade group. I don't

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1 even know what word to use here, some paramilitary troops. Some people
2 had rifles; some didn't. They were not -- they were disorderly in
3 clothes. They didn't even know how to keep in rank and file. But I
4 understand his position. It's not that he was untruthful. He just was
5 not prepared to understand the situation in which he found and we found
6 ourselves.

7 JUDGE ANTONETTI: [Interpretation] We have to stop now because of
8 the break, and we are reaching the end of the tape, so we have need to
9 have a 20-minute break.

10 --- Recess taken at 12.38 p.m.

11 --- On resuming at 12.58 p.m.

12 JUDGE ANTONETTI: [Interpretation] I have a follow-up question to
13 put to you.

14 We've seen you on the video, Mr. Praljak. We saw you talking to
15 the JNA, through live speaker. We saw the women. Mr. Moro who was
16 accompanying you. We saw this. But on seeing this, aware of the chaos
17 you described to us in Capljina, I was wondering the following: How is
18 it that a man, who is alone, starts interfering in complicated problems -

19 the JNA, the Republic of Serbia, the Republic of Bosnia-Herzegovina -
20 without any mandate to do so and on a purely personal basis? Did you
21 believe that you alone would be able settle this situation, which was
22 extremely complicated? I'm basing all of this on the video, of course.

23 THE WITNESS: [Interpretation] Well, how shall I answer that?
24 From the 10th of April, 1991, 'til the 7th of May -- what, what do you
25 say? Yes, 1992, that's right. From the 10th of April, 1992, to the 7th

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1 of May, 1992, I was officially the commander of the territory I was in.
2 And then on the 7th of May, I handed over my duties and went back to
3 Croatia, because I was a volunteer and there was a lot to do over there
4 in my department.

5 Anyway, to answer your second question now. Your Honours,
6 somebody has to. Now, who's going to be that person? If there's no
7 organisation set up, then somebody has to say something. Of course, you
8 don't know where it's going to lead and how successful you're going to
9 be, but have you to start somewhere. If you don't start, you're not
10 going to develop. And as you were able to see, until the beginning of
11 July -- rather, in June, this resulted in the fact that in a very short
12 space of time, young men like this, of the kind you saw, managed to set
13 up units that managed to liberate the right bank of the Neretva River and
14 the left bank, and Stolac as well, and this was in the space of just two
15 and a half months.

16 On the 7th of May, as I said, I went back to Zagreb. I gave back

17 everything I was issued and went back to Zagreb. But quite literally, I
18 went down there -- escaped down there and went down there whenever I
19 could. I would get into my car, switch the engine on, drive myself,
20 leave at 4.00 in the afternoon, leave Zagreb at 4.00 p.m., and arrive
21 there around midnight, do my work down there, help out the young men
22 there and the guys. I would take in refugees from Stolac and then get
23 back into my car and drive all the way back to Zagreb. And to be quite
24 honest, I didn't inform Gojko Susak about that, let alone Franjo Tudjman.
25 So that's the truth of it. Now, how you're going to assess all

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1 this and what theory you're going to devise to incorporate those facts, I
2 don't know, but I'm telling you what the facts are as they stand. You
3 have to take the leap. Like the frog, you jump -- the optimistic frog.
4 You jump into a bowl of milk, you swim 'round and 'round until you form
5 some butter, and then you get out that way. And you work for over
6 20 hours. I was both a general and a sergeant, and I said I was the
7 organiser, the father and mother and what have you. I was everything, and
8 sometimes very roughly.

9 And may we go into private session for me to give you an example.

10 JUDGE ANTONETTI: [Interpretation] Yes.

11 Mr. Registrar, can we move into private session, please.

12 [Private session]

13 (redacted)

14 (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

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1 (redacted)

2 (redacted)

3 (redacted)

4 (redacted)

5 (redacted)

6 (redacted)

7 (redacted)

8 (redacted)

9 (redacted)

10 (redacted)

11 [Open session]

12 THE REGISTRAR: Just for the record, we're back in open session.

13 Thank you.

14 JUDGE MINDUA: Witness, in light of what we've heard and what
15 we've seen, we are able to realise that you are somebody involved in a
16 number of fields, in a number of research fields. You are a sociologist,
17 and you were a military man also, a very learned man. There's something
18 that's bothering me ever since I've seen this video depicting the events
19 in Capljina, showing your intervention there.

20 During combat, the heads of the military are usually seeking
21 shelter because they still have to be in command, and if that's not the
22 case, the morale of the men diminishes. You are there, standing with
23 your loud-speaker, and you are facing the snipers. The question I have
24 for you is this: Were you aware of the fact, precisely because there was
25 chaos, that these famous snipers could hit you and that would put an end

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1 to this operation which you had prepared? In other words, you wanted to
2 save the situation, and then you would be a martyr? You wanted to take
3 control of the village, which was the village of your ancestors. Is
4 there any military or sociological grounding for the way you behaved on
5 that day or not?

6 THE WITNESS: [Interpretation] Your Honour Judge Mindua, yes,
7 I can. Had I in any way been able to sit in the staff office of a
8 general, if there was a proper army with commanding officers and so on, I
9 would write down my orders and the orders would be carried out.

10 But the group of people that I had to deal with, the one you saw,

11 was not that kind of army. It wasn't that level of organisation which
12 would allow for officers to be -- orders to be taken over, the kind of
13 orders that you're talking about. These people were shot at, at the very
14 gates. They fell to the ground, so I can't expect these young men to go
15 there and pick them up. Now, whether I was going to be killed or not,
16 not only then but before in Sunja and in other places, I paid absolutely
17 no attention to that because at that moment it's what had to be done. I
18 didn't even think about it, about this...let's call it morals. It's just
19 a need of my body and mind. I didn't give it any thought at that moment. I
20 just did what had to be done because I was angry, I was bitter. I was angry
21 at the idiot shooting, the result being that five or six people were
22 lying down on the ground, women, children -- women or whatever. So I
23 went to pick them up. That's the only thought that guided me at that
24 moment, to pull them out and take them to shelter.

25 I know how to organise people, but I'm fairly lazy. Nothing

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1 interested me but books. But if an organisation is in place, then I
2 would know how to manage that organisation and I would say, You do that,
3 you do this, and so on. But that was just not possible. You had to do
4 something, you had to act and react, and then issue orders gradually,
5 little by little. And that was what happened from time to time.

6 Mr. Luburic, for example, became a commander as time went by, and
7 then some young men appeared and they managed to effect control over some
8 units, and then you could issue an order to Mr. Luburic, and then he

9 would be placed between me and that unit, in between the -- the
10 go-between man, the middleman. But otherwise, up until that time, that
11 was just impossible.

12 JUDGE MINDUA: [Interpretation] [Previous translation
13 continues]... because your army or your troops were in the making, and
14 you were angry and you were altruistic. Thank you very much.

15 JUDGE ANTONETTI: [Interpretation] Ms. Pinter.

16 MS. PINTER: [Interpretation] Thank you, Your Honour.

17 Q. General, now this story about the barracks hasn't been fully told
18 yet. We saw you standing in front of the barracks, and how did it all
19 end, this taking over of the barracks?

20 A. Well, I'd like to say something that I've already said here, and
21 it's this: The only unit which at that point in time, apart from some
22 young men from Radisici and Ljubuski and a HOS company led by
23 Mr. Primorac, once again thanks to the personality that he was, he
24 managed to form what could be said to be an army, and it was part of The
25 King Tomislav unit, Daidza's unit, that is, and that unit was up at

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1 Citluk, Tepcici, Slipcici, and I pulled that unit out to help us in the
2 liberation of the barracks and in taking control of the barracks. And to
3 replace him, these 160 people came from the 4th Guards Brigade, which
4 covered that territory, and they were there for some time. Now, this
5 young man later became a well-known commander, and he had been to the
6 Military Academy. He was a young officer graduating from the Academy,

7 from the Yugoslav People's Army, and he asked to be given an area of
8 responsibility. He asked me for that. So I said -- well, these guys had
9 already fought in the war in Croatia, that this would weaken his left and
10 right flank, so I demanded that he deploy his men -- have five or six of
11 his men, then five or six locals, or twenty locals, or however many. And
12 at a certain point in time when he thought that -- well, when the locals
13 told me they were ready to take up their zones, in the first Chetnik
14 attack where the locals were deployed, they -- four young men from
15 Ljubuski were killed. So that's a lot for one small place. Later on,
16 people become accustomed to the wounding and the killing, but four was a
17 lot. So I said, you see, mistakes like that are paid for with people's
18 lives. So I gave in and, although I was doubtful, but they all agreed that
19 they were ready. That's just a small detail. Now, the barracks -- well, there
20 was shooting from the barracks. There were dead civilians. We lost about
21 seven or eight men, and there were over twenty others who were wounded.
22 General Perisic made the right military move, because he used helicopters in
23 the valley of a river, and he had them fly low behind a Roman camp,
24 Mogorjelo, and land within a playing field in the barracks -- within the
25 barracks compound. And people -- soldiers from the barracks got into the

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1 helicopters, but 30 men remained. Now, although this landing, there was a
2 whole cannonade -- artillery cannonade at Capljina, 11 planes were used to
3 bomb Capljina, there were tanks firing from the left bank with recoilless
4 guns, tanks and so on. All hell broke loose. There was an all-out artillery

5 attack. Hundreds and hundreds of projectiles were used. I ordered the
6 people not to shoot at those helicopters, Let the people leave, let them
7 board the helicopters and leave. Now, the 30 men who remained surrendered,
8 and we took them captive, and then I recounted all this.

9 So, Judge Mindua, I attended to semesters of social
10 psychology, and I attended a few semesters in psychology and so on. How
11 could I assume that after all the suffering in Herzegovina and the
12 victims, it might be possible for one or two people to appear who wanted
13 revenge, wanted to take their revenge? And that is why I stuck to those
14 guys. I didn't move away from those young men, and I said, Find some
15 buses. Well, it was difficult to find buses. First of all, I had to
16 find people who might know where some bus might be, be had, and then I
17 asked them to search for that bus. And then I talked to the owner,
18 because who was going to guarantee that he was going to get his bus back,
19 because we expected the barracks to be bombed again by Perisic.

20 But, anyway, it's true and correct that two men appeared who
21 wanted to take their revenge against the soldiers. I'm not going to show
22 Your Honours what my meeting with them was like. Well, I took out my
23 pistol, I cocked it, placing it into their mouths, and the maddest person
24 wins, the most audacious, and my face of a madman and what I carried within
25 me prevailed. I was victorious. I managed to get the better of these two

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1 guys. So I sent them to Metkovic, and they went via Croatia to Hungary,
2 and then from Hungary they went back to their homes, and that's how they

3 went to the other side.

4 You can ask me what happened to those two men. All I can say is
5 I don't know. I didn't have the strength to disarm them because I was no
6 longer sure whether they would have handed over their weapons, and then
7 there would have been a shooting match.

8 Anyway, at that point in time you concentrate your mind on saving
9 the people that needed to be saved. Of course, the normal thing would be
10 for somebody to take them prisoner and to take legal proceedings against
11 them ultimately, but at that point in time I was the person there, and I
12 couldn't let them get away with it.

13 Now, one of the doctors who was in the barracks, the young man
14 Moro, he stayed on in the HVO, and he was a doctor in the
15 Capljina Brigade. He became an HVO soldier, major, and all the rest of
16 it.

17 So that's it.

18 Q. In Grabovina, the Zurovci who lived there?

19 A. Your Honours, you saw that village only partly. There was a Serb
20 settlement called Zurovac. From my late grandfather, with whom I spent
21 about two or three weeks of every summer holiday, I heard about those
22 people, I knew of them. I knew old Damjan and others. And at one point,
23 I was told, after all the dead in Capljina and the losses in the
24 barracks, that some people burst in and that they wanted to kill them
25 because they found some weapons on them. Through a very fast

1 intervention, I was able to send men, and we removed those people.

2 After that, I heard from some lads from the village, that they
3 were willing to guard the hamlet together with the Serbs, and I charged
4 them with that task, and I went to talk to the Serbs. I told them that
5 it would not be possible -- there were a lot of Serbs in Capljina. They
6 were not the only ones. I told them that it would not be possible and
7 nobody should take the responsibility for that, especially when I was
8 gone. How should I know when -- who would be guarding them after that?
9 So I spoke to the younger ones and told them to either join the HVO,
10 where they would be protected with a group, because their peers would
11 protect them, or, B, to go across Croatia to Hungary, and then from
12 Hungary to Serbia, and to leave the elderly behind and those who so
13 wanted. That would have been their choice. This was my advice, and that
14 advice concerned the realistic impression of the situation. It didn't
15 have anything to do with the legal formulations and my desire, because I
16 knew what I would have wanted at the time.

17 However, the primary concern was for people not to lose their
18 lives, because everything else was just empty talks. What benefit would
19 somebody have if people were placed on trial for having killed them?
20 They would have been dead.

21 So some people left Zurovac in that way, and later on they
22 contacted me. And some elderly gentlemen and ladies stayed behind until
23 the end of the war, and finally they provided statements for this
24 Tribunal.

25 Q. When we were talking about Capljina and the barracks there, and

1 the operation to liberate the barracks, you mentioned a HOS unit. Did
2 you have any problems with the HOS in that area, in the area of Capljina
3 and thereabouts?

4 A. The problem with the HOS existed at the time because the HOS
5 commander, Mr. Kraljevic, was -- first of all, we're talking about two
6 different militaries, so if somebody has a discipline issue in the HVO
7 and you want to punish them, they moved to the HOS, and vice versa;
8 somebody does something in the HOS and they move to the HVO.

9 I had problems talking to Kraljevic. I had some painful meetings
10 with him. But at that time he had a lot of troops under his command, and
11 that problem obviously -- you know what? There were a lot of fantastic
12 guards there, fantastic combatants. For example, this particular unit
13 and this guy, Stanko Primorac, who became the commander of the
14 Ljubisa Brigade in 1993 after Ivo Tomic was wounded, those were supreme
15 combatants, and they had a wonderful organisation. However, there was a
16 lot of scum there, people who would have committed crimes, who plundered
17 and looted and were renegades, as it were.

18 In September 1993, Blaz Kraljevic, with seven of his men --

19 Q. What year was that?

20 A. It was 1992. He was killed somewhere between Mostar and Citluk,
21 and it was a huge problem. I arrived from Zagreb very soon after that,
22 and until the month of March 1993, we were all dealing with this problem.
23 It was a major, major problem because some HOS units, especially those

24 from Stolac, wanted to involve in a show-down with some of the HVO units.

25 Stojic was also involved, and Petkovic, Prkacin as well, who was a HOS

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1 general based in Zagreb. Mate Boban was also involved. Stanko Primorac
2 as well. And as for this particular group and all that, I played a role.
3 Stanko Primorac writes about all that, because those lads held me in high
4 esteem. And I would put myself between them or among them, especially in
5 view of the fact that the HOS started receiving a huge number of Muslims
6 who then took up arms, and then they would transfer to the BiH Army, and
7 they also established some units that consisted exclusively of the
8 Muslims, and their politics was absolutely unclear.

9 This party, the HSP, that was the umbrella organisation for the
10 HOS, that party spoke about the Croatian state all the way up to the
11 Drina River. For that party, the Muslims were Croats of Islamic
12 religion, so it remains unclear to this very day to me how come that
13 Alija Izetbegovic and some other commanders of the BH Army supported such
14 a political and military option.

15 The problem with the HOS was discussed at a number of painstaking
16 meetings. Obviously, some HOS groups remained in Zenica and Mostar.
17 Some were incorporated by the BiH Army. We saw some documents issued by
18 Arif Pasalic to that effect. However, as the HVO is concerned, this
19 problem was solved in the spring of 1993.

20 And now that we're talking about this, sometime in September or
21 the beginning of October 1992, one group of the HOS members had a camp

22 for Serbs in Dretelj, and I learned about that in one way or another.
23 Somebody told me. I can't remember who because the events followed each
24 other in a very quick succession. And then I spoke to Zare
25 Pavlovic, who I met in Capljina, and he was a member of the military

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1 police at the time. And I told him to prepare people because I'd been
2 told that ugly things were happening over there. I told him to prepare
3 his men.

4 And I repeat again, Your Honours, at that point I did not have
5 any official appointment, any mandate to do anything. This was my own
6 will. I did it of my own free will, whatever I did. Nobody from the
7 HZ-HB objected or complained, Stojic or Petkovic. Everybody knew that I
8 would be coming there to work. I took full responsibility for what I was
9 doing. I did my job. I reported on what had happened. I reported both
10 to Petkovic and Stojic and whoever, and then I returned.

11 But let me continue where I left off. Obradovic, who was the
12 brigade commander, I spoke to him and I told him to place two PATs across
13 the road from the camp, and I sent Pavlovic there to tell the HOS members
14 that they should hand the people -- the inmates over to me, or I would
15 start shooting. And when I said I would start shooting, I meant killing.
16 Either I would be given those men, the inmates from the camp, or I would
17 start opening fire on the HOS who were there. You know, the shooting
18 never materialised, because when the opposing side shows you flexing
19 muscles and your determination to act, that scum, and it's usually scum

20 that does that, they withdraw because they are weak. Whatever they do,
21 they do it because they're weak, they're scum, not because they're strong
22 and powerful and mighty.

23 Obviously, I prepared buses. I had done it one day earlier. I
24 prepared buses, as I'm saying, and I took the prisoners from the camp. I
25 transported them to the barracks in Capljina, and the story goes on along

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1 the same way. I told them either to stay put and avoid foreign exchange,
2 or if they didn't want to do that, that they should go to Croatia and
3 then to Hungary, and then on to Serbia, which bordered on Hungary. I
4 mean, they were given free hands to go wherever they wanted to go.

5 So this is the whole story which I have made short.

6 Q. Can you now look at document 5D00 --

7 A. What PD? 3D, you mean?

8 Q. No, 5D. This is at the end.

9 MS. TOMANOVIC: [Interpretation] Just a minute, please. I would
10 like to correct a mistake in the transcript. On page 89, line 25, the
11 general said, "I told them either to wait to be exchanged," and in the
12 transcript what we read is "foreign exchange."

13 THE WITNESS: [Interpretation] I told them either to stay there
14 and wait to be exchanged or, if they didn't want to do that, there was no
15 way for me to let them go to -- there was nowhere for them to go. So
16 alternatively, they were advised to go to Croatia, so some of them opted
17 for the first option, the others opted for the second option.

18 MS. PINTER: [Interpretation]

19 Q. 5D00477, to round off our story about the HOS. This is a
20 document that has already been admitted into evidence in this case. This
21 was issued by the Ministry of the Interior, the Office for the Protection
22 of the Constitution Order of the Republic of Croatia, and the document is
23 dated 15th of October, 1992. And the subject of the document is the
24 activities of the Security Services of the HOS and the potential -- a
25 silent liquidation.

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1 General, are you familiar with this document?

2 A. Yes, I am.

3 JUDGE TRECHSEL: Just a correction in the transcript. Line 17,
4 the number is 5D00447. One "4" is missing here, I think.

5 MS. PINTER: [Interpretation] The number is 5D00477.

6 Q. General -- 5D00477. General, the circumstances described in the
7 document -- do you have the document in front of you?

8 A. Yes.

9 Q. The circumstances described in the document regarding the
10 behaviour of that group for silent liquidations and the events, or things
11 done by some HOS members, do you know anything about that?

12 A. This was after the killing of Blaz Kraljevic and the shooting
13 that resulted in that, and obviously after that the HOS, as an
14 organisation, was struck with chaos. I can't testify about that
15 first-hand. However, what I know is that a HOS unit from Stolac, which

16 comprised of over 90 percent Muslims, wanted to engage in a show-down
17 with the HVO. I participated in that event, together with Mr. Primorac,
18 who was also a HOS member. However -- or let me put it this way: In the
19 HOS, there were a lot of good boys, honest men, good fighters, but there
20 was a lot of scum, thieves, thugs, dark characters, seedy characters.

21 Q. Just for the transcript, General, who was this document sent to?
22 And you will find it on the last page, page 5, just for the record.

23 A. To the head of the office, Mr. Manolic; to the minister of the
24 internal affairs, Mr. Jarnjak; and so on and so forth.

25 Q. Very well. And you -- when you were talking freely about the

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1 events in the territory of Capljina and Stolac municipalities in the year
2 1992, you mentioned the fact that you were engaged in the receipt of
3 refugees from the territory of Dubrava, Bivolje Brdo, and the territory
4 around Stolac. What can you tell us about that, please? Please be very
5 specific.

6 A. I believe that a lot has been said about that. A lot has been
7 said about the Serb conquest of Stolac, how people were fleeing before
8 the Serbs. However, what is true can be summed up in two details.

9 You saw from some of the previous testimonies that some Muslims
10 established good relations with the Serbs and that they did not want to
11 fight for Stolac at the very outset, and that people from the HVO, who
12 were willing to defend Stolac, were standing in their way, and that's why
13 they forbade them to dig trenches in their fields, which resulted in a

14 lot of embitterment among some people.

15 Furthermore, there were rumours, and I don't know if they were
16 true. But according to the rumours, some Muslims, when the Serbs entered
17 Stolac, were ready to meet them with flowers, the Serbs. I don't know
18 whether this information is true or not. However, when there are rumours
19 of the kind, you have to invest a lot of effort in order to calm the
20 situation down.

21 There is one more thing. The hodja from Capljina testified here,
22 and I asked him -- he delivered a speech earlier on, and during that
23 public speech he spoke about Jihad with the best of intentions.
24 Your Honours, Jihad, in its original sense, is not a sacred war. Jihad
25 is just a road that every Muslim has to travel during their lifetime in

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1 order to come closer to their god or, rather, Allah. On that road, they
2 have to be good, honest, virtuous, and so on and so forth. So this is a
3 positive thing, like the Catholics have to do. They have to respect
4 their religion. However, when you say something like that in a public
5 meeting -- and then I asked the gentleman who was here, I asked him that.
6 Of course, nobody will understand such analyses, such layman's analyses.
7 A lot of people over there understood his words in the wrong standard
8 way, as Jihad being something that imposes a war upon them. They thought
9 that they had to start waging a war against everything that was
10 non-Islamic.

11 So such things had to be calmed down, and it's impossible to tell

12 the whole story with all the details, it's absolutely impossible to relay
13 such a situation. I'm just giving you some details of some situations,
14 and I repeat, 20 hours a day I would tour every position, twice a day I
15 would do that, I would talk to every single soldier. I had hundreds of
16 conversations, and so on and so forth.

17 Q. And to document 3D02639 now, please.

18 A. What did you say?

19 Q. 3D02639.

20 A. I don't seem to have it.

21 Q. Yes, you do. It's at the beginning, before the table, 02639, and
22 it's excerpts from Suad Cupina's book. It's at the beginning of your
23 binder.

24 A. What did you say, 02639? Right, I've found it.

25 Q. "Treason and the BiH Defence 1991-1995" and we're interested in 3D33-0360.

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1 And for the English, it is 3D40-1175. They are two short excerpts, if
2 I can call them that, from the book "Betrayal," in which Mr. Cupina says
3 what you've just been saying. It's about how the Capljina barracks were
4 taken control of and about the situation in the Capljina municipality
5 area. And it is his position, according to these excerpts, that there
6 was an agreement struck between the Croats and the Serbs, linked to the
7 situation in the Neretva River valley.

8 May I have your comments, since your name is mentioned here as
9 well?

10 A. I've chosen this as an example of something that I want to
11 illustrate and explain. The author of this book and his brother lived in
12 Aleksa Santic Street in Mostar, one storey and a flat above my flat; the
13 same building, the same entrance. They were younger, but I knew them
14 ever since childhood. First of all, I personally provided this
15 individual with weapons for the Muslims or the BH Army in Mostar. That's
16 the first point.

17 Secondly, this same man was a karate specialist and had medals
18 and so on. Now, Mr. Cupina, with Mr. Sulejman Budakovic, who was the
19 deputy to Arif Pasalic, and the third man, Daidza, the third Muslim, was
20 sitting in Vrgorac in Croatia. They were in Croatia, in Vrgorac, and
21 commenting, in his small karate expert's mind, and said that Anton Tus
22 had received an expression of gratitude from Perisic because we had ten
23 people dead and over twenty people injured. Furthermore, he knows what
24 Bobetko was doing. And then he goes on to say, They are waiting to see
25 the outcome of the battle to have Praljak, Tus, and Perisic reach an

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1 agreement so that they can take over all the resources and means for the
2 Independent Mostar Battalion. Now, it's very important, Your Honours, to
3 see the line of thinking of a man like this, of this calibre.

4 So you have three Muslims sitting in Croatia, waiting for Praljak
5 to finish taking over the barracks, so that they can be given weapons for
6 the Mostar Battalion, and then they go on to construe a Tus-Perisic
7 conversation about that. And he goes on to say that Bozan's unit entered

8 Capljina but that I sent it back.

9 So you can't have more lies than that or a more vulgar way of
10 thinking. That is an insult to my very soul and intellect. You cannot
11 conceive of anything beyond that. But it testifies to the fact that a
12 number of Muslims felt themselves to be the masters, for which we had to
13 take control of the barracks and then they can tell any story they
14 wanted, and that was not the only instance of this.

15 There were people that thought along those lines, and this led to
16 numerous misunderstandings, because if Bozan's men saw that, it would be
17 difficult to prevent a brawl, because that's all it merits, a brawl.

18 JUDGE ANTONETTI: [Interpretation] I believe that it's time to
19 finish.

20 Defence 3D, let me tell you that so far you've used 21 hours and
21 15 minutes, which is what the Registrar just told me.

22 We'll reconvene tomorrow morning at 9.00 a.m., and I wish you a
23 pleasant afternoon.

24 --- Whereupon the hearing adjourned at 1.45 p.m.,
25 to be reconvened on Wednesday, the 20th day of May,

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1 2009, at 9.00 a.m.

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