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1 Thursday, 21 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 9.01 a.m.

7 JUDGE ANTONETTI: [Interpretation] Registrar, kindly call the  
8 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  
12 Prlic et al.

13 Thank you, Your Honours.

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

15 Today is Thursday, the 21st of May. I would like to greet all  
16 the people present in the courtroom, Mr. Praljak, Mr. Stojic,  
17 Mr. Petkovic, and Mr. Pusic, as well as all Defence counsel. I'd also  
18 like to greet Mr. Stringer and his associates, and all the people  
19 assisting us in this courtroom.

20 Before I give the floor to you, Ms. Pinter, for the remaining  
21 part of your cross-examination, I would like to say this: You notice  
22 that yesterday, on several occasions, the Defence counsel stood up to say

23 that there were a few translation issues. I would like Mr. Praljak and  
24 Ms. Pinter to slow down because when you speak that fast, the  
25 interpreters, who are doing wonders, may miss a few words. This can

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1 happen. This is something we've told you already.

2 In this trial, we have, for one hearing, the greatest number of  
3 pages in this Tribunal, and when you speak fast - sometimes I speak too  
4 fast myself, I admit - when you speak too fast, you run the risk of not  
5 having everything recorded on the transcript.

6 I would like to state again that I have great confidence in our  
7 interpreters, who do a wonderful job, who try to do as best they can, and  
8 to interpret everything that's being said and translate what they've  
9 heard.

10 I would also like, at the same time, to thank the court reporter,  
11 who takes down everything that is being said. That is also an  
12 exceptionally difficult job. So to avoid a few errors, make sure you all  
13 speak slowly, in a disciplined manner, so that everything that we are  
14 saying can be recorded.

15 Once again, I would like to tell you I have great faith in all  
16 our interpreters translating, whether it be from B/C/S into French, B/C/S  
17 into English, from English into French, or from French into English, and  
18 so on and so forth, and from French into English, into B/C/S. The  
19 interpreters are doing a wonderful job. I wanted this to be stated on  
20 the record.

21 Ms. Pinter, please bear in mind what I've just said, and you may  
22 proceed.

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

24 Good morning to you and everybody else in the courtroom. I will  
25 really do my utmost to be as slow as possible. It goes against the grain

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1 of my natural inclinations and character, but I will do my best to have  
2 everything recorded.

3 And to start off, may we go into private session for a few  
4 minutes?

5 JUDGE ANTONETTI: [Interpretation] Registrar, please.

6 [Private session]

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11 Pages 40497-40498 redacted. Private session.

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13 [Open session]

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

15 WITNESS: SLOBODAN PRALJAK [Resumed]

16 [The witness answered through interpreter]

17 MS. PINTER: [Interpretation] Your Honour, with your permission, I

18 would like to ask the usher to provide the general with the maps.

19 Examination by Ms. Pinter: [Continued]

20 Q. [Interpretation] Thank you. The maps are 3D03545 and 3544.

21 A. Yesterday, I gave it some thought and want to do complement my  
22 answer in response to the question asked -- that Judge Mindua asked me,

23 and that was the question of whether I was conscious of the fact that the  
24 kind of threat that I made to the general manager of the Bratstvo company  
25 could be interpreted by my men -- by the fighters in the way that they

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1 should model their commander and they issue the same kinds of threats. I  
2 want to tell Their Honours that I was fully conscious of that possibility  
3 occurring, because a chunk of my life was spent dealing with the problem  
4 of methods and goals, methodology in the realm of science, but the  
5 consequences of methods and goals in political or, rather, state  
6 structures, ranging from Plato, Machiavelli, Savonarola, and the like,  
7 and an open society.

8 JUDGE TRECHSEL: Excuse me. This is a warning to interpreters'  
9 booths. In between, we have a sound from the French booth, I think,  
10 sounds that are not at all the usual interpretation sounds, so perhaps  
11 there is a microphone that ought to be turned off or something like that.  
12 I invite you to check this. Thank you.

13 THE WITNESS: [Interpretation] It wasn't recorded that I said  
14 "Plato, Aristotle, Machiavelli, Savonarola, Karl Popper, an open  
15 society."

16 So what I'm saying is that I knew exactly what the problem was  
17 and how important it was that the goal cannot justify the means used.

18 However, Your Honours, faced with the situation where Jajce had  
19 fallen, and when you see how many refugees and wounded and dead there  
20 were across Travnik, going further on via Travnik, and when you are  
21 conscious of the fact that the offensive from Travnik, through

22 Central Bosnia, the offensive, the Serb offensive, I mean, towards  
23 Sarajevo, when you see all that, then in the humanitarian aspect and  
24 military aspect, you can see where all this can lead; humanitarian being  
25 hundreds of thousands more refugees, and in the military sense, this

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1 could lead to cutting off Bosnia-Herzegovina, cutting it in two, in half,  
2 from Banja Luka via Travnik, the Lasva River valley, and Sarajevo, which  
3 would be a complete military catastrophe, given the circumstances, both  
4 for the BH Army, and for the Croatian Defence Council, and for both the  
5 nations.

6 And I would like to demonstrate this now on the map. I don't  
7 want to use up this map. Perhaps there's a map on e-court and on our  
8 screens which I could use to indicate what I want.

9 Q. Yes, it does exist in e-court.

10 A. Well, may I have that magic marker that we use?

11 MS. PINTER: [Interpretation] Would the usher provide the general  
12 with the felt-tip pen, and give us the number of the map again.

13 A. 3D03544. Now, this central part around Sarajevo, if that could  
14 be enlarged.

15 Q. Generally, we have 545 on the screen now.

16 A. No, this is Yugoslavia. We need BH. It's 3D03544, that's the  
17 right number.

18 Q. You've prepared another map; is that right?

19 A. That's Yugoslavia, that's something else, but, yes, I do have  
20 one. Let's just see this one first.

21 Here it is. Could you zoom in to the Sarajevo area? Thank you.

22 I seem to have gone blind. Just let me take a moment.

23 Here we have Travnik [marks]. This is the Lasva River valley

24 going towards Sarajevo [marks]. And this is Jajce over here [marks].

25 After the fall of Jajce, this was the route taken by the refugees

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1 who were pulling out. There were tens of thousands of them. And there  
2 was no further relevant defence set up in front of Travnik at the point  
3 of my arrival, and there was the realistic danger of this area being cut  
4 off, Bosnia-Herzegovina being cut off along this axis [marks].

5 Now, the kind of humanitarian and military catastrophe that would  
6 have ensued, which I realised were going to happen, is what prompted me  
7 to behave in the way I did.

8 And now may we go into private session for a brief moment?

9 JUDGE ANTONETTI: [Interpretation] Registrar, please.

10 [Private session]

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4 [Open session]

5 THE REGISTRAR: Your Honours, for the record, we're back in open  
6 session. Thank you.

7 JUDGE ANTONETTI: [Interpretation] Thank you.

8 Ms. Pinter, please proceed.

9 JUDGE TRECHSEL: I'm sorry. Your last answer, Mr. Praljak, is  
10 somewhat enigmatic, because you were asked how many refugees there were  
11 and you have answered "together with the troops." Does it mean that  
12 troops were actually fleeing, or what does it really mean?

13 THE WITNESS: [Interpretation] The troops were also fleeing.  
14 Everybody was fleeing, Your Honours. It was a huge mass of people on the  
15 move. The army was in a state of disarray. The troops of the BH Army,  
16 together with the Muslim people, after that arrived in Gornji Vakuf, or  
17 Uskoplje, as it were; and as we have demonstrated a lot of times, this is  
18 where the so-called Jajacka Brigade was established. And the HVO or the  
19 Croats just zoomed through Bosnia-Herzegovina, and for a while they were

20 billeted in the territory of Croatia, and in a certain way I had to or I  
21 managed to get some money for their salaries to be paid out. And later  
22 on, some elements of those units returned to Bosnia and Herzegovina, some  
23 minor parts thereof, and they participated --

24 JUDGE ANTONETTI: [Interpretation] General, I have known the town  
25 of Travnik, I've seen the mosque. We know that Travnik is in a valley,

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1 with the mountains on either side. When people were fleeing, how is it  
2 that the army did not deploy a few mortars or artillery pieces, if need  
3 be, to contain the Serbs? Was this not possible? As you said yesterday,  
4 there is an exit and an entrance to Travnik, there's only one road to get  
5 to it, so in military terms, was it quite impossible to avoid people  
6 fleeing in such a manner in this state of disarray?

7 THE WITNESS: [Interpretation] Your Honour, no, for a simple  
8 reason. You will see later, because I've prepared another map, I  
9 conducted another operation. Namely, Travnik is -- or, rather, Jajce  
10 had -- could I please be given another copy of the same map? Can it be  
11 replicated so I can use it to show how things were at the time? So I  
12 would like to be given the same map once again.

13 Here it is, thank you.

14 Jajce was encircled, as you can see now on the map: There is a  
15 road that leads across Turbe, and this is where the last units of the HVO  
16 and the BH Army were. This is the road to Travnik. All the positions  
17 here, Vlastic, number 1, and number 2, Komar Mountain, which is here  
18 [marks], it is not marked on this map; but you can see it on a larger

19 map, so this will be number 2, Komar, all that. And Donji Vakuf was kept  
20 by the Serbs, and they pounded from those mountains the narrow valley  
21 that you, yourself, saw, and that's why we had to send the armoured bus.  
22 Without Vlastic and without Komar, it would have been impossible to  
23 believe that Jajce would have been able to persist for a long time.  
24 There was such a cannon fire across the road, fire of the Army of  
25 Republika Srpska, that everybody was clear that Jajce does not stand a

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1 chance, at least not for a long time. And that such a military position  
2 is not defensible at all, and that's why it was impossible to stop the  
3 troops and the people when they started going. They were under constant  
4 fire, under constant pounding by the Army of Republika Srpska from  
5 Mounts Vlastic and Komar.

6 JUDGE ANTONETTI: [Interpretation] Could we have a number, please,  
7 and place your initials, and we'll -- put your initials, please, and  
8 we'll have a new number.

9 THE WITNESS: [Marks]

10 JUDGE ANTONETTI: [Interpretation] Put the date as well, please.

11 THE WITNESS: [Marks]

12 JUDGE ANTONETTI: [Interpretation] Registrar.

13 MS. PINTER: [Interpretation] The 5th, not the 6th.

14 THE REGISTRAR: Your Honour, the second marked version of  
15 document 3D03544 shall be given Exhibit IC1013.

16 Thank you, Your Honours.

17 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, it's not a 6, it's  
18 a 5 that you're supposed to put. This is May. We're in May, not June.

19 THE WITNESS: [Interpretation] Yes, I put "May." [Marks]

20 JUDGE ANTONETTI: [Interpretation] Very well, it's a "5." Thank  
21 you.

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

23 Q. General, just for further clarification, the refugees from Jajce,  
24 and the numbers that you stated, were they on their way to Sarajevo?

25 A. No, Ms. Nika. You couldn't get in to Sarajevo. The Muslim

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1 refugees, by and large, remained in Travnik, Novi Travnik, Gornji Vakuf,  
2 all in Central Bosnia. And as for the Croats, most of them -- or,  
3 rather, some of them stayed, and most of them went to Herzegovina or even  
4 more of them to Croatia.

5 Q. What about the troops?

6 A. That applies to the troops as well, as I said.

7 Q. General, thank you. You said that you have another map that you  
8 wanted to discuss?

9 A. I would like to be given the same map once again, but can we zoom  
10 in on the part around Mostar?

11 JUDGE TRECHSEL: You are again overlapping, Mr. Praljak beginning  
12 to speak long before the question of Ms. Pinter has been translated, and  
13 this leads to chaos, so I recall the President's words this morning.

14 THE WITNESS: [Interpretation] His Honour Judge Antonetti asked me  
15 yesterday about the refugees from East Herzegovina.

16 Your Honour Judge Antonetti, at the beginning of 1992, as the  
17 Serb operations started, the entire area here -- the map has disappeared.

18 Can you please zoom in on this part? Thank you. Yes. Borici,  
19 Glavaticevo, Nevesinje [marks], and if you can go up a little to depict  
20 Trebinje on the map. I can't see Trebinje. Kalinovik, is here [marks].  
21 Scroll up a little, please.

22 MS. PINTER: [Interpretation]

23 Q. Can the map be scrolled up a little?

24 A. It can't. And here there is Trebinje [marks] at the bottom of  
25 the map.

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1 So at the beginning, before Bosnia and Herzegovina was  
2 recognised, from all of these parts, including Trebinje and  
3 East Herzegovina [marks], Muslims had been expelled because this area is  
4 where Serbs and Muslims resided together [marks], and they all fled  
5 towards Mostar and Capljina. That was the first wave of exodus. And we  
6 have already spoken at great length about the number of people who  
7 arrived in Mostar.

8 The second wave of this exodus started when the Serbs started  
9 attacking. Maybe I could be given another map. This would then be Roman  
10 I, and then I could begin telling you what happened next.

11 I'm going to say that this situation [marks] was before the 10th  
12 of April, 1992. How do you say that in English, "Tu"?

13 Q. "Tu."

14 A. Can we given an IC number for this map?

15 Q. General, could you please put your initials on the map?

16 A. [Marks]

17 JUDGE ANTONETTI: [Interpretation] Mr. Registrar, could we have a

18 number?

19 THE REGISTRAR: Yes, Your Honour. The third marked version of  
20 document 3D35544, shall be given Exhibit IC1014. Thank you, Your  
21 Honours.

22 THE WITNESS: [Interpretation] And now can I please be given the  
23 same map, and can you zoom in on the same part?

24 And now we are talking about --

25 MS. PINTER: [Interpretation]

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1 Q. Which part do you need, General?

2 A. This part here, yes. Thank you.

3 The military situation, as it was on the 15th of May, 1992  
4 [marks]. The Serbs expelled all the remaining Croats and all Muslims  
5 from East Mostar [marks], across the river to the western part of Mostar.

6 Could you please scroll up just a little, if you can.

7 Q. No, it cannot be done. We can put the whole map on the screen.

8 A. Can you do that, the whole map, then?

9 Very well. From the eastern part of Mostar to the western part  
10 of Mostar, that was [marks], and what remained here in Bijelo Polje,  
11 north of Mostar [marks], and everything that remained behind the line  
12 from Stolac towards this area [marks]. And when Stolac was taken,  
13 everybody was expelled to the left bank of the Neretva, and the left bank  
14 of the Neretva River **was taken, and this was the line [marks], and this**  
15 **is the date, 15/05/1992 [marks].**

16 And then on the 9th of June, when Stolac was liberated, as well

17 as Mostar, Bijelo Polje, all the refugees -- when I say "all," I mean all  
18 those who wanted, because some of them remained in Croatia, people mostly  
19 left their women and children behind -- all refugees, both Croats and  
20 Muslims, returned.

21 Is there another colour? Maybe it would be good if I was  
22 provided another colour. Otherwise, the things will not be that clear.

23 The HVO [marks] took or, rather, liberated Mostar and all this  
24 here, and this was the 06 month [marks], the end of June, end, 1992 of  
25 the and then all refugees returned. And as I've already said it, the

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1 units returned as well, first the units, and then people, Croats and  
2 Muslims, and the units of the BiH Army, who had already started being  
3 established when we trained them in Medjugorje. And I'm saying all those  
4 who wanted to do so. Although there was a general mobilisation in place,  
5 this did not mean much. There was no control, there were no addresses,  
6 the whereabouts of the people were not known, so who wanted to volunteer  
7 did.

8 And all the members of the Bosniak people who wanted to be  
9 trained and armed were trained and armed, and they returned in the  
10 direction of Stolac, as you could see in the documents. And maybe two or  
11 three months later, those units were the nucleus of the Bregava Brigade  
12 of the BiH Army.

13 This is my answer, and I hope you're satisfied with it,  
14 Your Honour Judge Antonetti.

15 JUDGE ANTONETTI: [Interpretation] Please, the date and your  
16 initials, please, and then I will have two questions to put to you.

17 THE WITNESS: [Marks]

18 JUDGE ANTONETTI: [Interpretation] The first question: If I  
19 understood you correctly, the Serbs told the Muslims to leave Mostar  
20 East, and they went to West Mostar. This is what you said; right?

21 THE WITNESS: [Interpretation] On the 15th of May, 1992.

22 JUDGE ANTONETTI: [Interpretation] On May 15, 1992. As a  
23 consequence, the Muslims, who were living in East Mostar and up in  
24 West Mostar, and are going to be housed in flats, I guess, they're just  
25 going to go settle into flats.

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1 Second question: In June, you told us that the HVO recaptured  
2 some positions, and thanks to this the soldiers, as well as the  
3 civilians, were able to come back. And here something is important.  
4 When civilians came back, as far as you know, was it 100 percent Muslim  
5 civilians who came back, or in the end did some of them actually go to  
6 Croatia **and say, Well, Croatia isn't that bad and we'll stay there until**  
7 things cool down? So according to you, what percentage of Muslims  
8 actually came back?

9 THE WITNESS: [Interpretation] Well, what I know for sure is that  
10 a large number remained in Croatia **and fought along those lines. Well,**  
11 let somebody else fight. We are refugees. It's not so bad here at the  
12 seaside. There is enough food, nobody went hungry. A large number.  
13 Now, as for percentages, I couldn't really give you the percentage,  
14 Your Honour, but I think that less than 50 people actually -- 50 percent  
15 of the people actually went back to Stolac, but with a caveat; it's a

16 very, very rough estimate.

17 JUDGE ANTONETTI: [Interpretation] Very well. So 50 percent for  
18 Stolac. What about for Mostar, as far as you know? What is the  
19 percentage of Muslims that came back to East Mostar?

20 THE WITNESS: [Interpretation] Your Honour, I have a document from  
21 April that I will show later on. In Mostar at that time, there were far  
22 more refugees from the first wave than there were locals, and when I say  
23 "locals," I mean both Croats and Muslims. In particular, let's say those  
24 who were better off, those who had summer houses or who had friends with  
25 summer houses, they left Mostar. And I don't think that there was more

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1 than 50 percent of the local population in Mostar at that time, and  
2 I think that it was actually less than that, the population that had  
3 lived in Mostar before the war broke out. Of course, and this is  
4 something that we've already discussed, at the time when Mostar was  
5 shelled and bombarded, well, women and children were evacuated and pulled  
6 out, and whoever had the possibility to do that did so, and there were  
7 very few women and children left.

8 JUDGE ANTONETTI: [Interpretation] Very well.

9 Mr. Registrar, could we please have a number for the fourth map  
10 that was marked.

11 THE REGISTRAR: Yes, Your Honour. The fourth marked version of  
12 document 3D3544 shall be given Exhibit IC1015. Thank you, Your Honours.

13 JUDGE ANTONETTI: [Interpretation] Ms. Pinter.

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

15 Q. General, I see that you are taking out a map. What would you

16 like to show?

17 A. Well, if somebody could please just hold up the other part of the  
18 map so that I can show you something.

19 Q. What is this map?

20 A. This, Your Honours, is a map that shows clearly the attack. It  
21 shows clearly this position of the forces of the Yugoslav People's Army  
22 on the 1st of October, 1991. It was made in Croatia by  
23 Brigadier Milan **Perkovic, the attack of the Serbs on -- and you can see**  
24 here this is the border of the Republic of Croatia, and here -- here it's  
25 one kilometre away from the border, all the way up to the border with

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1 Bosnia-Herzegovina. This is the border of Bosnia and  
2 Herzegovina **[indicates], and Bosnia and Herzegovina has the sea exit and**  
3 that is why it is a Mediterranean country. And they took some parts of  
4 the coast, and they cut this route off.

5 Now, as regards this problem here, here it is Croatia  
6 again **[indicates]**, this is where the problems were, who would actually  
7 defend those positions, and what was the task of the HVO, and what the  
8 Croatian Army was supposed to do, and this is where all those problems  
9 stemmed from, the United Nations, whatchamacallit, resolutions.

10 JUDGE TRECHSEL: The record gives the date as the 1st of October,  
11 1991. Is that correct or is it 1992?

12 THE WITNESS: **[Interpretation]** No, Your Honour, that war began in  
13 1991. In 1991 -- by 1991, it had already been going on for four or five  
14 months.

15           So could I please be given a number for this map? I am handing  
16   it in. It's the only copy that I have, but we don't really have proper  
17   conditions to draw maps.

18           MS. PINTER: [Interpretation] Could it be, please, given an IC  
19   number for the map?

20           JUDGE ANTONETTI: [Interpretation] Mr. Registrar, could we have an  
21   IC number for this last map?

22           THE REGISTRAR: Yes, Your Honour. The map shall be given  
23   Exhibit IC1016. Thank you, Your Honours.

24           JUDGE ANTONETTI: [Interpretation] General Praljak, I have two  
25   technical questions. I believe they are important, and I need to put

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1   them to you right now.

2           Normally, a general that went to military academy and school, is  
3   able on this kind of map to place the combating units of its own side on  
4   the one hand, on the belligerent of the other hand, as well as placing  
5   the civilians and the refugees on such a map, because this is a scale  
6   that was taught at -- in the military academy.

7           Now, you did not go to the military academy, you didn't go to  
8   officers school. You ended up being a general overnight, if I could say  
9   so. So where did you learn these skills, the skills that make it  
10   possible for you to position, on a map, the different military positions  
11   as well as the refugees, the position of the refugees?

12           THE WITNESS: [Interpretation] I think that I've already -- but  
13   let me repeat, Your Honour Judge Antonetti. All -- for the most part,  
14   all of the humanists, as they like to call themselves so grandly, they

15 flee -- they evade the problem of war. Sociologists flee away from the  
16 issue of war because it is very difficult to research it, in sociological  
17 terms, and this is something that's really terrible; and, because it's so  
18 terrible, we can simply eliminate it and just pretend that we are  
19 ostriches.

20 For years before the war, although, of course I didn't, I was  
21 interested in the problems as follows: How do wars break out, the course  
22 of some military operations? And I read dozens of books about Napoleon  
23 and his battles. Well, more or less a lot of it, almost all of it, I can  
24 say, and why he won some battles, how the awareness of the French and the  
25 French society made it possible for an army that was not so well

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1 organised to defeat the Prussians, the English and the Austrians in  
2 dozens of battles, and then I wanted to know why the luck of war turned  
3 at one point, what lies in the essence of the problem, how many soldiers  
4 he lost in the area, because you have to leave soldiers behind to hold  
5 the positions. How many soldiers he had when he reached Moscow, **and then**  
6 of course the famous battle with Kutusov, and then the question why  
7 Kutusov set Moscow **on fire and what it meant for Napoleon. I read about**  
8 the groups that occur -- let me just wrap up. And the First World War,  
9 the Second World War, and Iwo Jima, Okinawa. **That's one thing.**

10 And I also was a boy scout, and we had those cross-country races.  
11 We had to run across an area with a map and a compass, using azimuths,  
12 and I was really good at that.

13 JUDGE ANTONETTI: [Interpretation] Very well. You answered my

14 question, my first question.

15 Now I have a second question. Earlier, when we were talking  
16 about refugees, you were talking about Travnik, because refugees actually  
17 went through Travnik. While I was listening to you, I wondered about the  
18 military command, because in such a situation when there is a disband,  
19 when people are fleeing, do you think that the military command should  
20 first take into account the situation of the military, or should it first  
21 look after the civilians, or should it look after both? Is there some  
22 kind of priority that is organised in trying to find out who needs to be  
23 taken care of first?

24 THE WITNESS: [Interpretation] Your Honour, in well-organised  
25 states, let's put it that way, in well-organised states that wage wars,

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1 there are departments that deal with civilians in every way, and the  
2 soldiers or the military men deal with the troops.

3 But here we have the civilians fleeing, and soldiers, brothers,  
4 sisters, fathers, sons. They're all related, and you cannot simply  
5 divide this problem. If the troops start fleeing, all the civilians who  
6 are of the same ethnic community or are related to the soldiers start  
7 fleeing with the troops. These are the elements of the civil war, such  
8 as we saw in Spain **or in the USA. This is not the kind of war that you**  
9 had in World War II, where an army enters an area and the population  
10 simply has nothing to do with it. They might get some additional taxes  
11 to pay. Or in World War II, when Belgium, **or the Netherlands, or France**  
12 were occupied by the Nazi troops, the civilians were left there, the

13 armies fought. One army lost, and it had great repercussions on the  
14 civilians, but not of the kind that we saw in the war in Bosnia and  
15 Herzegovina.

16 The war in Bosnia and Herzegovina had some elements of the civil  
17 war, so that means that the people did not stay behind after the troops  
18 withdrew, and vice versa. If the people fled, then the troops did not  
19 have any reason to stay in the area and defend it, and then the troops  
20 fled too.

21 So just to wrap this up, the Serbs utilised this as a tactic.  
22 Let me give you an example. Sunja, that's where I was. They would shell  
23 an area so fiercely that the civilians would flee, and then the army  
24 would leave, too, because they didn't have anyone to defend. So both had  
25 to be stopped from doing that. The army couldn't -- the army had to

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1 actually live with the soldiers, because they were their families, and  
2 then the troops had the motive to actually fight because they were  
3 defending their own kin; mothers, fathers, sisters and so on.

4 JUDGE ANTONETTI: [Interpretation] Very well.

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

6 Q. General, yesterday we spoke about Jajce, we started discussing  
7 Jajce, the document from Mr. Prkacin. But before we go back to that  
8 document, I would like us to look at document P00717. It was added to  
9 the file because it was initially envisaged for another annex.

10 MS. PINTER: [Interpretation] Your Honours, you received it  
11 separately this morning. This is what it looks like [indicates]. It

12 says here "additional document," and we have the number. And this  
13 follows up on what we were talking about yesterday, about  
14 Mr. Jasmin Jaganjac and his appointment, so to speak, as the adviser to  
15 Mr. Izetbegovic, and his activities and work in joint attempts to calm  
16 the situation down from that moment on.

17 Q. What can you tell us about this document, General?

18 A. Well, as I've already said, I was never formally appointed to  
19 perform this role that I actually performed, but the people who were  
20 formally appointed by the HVO and the BH Army in a way recognised me as a  
21 person who is there to coordinate, to bring people together, improve  
22 relations. So it was agreed with Mr. Boban and Mr. Stojic that a joint  
23 command would be set up, and Mr. Jasmin Jaganjac was there representing  
24 the army, and that is why the documents are there, and you will see a  
25 number of them later, signed by Mr. Jaganjac and myself, and they gave me

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1 some kind of legitimacy. I was recognised, in a way. So in a military  
2 operation where Jaganjac, Pasalic, Merdan, are, formally speaking, in  
3 legal terms, recognised that I did play this role that I actually played.

4 Q. From this document, it would follow, General, that that was only  
5 for the defence of Jajce, at least as it says here.

6 A. Yes, they did limit that because they weren't ready -- well, my  
7 resolve and the force I had, not to be too modest, to manage a situation  
8 of that kind, a situation of crisis and chaos. All those were soldiers  
9 who found it difficult to find their way, faced with a situation of that  
10 kind, because they always had dealings with the army and with orders and  
11 everything, whereas here nobody listened to everybody; and you had to do

12 everything through the force of argument, through using force and talking  
13 to the people, and to be forceful. You had to impose yourself, even on  
14 pain of doing certain things which you would never do in civilian life  
15 because it's a matter of hours. So that's how I sort of built up some  
16 sort of authority.

17 JUDGE ANTONETTI: [Interpretation] This document is dated November  
18 1992. It clearly states that from 1992 onwards, Halilovic and  
19 Izetbegovic recognised the joint command of both armies, on reading this  
20 document again, and another document which is a statement made by the  
21 ambassador of Bosnia-Herzegovina to the UN in March 1993, where he states  
22 that the armies of Bosnia and Herzegovina are the HVO and the ABiH.

23 This document, therefore, signed by Halilovic, admits that there  
24 is an armed component that includes two branches. The addressees of this  
25 document, I see it's sent to Dzemo and Djed. Dzemo, couldn't that be

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1 Mr. Merdan, according to you?

2 THE WITNESS: [Interpretation] Dzemo Merdan.

3 JUDGE ANTONETTI: [Interpretation] And Djed, who is this person?

4 THE WITNESS: [Interpretation] I don't know, Your Honour. I can  
5 ask who it was who had that nickname, but at this point in time I really  
6 don't know who they called Djed.

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

8 Q. General, yesterday we started discussing something, but we didn't  
9 round it off. Actually, we were discussing document 3D00484, which was a  
10 report by Mr. Prkacin.

11 A. What number did you say?

12 Q. 3D00484. It should be in the binder titled "Jajce." If you  
13 haven't got it, I'll provide you with a copy.

14 A. What number again?

15 Q. 3D00484. You had it yesterday.

16 A. Yes, I'll find it.

17 Q. There's a separate Jajce file. Not in the binder, actually. I  
18 meant the file. This is what the file looks like that you were given  
19 yesterday [indicates].

20 A. I don't know where it is, maybe I forgot to bring it, but I know  
21 the document by heart.

22 Q. Well, you can look at it on the screen.

23 A. Yes. I am very well acquainted with the document. I know how  
24 this happened.

25 Your Honours, the document is too long and goes into great

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1 detail; how they set out, how they were stopped, how they were stopped a  
2 second time, how rifles were cocked, who Prkacin called to Sarajevo to  
3 clarify this unbelievable situation, that is, that he was being stopped  
4 when he was going to help the defence of Central Bosnia. He tried to  
5 understand who was behind that, especially as the unit that he was  
6 leading numbered more than 70 percent Muslims.

7 So I can't go through all these details now. It would take too  
8 much time. The document is an exhaustive one, it's a clear one, and it  
9 speaks about what I'm saying here.

10 There was a double game afoot. What can be said with certainty  
11 is that under pressure and given the war situation, and the fact that he

12 knew that all the weapons were coming from Croatia, Sefer Halilovic had  
13 to, from time to time, agree to sign some papers saying that the BH Army  
14 and the HVO were one army, a single army. He had to do that. He had to  
15 agree from time to time to have General Petkovic as an equal partner, on  
16 a footing of equality. But I said yesterday -- I showed yesterday, and I  
17 will show this again and again, in his mind we were all Ustashas. He  
18 considered us all Ustashas, and he undermined everything,  
19 President Izetbegovic, the president of the Presidency, and there were  
20 always things that you couldn't understand.

21 And look at this here. When there were no conflicts, they did  
22 not allow a unit to pass through check-points and go to Central Bosnia.  
23 And later on, theses were banded about by which they said that in Central  
24 Bosnia **there were five or six brigades of the Croatian Army. These were**  
25 rumours going 'round for months, that in Central Bosnia, which didn't

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1 allow a unit of this kind to enter, that you had five or six brigades of  
2 the Croatian Army fighting there.

3 Q. General, who is Mr. Glasnovic mentioned in this document?

4 A. Mr. Glasnovic was the commander of the HVO brigade from  
5 Tomislavgrad.

6 Q. And what about Mr. Dautovic, who is he?

7 A. Mr. Dautovic, Senad Dautovic, is his name, was the commander of  
8 the BH Army in Bugojno, and he was a man -- until the BH Army attacked in  
9 Bugojno, he was a reasonable man. He was a good guy. I had a series of  
10 meetings with him, but never mind that now.

11 Q. And who is Mr. Lendo? Yes, I'm overlapping. It's my fault.

12 A. Refik Lendo was the commander of the BH Army, as far as I know  
13 and when I found him there, in Novi Travnik, but then he held some other  
14 posts, and he was one of the people who quite simply made me look a fool  
15 and played a game behind my back.

16 Q. Does that refer to Dautovic?

17 A. No.

18 Q. Because the record seems to say that. Now would you look at  
19 another document, which is 3D061669 [as interpreted]. Your signature is  
20 there, and we're dealing with 1992. 3D01669 is the document number.

21 JUDGE TRECHSEL: Excuse me.

22 THE WITNESS: [Interpretation] 28th of October.

23 JUDGE TRECHSEL: We've had now a rather long document and the  
24 witness has mentioned a lot of details, but we were not really told what  
25 the document is about. It is a report; am I right? I have the

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1 impression now that the main purpose of talking about this was to  
2 denigrate Mr. Prkacin, saying that he was an evil person, but I'm not  
3 sure whether I understood that correctly at all.

4 Many names pop up. No one says who they are. I'm afraid that  
5 this, in my perception, was so disorderly that I cannot use it.

6 THE WITNESS: [Interpretation] Nika, let me answer.

7 MS. PINTER: [Interpretation] We discussed the document yesterday  
8 and made an introduction to it during the proceedings yesterday. A  
9 mention was made of Mr. Prkacin, who set out from Herzegovina, or more  
10 exactly from Capljina, with a group of soldiers towards Jajce, with the

11 aim of liberating or, rather, helping with the liberation of Jajce.

12 And now the general would like to add something.

13 THE WITNESS: [Interpretation] Judge Trechsel, Your Honour,  
14 yesterday, when I explained this document, I explained it in detail and  
15 said who Mr. Prkacin was. I didn't blacken him; quite the contrary. In  
16 this document and what I said about Prkacin, only good things were said  
17 about Prkacin.

18 So 400 men of HOS, H-O-S, from Croatia arrived in the territory of  
19 Bosnia-Herzegovina, after they realised that Jajce was going to fall and  
20 that this jeopardised Central Bosnia. These people arrived in Capljina,  
21 where Bruno Stojic gave them clothing, weapons, and everything else that  
22 was required so they could go with Mr. Prkacin to help Jajce out, and  
23 Central Bosnia **too. After they set out, the event that Mr. Prkacin is**  
24 describing took place.

25 In that group, more than 70 percent were Muslims, and from this

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1 it is evident that in certain parts of the Muslim units, they did not  
2 have the wish for a common struggle, fighting together, and they  
3 considered that portion of Central Bosnia to be theirs already, because  
4 otherwise you can't explain what it says in the document here. They did  
5 not pass through. They were sent back, just as they had put up obstacles  
6 to the passage of a smaller unit of the military police of the BH Army  
7 from Mostar. That unit also was sent back, just as an HVO police unit  
8 returned, and some other volunteer groups who were ready to fight for  
9 Jajce and Central Bosnia.

10 JUDGE TRECHSEL: Thank you. So an essential feature demonstrated  
11 by this document is that there were tensions between Croats and Muslims  
12 also at that point when they were supposed together to fight the Serbs?

13 THE WITNESS: [Interpretation] I don't agree with that,  
14 Judge Trechsel. There was no tension between the Croats and Muslims.  
15 What there was this: It was incomprehensible that regular units were  
16 being stopped. They're not tensions. It's just obstacles by the BH Army  
17 to a unit going to help in the defence of Jajce. It is sabotage of a  
18 joint struggle, that's what it is, in the worst possible way and ugly  
19 way.

20 JUDGE TRECHSEL: Well, I don't see much difference there, but I  
21 take your point and I thank you for the explanation. It was really  
22 helpful. Thank you.

23 MS. PINTER: [Interpretation]

24 Q. General, now 3D01669 is the document we have before us, and I'd  
25 like to hear your comments on that.

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1 A. That's precisely what I said. The 1st Mostar Brigade, Mr. Stojic  
2 and I say, Let them pass through. And I say that Commander  
3 Suad Muharemovic, the commander of the unit, but they were stopped, too.  
4 What? What are you saying? They were stopped and sent back. So those  
5 parts in the BH Army who already had it in their heads and minds, that's  
6 what I claim, a future conflict with the HVO, did not allow them to  
7 advance up there, because these were people at that time who saw the  
8 struggle of the Croats and Muslims as a joint struggle.

9 Q. As far as I'm concerned and the documents are concerned, that

10 completes the Jajce subject. Is there something you'd like to add?

11 A. No. I just have a map that I have prepared here, and it is an  
12 answer to a question from Judge Antonetti about why this couldn't be  
13 stopped. So could the usher assist me here, please.

14 At the time -- at the time, Your Honours, it was quite clear that  
15 Turbe - here it is, Turbe - and the entrance to Travnik, that neither  
16 Travnik, nor Novi Travnik -- well, that it would be in a bad position if  
17 Komar, which was fully controlled by the Serbs along this line here  
18 [indicates], right up to the area above Donji Vakuf, towards Bugojno, was  
19 not liberated. Mr. Lendo and Mr. Arif Pasalic devised a plan, based on  
20 joint consultation, as to how this was to be done. They -- the BH Army  
21 units were supposed to attack from this side [indicates].

22 THE INTERPRETER: Microphone, please, Counsel.

23 MS. PINTER: [Interpretation]

24 Q. What page is that, for the record, so that we have the page  
25 you're showing on the record?

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1 A. Nika, I'll explain that.

2 Q. Well, go on. Say what this is about, then.

3 A. The BH Army, from about the Donji Vakuf area, was supposed to  
4 launch this attack -- the BH Army was supposed to launch this attack from  
5 Bugojno, and Senad Dautovic was in command there; whereas here the  
6 BH Army units were supposed to attack those units which were commanded by  
7 Refik Lendo. And the HVO, according to this proposal, was supposed to

8 hold, together with the BH Army units, these positions above Turbe

9 here [indicates]. That's why I used the blue and the green.

10 Now, the HVO from Travnik was supposed to, once the attack  
11 started, to cut off this area. It had to be in this position  
12 already [indicates] in order to prevent or to enter into battle with the  
13 units -- or against the units who would be coming in to reinforce their  
14 front-line positions, because the front-line of the Army of Republika  
15 Srpska was relatively weak.

16 When the plan was elaborated, they brought it to me for signing.  
17 I looked through it, made certain corrections, and signed it. But then I  
18 said -- or, rather, before that, Your Honours, the commanders of the HVO,  
19 Mr. Juric, they convinced me that Lendo was setting a trick -- setting a  
20 trap and that nothing would come of it. I said, I don't want to discuss  
21 it. This is what we're going to do. We're going to do what we have  
22 agreed to do.

23 However, contrary to their customs -- they thought I was going to  
24 sign this and leave, but contrary to this, I said, All right, Lendo,  
25 okay, but I want to lead the attack. I have to be up at the positions

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1 there. Of course, he had to agree to that.

2 So that night - I can't remember the date now - anyway, we went  
3 through a very difficult -- across a very difficult route to take up our  
4 positions, and at 5.00 a.m., HVO groups who had already entered deep into  
5 a the territory behind the backs of the first lines -- the front-lines of  
6 the Army of Republika Srpska, they reported that they were ready, and the

7 attack was to start.

8 Not a single bullet was fired, not a single one. Lendo turned me  
9 into a cretin, made me look like a cretin, and this area had the  
10 nickname, "komsija," neighbours 1 and neighbours 2. This was code  
11 language, code signs, "komsija," neighbours.

12 I waited until 9.00, saw that nothing was going to happen. I  
13 then took a piece of paper and stopped the attack, and through  
14 communications I issued orders that these units -- that HVO groups should  
15 safely pull out.

16 And one more thing, Your Honours. As we were advancing to the  
17 positions where the attack was to begin, this man, Juric, went together  
18 with me and the signalman. Mr. Lendo led seven or eight men, of which  
19 two of his bodyguards, with the Hecklers, short-barrelled Hecklers, were  
20 always behind me with these barrels, always. Even if I were to stop for  
21 a while intentionally, they would stop too; behind me, that is. It's a  
22 terrible feeling, you know, and then you realise that the man has  
23 something else that he wants to achieve and that he had a hidden agenda,  
24 that the man was not in favour of fighting together.

25 Several days later, he disappeared from the area, and when I

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1 asked where he was, I can't claim this, but I was told that his family  
2 lives in Serbia and he was due to undergo an appendix operation in Serbia  
3 and that that's where he had gone. I can't guarantee that that was the  
4 case, but that was the official position taken by the people from the  
5 HVO, the intelligence people and the commanders.

6           So I'm going to sign this map now, put my signature to it. I'll  
7     put "Praljak" here [marks], and it is my personal experience. And today  
8     is the 21st/05/2009 [marks].

9           Your Honours --

10          JUDGE ANTONETTI: [Interpretation] Registrar, can we have a  
11     number, please.

12          THE REGISTRAR: Yes, Your Honour. The map shall be given  
13     Exhibit IC1017. Thank you, Your Honours.

14          THE WITNESS: [Interpretation] 1992 is the year. I suppose -- I  
15     believe that it was in December or end of November [marks]. I really  
16     can't say exactly.

17          JUDGE ANTONETTI: [Interpretation] General, you have shown us the  
18     map concerning this military operation, which in the end didn't take  
19     place, and you told us that there were preparations for that. My  
20     question relates to the 9th of May, 1993, and relates to what happened at  
21     Stupni Do. It's an important question.

22          When a military operation -- this is a question of a general  
23     nature, but what happens after that is the 9th of May, Stupni Do. When  
24     such a military operation is being prepared, is it standard for the  
25     military commander to prepare beforehand -- to prepare the operation

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1     beforehand on the basis of maps of positions held by some of the people?  
2     Does this kind of preparation occur before a military operation?

3          THE WITNESS: [Interpretation] Yes, Your Honour, all the necessary  
4     elements are prepared; a map, all the intelligence about the enemy  
5     positions, infantry, bunkers, where their artillery is, how strong they

6 are. You assess the psychological profile of the enemy as well. You  
7 determine the beginning of the attack, the axis of the attack, which  
8 units will be participating, how many troops. You work out the system of  
9 communications. You prepare a code book, because you can -- and so on  
10 and so forth.

11 JUDGE ANTONETTI: [Interpretation] Very well. We'll have the  
12 opportunity to come back to this. But while I'm about it, I would like  
13 to put to you this question, which is a crucial question, in my view: On  
14 the 9th of May, if there had been an attack launched by the HVO or by the  
15 ABiH - I say either/or - theoretically should documents of these elements  
16 be provided, i.e., stemming from the HVO or from the ABiH that prepared  
17 the attack?

18 THE WITNESS: [Interpretation] It's hard to conceive an attack of  
19 that kind without the documents that you're referring to.

20 We have presented documents here showing that the BiH Army had  
21 prepared an attack in Mostar against the HVO. All the orders were shown,  
22 as well as the axis of attack. We drew up a map of Mostar and how this  
23 was going to take place. I don't know of a single HVO document at any  
24 level to implement an attack against the BiH Army in Mostar on the 9th of  
25 May, 1993.

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1 JUDGE ANTONETTI: [Interpretation] Very well. Let me finish off  
2 with this last question before the break.

3 If the HVO organised the attack of the 9th of May, normally  
4 speaking, one should have been able to find documents relating to the  
5 units that were on the ground?

6 THE WITNESS: [Interpretation] Yes, Your Honour Judge Antonetti.  
7 Moreover, an operation of that kind, as it would have been an attack in a  
8 city, and we're talking about a very complex operation here, an operation  
9 of that kind could not be carried out without Mr. Petkovic's signature,  
10 who was the chief of the HVO Staff. At the time, as far as I know, he  
11 was not even in Mostar. He was participating in some negotiations  
12 somewhere.

13 JUDGE ANTONETTI: [Interpretation] Very well.

14 It's time now -- would you like to ask a question?

15 JUDGE TRECHSEL: I have the feeling that we are at the end of  
16 this Jajce subject, and I would like to ask a question.

17 What you tell us, Mr. Praljak, is the story of a betrayal. The  
18 person who ought to have been on the BiH Army side to attack, together  
19 with you, the Serb position failed. He abandoned his job, he went away.  
20 This is a very serious matter in a war situation, and normally someone  
21 like that would be court-martialed, maybe shot for not obeying orders,  
22 something like that. I would like to know what consequences, if any,  
23 were taken against this Mr. Lendo as a consequence of the event you have  
24 described.

25 THE WITNESS: [Interpretation] None, Your Honour Judge Trechsel.

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1 Nothing happened. I just learned, or at least that's what I was told,  
2 when he wasn't there, that he had gone to Serbia to undergo an operation  
3 for his appendix.

4 Second of all, I don't even know if those units were in position.  
5 From 5.00 in the morning, up until 9.00, despite my repeated questions

6 through the lines of communications, what was going on, Why are you not  
7 moving? They did not fire a single bullet. The only thing that happened  
8 was his two bodyguards holding onto their Hecklers and standing next to  
9 me.

10 I was there. I was armed, I had a pistol. There was the HVO  
11 commander from Travnik, Juric, and the signalsman who was maintaining  
12 communication with the HVO about the positions. And I don't know if  
13 Lendo's units were there at all, I don't know that. I don't know if  
14 anybody --

15 JUDGE TRECHSEL: Did you not, as a consequence, take up this  
16 question with the Muslims? I mean, this was -- you were installing a  
17 joint command. You say you wanted this, and of course it must work.  
18 Now, here it failed completely, very seriously. I would imagine that  
19 this must be the subject of very serious remonstrations to the Muslim  
20 side. Did nothing of that happen? Did you not take it up?

21 THE WITNESS: [Interpretation] Yes, Your Honour Judge Trechsel. I  
22 did it in no uncertain terms, in a very rough manner. I would not like  
23 to repeat the words that I used then at the meeting in Plave Vode, when I  
24 told them, What's going on, who are you fucking up with, how far are you  
25 going to go on like this, where are the three battalions that you're

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1 claiming that you have in reserve, and my question, Are you preparing  
2 these three battalions, Lendo, for an attack against the HVO?

3 And, yes, Your Honour Judge Trechsel, these were my questions.  
4 They sounded even worse, they were even more rough. But, you know, this  
5 all blew over. They kept silent for a while, and then it all amounted to

6 nothing.

7 JUDGE ANTONETTI: [Interpretation] Did you mention this to  
8 Mr. Halilovic?

9 THE WITNESS: [Interpretation] Halilovic, I never managed to reach  
10 Halilovic. That one never arrived, Your Honour Judge Antonetti. At that  
11 moment, Lendo was a person number 1, at least of those I saw and who was  
12 accessible to me. I never reached the commander of the 3rd Corps in  
13 Zenica, Hadzihasanovic, let alone -- you know, we're talking about some  
14 games here. Games are --

15 JUDGE ANTONETTI: [Interpretation] Yes. But as my colleague said,  
16 this Lendo left the battle-field; therefore, he is committing a serious  
17 offence, in the eyes of the army. He could have been penalised for this.  
18 Who can penalise him, other than the commander of the 3rd Corps, or a  
19 higher authority? Apart from shouting in a microphone on the spot or  
20 using your Motorola, I don't know what you were doing, and if you did  
21 nothing, how did you expect things to happen?

22 THE WITNESS: [Interpretation] No, Your Honour, at that time I was  
23 not shouting into a megaphone. It was not a Motorola. We were together.  
24 What I'm talking about is the meeting at the Command of the BiH Army in  
25 Travnik, in a house which was known as Plave Vode. Only they -- after

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1 that, a group of Muslims arrived. They had lost their positions in the  
2 area that I showed to you a minute ago, because the Serbs had been  
3 pounding them with artillery fire, the two hills. And we will have a  
4 witness who knows about these two hills and their names. One was  
5 Crni Vrh -- Crni something, this or the other.

6           And then they asked me to provide them with the HVO artillery  
7 support and help them reinstate the positions, because from the positions  
8 that the Serbs have taken, they were able, and they did so, to kill  
9 people in the village. And I promised, and I delivered on that promise.  
10 We provided them with very strong artillery support, and they managed to  
11 reinstate their lost positions.

12           However, there was also an extended meeting as well, and I  
13 attended a lot of meetings of that kind. At that meeting, I asked those  
14 other people, I asked them, Okay, where is Lendo now, where are his three  
15 battalions in reserve that he claims that they exist, and they are  
16 nowhere to be seen in positions ? Who is he safe-guarding the three  
17 battalions for? Is he safe-guarding them for an attack against the  
18 Croats?

19           And I repeat, like the people from the couple of villages, there  
20 were people in the Army of Bosnia and Herzegovina who wanted to fight  
21 along with us and who were brilliant people in that respect. The person  
22 that I mentioned previously, Mr. Leko from Turbe, fought very hard, very  
23 courageously in the area, and suffered great losses and so on and so  
24 forth. But not Lendo, not him, and Lendo represented the head. The  
25 others were more normal people, harbouring much different feelings.

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1           JUDGE ANTONETTI: [Interpretation] We'll have a 20-minute break  
2 now.

3                           --- Recess taken at 10.38 a.m.

4                           --- On resuming at 11.06 a.m.

5           JUDGE ANTONETTI: [Interpretation] The court is back in session,

6 but we have a question from a Judge.

7 JUDGE TRECHSEL: Mr. Praljak, we have been speaking -- okay?

8 Ready, go. We have been speaking about this attack, aborted attack, as  
9 one might say, and you have also explained how any attack must be well  
10 prepared, and there is an attack order, and it's certainly an order in  
11 writing at a certain level. Now, where is the order for this attack?

12 THE WITNESS: [Interpretation] I don't have it, Your Honour. I  
13 co-signed it, or, rather, I signed it, but it remained in the possession  
14 of either Mr. Pasalic or Mr. Lendo.

15 JUDGE TRECHSEL: But was there more than one copy? As there were  
16 several addressees normally, you must have a number of copies, one for  
17 the artillery, for the fire support, for the different units that are --

18 THE WITNESS: [Interpretation] Artillery was not involved in this  
19 attack, that's for sure, because it was a broad area and there was no  
20 need to target anything with artillery, so there was no artillery. A  
21 part of the order was probably received by Travnik, but I didn't take a  
22 copy with me, because it never occurred to me why would one shlep around  
23 all the copies. But there will be a witness, Mr. Juric, who will be  
24 called to testify, and he took part in it; and we can ask this question  
25 to him, whether it was preserved somewhere. But the archives were not

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1 kept meticulously, and it was very difficult for us to gather even the  
2 documents that we do have. But there was the order and there was the  
3 map.

4 JUDGE TRECHSEL: Thank you very much.

5 JUDGE ANTONETTI: [Interpretation] Ms. Pinter.

6 MS. PINTER: [Interpretation] Thank you, Your Honour. Just a  
7 moment.

8 Q. General, yesterday, as the session drew to a close, we indicated  
9 that we would be playing a film. The number is 3D03114. It's a segment  
10 that pertains to Travnik. But before we play the clip, could you please  
11 explain to us what this is all about and to tell the Court?

12 A. The film that you're about to see was made in Zagreb, so in  
13 preparation for this trial I wanted to bring close to you what the  
14 situation looks like in the field. And then I took an actual event in  
15 Travnik, after the fall of Jajce, and I shot it in Jadran Film Studios in  
16 Zagreb. **Of course, I hired a cameraman and some guys, and I told them**  
17 **what the event was like, and I tried to depict it faithfully in order to**  
18 **give an idea to the Judges, to the Prosecutors, everyone in the**  
19 **courtroom, what fleeing from the lines looked like. But we will have a**  
20 **witness here in court who will speak about that.**

21 MS. PINTER: [Interpretation] Just for Your Honours, it's the  
22 transcript number 2. It's at page 3D41-1091. That's the text of the  
23 simulation. And now I would like us to play the film.

24 [Video-clip played]

25 THE WITNESS: [Interpretation] These are the lads who had fled

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1 from the lines, and I stopped them.

2 THE INTERPRETER: [Voiceover] "You escaped, didn't you? Who will  
3 defend us? Who are the officers here? Step forward, officers. I will  
4 send you to prison. Go to prison. You'll go to prison, go to prison.

5 Stand over there. You also would like to go to prison. Who wants to go  
6 to prison?

7 "I want to go to prison.

8 "Prison, hey. Yes. Can you go? Yes, this is mine. The  
9 Croatian people paid for this. Take the clothes off, take this off, and  
10 then you will go to prison. Leave the weapon, take it off. Will you go  
11 to prison naked. Let's go, take the clothes off. Take the clothes off  
12 quickly. You will go to prison in your underwear. That's what's yours.  
13 It's cold, isn't it? It's cold. Take the clothes off.

14 "We would like to go back.

15 "Shall we fight? Are we going to fight?

16 "Yes, we will.

17 "Well, then, let's go. Shall we fight here? Yes. Well, then,  
18 let's go. They'll kill your mothers, they'll kill your women, they'll  
19 kill your children and your brothers. Who will stop this? Where is the  
20 army? We can smash them. Let's go back. Guys, for fuck's sake, what is  
21 this? We can do that. What is this? Man, get dresses. Let's go up  
22 there. Let's go up there. Let's go up there. Let's go, guys. Let's  
23 go. We can fuck them, we can do it. Let's go. Yes, guys, can we do it?  
24 Yes, we can. Yes, we can. Take the rifles, take the rifles. Put this  
25 on. We can do it. We'll fix this later. Did you see what they did in

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1 Jajce? Will they kill their wounded? Will they burn their houses? Are  
2 we going to do it? Where will you live? Let's go, officers. Take the  
3 troops. Stand in line. Let's go, guys. Attention, follow me, follow  
4 me. Let's go."

5 MS. PINTER: [Interpretation] Would you please stop it.

6 THE WITNESS: [Interpretation] Well, Your Honours, it's difficult  
7 for me to watch it from this standpoint, of course. But that's what it  
8 looks like. It looks even worse.

9 First of all, of course, there's no prison. This is all an  
10 impromptu reenactment. I was just showing some basement and not the  
11 prison.

12 And this is a realistic picture. Those guys got scared and they  
13 fled from the lines, and this is realistically what it looks like. So  
14 there are threats, but they are fictitious, of course. And all this  
15 about taking clothes off, this is what -- I got this idea right there at  
16 the spot, because you don't really know what to do. And it was cold, and  
17 that's why it occurred to me. And then you have to raise their morale  
18 and get them to move to the position, and that's how it went on,  
19 endlessly.

20 Well, we will wrap up this topic soon. And until Christmas 1992,  
21 when I came to Mostar on Christmas Eve, by that time actually I held  
22 dozens and dozens of meetings in area: Kiseljak, Vitez, Busovaca,  
23 Travnik, Novi Travnik, Bugojno, Uskoplje, Gornji Vakuf, Konjic. So I  
24 toured all the HVO and BH Army positions in that area at least twice, I  
25 visited each of them at least twice. I talked, I fought, argued. Well,

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1 it's difficult to even retell all this.

2 Well, you've seen some details. We'll see some other details  
3 about the formation of a brigade in Zenica. And I can say that this

4 operation that I depicted here around Komar, the same or, rather, similar  
5 operation at the same time was being prepared with the HVO and the  
6 BH Army around Konjic. I was preparing it against the positions of the  
7 Republika Srpska Army in the village of Bjela **and around the village.**

8 This was an area from which they pounded Konjic mercilessly. I  
9 personally did the reconnaissance of the positions with the chiefs of  
10 staff of the HVO and the BH Army from Konjic, and we saw a document about  
11 that. I think there is another one. I think I've seen it somewhere, but  
12 I can't find it now.

13 And once all the arrangements were in place and we were supposed  
14 to carry out that action the next day, the BH Army simply said they  
15 didn't want to. They refused to.

16 Now, where did this information or order come from, preventing  
17 them from coming -- going into that action together with us? But the day  
18 before, when we agreed that the next day that we would go, they said that  
19 they didn't want to, although at the beginning they were very keen on  
20 pushing out the Republika Srpska Army from that area called Bjela,  
21 because they were really pounding the area mercilessly from those  
22 positions.

23 Furthermore, at the time, Your Honours, I spoke to hundreds of  
24 people, and there was an unusual sign. And now I will get up, with your  
25 leave, and show it. Normally, you shake hands like this [indicates], you

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1 extend your hand, and then at one point a certain number of officers of  
2 the BH Army started doing this [indicates] before shaking hands, and then

3 went on to extend the hand. It was very strange to me. I thought it was  
4 some kind of a sign. And then I was told that this shows that they, in  
5 fact, are letting people know that they obey the five pillars of Islam.  
6 They told me later that this developed in other areas, in Bihac. Well, I  
7 don't know what the five pillars of Islam are, but I do know that this  
8 gesture with the hand got quite common, and this was also a sign of  
9 distinction between us.

10 Q. Could you please describe this motion with the hand for the  
11 record?

12 A. Well, the hand moves back, and the fingers are stretched out,  
13 signifying the five pillars of Islam. It's not all the officers of the  
14 BH Army that did this, but a certain number did, and this was unusual.

15 I know that on the 23rd December, 1993 in Travnik, the HVO  
16 organised a reception to celebrate the Catholic Christmas, and I remember  
17 that the reception was attended by Hadzihasanovic. I even had a  
18 photograph somewhere with him. There were some other BH Army officers  
19 there.

20 And on the 24th, it was the Christmas Eve, I think I was still in  
21 Usora, and there was also a photograph there. And then in the afternoon,  
22 I got in my car, went to Mostar, met with Mr. Stojic, with Mr. Petkovic,  
23 and that's when the two orders were drafted for the politicians to go to  
24 the positions to be with the troops over Christmas and New Year, because  
25 at that time there was -- there were already divisions among the troops.

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1 They were supposed to fight, and a good many of the politicians just got  
2 into their cars and go to the coast. It's as if we were two different

3 worlds. And this caused a great deal of discontent, and that's why we  
4 agreed that everybody from the HVO and the HZ-HB structures should spend  
5 at least one night with the men, on their positions, to see what it looks  
6 like to spend a night in a bunker, and how long the night is, and what  
7 kind of a feeling it is.

8 And, secondly, Mr. Coric, Mr. Stojic and I drafted this other  
9 order about how military police officers should behave at check-points,  
10 because having passed through hundreds of those check-points, people  
11 didn't know how to behave. And then I wrote that they had to say, Good  
12 day, sir. Please, can I have your documents? Thank you very much. Have  
13 a nice trip. That's what I wrote. And Mr. Valentin Coric and I, we  
14 signed this order to give it some weight. Of course, this was within the  
15 purview of Mr. Coric, but simply in such matters, in organised structures  
16 and organised armies, there shouldn't be anyone co-signing it, but we  
17 wanted to increase the strength of such an instruction as to how military  
18 policemen should behave at check-points.

19 And then after the New Year, I was on the line. Immediately  
20 after the New Year's Day, I left for Zagreb.

21 Q. Thank you. Let's round off this story with P01622. The document  
22 is --

23 JUDGE ANTONETTI: [Interpretation] General Praljak, I have a  
24 question to put to you on this issue. If I have this right, you shot the  
25 video in Zagreb **after the fact to show what had happened in the fall of**

1 1992, when you spoke to the soldiers who had fled. And what you said was

2 translated, and we have the English version. Now, it so happens that  
3 from the B/C/S French booth we heard one thing that is not in the English  
4 version. You said, "We will fuck their mothers." Did you really say  
5 that?

6 THE WITNESS: [Interpretation] No, it was neutral. It means "fuck  
7 him." It's a neutral form.

8 THE INTERPRETER: "Motherfuckers," in fact, interpreters note.

9 JUDGE ANTONETTI: [Interpretation] You know, telling this to young  
10 soldiers, who are, you know, 18 to 25, hearing their commander say this,  
11 do you think it's normal, or is it just a routine expression that is used  
12 in your country and that does not really have any sexual, you know,  
13 meaning behind it?

14 THE WITNESS: [Interpretation] Judge Antonetti, Your Honour, I  
15 don't think I said it that way. I think I used a neutral turn of phrase.  
16 But even if I had, if you look at any realistic film about the army in  
17 any war, the expressions used are far worse with every army during a war,  
18 in every war. So I studied what Russians, as bears, what was said about  
19 the Germans later on, and especially during World War II. What I was  
20 saying was far too mild, because, you know, war rhetoric is quite simply  
21 quite different to civilian rhetoric or speech. And if you like, I can  
22 bring in all the things that Hemingway said about the Germans, for  
23 instance, or that 95 percent of the Americans wanted to throw a bomb on  
24 Hiroshima and Nagasaki. War has different rules, and although I think I  
25 used a neutral turn of phrase, and even if I had said something else, it

1 would -- it meant nothing else but we will beat them, in military terms,  
2 we will militarily vanquish them.

3 MS. PINTER: [Interpretation]

4 Q. General, in daily speech, of course, unofficially, not when we're  
5 doing official business, do we tend to use swear words?

6 A. Yes, over and above every reasonable measure.

7 Q. Thank you. Now turn to P01622, please. The document is to be  
8 found in the binder titled "Central Bosnia," and it is the presidential  
9 minutes and transcript.

10 And for Their Honours and those who speak English, this is  
11 page 18 of the 60 pages of the English translation.

12 I can give our ERN number, which is 0132-2353.

13 What can you tell us about this document? What do you know about  
14 the document, the circumstances under which it was compiled and so on?

15 A. Let me just follow on from what I was saying. This word  
16 "mater," "mother," et cetera, is what we use for football games. It's --  
17 there's no sexual connotation. It just means, We're better, we're going  
18 to beat you. So as you well know, Defence counsel, it has no other  
19 connotations.

20 Anyway, this is the minutes of the conversation between  
21 Dr. Franjo Tudjman with representatives of Central Bosnian municipalities  
22 on the 8th of March, 1993. So because of the situation we had up there,  
23 these people, and [indiscernible], Krizanac, they're enumerated here,  
24 Dominik Sakic from Zenica, they had come in to complain and talk about  
25 the problems that they had up there with a clear preparation for an

1 aggression by the BH Army against the Croats of the area. And quite  
2 simply, I have no need to add anything to this, because it's all set out  
3 very precisely and specifically in a series of statements. They came to  
4 complain and wanted advice about what to do, because Croatia continued to  
5 support the joint struggle and was sending things, and these people found  
6 it difficult to understand. It would be difficult for anybody to  
7 understand. It's quite understandable that there was this aggression  
8 from an army here, which in Croatia **have the status of a full-fledged**  
9 friend.

10 However, what I would like to address now, and I hope you're  
11 going to read through this, I'd just like to focus on one page where  
12 they --

13 Q. And it is page -- 0132-2353 is the ERN number of the page,  
14 general. And the English version, it is page 18 of the 60 pages.

15 A. Zoran Maric here is stating a fact, that there is an extremist  
16 part of the SDA Party, and he goes on to say that in the area they don't  
17 have any educated cadres. And he goes on to say, and I quote:

18 "While Mr. Praljak was in Travnik, things went fairly well. As  
19 soon as he left, the situation deteriorated."

20 The situation became worse. There was no military control.  
21 Crime became prevalent. Some military commanders took over civilian  
22 power and authority, and vice versa, of course, I assume, because I know  
23 that civilians also began meddling in army affairs. And they're asking  
24 the president to prevail upon me to return.

25 So when I'm speaking pro domo sua, I simply feel that I worked

1 well and that this is confirmation that I used, and a harnessed all my  
2 energy, and succeeded in keeping the situation under control, as far as  
3 was possible, and that with my departure the situation deteriorated quite  
4 significantly. So that would be my answer.

5 Q. Would you now look at the next document, which is P01852. It's  
6 already an exhibit in these proceedings. We've already seen it.  
7 However, I feel that it is important for you, personally, to say a few  
8 words about it.

9 A. The document was written a little later, that is to say, on the  
10 12th of April, 1993, and the HVO of Travnik is writing in connection with  
11 the armed conflicts that took place around Easter, and they are writing  
12 to the president, Franjo Tudjman. And they explain in detail what the  
13 problems were, so I have nothing to add to that, it's already an exhibit,  
14 except to say that on the last page in that letter, they are requesting  
15 that they be assisted, and sent officers from the Croatian Army to help  
16 them out, but they're also asking for my return. I have nothing to add  
17 to that. And here we see who this was sent to: the president of the  
18 republic, Tudjman; then Boban; then Jadranko Prlic.

19 I consider that this is confirmation of the kind of work that I  
20 was doing there. And I have only managed to explain my work partially  
21 here, because I don't have enough time to go into the dozens of examples  
22 where intervention was required and where it was necessary to stand up to  
23 people, issue threats perhaps, shout, entreat, and so on. It's not  
24 possible to go into all the details and ramifications of that here, and I  
25 have just selected certain examples.

1 Q. Yes, General, thank you. I apologise for overlapping. Was this  
2 invitation for assistance from the Croatian officers for offensive  
3 operations that the HVO intended to take?

4 A. The HVO in Central Bosnia had absolutely no possibility of using  
5 their forces and manpower that they had at their disposal, under an  
6 encirclement and siege by the BH Army, to even think about any offensive  
7 action. That, quite simply, was out of the question. It was just not  
8 possible, because the ratio of forces was such that not even the maddest  
9 commander would have entered it into his head to take such action.

10 Q. Thank you. I'd now like to ask you to take up the next document,  
11 which is 3D02638, and they are the wartime recollections of  
12 General Alagic. And in English, it is document 3D02832, General Alagic's  
13 war memoirs, and the text begins on page 3D34-1053.

14 A. Ms. Nika, what number did you say? I've got this mixed up.

15 Q. 3D02638, and you'll find it in the large Central Bosnia section  
16 of your file.

17 MR. STRINGER: Could we get a citation to the English page,  
18 please. Thank you.

19 JUDGE TRECHSEL: 3D02832.

20 MR. STRINGER: Well, in e-court I have the translation as  
21 beginning on page 3D41-0087. It's a ten-page document, so I'm not -- the  
22 page number that's been given doesn't correspond to the English  
23 translation that's in e-court, I don't believe. It's just ten pages. If  
24 the general wants to start talking about it, I can try to find it.

25 THE WITNESS: [Interpretation] I'll start off with page 8 of the

1 Bosniak version, page 8.

2 MS. PINTER: [Interpretation] 3D41-0089 is the English page  
3 number.

4 THE WITNESS: [Interpretation] Mr. Alagic was a general in the  
5 BH Army, and in his book, "The War in Central Bosnia," describes, of  
6 course, his vision of the events.

7 Here, in this particular excerpt, the first one, he speaks  
8 about -- well, it's confirmation of what we've been discussing here  
9 throughout. Alagic was an officer of the Yugoslav People's Army  
10 previously, and he tells us when the first cockades in the barracks  
11 appeared.

12 And just for your information, Your Honours, the cockades were  
13 worn by the Chetniks. It's an insignia that the Chetniks wore on their  
14 caps and hats, or the subara type of Serbian fur hats, and he says that  
15 occurred already in 1990.

16 And lower down, he says he was in Belgrade when a secret plan was  
17 devised called "Avala 1." And then he goes on to say about the training,  
18 and Alagic was the commander of a Russian division there, that was the  
19 role he played, and they are the plans S-1 and S-2 that I have already  
20 talked about; that is to say, an attack of the Warsaw Pact or rather  
21 NATO, a possible NATO attack and training, and the response by the  
22 Yugoslav People's Army. And those maps have already been shown here.

23 Then he goes on to say that already at that time, he came to  
24 realise that, in fact, they were doing this for the line  
25 Karlobag-Karlovac-Virovitica that we mentioned before, and that already

1 at that time the army did not have plans elaborated for the defence of  
2 Slovenia. He goes on to say that when this was made clear to him,  
3 et cetera, et cetera, and says that this plan Avala-2 dealt with an  
4 attack on Psunj, Papuk, that's all Croatia, towards Zagreb; and that the  
5 topic of his graduation thesis was an attack with an armoured mechanised  
6 brigade in order to go through Bihac, to Korana, et cetera, the two  
7 rivers towards Slovenia, and to make a wedge there.

8 Q. 3D41-0090 is the English page number, and 3D33-0343 in Croatian.

9 A. Here in this part, he says that he decided not to stay with the  
10 JNA. He engaged in trade after that, but he used his military booklet to  
11 travel across Krajina. And now obviously this is a piece of information  
12 about the times that we're talking about, when he could leave the JNA and  
13 still retain his military booklet and travel across Krajina that the  
14 Serbs had already placed under their control.

15 He says that he could not join the military organisation of  
16 Bosniaks and Croats in Banja Luka because there was no military  
17 organisation of Bosniaks and Croats. This all smells a rat. It seems  
18 that the journey that person took was somewhat strange, which I'm going  
19 to demonstrate later.

20 He says his address was in Vojvodina, so they couldn't trace him  
21 in Banja Luka, and he says that he was arrested in August 1992.

22 Sanski Most is not important, but it says here that he was  
23 charged, but General Milan Uzelac, the commander of the Yugoslav People's  
24 Forces of the corps of Banja Luka in the Yugoslav People's Army

25 intervened, and he was released, which means that Uzelac knew very well

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1 where he was, and he was released without any documents. That meant that  
2 he could not leave the town, which simply wasn't true.

3 I don't know what the rest of the document has been translated,  
4 but if it hasn't been, I can read it, because everything seems very odd.

5 He says he was arrested in August 1992, that he had been in town  
6 for 15 days, and that on the eve of the attack against the municipality  
7 that took place on the 12th of May, he talked about defence with Sabic,  
8 Kljucanin and Osmanovic. Now, the 19th of May certainly precedes August  
9 1992, of course. He met with the Muslims already then - this was in  
10 Banja Luka - and I believe at that time it was simply not possible.

11 And why am I saying this? I'm saying this because of the  
12 following paragraph, which is paragraph 13.

13 Q. General, you have to read, because we don't have a translation.

14 A. He says:

15 "This meant that I was free," this has been translated, "but that  
16 I could not leave town."

17 And I continue, and I quote:

18 "I stayed in town for 15 days after that. It was only on the eve  
19 of the attack on the municipality which took place on the 19th of May,  
20 1992," and we know that the war was already raging in Bosnia-Herzegovina  
21 at the time, and I continue quoting from his book:

22 "I talked to Sabic, Kljucanin and Osmanovic about defence. I  
23 didn't know whether anything had been organised. I didn't know how many  
24 men they had, where they were."

25 And he says that the talks took place two days before the Chetnik

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1 attack on the town. How did Chetniks attack Banja Luka? I'm not clear  
2 on that, and I'm also not clear how come he was arrested in August 1992,  
3 and then he says after that he spent another 15 days in town, and so on  
4 and so forth.

5 Let's move on, and then you will see what happened next.

6 The arrival in Travnik, that's on page 13 in the Bosniak version.

7 Q. 3D41-0090 in the English version, and 3D33-0344 in the Croatian  
8 version of the text.

9 A. Look here. The gentleman, who is in Banja Luka, talks about the  
10 organisation of defence, and then on the 13th of January, 1993, he  
11 appears in Travnik. He reported to the personnel officer in the  
12 barracks. Thus, in the barracks in Travnik, which had been abandoned by  
13 the JNA, the HVO troops and the BiH Army troops were billeted. He  
14 volunteered, and he said that he could be a foot soldier or a commander.  
15 He said that he was a lieutenant-colonel by rank and that his complete  
16 personal documentation was in his brief-case. Before that, he said that  
17 his documents had been taken away from him.

18 He went to Visoko. He met with Cuskic, Mahmuljin and  
19 Hadzihasanovic there. He said the barracks did not look like a military  
20 premises. He was given a task to organise three battalions. And then  
21 somebody accused him of being a Communist and asked him why he was there,  
22 and his reply was that that person, that soldier, could not replace him  
23 and that Alagic could, in turn, replace that other person in his place.

24 Your Honours, it is absolutely unclear what happened between May

25 or August 1992 until the 13th of January, 1993, what Mr. Alagic was doing

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1 during all that time and where he was during all that time. Obviously,  
2 he did not write this in his book. However, if somebody spends six  
3 months under a fierce attack of the JNA and Chetniks against his people,  
4 he was hiding somewhere, unless, once he was released by Uzelac, he did  
5 not start working for the JNA, and you will see why.

6 Six months, only the 13th of January, he reported in order to  
7 help the defence of Bosnia and Herzegovina, and he says that before that,  
8 he could not leave town. If he could not leave town in May, then - and  
9 I'm talking about May 1992 - then in January 1993, it's absolutely  
10 unclear how he was even alive.

11 Let's go to page 14.

12 Q. Just a moment. 3D41-0091. Croatian, 3D33-0345.

13 A. Now look how this functioned. He says that when he arrived,  
14 those were the first elements of the preparations for a serious war  
15 against the Chetniks. It seems that before that, they did not deal with  
16 the Chetniks at all.

17 And he goes on to say at that time Cuskic returned from his  
18 holiday that he had spent in Rijeka. **So Cuskic, the army commander, was**  
19 **in Croatia, spending his holidays in Rijeka.** They agree to establish the  
20 Bosanska Krajina OG group, and that OG group would incorporate four  
21 brigades; the 7th, the 17th, the 27th and the 37th. It was only then  
22 that they established the brigades. What they did before that and who  
23 was defending the area from the Chetniks, I leave to the Trial Chamber to

24 conclude.

25 And now look at this: An order to establish the OG Group

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1 Bosanska Krajina was issued on the 27th February. Thus, on the 27th  
2 February, 1992 -- that's 3, madam.

3 Rasim Imamovic had arrived from Zagreb with an order to establish  
4 the Motorised Banja Luka Brigade headquartered in Zagreb, or rather its  
5 command would be headquartered in Zagreb, which means that the refugees  
6 from Banja Luka, who ran for their dear life, Muslims, had the seat of  
7 their command in Zagreb; and they issued the order to use all the men  
8 that would become a motorised brigade, and thus they established the  
9 27th, composed of some refugees from Kotor Varos, and it was only then,  
10 as he says, some orders were issued, but they were not implemented, and  
11 these were the beginnings of the BiH Army, and in that area that army  
12 would show its strength exclusively, or predominantly, on the HVO.

13 And now let's move on to page 15.

14 Q. Just a question before that. You mentioned Mehurici. Where is  
15 Mehurici?

16 A. It is -- it is in Central Bosnia. This was the central base of  
17 the Mujahedin.

18 Q. Thank you. And now the page that you are moving to now, I have  
19 not written it down. It is 3D, in Croatian, 33-0346, and in the English  
20 version it is 3D41-0091.

21 A. He elaborates here and says that there was the Jajce syndrome.  
22 He says that people had to have the idea restored into their heads that

23 they would be returning home, because the entire region of Krajina, and I  
24 mean, Your Honours, the west and north part of Bosnia-Herzegovina from  
25 Banja Luka in the direction of Croatia. And he says that people were

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1 fleeing to Europe, **across** Croatia, and they were considering the transfer  
2 of some units to Bihac. The HVO printed papers as travel documents.

3 It says here that the HVO officers, which at that time still  
4 cooperated with us, were holding it against him for organising m  
5 mobilisation. I don't know where he draws the right to proclaim  
6 mobilisation. And, second of all, the mobilisation was proclaimed by  
7 Mr. Izetbegovic, i.e., the Presidency. And he says that he concentrated  
8 units in Travnik. He says that he had brought in the 305th Jajce, a  
9 brigade that was composed of the refugees from Jajce; Muslims.

10 And now, please, he says that he was visited by  
11 Ambassador Thebault, the Vance-Owen Plan was already topical. And now,  
12 Your Honours, look what he says to Thebault, and I quote:

13 "This is where this plan is going to fall through, Mr. Thebault."

14 And he also says to him:

15 "This is where Herceg-Bosna is going to fall onto its knees."

16 And he also says that the joint barracks in Travnik, he was not  
17 going to share with the HVO. And he says very determinedly two  
18 militaries cannot share a barracks, two flags cannot be on that building.  
19 He said to the commander of the HVO, You are going to leave the  
20 barracks, whatever happened later on concerning the arrest of the people  
21 in the barracks in Travnik. And he says the commander of the area says

22 very neatly, and he continued.

23 He says that he was unknown. His successes were not known to  
24 Milosevic and Tudjman. Milosevic and Tudjman did not know anything about  
25 him. Can you imagine the arrogant vanity of a JNA officer who's hiding

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1 in Banja Luka and talks to Uzelac and makes God knows what kind of  
2 arrangements with him; and Tudjman and Milosevic knew of him, and that's  
3 why he was successful in his attacking the HV, robbing them of any right  
4 to existence unless they do what he said, because, as he found -- as he  
5 found later, Tudjman and Milosevic had split Bosnia-Herzegovina, and  
6 Alagic - they don't know anything about him - he is an enigma for him,  
7 and that's why he's going to do things differently and he's going to defy  
8 their plans.

9 I believe everything is clear, the misery of this way of  
10 thinking, but I'll skip all that.

11 JUDGE TRECHSEL: There may be a miss -- you may have misspoken,  
12 or an error in the translation, perhaps, on line 11. You explained that  
13 this is why he was successful in his attacking the HV. Should it not  
14 read "HVO"?

15 THE WITNESS: [Interpretation] The HVO.

16 JUDGE TRECHSEL: Right.

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

18 Q. General, you have mentioned for the second time Uzelac. Who was  
19 Uzelac?

20 A. Uzelac was the commander of the Banja Luka Corps. Uzelac was the  
21 commander of the Banja Luka Corps of the Yugoslav People's Army, and

22 later on, I believe, of the Army of Republika Srpska. I don't know the  
23 rest of his career, but he was the most important Serb in that area.

24 He released him from prison. For the next six and seven months,  
25 nobody knew what he was doing, and then Travnik comes, and you see what

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1 he says about Travnik. And this is, Your Honours, something we don't  
2 have any direct evidence about, but these things show that they  
3 infiltrated into the Army of Bosnia-Herzegovina, the Serbs infiltrated  
4 into the Army of Bosnia-Herzegovina people who were working for them  
5 during the course of events and who, amongst other factors, caused the  
6 BiH Army to provoke a conflict and attack the HVO not only in  
7 Central Bosnia **but also in Vakuf, Konjic and Mostar.**

8 And now can we go on to page 18, where he develops the thesis.

9 MS. PINTER: [Interpretation]

10 Q. It is 3D33-0348 in Croatian, and in English this is 3D41-0092.

11 A. Firstly, he provides an explanation to justify his actions. He  
12 says that the Croats -- or, rather, that the Chetniks had managed to  
13 reach their political positions and that the Croats instilled political  
14 structures in the area that should have been Croatian.

15 There were a lot of more Muslims there, and at that time Croats  
16 didn't play -- which you can see from the stories of the people who came  
17 to see Franjo Tudjman. They were already in an inferior position, much  
18 inferior. And then he says that the heads of the HDZ were transformed  
19 into the commanders of the HVO, and then he goes on to say he was of the  
20 opinion that for the strategic situation in Bosnia and Herzegovina, **not**

21 only in Central Bosnia, and he arrived at a conclusion that only a wedge  
22 in the centre of Bosnia **could have broken their grip, and when he says**  
23 "their grip," he means the Croats and the HVO.

24 The overall situation in Bosnia and Herzegovina, according to the  
25 ideas of Commander Alagic, who is in command of four very strong brigades

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1 of the Army of Bosnia and Herzegovina, **the situation in Bosnia and**  
2 Herzegovina **would become clear, not after an attack against the Chetniks,**  
3 the Army of Republika Srpska; he's rather going to use a wedge in order  
4 to break from the grip of the HVO. This is what he plans.

5 MS. TOMANOVIC: [Interpretation] I apologise, but I will have to  
6 correct the transcript, although the general is really doing his best to  
7 speak slowly.

8 At page 40 [as interpreted], line 11, the general did not say  
9 Herzegovina **would become clear, but would become resolved. So the**  
10 general didn't say that the situation would be clear, but that the  
11 situation would be resolved.

12 THE WITNESS: [Interpretation] Yes.

13 JUDGE TRECHSEL: I think we have to correct the correction. That  
14 was not page 40, but page 60 that you referred to.

15 MS. TOMANOVIC: [Interpretation] Absolutely, that's correct. I  
16 said "60."

17 THE WITNESS: [Interpretation] And that's not what Praljak is  
18 saying. That's what Alagic is saying, and that's why we have to read all  
19 those words very calmly.

20 A, the whole of the strategic situation in Bosnia and Herzegovina  
21 would be resolved by breaking the grip of the HVO. That was very  
22 important to do, and he says, We actually managed to do that later. And  
23 at the time of writing, he believes that in the areas where he attacked  
24 the HVO and where he achieved his goals, partially, of course, that the  
25 definitive division of Bosnia and Herzegovina was prevented. Serbs,

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1 nothing, 70 percent of the territory, nothing that was occupied. He's  
2 only interested in the HVO. And by defeating the HVO in Central Bosnia,  
3 he prevented the division of Bosnia-Herzegovina.

4 Your Honours, this is the concept that the high-ranking officers  
5 in the BH Army had, and this was written here quite specifically, who  
6 attacked whom in Central Bosnia, who harboured what intentions, and who  
7 thought what.

8 Further, he goes on to say that the Operative Group  
9 Bosnian Krajina is an example of the finest troops of Bosnia and  
10 Herzegovina, and he specifically speaks about two brigades, the 7th  
11 Muslim and the 17th Krajina Brigade. And he goes on to say that they  
12 operated in Travnik, Zenica, and Kacuni --

13 THE INTERPRETER: Interpreters remark, could Mr. Praljak please  
14 speak into the microphone.

15 THE WITNESS: [Interpretation] And the intention of the enemy, of  
16 course. The enemy is a reference to the HVO, to take the Lasva valley,  
17 Travnik, Vitez, the Lasva, not the Busovaca area. And this mobile  
18 prevented this intention and now he goes on to say --

19 THE INTERPRETER: Interpreters remark, the interpreters cannot  
20 hear Mr. Praljak because he's not really speaking into the microphone.

21 JUDGE PRANDLER: Mr. Praljak, please, the interpreter is asking  
22 you to speak to the microphone, and of course speak more slowly. Thank  
23 you.

24 THE WITNESS: [Interpretation] Thank you.

25 So, Your Honour, they attacked Sebesic. You can see they had

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1 hundreds of orders for the attack. The HVO has no attack orders, apart  
2 from some minor tactical movements or what is called the active defence.  
3 He says that they won a victory, and our tactics, he say, consists -- he  
4 says consisted of infiltrating elements of our forces into the rear and  
5 then creating conditions for attacks from a circular base.

6 The people from -- the guys from Sebesic later on fought in the  
7 Prozor area. I know those guys. Sebesic is deep behind this line. It's  
8 a place that is between Vakuf and Travnik. And apart from cleaning up  
9 and the attack to take this road, there's no other purpose, apart from  
10 defeating the HVO.

11 Let us move on to page 21.

12 JUDGE TRECHSEL: I have a question, Mr. Praljak. You have said  
13 that there were hundreds -- or that, We had or we could see hundreds of  
14 attack orders from the ABiH. I do not see them. Can you explain where  
15 we see them?

16 THE WITNESS: [Interpretation] In this case, Your Honour, we have  
17 seen at least a hundred orders from the BH Army for attacks, from Mostar  
18 to Konjic, Vares; and they are on the record, where it says quite

19 explicitly an attack order. In the Neretva-93 offensive, dozens and  
20 dozens of such orders.

21 MS. PINTER: [Interpretation]

22 Q. General, I'm sorry. Before we go on to this page, as regards  
23 Sebesic, what was the importance of Sebesic?

24 A. It afforded control of the roads. It was a dominant point.

25 Q. Thank you. The page is 3D41-0092 in English. And 3D33-0349,

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1 that's in the Croatian language.

2 A. Well, this decision for him to take the Bosnian Posavina  
3 Operative Group was taken at a meeting in Plave Vode in Travnik. That  
4 was their command that I went to often, and I knew where it was. And  
5 Hadzihasanovic gave him some other units, 306, 325, 312, all those  
6 brigades. I don't want to now list them all. And then they were to be  
7 joined by the 27th Brigade, which was in the process of forming, and 75th  
8 Jajce Brigade.

9 THE INTERPRETER: Interpreters remark, we did not really hear the  
10 number.

11 THE WITNESS: [Interpretation] And now we can see the cynicism at  
12 play. This is where it starts.

13 So expecting the attack of the HVO on Travnik, after he had  
14 already expelled them from the barracks, and after at least -- the units  
15 that were at least seven times as strong as the small Travnik Brigade,  
16 but at any rate, he says, Expecting the attack on Travnik, we have  
17 already deployed our forces in secret, not only in the town but in the  
18 entire area. On Vilenica, we had our forces behind the HVO back without

19 them being aware of it.

20 And then he goes on to say we -- that they were ready to take  
21 positions facing the Chetniks that were, of course, held by the HVO, but  
22 once they attacked the HVO, the HVO would abandon the lines facing  
23 Chetniks to defend itself, and then they would take those lines.

24 And then he goes on to say, And that is why when the city was  
25 mopped up at around 1300 hours, I got onto a white mare, and that's what

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1 winners do. The victors ride on white horses. And so on and so forth.

2 So they prepared the attack in secrecy. They deployed the units  
3 behind the HVO backs. They did not hold the lines against the Chetniks.  
4 They cleaned up the town, they expelled the population. They captured a  
5 certain number of people, killed some of them. And this is stated  
6 explicitly by a person who was in charge of these events, who  
7 participated in those events, a general of the BH Army, Alagic.

8 Let us move on. Page 26 --

9 Q. 3D --

10 JUDGE PRANDLER: I would like to say something.

11 THE INTERPRETER: Microphone, please.

12 JUDGE PRANDLER: Sorry.

13 Before you go to other pages, I would like to ask you about  
14 page 7 in the English text, and which is actually the page 30, 3-0, of  
15 the original text, and here is an important point which I would like to  
16 raise.

17 On page 30 of the original text, and page 7 here, the headline  
18 says that, and I quote:

19 "Croatia sent 13 of its own brigades to Gornji Vakuf, Prozor and  
20 Jablanica." When I read it first, I thought that probably there is a  
21 mistake, if the author would like to speak about the 13th, that is, and  
22 not the 13 brigades. And when I checked the original, it is being said  
23 here, and I quote, and I am sorry for my pronunciation, that "Hrvatska in  
24 Gornji Vakuf, Prozor, Jablanica [B/C/S spoken]." So, anyway, we speak --  
25 or they speak about 13 brigades of Croatia.

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1 Now, a few days ago, as we recall, there had been a discussion  
2 and exchange of views on the facts -- on the alleged facts, if there were  
3 any Croatian official units in Bosnia and Herzegovina, and of course you  
4 spoke about this question. So now how would you explain this assertion  
5 that Croatia had 13 of its own brigades in that area, that is,  
6 Gornji Vakuf, Prozor and Jablanica? Thank you.

7 THE WITNESS: [Interpretation] Well, it's quite simple,  
8 Your Honour Judge Prandler. It is simply an insane lie. Thirteen  
9 brigades of the Croatian Army liberated -- well, that's what I wanted to  
10 get to. I didn't mean to skip that, but now we're talking about 1994,  
11 when they talk about Here and so on.

12 And as I've already told you, I was there in 1994, although the  
13 Prosecution did not mention that. I was there around Here. Well, I  
14 admit to that, and they can write this down and ask me about it.  
15 Thirteen brigades of the HV -- of the Croatian Army defeated Martić's  
16 army and liberated Krajina. And when -- well, they liberated Bihać. And  
17 when they headed towards Banja Luka, it was a very strict order from

18 Franjo Tudjman and, in turn, from the Americans, Stop the troops from  
19 inflicting a decisive defeat on the Bosnian Serbs.

20 Thirteen brigades of the Croatian Army would have gone through to  
21 Tuzla **in three days, but those lies served only to fluff up his own**  
22 glory, because he faced 13 brigades of the Croatian Army and yet he  
23 defeated them all. But Alagic says, for himself, that he's so cunning  
24 because Milosevic and Tudjman couldn't really grasp what he was all  
25 about.

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1 Can you get into the mind of this man, this man who is hiding in  
2 Banja Luka and who is trying to get some arrangements? And now he  
3 believes that Tudjman and Milosevic are really thinking about him, but he  
4 managed to slip through, and he managed to prevent the division of Bosnia  
5 and Herzegovina **by defeating the HVO in** Central Bosnia. He does not  
6 speak about any actions against Chetniks in his book, not a single one,  
7 because he's not interested in that.

8 His group, the 7th, the 17th, and all the other brigades, he did  
9 not take this group and lead it towards Banja Luka.

10 JUDGE PRANDLER: I hate to interrupt you, but for me, your answer  
11 is enough. Thank you.

12 JUDGE ANTONETTI: [Interpretation] General Praljak, if we use the  
13 assumption that late General Alagic is telling the truth, that there are  
14 13 brigades, it is an important armed forces and theoretically these  
15 brigades, which moved, must have moved along with orders. You know,  
16 there must be some evidence. You can't move 13 brigades without

17 physicians and logistics and so forth and so on. So if he's really  
18 telling the truth, in the archives and in the documents of the Croatian  
19 Army, we must find evidence of this.

20 You had a very senior position in the Croatian Army, so what can  
21 you tell us about this?

22 THE WITNESS: [Interpretation] Well, Your Honour, the same thing.  
23 Well, let the Prosecution show any order to any Croatian brigade at that  
24 time, in that area. Thirteen brigades of the Croatian Army, that's  
25 almost 30.000 soldiers, 30.000 soldiers. 30.000 soldiers, in addition to

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1 all of those who were there, well, that's -- these are columns that are  
2 hundreds of kilometres long. A brigade that is moving in echelons, it's  
3 hundreds of kilometres long. This is such a bare-faced stupid lie,  
4 because you can have an intelligent lie. If he mentioned just a brigade,  
5 well, then perhaps you can work around that, but if somebody is really  
6 talking nonsense and just blathering on and lying, but when he's also  
7 stupid, then he says 13 brigades, 30.000 soldiers, that's the 13 brigades  
8 of the Croatian Army.

9 MR. STRINGER: Mr. President, so we've got one part of the book  
10 that the general is tendering, which he contends is a lie. Now I'd like  
11 to take us back to another part of the book which he wants the  
12 Trial Chamber to accept as true because evidently it suits his case, and  
13 I want to get the time-frame for that. This is -- I'm looking at page 6  
14 of the English translation. I think it's page 21 of the book. At least  
15 that's what the translation indicates.

16 The general was talking about this incident or this text in which

17 it's written about the 306th and the 325th and the 312th, et cetera,  
18 Brigades, and the decision to try to take the Operative Zone  
19 Bosanska Krajina. That's something the general was talking about a  
20 couple of minutes ago, and how Alagic evidently redeployed the ABiH units  
21 away from the Serb positions and put them in a position to face the HVO.  
22 What's the time-frame, if I could ask, when all that is said to have  
23 occurred?

24 THE WITNESS: [Interpretation] These attacks on Sebesic were in  
25 the spring, February or March. Travnik was cleared up, and we know that

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1 for sure. Petkovic, stand up and tell us. I can't remember the date  
2 exactly. If you know about that, I think Their Honours will let you get  
3 to your feet.

4 MS. PINTER: [Interpretation] Not without the Judges' permission.

5 THE WITNESS: [Interpretation] Yes, I meant with the Judges'  
6 permission. When Travnik was cleared up, it was 1993, in May or June.  
7 That's correct.

8 Now, what Judge Prandler was saying about 1994, those were --  
9 there was fighting in January 1994, when they attempted to break through  
10 again at Vakuf. And, Your Honours, and gentlemen of the Prosecution, I  
11 state again that I was there again as a volunteer and I took part in  
12 that, and there were no Croatian forces over there at that time. We  
13 achieved certain tactical steps in advance, and I took part in them, and  
14 I can enumerate: Ciganske Livade, Zavisce, Skarina Glava, Here,  
15 and perhaps one more that I can't quite remember just now.

16 I came here to tell the truth, and I shall tell the truth.

17           So he cleared up Travnik in May or the beginning of June 1993,  
18           but that is easily established if we look at the documents that we have  
19           at our disposal.

20           And I'd like to look at page 26, please.

21           JUDGE ANTONETTI: [Interpretation] Just a minute. We will take a  
22           look at page 26 after the break. It's time for the break.

23           JUDGE TRECHSEL: I wish to apologise to everyone. I have another  
24           engagement in another country, which will force me to leave after the  
25           break. I will read up, of course.

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1           --- Recess taken at 12.26 p.m.

2           --- On resuming at 12.50 p.m.

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

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

5           Q.    General, before we continue, just to correct something it says in  
6           the transcript on page 67, line 5. When you were speaking about the  
7           length of the deployment and development of 13 brigades and one brigade,  
8           it says in the transcript that one brigade moves hundreds of kilometres.

9           A.    No, no. We have had the problem -- or, rather, how much an  
10           infantry or armoured brigade, when it marches in echelon, what length of  
11           a route this occupies.

12           First of all, the brigade doesn't always move in an echelon, in  
13           echelon formation, but two echelons. And then I drew a diagram and  
14           proposed to Their Honours that a brigade moving along the road goes for  
15           about 45, 50 -- takes up 45 to 50 kilometres of vehicles, men, and  
16           everything else that a brigade is composed of. So if you have 13

17 brigades, well, in Vakuf I can't speak about anything so stupid.  
18 Especially there's that report of mine which I sent from Rama and  
19 Uskoplje to myself, I addressed it to myself in 1993, when I asked the  
20 others to tell me exactly how many men we have up at the front-line. And  
21 from that document, which has already been admitted into evidence, and it  
22 was written during the war, it's quite clear what forces I had.

23 And in 1993, I was leading the defence of Uskoplje and defending  
24 them from the BH Army, the manpower and strength I had, and it's below my  
25 logical dignity to talk about 13 brigades of the Croatian Army in that

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1 area; of 30.000 soldiers, that would be.

2 Q. Thank you. That was for the record.

3 As far as I know, we left off discussing page 26 of the book,  
4 which is 3D41-0093 in English and 3D33-0350 in Croatian.

5 A. He goes on to explain the war in Central Bosnia, and he says that  
6 the decisive moment was the break through in the Krizancevo Selo, which  
7 was on the 22nd or 23rd of December, 1993.

8 One has to note here that about 70 people were killed not in  
9 combat. Those people were killed in Krizancevo Selo. There's a report  
10 to that effect by the English intelligence officers, and there are some  
11 other documents. And he says that after that, the Croats were forced to  
12 sign a cease-fire agreement. As far as I know, and General Petkovic will  
13 know even better than me, that at least such -- ten such cease-fire  
14 agreements were signed, and we adhered to them.

15 And this is how he explains why he did not liberate Vitez,  
16 liberate Vitez. He says that this is due to the fact that he was left

17 there as a strategic valve, that Vitez was left there as a strategic  
18 valve. If they had taken Vitez, arms and the rest of the things would  
19 have stopped coming from Croatia. **And he says there was a shortage of**  
20 everything, food and everything else, and that was one strategic problem,  
21 and that Croatia **would perhaps have changed its position. And** Croatia  
22 unfortunately, if I may say so, did not change its position after all of  
23 the operations and all-out aggression.

24 And he says that he was afraid he would not be able to control  
25 the troops after what had happened in Ahmici and Stupni Do.

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1 Krizancevo Selo, Uzdol, Grabovica, and all the others where the  
2 BH Army killed over 1100 Croats outside combat, he doesn't say a word  
3 about that. So much about that.

4 Q. Our next page is 30 --

5 A. Yes, but here I've already answered that question. Truth be  
6 told, at that time General Roso was in command of the HVO, and I said  
7 that I -- after having left the position as the commander of the  
8 Main Staff of the HVO, because of further attacks after the cease-fires  
9 had been signed, there was a cease-fire agreement which was signed in  
10 October 1993. After the offensive by the BH Army, Neretva-93 was  
11 stopped. They did not stop attacking the HVO, and they did not give up  
12 their plan to break through to the west and to the sea.

13 And I emphasise once again that there is no single word about the  
14 attacks against Serbs, which means in the direction of Banja Luka, the  
15 corridor, or Bihac.

16 He said previously that if he had taken Vitez, Hrvatska would  
17 have perhaps have stopped supplying Bihac, which never occurred to  
18 anybody to do so in Croatia, **irrespective of the total incomprehensible**  
19 behaviour on the part of the BiH Army and the crimes that they had  
20 committed, starting with Trusina and onwards.

21 Now let's go on, page 31.

22 Q. 3D33-0352; English, 3D41-0094.

23 A. To a question put by this journalist, or whoever did this, about  
24 the role of Alagic in the operation surrounding Vares, he says very  
25 clearly that he issued the Vares operation order and that he was given

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1 the task to take the 7th Muslim Brigade and embark on the liberation of  
2 Vares from that side.

3 One has to understand the fact that the attack on the HVO in  
4 Vares, which had been completely calm until then, and I've already spoken  
5 about the beginnings of the attack on Vares, and that was a liberation,  
6 for this kind of commanders in the BH Army, we were an enemy military and  
7 an enemy people. On the following page, he says that the outcomes of the  
8 battle were very certain; that they were not afraid that they would not  
9 succeed.

10 He goes on to speak about the logistics of the 3rd Corps. He  
11 says that there were several logistics centres; that the black market was  
12 flourishing; that there were food and ammunitions smuggled; and he says  
13 once, in cooperation with the MUP, he tried to put a stop to that, to  
14 curb that situation, but that it amounted to conflicts. He says that the

15 situation was very difficult, that they were between a rock and a hard  
16 place, and that's why he decided to start trading with the Chetniks in  
17 the area of Meokrnje. Therefore, when it comes to the liberation of  
18 Bosnia and Herzegovina from the Croats and the HVO, he also cooperated  
19 with Chetniks.

20 On page 34 --

21 Q. 3D41-0095, the English translation, and 3D33-0554 is the  
22 original.

23 A. There is a reference to the visit by Mr. Izetbegovic.

24 Q. Just a moment. Let me correct the page. 3D33-0354.

25 A. Izetbegovic's arrival at the 7th Muslim Brigade and the handing

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1 out of the war flag, this illustrates a staged incident that had been  
2 neutralised. However, it also says here that some of the power-wielders  
3 in Zenica were against Alagic, so one cannot say that all Muslims or all  
4 politicians, like, for example, the situation was like in Tuzla, **that**  
5 they agreed to that kind of attitude towards Croats and the HVO. And he  
6 says, in his turn, that they were against him because those people in  
7 Zenica were involved in the smuggling operations with the Chetniks  
8 through Bukovica.

9 And then he speaks about the relations -- the good relations he  
10 had with some people. He wanted money to be allocated for the army and  
11 whatnot. And then we can go on to the following page.

12 Q. Which is, in the original, 3D33-0355, and it is also 3D41-0096  
13 for the English version.

14 THE INTERPRETER: The interpreter's correction, 0095.

15 THE WITNESS: [Interpretation] He says that towards the end of the  
16 summer, he met Mr. Izetbegovic. He says that he did not know anything  
17 about any officers of the BH Army in Sarajevo. **He said to Izetbegovic**  
18 that he, himself, Alagic, had contacts with Bosniaks in Zagreb, and he  
19 conveyed greetings to him from Hasan Cengic. And that's the one and the  
20 same Hasan Cengic who opposed Izetbegovic in the book written by  
21 Filipovic, when he talks about an instance when Izetbegovic could not  
22 manage Hasan Cengic and other young Muslims.

23 So Hasan Cengic was in Zagreb, **and he was using the logistical**  
24 centres that the BiH Army had, with the support of the Croatian  
25 government and the HV, that he enjoyed in Split, Zagreb and Samobor, to

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1 organise the implementation of the plan that the late Mr. Alagic was in  
2 the process of implementing. What is important here is that he said to  
3 Mr. Alagic, We have to launch an offensive war. When he says that, I  
4 claim that he had in mind the HVO, and we're talking about the month of  
5 September 1993, when Sefer Halilovic continued the offensive that he had  
6 launched already in the month of June, targeting the HVO along the  
7 Neretva Valley, **and the ultimate goal was to reach the western borders of**  
8 Bosnia-Herzegovina and thus by doing that to get rid of the Croats in  
9 Bosnia-Herzegovina.

10 In the month of September, their political and military  
11 leaderships signed a separate agreement with the Serbs about the future  
12 organisation of Bosnia-Herzegovina and the end of war operations between

13 the BiH Army and the Army of Republika Srpska, in the month of September  
14 1993.

15 Thank you. So much about this book.

16 Q. General, we left it off with the winter months of 1992, and now  
17 we are moving to the month of January 1993.

18 For the Trial Chamber and everybody in the courtroom, this is a  
19 small file under the title "15 January 1993."

20 Do you wish to say something in general terms or can we start  
21 using documents immediately?

22 A. No, I would like to speak in general terms.

23 Here, the Prosecutor, as one of the key elements showing the  
24 behaviour of the Croatian Defence Council or, rather, the political  
25 leadership of the HZ-HB, speaks about a document that they call a

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1 blackmail or an ultimatum, the ultimatum that the HVO sent to the BiH  
2 Army on the 15th of January, 1993. This is not correct. I state here  
3 that the text of the so-called ultimatum was coordinated in Zagreb **on the**  
4 13th and 14th of January, 1993. It had been discussed with  
5 Mr. Alija Izetbegovic at the Esplanade Hotel in Zagreb.

6 During the talks, at which I was also present, and when it comes  
7 to the drafting of the text of this so-called ultimatum, I was also  
8 involved in that. There were other people involved; namely,  
9 Mr. Alija Izetbegovic, Mr. Gojko Susak. And I believe that on one  
10 occasion, Mr. Gojko Susak was also in the presence of Lord Owen and  
11 Cyrus Vance. The two of them also participated in the talks, and that

12 that document was drafted based on the agreement that had been reached in  
13 Geneva **between the 1st of January and that time when the delegations**  
14 returned to Zagreb.

15 And when it comes to the drafting of the so-called ultimatum, I  
16 was involved in that together with some other people from the Muslim  
17 delegation, in the presence of Mr. Alija Izetbegovic. That document, on  
18 the 15th of January, in the morning, I took with me as I went to Mostar,  
19 and I handed it over to Mr. Stojic, Mr. Petkovic, and Mr. Prlic. They  
20 also signed it and published it. The three of them had nothing  
21 whatsoever to do with the document, namely. The only possible minor  
22 error occurred because Mr. Izetbegovic agreed that that document would  
23 first be publicly broadcast by the minister of defence of Bosnia and  
24 Herzegovina; **in other words, Mr. Izetbegovic's minister of defence.**

25 Q. Bozo Rajic?

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1 A. Bozo Rajic, Bozo Rajic. Since the fighting around Vakuf was  
2 already underway, on that morning, on the 15th of January, 1991 --

3 Q. General, the year?

4 A. A correction. 1993. I correct myself.

5 I was invited to come to President Tudjman's office, and I can  
6 say with 95 percent certainty that Mr. Izetbegovic was also there. And  
7 there was a request upon me, and it was more formal than any ordinary  
8 request. It was not an order, but it was more than a request. It was  
9 still not an order. In any case, it was for me to go to Uskoplje and to  
10 calm the situation down.

11 I took the order with me, and when I arrived down there late in  
12 the afternoon or in the evening, I don't know when exactly -- actually,  
13 when I arrived in Mostar on the 15th of January, 1993, Messrs. Prlic,  
14 Stojic and Petkovic heard from me that an agreement had been reached with  
15 Mr. Izetbegovic, and I gave them the text. I believe that Mr. Bozo Rajic  
16 published that text a day later, because he also had received it as an  
17 official document issued by the minister of defence of the Republic of  
18 Bosnia-Herzegovina, which means that he was a joint minister for both the  
19 BH Army and the HVO.

20 On the 16th, I went to Uskoplje, and I will dedicate some more  
21 time to that later.

22 Mr. Izetbegovic changed his mind about the document, and on the  
23 20th of January, the 20th of January, 1991, he issued an order --

24 Q. 3?

25 A. Yes, 20 January 1993. I apologise.

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1 Mr. Izetbegovic issued an order by way of which he had annulled  
2 the order issued by his defence minister and signed by the people that I  
3 mentioned.

4 In the HVO at the time, there was the endless desire to see the  
5 conflicts, which could be felt and were ongoing, to come to an end, and  
6 that's why we can explain this haste, the haste in which the documents in  
7 Mostar were published one day where they were supposed to be; and perhaps  
8 I didn't convey the exact instructions that we should wait until the  
9 minister made it public, Minister Bozo Rajic, that is, the minister in

10 the government of Bosnia-Herzegovina, the defence minister, in fact, of  
11 the Republic of Bosnia-Herzegovina.

12 It wasn't an ultimatum at all. Let me repeat, the document came  
13 into being on the basis of an agreement. The document wanted to achieve  
14 what we want to do achieve from the very beginning, and that is to  
15 establish some sort of law and order in the army and thereby to prevent  
16 all major problems in the area, in the field.

17 The document didn't do any damage, because on the 20th of  
18 January, it was stopped, cancelled, except that we saw once again that,  
19 as far as Mr. Izetbegovic was concerned, who changed something he had  
20 agreed to previously many times, that he was being controlled by somebody  
21 stronger than him. And in this case, according to my information, that  
22 person was Haris Silajdzic. And in his statement for this Tribunal about  
23 how Silajdzic did this at a meeting which was held at the time, he wrote  
24 a statement to this Tribunal.

25 So I have nothing further to add, except to say that we can now

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1 look at the transcript, and as far as this agreement is concerned and the  
2 creation of this agreement, in conformity with the agreements reached in  
3 Geneva, the following persons took part: Cyrus Vance and Lord Owen.

4 Q. General, I have to ask you the question, because according to the  
5 transcript it would appear that Haris Silajdzic gave a statement for the  
6 Defence.

7 A. No. Mr. Antun Vrdoljak made a statement for the Defence, who was  
8 at the meeting when Mr. Silajdzic, who had just returned from America,

9 exerted pressure on Alija Izetbegovic not to sign an agreement of this  
10 kind. And then I suppose that's where he changed his opinion later on,  
11 of course with great resistance from his generals, Halilovic and the  
12 rest.

13 Q. For the record, once again I want to state the numbers of the  
14 documents that you referred to. One is P0115 [as interpreted], which is  
15 the decision by Dr. Jadranko Prlic; and the second one is P01140, which  
16 is an order by the head of the Defence Department of the HZ-HB,  
17 Mr. Bruno Stojic; and the third is P01139, which is the order from  
18 Brigadier Milivoj Petkovic. I have to repeat the first number, P1155.  
19 Thank you, it's correct now.

20 Now, General, linked to the last document --

21 JUDGE ANTONETTI: [Interpretation] General, you addressed the  
22 issue of the ultimatum of the 15th of January, 1993. We have the  
23 documents before us, and I would like to thank your Defence counsel for  
24 having prepared this small binder, which means that we can see all the  
25 rest of the documents.

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1 On reading this document, we realise that provinces 3, 8 and 10  
2 are being implemented, in military terms. These documents aim at  
3 establishing military command, either ABiH ones or HVO ones, depending on  
4 which area had been decided upon during the Geneva Conference. That's  
5 all very well, but an international conference was held. We understood  
6 that you participated in all that very closely.

7 To avoid any problems, couldn't you have suggested to those  
8 people that attended the international conference this particular

9 document, in the form of a project document, to see that: A, everybody  
10 would agree to it; B, to see whether the states that were -- whose  
11 representatives were attending the meeting, the diplomats, like  
12 Cyrus Vance or Lord Owen, whether they would agree to this; and, C,  
13 whether the opponent or the other side also agreed? If you had  
14 everybody's agreement, you could have then circulated this document. Why  
15 wasn't this done, and why was it decided to publish all these documents  
16 and orders?

17 THE WITNESS: [Interpretation] Judge Antonetti, Your Honour, this  
18 had been agreed in Geneva, **and it was operationalised in Zagreb** along  
19 with everybody's acquiescence and agreement. When I say "everybody's,"  
20 then I mean the HVO, on one hand, Mr. Izetbegovic, on the other side, and  
21 Cyrus Vance and Lord Owen, on the third side, being the third party. And  
22 just to make this quite clear, let's read the minutes once again.

23 MS. PINTER: [Interpretation] P01158 is the number.

24 THE WITNESS: [Interpretation] Yes, and it's the 15th of January,  
25 in Zagreb, **at 1550 hours. The meeting was at Dr. Franjo Tudjman's**

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1 offices, and Mr. Cyrus Vance was attending, as well as Lord Owen,  
2 Alija Izetbegovic, and Mate Boban, and their associates.

3 And look at what Gojko Susak says there. We ought to read them  
4 quietly and calmly, and this is what Susak says:

5 "Once again, I'd like to raise a practical question for which I  
6 thought that we had understood each other a long time ago."

7 And he goes on to say:

8 "Mr. Izetbegovic, we discussed this in Zagreb, and we discussed  
9 it in front of the co-chairman in Geneva," that is to say, Vance and  
10 Owen.

11 And he says:

12 "Due to the effectiveness of the war and we are in an unfavorable  
13 position anyway, where you have predominantly Muslim forces --"

14 THE INTERPRETER: The interpreters do not have the text on the  
15 screen.

16 THE WITNESS: [Interpretation] And it says in Geneva, this was  
17 divided up according to the provinces, so that the Command of the  
18 BH Army, even where the HVO forces were, the command should be the HVO.

19 As Izetbegovic quite obviously, because he had a meeting in the  
20 evening with Silajdzic, changed his mind, had already changed his mind,  
21 he says, and this is Izetbegovic speaking:

22 "Gojko Susak, I can't understand what is being contested here,  
23 after all the agreements that we had reached in Geneva, because the joint  
24 interest is that we should defend ourselves from a joint enemy, a joint  
25 foe."

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1 And he goes on to say:

2 "Is this not something that we've already achieved, because an  
3 agreement had already been achieved?"

4 And he goes on to say:

5 "I sat together with you in the room --"

6 Yes, I apologise for speaking too quickly.

7 I was sitting in the hotel room, in the hotel here at the  
8 Esplanade Hotel, when we made a gentlemen's agreement that you would work  
9 on this, and then he goes on to say:

10 "I don't see what is contentious if, in Gornji Vakuf, no matter  
11 if there are more Muslims or fewer Croats there, but it is in the  
12 territory controlled by the HVO, if orders now coming from Sarajevo are  
13 contradictory to orders from Mostar."

14 And he goes on to say:

15 "Well, you're killing yourselves. Then the Serbs do not need to  
16 fight you any longer, if that's the case."

17 So since I took part in this, I claim and stand by what I've  
18 already said. An agreement had been reached in the matter, and quite  
19 obviously -- that is quite obvious because this was discussed in Geneva.

20 And those talks in Geneva **would, of course, continue, and on**  
21 several occasions we kept saying, Let's place the army at least under  
22 some sort of control in this way until a final politician solution is  
23 found, because with generals of this kind, like Alagic and the rest of  
24 them, without a joint command and some sort of -- well, Your Honours,  
25 that HVO command was not supposed to be mono-ethnic. There was just

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1 the number-one man issuing orders, and it was the second man in command  
2 who was supposed to be a Muslim, so this command -- that was the kind of  
3 joint command it was, and the BH Army remained the Army of Bosnia and  
4 Herzegovina, **with its full establishment, and that was only in order to**  
5 introduce a minimum of law and order. It wasn't the subordination of one

6 army to another, in the classical sense, for us to be able to speak about  
7 any personnel policy, how many soldiers, who was able to replace whom,  
8 and things of that kind.

9 You see, you have a problem on the ground, in the field, when  
10 there are two commands. There's one unit standing next to another unit,  
11 and you don't know how strong each of these are, what the strength of one  
12 is and what the strength of the other is, so there is a lack of  
13 confidence, generally speaking.

14 According to this agreement, this is a classical form and akin to  
15 the system in NATO. The British troops in Iraq are British troops, but  
16 there is one commander who coordinates for the Poles over there and the  
17 British, one person who coordinates them. The armies, however, retain  
18 their entire being and their entire entity. That remains intact. But  
19 you have to know who does what.

20 JUDGE ANTONETTI: [Interpretation] Very well. Let me interrupt  
21 what you're saying so we can go to the crux of things.

22 There are two pages. The minutes of the meeting is 55 pages'  
23 long -- 53 pages -- my colleagues and myself, we'll read the remaining 53  
24 pages, but I don't know what is said afterwards. But Mate Boban, who was  
25 there, couldn't he, in fact, and Mr. Vance and Owen say the following:

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1 My military experts have prepared orders according to which, as of  
2 tomorrow, or as of such and such hour, there will be resubordination  
3 between different units between HVO and ABiH, and we are handing you over  
4 these orders, these are the orders that are to be sent out a few hours  
5 from now, if everybody agrees? Why didn't things follow this course?

6 THE WITNESS: [Interpretation] Judge Antonetti, that's precisely  
7 how it was done. We prepared all that, and Mr. Izetbegovic said, Okay,  
8 yeah, that's it, and I will give that to Bozo Rajic to make it public.  
9 And I took it with me to Mostar. And it was published a day before by  
10 the three people because we wanted to prevent any possible conflicts, and  
11 we were in a hurry to do so.

12 JUDGE ANTONETTI: [Interpretation] So if I understood you  
13 correctly, all these documents signed by Mr. Stojic, Petkovic and so  
14 forth and so on, were signed and handed over in full agreement with  
15 Mr. Izetbegovic?

16 THE WITNESS: [Interpretation] That's correct. The only mistake  
17 was that it was first supposed to be made public by Bozo Rajic, and  
18 Bozo Rajic, as the defence minister, published it. This document was not  
19 submitted here. It should have been also among the documents. And on  
20 the 20th of January, Mr. Izetbegovic cancelled the order by his defence  
21 minister, Bozo Rajic.

22 JUDGE ANTONETTI: [Interpretation] Very well. But if everyone  
23 agreed up until January 20th, this means that it cannot be an ultimatum.  
24 When everyone agrees, there can be no ultimatum. Is this a logical  
25 inference?

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1 THE WITNESS: [Interpretation] Yes, Your Honour, there is no  
2 ultimatum. An agreement is not an ultimatum. This was an agreement that  
3 was reached with the Commander-In-Chief, Mr. Izetbegovic, and it was made  
4 public by his defence minister, Bozo Rajic. And for reasons that I  
5 already stated, and probably the rebellion on the part of his generals

6 because they didn't want that, Mr. Izetbegovic cancelled that on the 20th  
7 of January, 1993, without suffering any consequences. There were no  
8 consequences for anyone.

9 JUDGE ANTONETTI: [Interpretation] Very well.

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

11 Q. General, when you came from Zagreb, did you take with you any  
12 orders that were already written or did you just bring with you the meat,  
13 so to speak, what has already been agreed?

14 A. Well, it was written down. I didn't come. It was written down  
15 on the paper, well, the agreement that we reached there, all the items,  
16 item by item. So I didn't come; it was written down, of course.

17 Q. That's what I meant. It was not an order that was already  
18 drafted and written down.

19 You started speaking -- or, rather, you said that you would speak  
20 about Vakuf a bit later on, when you were speaking about the 15th of  
21 January, so perhaps you could now tell the Judges how your stay there  
22 proceeded after the 15th of January, 1993.

23 A. Well, after I stayed a while, I probably stayed a night in  
24 Mostar, and the next day there were some talks about what was going on  
25 and so on, in the 16th, in the evening, I reached Rama; on the 16th of

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1 January, 1993. I met with Mr. Siljeg, of course, who was the commander  
2 of the operational zone, and with Mr. Miro Andric, who was the deputy,  
3 Mr. Petkovic's deputy. And one must note here that the problem in Vakuf  
4 started a long, long time before that, and it escalated on several

5 occasions, and then the tensions were calmed down and so on.

6 In December 1992, the BH Army had already dug up all of its  
7 positions in all the hills around the town of Vakuf and in the Vakuf  
8 itself. I have already shown this map, and the English major who was  
9 there at the time confirmed its accuracy.

10 And both Mr. Andric and Mr. Siljeg, and on my orders and on my  
11 demand, in December 1992 went to a number of meetings with the BH Army  
12 Command in Gornji Vakuf to solve this problem, because the line facing  
13 the Serbs, as I've shown on the map, was 10, 15 kilometres away, as the  
14 crow flies, in the direction of Raducki Kamen, and they covered the line  
15 in a very small area, extremely small area, extremely small area, whereas  
16 in Vakuf, they had two brigades. And this escalated to such a degree  
17 that the HVO commander from Vakuf, Zrinko Tokic, who will testify here,  
18 was no longer able to go to his headquarters. For instance, he went to  
19 Rama to attend a meeting, and then he was supposed to go to his  
20 headquarters in Vakuf, he had to be taken through the town by UNPROFOR.  
21 It was quite obvious that the situation was untenable, in military terms,  
22 because they had cut off the roads, the main road going through Vakuf and  
23 the side roads. There was a small path through Pidris.

24 Q. When you say "they," you mean the BH Army?

25 A. Yes, the BH Army cut off all the roads, and once all the

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1 opportunities to talk were over, they felt, rightly so, that the threat  
2 that the BH Army posed by digging the trenches in such a manner, and the  
3 position that the HVO found itself was a clear military danger, and that  
4 they had to launch a military action to defend themselves against this

5 threat, this danger. And this was launched sometime on the 11th of  
6 January. I went there to calm the situation down.

7 Q. When?

8 A. Well, on the 16th of January. I don't have to repeat it so many  
9 times. It was the 16th of January, 1993. In the evening, I heard  
10 everybody, the information, the arguments of the HVO officers, and I  
11 demanded that another round of talks be held with the BH Army in the  
12 presence of the English officers from UNPROFOR who were deployed there.

13 There are all those documents that we have seen so many times,  
14 with demand that, A, all the trenches be dug over, and that the units  
15 from the town -- and so on.

16 It is clear, based on all that, that the BH Army felt that it had  
17 the position of strength and that it was a part of its plan to cover the  
18 roads towards Bugojno and Central Bosnia, because they obstructed passage  
19 through town on all roads; and since the talks did not yield any logical  
20 fruit, they decided that the military targets on those hills, so we're  
21 talking only about military targets on those hills, something that in  
22 military terminology is called "active defence"; so I didn't agree with  
23 them, but I didn't have any arguments to argue against them. There was  
24 not a single logical argument that I could use to deny them this right.

25 MS. TOMANOVIC: [Interpretation] I do apologise. At page 86, line

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1 19, the general said "I agreed with them," and it says in the transcript  
2 "I didn't agree with them."

3 THE WITNESS: [Interpretation] That's correct, I didn't have the  
4 arguments to refute their clean logic that the HVO army -- armed forces

5 should not be brought in a position to be completely blockaded in Vakuf,  
6 with the passage to Bugojno, with the Chetniks on the other side, because  
7 the BH Army had already left the lines facing the Chetniks. This is  
8 inadmissible.

9 The talks up there were going on, the tripartite talks; BH Army,  
10 HVO, and the English, they also took part in it. The action was  
11 launched. It was a clean military action, and I contacted on the 18th or  
12 19th already, I don't know, because again, Your Honours, the delegations  
13 that were in Zagreb **went back to Geneva. And General Petkovic also**  
14 **travelled to Geneva, and I, of course, was not able to establish any**  
15 **direct links with Geneva; so I called Susak, asking me to put me in touch**  
16 with Boban, and Petkovic, and whoever else it was I talked to, I really  
17 don't know, and how this whole complicated communication went on, to tell  
18 them what was going on. And I asked that the commanders who were in  
19 Geneva, **General Petkovic and General Halilovic - I think that he was also**  
20 **in Geneva at that time, I'm not sure - that orders be issued for the**  
21 conflict to stop, but with the proviso that there are positions that  
22 should be removed from the mountains and --

23 JUDGE ANTONETTI: [Interpretation] General, we will stop your  
24 testimony now, because we only have a few minutes left. This is an  
25 important issue, and I'm sure that you will continue with this next week.

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1 We are now around the 18th and 19th of January, 1993, and you are giving  
2 us a chronological testimony, so I'm sure that we will come back to this  
3 issue next week.

4 All in all, I believe that you must have about ten hours left. I  
5 don't have the exact time left. If we need to continue the week after  
6 next week, well, that's a possibility, if you haven't finished yet. But  
7 altogether, we are counting on the 36 hours that you asked for, and  
8 you've used up 26 hours so far, so you have 10 left.

9 We'll reconvene on Monday at 2.15 p.m. Thank you.

10 --- Whereupon the hearing adjourned at 1.44 p.m.,  
11 to be reconvened on Monday, the 25th day of May,  
12 2009, at 2.15 p.m.

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