



Page 40781

1 Wednesday, 27 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 9.02 a.m.

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

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

12 JUDGE ANTONETTI: [Interpretation] Thank you, registrar. This is
13 Wednesday, May 27, 2009, and I welcome Mr. Praljak. I also greet
14 Mr. Pusic, Mr. Petkovic, and Mr. Stojic, as well as the counsels for
15 Defence. I greet Mr. Stringer and all his associates, as well as
16 everyone helping us in the courtroom.

17 Before giving the floor to Mrs. Pinter for the rest of the
18 questions, I personally have a request to make. This request -- I have
19 to make a request for the Defence of General Praljak. As you know, I
20 told you that I would be putting questions to General Praljak, and while
21 I was drafting these questions I noted one thing. Brigadier
22 Miljenko Lasic, before May 9, sent a series of orders. The Praljak

23 Defence filed these orders under 3D01015, 1016, 1013, 1014, and so forth.
24 There were also orders as of 9 -- May 9 that have different numbers,
25 3D01006, 008, 009, and so on.

Page 40782

1 Now, here's my problem: It seems that when Mr. Lasic was sending
2 his orders, he used two systems to record these orders. The ones before
3 May 9 were filed under numbers 03-0398, 399, 400, 401, and so forth, but
4 that was the case before May 9. Then after May 9 there's a new series of
5 numbers, 01-2903, 2904, et cetera.

6 I don't need an answer now, but I would like to know whether the
7 Praljak Defence actually had in its hands all the documents filed as of
8 01-29 -- 2000 and some numbers, and all documents as of May 9 -- no,
9 before May 9 who were filed under number 03- and some numbers.

10 Now, why am I asking this question? I would like to know whether
11 before May 9 in the operational zone commanded by Lasic there were any
12 documents that would be addressing some kind of preparation or not. I
13 don't know what kind of documents you have. I know I have complained
14 about this a number of times. The Judges have no control on the
15 documents presented by the parties. It's only during the trial that the
16 Judges note that there are these kind of documents missing. So I would
17 like to know whether there are -- whether the other documents are in your
18 hands. It would be extremely interesting to know what happened on May
19 1st, May 2nd, May 3rd, whether Mr. Lasic actually sent any orders on
20 these dates or even before that date. I believe this would be extremely

21 interesting, but I don't have this. Maybe you have it. If you do, I'm
22 sure you'll use them, and if you don't use them, well, too bad. I can't
23 demand that you use them unless we actually call Mr. Lasic, but this is
24 not on the agenda as of now.

25 So please think about all this and give me an answer later on.

Page 40783

1 But I would like to add, Mrs. Pinter, that I did note something that was
2 a bit strange, and I'd like to tell you about it. Regarding the orders
3 of May 9, there are a number of them. Most of them are filed under
4 01-0293 and so on, but at the same date exactly is filed under number
5 01-2742. It's very strange. It's certainly out of series. So it seems
6 that there's a problem. So please look into this.

7 Mrs. Pinter, you have the floor.

8 MS. PINTER: [Interpretation] Thank you, Your Honour. I'll look
9 and see. We attached the documents we had, and I'll give you an answer
10 to your question tomorrow. Good morning, Your Honours. Good morning to
11 everyone else in the courtroom.

12 WITNESS: SLOBODAN PRALJAK [Resumed]

13 [Witness answered through interpreter]

14 Examination by Ms. Pinter: [Continued]

15 Q. [Interpretation] And good morning to you too, General.

16 A. Good morning.

17 Q. To start off with, I have prepared a document, which is already
18 an exhibit. It is 3D00931. As I say, the document has already been

19 admitted into evidence and is an exhibit. General, you are well
20 acquainted with this document. Let's say what it's about. Let's start
21 with the date so we can have it on record. What's the date of the
22 document?

23 A. The 29th of August, 1993.

24 Q. And they are conclusions and tasks from a meeting of senior
25 officers of the Main Staff and corps commanders held in Zenica on the

Page 40784

1 21st and 22nd of August, 1993. I think that it is important to look at
2 the individuals who were present from the Main Staff and from the corps.
3 Do you have any personal contacts with those individuals, or do you only
4 know about this through the documents?

5 A. At that time I only knew them through the documents.

6 Q. Can you tell us -- when, it says what their posts were.

7 Rasim Delic was the commander of the BH Army, was he not?

8 A. Well, everything is written down in the document we needn't waste
9 time on it.

10 Q. But these people are important to me so we know who these people
11 are so their names are stated, but anyway I'd like to ask you to look at
12 points 2 and 3 of the conclusions of this meeting.

13 A. I'd like to start with point 1 where they say that the war was
14 imposed by the extremist parts of the HVO and that that was a stab in the
15 back for them and that this HVO attack was more brutal than the war waged
16 by the Chetniks.

17 Well, if at that time the command of the BH Army thought along
18 those lines, then we can observe only two things. There are only two
19 conclusions to make. First that he's lying and that something like that
20 can be uttered only by somebody who is indoctrinated, an indoctrinated
21 former officer of the Yugoslav People's Army, in fact, who was
22 brought up in the spirit of the general concept that the Croats were
23 Ustashas. And third, he's justifying himself and saying that the HVO had
24 a vital influence on slowing down their struggle.

25 Now, of course this question was raised here too. I don't know

Page 40785

1 how they were doing in their struggle against the Army of Republika
2 Srpska and what operations, what major operations they launched in order
3 to stop the Army of Republika Srpska from occupying 70 percent of the
4 territory of Bosnia-Herzegovina, and the remaining portion was, in fact,
5 stopped by the HVO. Why didn't they lift the siege of Sarajevo with an
6 army of 250.000 men and so on and so forth.

7 However, there's more here, and it's set out in the following
8 points. For example, in point 3 he says that a classical ideological
9 idiosyncrasy is one that they are -- is the fact that they are fighting
10 both Fascism, Serbian, Montenegrin and Croatian. And Their Honours were
11 able to see thousands of documents here of the relationship between the
12 Croatian state and the HVO, and, of course, Rasim Delic who is preparing
13 an offensive that we're going to discuss in due course, as far as he's
14 concerned, we're fascists of the same order of those people from the Army

15 of Republika Srpska who committed all those things, and it is something
16 that this Tribunal is well aware of.

17 Now, point 6 --

18 Q. Before we go to point 6, I'd like to go back to point 3 because
19 did says: "The war for territories will continue, even if peace on the
20 basis ..." et cetera.

21 A. Yes that has been underlined for me but I have skipped it. It's
22 an important sentence, and we'll see once again from the books that we're
23 going to deal with that the BH Army was not listening to its commander
24 and says quite literally we are going to fight for territories, and even
25 if there is peace on the basis of the Geneva agreements, the war will

Page 40786

1 continue. And as you will be able to see in the continuation of the
2 offensive led by Sefer Halilovic, they did not advance towards
3 Srebrenica, or Zepa or Banja Luka, and they did not liberate Sarajevo,
4 but this continuation of the effort to win over territories was an attack
5 on the HVO with a -- the will to defeat it and the intention to defeat
6 it, and Their Honours saw the agreement yesterday between
7 Alija Izetbegovic and the Serb side about -- well, it was dated September
8 1993, the agreement, and it was about demarcation and separation of
9 Bosnia-Herzegovina after which a referendum could be held.

10 And in this portion where they say that there will be a Muslim
11 majority, that part can then be cut off. And then it's clear here from
12 what follows, very clear, in fact, that they will use all their forces to

13 defeat the HVO, and then the portion that was not occupied by the Serbs,
14 they would make their own state there, set up their own state there which
15 would dominate. The Croats would be defeated and pushed back to Neum and
16 the western borders, and then they can be cut off and regardless of what
17 was happening in Geneva and so on.

18 Q. General, just a minute, please. In 1993, did the HVO win over
19 territory, any territory, from -- in comparison to what it had in 1992 in
20 October?

21 A. Well, Mrs. Pinter, we can't repeat this whole trial and all these
22 proceedings. We've shown maps many times showing what territories the
23 HVO lost to the BH Army aggression. So we must keep that in our heads
24 when we move on, because I can't repeat the whole trial again. So can we
25 go on to point 6? And in point 6 they speak of the loss of free

Page 40787

1 territory along the Drina River valley, the territory of Trnovo
2 municipality, Bijelasnica, and so on; and it says this isn't the result
3 of the aggressors' strength but that it is due rather to treason,
4 cowardice and so on and so forth. Of course, they won't prepare to win
5 over these territories again but as I've said and claim at this Tribunal
6 that it was a political and military cooperation to defeat the HVO and to
7 deal with the agreement with the Serbs in September 1993.

8 Now, in point 7 he says that discipline -- that there was a lack
9 of discipline --

10 JUDGE TRECHSEL: I'm sorry. Excuse me, Mr. Praljak. I think

11 you're not very clear. You said or I read in the translation there was a
12 political and military mission -- mission. At first it was said
13 cooperation or something. I'm sorry. Okay. Continue.

14 THE WITNESS: [Interpretation] Now, in point 8 they speak about
15 problems with supplies, that they have war booty. I don't know where
16 they could have got war booty from the Serbs. You obtain war booty when
17 you are the victor. You cannot take over war booty and gain war booty
18 by losing territories and towns. But anyway, it says that ammunition
19 should be purchased through aggressors' territory.

20 So, Your Honours the -- Croatia and the HZ HB through which
21 without -- without stop they were receiving weapons is aggressors'
22 territory they say here, and they say that they will buy and procure this
23 from friends and foes, from war profiteers and traders and so on and so
24 forth. Then in point 11 they talk about the collection of financial
25 resources and they say that a large -- large sums of money have been

Page 40788

1 collected and most of that money was in Zagreb. So the means to buy
2 weapons and bring them in is to be found then on the fascist aggressors'
3 territory, according to this, of Croatia and the HZ HB, because here when
4 he said fascist, fascist aggression, he is referring to the Croats. So
5 the Serbs, Montenegrins, and Croats, and he doesn't differentiate between
6 the Croats of Bosnia-Herzegovina and the Croats of Croatia.

7 Anyway, in point 10 he goes on to say that they should launch
8 even better propaganda and popularise their concepts and goals.

9 Then we go on to number 11, which says again how this group of BH
10 Army officers feels, because everybody, every single one of them occupied
11 high functions in the Yugoslav People's Army previously.

12 Your Honours, it was lodged in their heads what the JNA was in
13 Yugoslavia. It was a corporate institution which had far greater
14 influence on the policies pursued in the country than the policy of
15 Yugoslavia called influence of JNA. And they say here the state power
16 and authority was only partially placed in -- worked for the war. And
17 then down below it says that there were destructive acts to the detriment
18 of the BI -- BH state, and he mentions separatist forces and especially
19 the HVO and so on and so forth. And this was the prevailing criticism.
20 Anybody who cooperated with the HVO, Konjic, Mostar, and so on, were
21 proclaimed to be traitors because they had placed themselves in the
22 service of the HVO. But the fact that they needed to have 10.000 wounded
23 transported and hundreds of thousands of refugees put up and
24 accommodated, and the fact that we had to supply them constantly with
25 weapons and ammunition, that seems to be just beside the point. The fact

Page 40789

1 that they were being supplied with fuel in order to carry on their fight,
2 that seems to be left out. And the fact that they have a complete basis
3 in the HZ HB and HVO and in Croatia, these people don't seem to
4 be interested in any of that. So that's it.

5 And then in point 9, he's -- if we look at point 9, for example,
6 he says that the Zulfikar units and the Black Swans, Silver Fox, the

7 Akrepi, and so on, will be placed in special command and deployment and
8 they would all take part in Operation Neretva 93.

9 There you have it, Mrs. Pinter and Your Honours. That's what I
10 wanted to say about this text.

11 Q. Thank you, General. We have prepared a number of books by
12 persons who participated in the events in Bosnia and Herzegovina. First
13 is 3D035 --

14 JUDGE ANTONETTI: [Interpretation] Regarding this document which
15 I'm discovering, and it's an important document because it's a summary of
16 the BH Army which met in August 1993, and here we have all the eminent
17 military leaders of the BH Army. So obviously this is an essential
18 document.

19 As you told us, there's military items that are discussed in this
20 document, and also more political aspects. There's an obvious political
21 issue discussed involving the HVO. It's in the conclusions, paragraph 1.

22 Here they say that the Gar [as interpreted] was imposed by an
23 extreme element of the HVO. According to them, it's the BH Army stabbing
24 them in the back.

25 Now, it seems that Mr. Delic and the others are actually making a

Page 40790

1 distinction in the HVO between the extreme element on the one hand and
2 another element that is not extremist. I believe we have to keep this in
3 mind in order to really understand things. But what exactly are your
4 observations on this, on the fact that Mr. Delic seems to make a

5 difference when he talks about the HVO between these two elements?

6 THE WITNESS: [Interpretation] I have a very simple comment
7 personally, Your Honours. Those units which the HVO relinquished to be
8 under the command of the Army of Bosnia and Herzegovina and of such, if
9 you remember the map which has already been exhibited in this court, of
10 such units there were 17. So 17 HVO brigades more or less were under the
11 command the Army of Bosnia and Herzegovina. Two in Tuzla, Usora,
12 Sarajevo, Bihac, et cetera. Let me not enumerate them all. For them
13 those were good HVO. The extremist portion of the HVO was one. I was in
14 their eyes an extremist because I wanted relations based on equality, on
15 a footing of equality totally.

16 My idea was to wage a joint struggle with Delic and that Delic
17 was equal counterpart to Praljak, and Praljak to Delic, and the Muslims
18 were equal to Croats and Croats were equal to Muslims. That was my
19 concept -- concept, and I'm speaking in my personal name. I did not want
20 to recognise then and today or tomorrow that anyone in Bosnia and
21 Herzegovina, in the civil sense or in the constituent nation sense, was
22 more equal than I was; and I assert that that is what the Muslims wanted
23 to be. That is how they saw the state, and that is why they said that
24 they would continue that war until the country was completely liberated
25 and why did they not strike against the Serbs then. There was my

Page 40791

1 question, and I want to put it again. They say that Neretva is their
2 first major operation, Neretva 1993.

3 So, Your Honours, when you ask me about this, the Serbs started
4 bombing Sarajevo in April 1992, and they captured it all, and they did
5 not have a single major military success in the war up to that moment
6 against the Army of Republika Srpska, and they turned against the Croats,
7 and it was easy then to pin some things on them like they were fascists,
8 they were aggressors, they were equal to the Serbs, if not worse, even
9 worse, they were worse in their eyes. Well, if you saw the quantity of
10 weapons that I had spent to that army I, the aggressor in their eyes, the
11 fascist in their book, how many arms, what a large quantity of arms, I
12 had spent on them, then I have to say that this is a really
13 unconscionable, vulgar, wanton ideological lie.

14 JUDGE ANTONETTI: [Interpretation] [Previous translation
15 continues] ... question and that's all I have on this document. The
16 conclusion on paragraph 3, they first say that peace is being looked
17 after, sought after in Geneva but saying that war still continues against
18 both types of Fascism, the Serbian type and the Croatian type. Either
19 individually against each of them, and they he adds -- there's something
20 added, or against the joint forces of both aggressors.

21 So here he seems to say that according to him, Croats and the
22 Serbs may or might actually have joined forces. So what do you have to
23 say about the responsibility of joining forces with Serbs that he is
24 alluding to?

25 THE WITNESS: [Interpretation] Never did the HVO, never ever while

1 I was there, and even when I was not formally the commander of the HVO,
2 General Petkovic is here to also say, we never ever concluded any joint
3 agreement about concerted action with the Serbs. But this gentleman,
4 somewhat later did sign a military contract with the Serbs as part of
5 that political agreement. Fifteen days after this meeting you saw the
6 document yesterday. They signed a political and military alliance with
7 the Serbs. They established a telephone lines with them, and they
8 stopped fighting against the Serbs completely. They stopped all
9 operations against the Serbs. You will see in the books that I will be
10 showing that that was so.

11 As for us, at least while I was working there, we cooperated with
12 the Serbs in the area of Vares. A, we paid and very dearly for them to
13 treat our wounded combatants because it was not feasible in any way other
14 way because Vares did not have a hospital. It was completely cut off,
15 isolated so that no treatment of any gravely wounded persons was
16 possible.

17 Sometimes we would purchase from them, you could also hear this
18 from a witness who appeared here, and we paid exorbitantly for that also,
19 some ammunition, and the use of a tank or two, but only then when the
20 Army of Bosnia and Herzegovina attacked the area. The forces in Vares,
21 had they not been attacked, well, nothing would have happened. And you
22 saw their orders for attack, and I will be showing them again in this
23 Tribunal, I believe.

24 JUDGE ANTONETTI: [Interpretation] Very well. Mrs. Pinter.

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

1 Q. General, the book that we are going to talk about is 3D03543.
2 This is a book by Fikret Muslimovic. Please be so kind as to tell
3 Their Honours what references are made in this book to all this that we
4 have been discussing?

5 JUDGE TRECHSEL: Ms. Pinter, I must remind you, you must indicate
6 in which binder we must look for these documents. You have given a
7 number, but we have a thousand documents here with numbers. Please.
8 Thank you.

9 MS. PINTER: [Interpretation] This is in the binder which is
10 called "Books." And I believe that it is the last document in your
11 binder. It is entitled "Books."

12 JUDGE ANTONETTI: [Interpretation] Mrs. Pinter, could you tell us
13 beforehand which is the binder we need to look at so we can find it,
14 because with this witness, Mr. Praljak, we have as many documents as in
15 other trials that lasted for a very long time in which fewer documents
16 were presented than in this case. So it's just to point out to you how
17 difficult this can be. So if you can help us, this is of course very
18 useful.

19 We now have the binder in question. Thank you.

20 MS. PINTER: [Interpretation] Your Honours, I know that your task
21 is extremely difficult, but believe me, my task has not been easy either
22 to organise them. But as I'm never sure which document will need to be
23 called up and opened, so we prepared a bit more than we actually needed

24 perhaps.

25 Q. General.

Page 40794

1 A. Why do I claim that these two books by Muslimovic and
2 Sefer Halilovic and parts of other books, some or books, will be
3 relevant? It is necessary to know in this process the other side, to
4 familiarise oneself with the other side, to know what it is doing, what
5 its intentions and conclusions are. The best way to show this is from
6 the works of authorship in which they exactly explain events, accurately
7 recount them, because in the long run this is contained in their
8 documents which we could not obtain.

9 Mr. Muslimovic, a general, was the chief of security in the
10 4th Corps of the Yugoslav People's Army. After that, he transferred to
11 the Army of Bosnia and Herzegovina and discharged that same duty in the
12 Main Staff of the Army of Bosnia and Herzegovina. And he wrote a book,
13 and I will be very concise in seeking to explain what its pages contain,
14 about how Sarajevo looks, what the relationship was like between
15 Mr. Sefer Halilovic and Mr. Izetbegovic, how was control conducted in
16 Sarajevo, what their mutual relations were like, and what their political
17 intentions were and what their military actions were.

18 That is simply necessary, just like this previous document was
19 for us to be able to understand what I'm assert because Sarajevo was
20 being killed from Serbian areas, and also because intentions existed to
21 that effect. There were totally unscrupulous lies about what the Army of

22 Bosnia and Herzegovina was doing to the HVO, and we shall see that
23 plainly in this book, and that is why this book is important, and I
24 should like to ask you to start with page 79.

25 Q. Just a minute. It is 3D41-0428 in Croatian. In English it is

Page 40795

1 3D41-0106.

2 A. What I do know and the testimony which I'm giving is from what I
3 do know, is that May 1991, in a place called Polog when a tank brigade of
4 the Yugoslav People's Army was intercepted there which was on route to
5 Kupres, and that is what the gentleman writes here, because at that time
6 he was a member of the Yugoslav People's Army and was flying over that
7 area. So he says here that already then the JNA and the Serbian
8 Democratic Party had reached an agreement that if connections were
9 severed between Sarajevo and Belgrade, Nikola Koljevic could pass on
10 orders for combat use. And Nikola Koljevic was a leading member of the
11 Serbian Democratic Party, and before the war I knew him as a professor
12 and an excellent expert and Shakespeare and we often met in Sarajevo's
13 different festivals.

14 THE INTERPRETER: Would the witness kindly slow down.

15 THE WITNESS: Pardon. Pardon.

16 MS. PINTER: [Interpretation]

17 Q. General, could you please indicate at that you -- when you stop
18 quoting, because it causes problems for the record.

19 A. Well, I'm not quoting now.

20 Q. Thank you.

21 A. So he's now talking about how Milan Zorc was sent into retirement
22 because he wouldn't obey the order for the people who stopped the tank
23 column to be fired on. Well, definitely a fair person would not say
24 people from Herzegovina but Croats, but he finds it hard to say so.

25 THE INTERPRETER: Interpreters note the witness is kindly asked

Page 40796

1 to slow down.

2 MS. PINTER: [Interpretation] That's 3D40-0107 to 3D40-0109, and
3 in the Croatian version that would be 3D41-0429 and 0430.

4 THE WITNESS: [Interpretation] Again here he says the people of
5 Herzegovina. He refuses to say Croats, but anyway, in Polog. But what
6 is interesting here and I would like you to put the map on the screen and
7 then we'll look at it.

8 THE INTERPRETER: Counsel should please switch on her microphone.

9 MS. PINTER: [Interpretation] The map is 3D03544.

10 THE WITNESS: [Interpretation] Well, Your Honours, here he says
11 the same thing that I have been saying all over again. He is in the
12 Yugoslav People's Army, of course, a high-ranking official, a security
13 chief in one of the corps -- corps, and he says that this brigade left
14 for Kupres in order to support the armed aggression against the Republic
15 of Croatia. And of course that Chetniks in the Republic of Croatia had
16 to be protected. And I will now draw in the movements of other units.

17 I would like to note that on the 10th of April -- rather, 7th,

18 8th, 9th of April, 1992, this brigade attacked the HVO in Kupres, and the
19 HVO suffered great casualties. A lot of troops were wounded. And then
20 the brigade launched another attack on Livno that followed the so-called
21 Boban-Karadzic agreement, or the purported agreement between the two of
22 them, but it was stopped in this corridor.

23 And now, Your Honours, I will -- he says here that the movements
24 of units are going -- or, rather, the disposition of units along the line
25 from Knin to Zadar and Split --

Page 40797

1 MS. PINTER: [Interpretation]

2 Q. Just a moment.

3 A. I'll switch it on. You don't need to. I'll switch it on. Yes,
4 yes, it's okay.

5 Do we see Knin here? No, we don't need to. We don't see it
6 here, but I'll put Knin here. I'll mark it with number 1. Well, Sibenik
7 is somewhere here, so that's the attack and that's the attack.

8 And then he goes on to say -- and Bosnian Krajina, Bugojno Kljuc,
9 Jajce, and Bosanski Petrovac are the units are moving. Bugojno, well, I
10 really can barely see.

11 Q. Perhaps you could zoom in the middle part.

12 A. Well, I can't see. Just a moment. Don't touch it. I'll just
13 take this.

14 Q. General, perhaps you will find it easier to do it on this map.

15 A. Well, no. Let's do it like this. Bugojno, Jajce, Kljuc. We'll

16 manage to find it somehow. Bosanski Petrovac is down here. I'll find it
17 in a moment. Here it is. Well, somewhere here.

18 So this Kupres plateau. This brigade went there, 1. The brigade
19 goes to the Kupres plateau. 2 is Bugojno, 3 is Jajce, 4 is Kljuc, 5 is
20 Bosanski Petrovac.

21 So according to the knowledge of a JNA officer, this is how the
22 forces were deployed in this area. But now, please, we have the
23 conclusion. So the miserable nature of this conclusion is simply
24 terrifying as are so many things. He says that the movement of this
25 brigade that the Croats were standing in front of, and it went through

Page 40798

1 thanks to Mr. Izetbegovic, because he was obeyed. So he said that it
2 served the functions of the measures of protecting -- protective measures
3 that Milosevic took in relation to the agreement that he concluded only a
4 month and a half ago in Karadjordjevo with Tudjman, and then he said that
5 Milosevic and Tudjman mistrusted each other, and Milosevic tried to have
6 this brigade deployed there as a collateral.

7 Well, it would be the highest degree of cynicism had it been any
8 more intelligent than it actually is, but it is actually so stupid. It
9 is sheer I idiocy to write something like that.

10 Croatia is under attack. Chetniks, he talks about Chetniks. The
11 forces are deployed. Everything is under attack, and all this serves the
12 function of an agreement between Franjo Tudjman -- well, Dubrovnik is on
13 fire. Tudjman and Milosevic, about the division of Bosnia-Herzegovina.

14 Then this is the perennial question: Can anyone show me what is being
15 divided given that the Serbs had already taken everything? They're
16 already on the Neretva around Mostar. Here they are. All of this
17 belongs to them. They're attacking Dubrovnik. They're attacking here.
18 They're attacking there. Everything up there is already there. So what
19 was there to carve up? But, of course, this doesn't bother this kind of
20 a mind, this kind of a brain to say, yes, well, Your Honour,
21 Judge Antonetti made a deal with Praljak and now he's beating Praljak up
22 and he's throttling him, but it is somehow -- it somehow serves the
23 function of Praljak, and they'll divide something up.

24 Well, I don't want to talk about it really because I'm not really
25 all that upset by the dirty propaganda, but I'm really upset by

Page 40799

1 stupidity, which of course unfortunately the thing that really makes you
2 mad is when this stupidity gains the strength of a myth, this mythical
3 event that later on played a major role in the developments.

4 He goes on to say that there were previous incidents in Knin,
5 Plitvice, in Slavonia, in Split, a number of clashes that we've already
6 spoken about that preceded this so-called agreement. And then he goes on
7 to say that the Bosniaks, of course, supported the Croats against this
8 kind of disruption, and that is true, yes. And he goes on to say, of
9 course, that a few days before the 10th Motorised Brigade, there was a
10 drill or an exercise of the Yugoslav People's Army where of course
11 Enver Hadzihasanovic himself took part, and he went on to command the

12 3rd Corps. He describes the exercise and what units participated in it
13 and what the objective of the exercise was.

14 And then he goes on to speak about the relations, how
15 General Andjelic, for instance, did not obey General Spirovski, who
16 wanted to fire on the people, and then he goes on to say that from the
17 northern camp barracks he actually flew, Muslimovic took a helicopter to
18 have a look at the situation.

19 So he is serving in the JNA, Yugoslav People's Army, and it never
20 occurs to him to leave its ranks at the time. So that's it.

21 Could we now please move to page 187, and let me just sign the
22 map. The 27th, 05, 2009.

23 JUDGE ANTONETTI: [Interpretation] Registrar could we have an IC
24 number for this map, please.

25 THE REGISTRAR: Yes, Your Honours. The marked version of

Page 40800

1 document 3D02544 shall be given -- sorry, 3D03544 shall be given
2 Exhibit IC1021. Thank you, Your Honours.

3 MS. PINTER: [Interpretation]

4 Q. Just a moment, general, let me give you the number. The number
5 in Croatian is 3D41-0433, and in English it's 3D41-0110.

6 A. General Muslimovic here talks about Sefer's wrong approach to the
7 special units and the military police units, and he refers to some
8 decisions that obviously he had in his archives or that existed in the
9 Sarajevo archives that we have not been able to get at.

10 He talks about the mistakes he makes, and in the end he says that
11 Sefer -- or, rather, that only Sefer had any influence over Mido Aljic,
12 who when he took over the military police battalion, removed as a triage
13 all those who were not Bosniaks, and he didn't even admit Bosniaks who
14 came from mixed marriages.

15 And then he goes on to say that Sefer, throughout the war, which
16 of course was true, set up of a -- a political party, accused
17 Mr. Izetbegovic, and he says, well, he accused Delic and myself, that
18 they, too, are responsible for Croats and Muslims being expelled from the
19 ranks of the Yugoslav People's Army.

20 At page 190 --

21 MR. STRINGER: Excuse me, could we just get a clarification of
22 the last statement by the general? What I heard was that the general
23 said that -- what's written here is that according to Halilovic,
24 Izetbegovic and the others were responsible for Serbs and Croats being
25 sent away from the Yugoslav People's Army, and I do not know that that is

Page 40801

1 what the text actually says or is referring to here; so I wonder if the
2 general could clarify which army these Croats and Serbs were allegedly
3 sent away from.

4 THE WITNESS: [Interpretation] Here, Mr. Muslimovic says that
5 Sefer, who in fact took on people such as this man Mido Aljic, who
6 cleansed his ranks of all non-Bosniaks, including the Bosniaks who come
7 from mixed marriages, and that Sefer Halilovic allowed that and did that.

8 And then he says afterwards when Sefer established his political party,
9 he accused Delic, who later became the commander of the BH Army, and
10 Muslimovic, that they are expelled Serbs and Croats from our ranks, and
11 that means from the BH Army.

12 MS. PINTER: [Interpretation]

13 Q. There was a problem in the record because it turns out that you
14 were a participant in all that from the record.

15 A. No, no. So page 190.

16 Q. 3D40-0110, Croatian, 3D41-0435 and 0436.

17 A. Here Mr. Muslimovic says --

18 Q. General, 3D40-0110 that's the English, not the Croatian.

19 A. He speaks about May, June, July, and August 1992, and Sefer's
20 actions regarding the arbitrary appointment of some people such as
21 Kerim Lucarevic, whom he presented as the commander of the republican
22 military police and the commander of the -- or head of the military
23 security service. At that time Mr. Izetbegovic had already issued an
24 order appointing Muslimovic the chief of the military security service,
25 and he was supposed to be in charge of the military police. I'm talking

Page 40802

1 about Muslimovic now. Of course Sefer didn't like it, and he wanted his
2 own man to be in charge there. And then it goes on to say at the end
3 that there were complaints in Sarajevo about various teams of the BH
4 Army, especially the special units of Juka Prazina. And then he goes on
5 to say that Muslimovic should be in charge of preventing that but that

6 they were unable to do so because he had limited -- because Juka, of
7 course, didn't want to obey anyone's orders, anybody in the chain of
8 command, and he says that it was risky to even criticise Juka and his
9 brigade.

10 And then this man Juka received some -- well, at any rate, in the
11 face of Muslimovic's opposition Izetbegovic appointed Juka as some kind
12 of a special -- special units that were supposed to carry out command
13 operations somewhere.

14 Q. I have to give the page number.

15 A. It's 191, 2, 3 and so on.

16 Q. It is 3D41-0436 in the Croatian version, and 37, 38. And in the
17 English it is from 3D41-0111 to 3D41-0114.

18 A. I'll just say something briefly. It's quite clear that Sefer is
19 appointing the special -- his special units and enabling Juka, Caco, and
20 all the rest of them to be able to act outside the establishment of the
21 BH Army, that he's giving him scope to do that, and that nobody could do
22 anything about it.

23 Q. Who is Caco?

24 A. One of the commanders of the so-called special brigades in
25 Sarajevo. Later on, some of them were killed, some committed suicide,

Page 40803

1 and others were accused of war crimes.

2 He goes on to speak of the fact that all of them wanted to be in
3 these special units and says on page 194, and this is important, that in

4 1992, in Sarajevo, many citizens were afraid of the military police, and
5 so given an atmosphere of this kind and a situation in which there was a
6 lot of looting in Sarajevo, and you will see that. Later on, Sefer set
7 up military police units that were called the Mechanised Brigade in
8 Sarajevo. Now, what the mechanised brigades in Sarajevo could be
9 actually and do, that is something that only Sefer Halilovic can know.
10 But I suppose he thought it was a resounding name, and at the time he
11 says that Izetbegovic had already tried to solve the problem of the
12 conduct of the military police in Sarajevo but that Sefer was doing his
13 job now.

14 MR. STRINGER: Excuse me for the interruption I object to this
15 testimony on the grounds of relevancy, Mr. President. This goes way
16 beyond the scope of anything that is relevant.

17 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, can you tell us
18 what the relevance of all this is?

19 THE WITNESS: [Interpretation] The relevance, Your Honours, is
20 clear. It's vital. The relevance of presenting things like this is of
21 course not essential to explain some crime that might be committed by one
22 or two men in the HZ HB area. However, in order to understand the
23 indictment which speaks about a joint criminal enterprise, which is then
24 based and one of the grounds for claiming that is that we blackmailed the
25 BH Army, that the BH Army was the sole legitimate and legal military

1 force in Bosnia-Herzegovina, that it was a good army, a humane army, and

2 so on; and that it wasn't the BH Army which attacked the HVO but the
3 other way round, that the HVO attacked the BH Army, and that Sefer was
4 obeying Izetbegovic.

5 For these proceedings, for this trial, it is very important to
6 establish why agreements fell true -- fell through and what the
7 relationship between Sefer Halilovic and the BH Army was and the
8 president of the Presidency of BH and all the other concerned. And
9 you'll be able to say in due course what Muslimovic, and we have
10 Muslimovic here -- well, Judge Antonetti would often ask and would say to
11 me, "Why didn't you, Praljak, when you got down there come into contact
12 with Sarajevo," and things like that.

13 Now, this book tells it us that in Sarajevo what was prevalent
14 was terrorist groups, looting and thieving from the citizens of Sarajevo,
15 and this is what the chief of security of the Main Staff of the BH Army
16 is writing about, and he -- that they're all bands and criminals and that
17 they couldn't put a stop to it in 1993. The book also says that
18 Izetbegovic is talking to Caco. And when this man took 150 people as
19 hostages off the Sarajevo streets, probably he had no other options.

20 Anyway, the question was also raised about the political
21 leadership of the HZ HB. Why didn't you go to Sarajevo? Why didn't you
22 come into contact with them and so on and so forth. Now here we'll be
23 able to see what Sarajevo, in fact, was in the political sense, in the
24 military sense, and in terms of organisation with respect to all the
25 looting and thieving, who was stabbing whom in the back and who was in

1 charge and in control of that city and of Bosnia-Herzegovina; and that is
2 why, Your Honours, this is exceptionally important for this trial because
3 it gives answers to the questions that you put several times, like why
4 didn't you move towards Sarajevo? Why didn't the ministers arrive and so
5 on and so forth. Well, this is to paint you a picture of what Sarajevo
6 was like and the relationships that prevailed between the army and
7 politics and the possibility of controlling bands of brigands in the city
8 of Sarajevo, so with that in mind, please allow me to continue.

9 JUDGE ANTONETTI: [Interpretation] Well, if you continue, please
10 try and focus on essential points so that you don't waste your time. You
11 know, this is to your detriment. This is taking a lot of time.

12 MS. TOMANOVIC: [Interpretation] I apologise for taking the floor,
13 but I have to correct the transcript in one of its vital parts. On page
14 23, line 13, the general said that it is claimed here that the BH Army
15 was the sole legitimate and legal military force. In the transcript sole
16 has been left out.

17 MS. PINTER: [Interpretation]

18 Q. Go ahead, General.

19 A. I'm moving on to page 195 now and 195.

20 MS. PINTER: [Interpretation] 3D41-114 to 3D41-116 for the
21 Croatian 3D41-0440 to 3D41-0442.

22 THE INTERPRETER: Could counsel kindly read the numbers out
23 slowly in future. Thank you.

24 THE WITNESS: [Interpretation] Now, Juka Prazina was the God in

25 Sarajevo. He would receive who he wanted, Radio Sarajevo would play

Page 40806

1 songs for him, doing what he was saying.

2 MS. PINTER: [Interpretation]

3 Q. Is that the same Juka Prazina that came --

4 A. Yes, yes, of course, we didn't know of his conduct when he
5 clashed up there with his own men and arrived in the territory, but,
6 Mrs. Pinter, you have documents and we've done -- we've dealt with
7 Juka Prazina. We had a lot of problems, but we dealt with him. Anyway,
8 Juka was threatening Muslimovic saying that he was a member of KOS,
9 K-O-S, however, it is also important to note here that when this meeting
10 took place, it says here that there was -- well, that everybody was doing
11 what they wanted, what they liked in Sarajevo again, that there was
12 looting and thieving and general unrest and Juka reacts and -- to
13 Muslimovic, and there was always shooting. Now I'd like to move and
14 pages 202, 203, and 204.

15 Q. 3D41-0443, and 3D41-0444, and 3D41-0445. And the English,
16 3D41-0116, 3D41 -0117.

17 A. Here it is. In a report on the work of the military police the
18 following was noted: That goods were being taken, technical goods, gold,
19 jewellery, foreign exchange, foreign currency, and so on, that the
20 citizens of Sarajevo were being abused, sworn at, that storehouses and
21 warehouses were broken into and that the goods -- and goods taken, and of
22 course the citizens are wondering who was in control of the military

23 police and whether the BiH leadership was conscious of the fact that the
24 citizens found all this evil worse to take, the evil done by individuals
25 and groups from the TO, because it still wasn't the BH Army. It was

Page 40807

1 still the Territorial Defence, the TO, and so on and so forth, that they
2 found this harder to take than being attacked by the Serbs.

3 And then he goes on to say that people were releasing others from
4 prison whenever they felt like it, and that they were on the threshold of
5 a totalitarian state and that the military police -- or, rather, the
6 police had -- had concentrated within it all powers, constitutional and
7 others, legislative and executive powers, and that this was a motive for
8 defence. And it was the Serbs in Sarajevo that were particularly in
9 jeopardy.

10 So we can now move on to the next page, 216.

11 MS. PINTER: [Interpretation] 3D41-0446 --

12 JUDGE ANTONETTI: [Interpretation] General Praljak, you just
13 mentioned about the evil deeds done in Sarajevo, Mr. Prazina
14 and -- et al. and others. And earlier the Prosecutor told us that this
15 was not relevant and you gave us your own point of view, but while I was
16 hearing -- listening to you, I would like to place this in parallel with
17 what happened in Mostar from April to July, because there, according to a
18 report from the Ministry of Interior, allegedly there was allegedly 54,
19 and I repeat, 54 Muslims were kidnapped and then killed by soldiers who
20 were belonging to HVO units, but we have no other detailed information on

21 this.

22 I believe that we will come back to this document, because it's
23 an exhibit. But you were saying this is what was happening in Sarajevo.
24 Well, obviously it seems that the same was going on in Mostar. What can
25 you say about this?

Page 40808

1 THE WITNESS: [Interpretation] What I say to that is this,
2 Your Honour: There was a similar situation -- well, similar. Far less
3 so. Far less marked. Our control was far more successful -- well, under
4 those conditions it's impossible and I'm fully conscious of the fact that
5 Mr. Izetbegovic didn't like to see this happening in Sarajevo. There's
6 no doubt about that.

7 However, in Mostar, in 1992, when I was down there, we did
8 manage -- of course there was some looting, and this happened in 1993 and
9 the chaos there of that vast defensive of theirs and so on when
10 individuals committed acts that should be prosecuted in any court and by
11 any court; but, Your Honours, it was more important for me to keep 7.000
12 Muslims safe who were on the western side at the time, west side. So I
13 was completely conscious of the fact that when you take the military
14 police to fight, then a certain number of -- that the number of criminals
15 would increase. However, we did, and I do claim this and repeat, we did
16 manage on the west bank, during that time, to keep 7.000 Muslims and
17 several thousand Serbs. And the stormings at night that were discussed
18 here and where people were expelled, and I can say neither yes nor no to

19 that because I didn't see it happen. I didn't investigate them. I
20 didn't take legal proceedings against them. I didn't say it didn't
21 happen. I have no reason to doubt that, but I'm just saying that in
22 Sarajevo up until 1993, the situation was such that those people
23 controlled the situation. Juka, afterwards, had a conflict, an armed
24 conflict, with his own people, some other units of the same type, which
25 we did not know about. For a time he was in Travnik, and I appointed him

Page 40809

1 in a document over there as fighting around Komar and Turbe. After that
2 he disappeared and reappeared in Mostar. I came across his up down
3 there, and with great effort, we managed to send that unit packing.

4 Mr. Juka Prazina was expelled in a way from that territory and
5 was later continued -- killed somewhere in Germany on the motorway or
6 somewhere.

7 Anyway, it's only a case of how much effort was invested in
8 controlling the situation and how successful those efforts were, and I
9 claim that the HVO did that far better, they were far more successful
10 than was the situation in Sarajevo. But of course it wasn't an ideal
11 situation. You can't achieve the ideal even in a civil society.

12 But anyway, Your Honours, this is once again at the very
13 foundations of this trial, because we have to quite simply establish the
14 links between wishes and aspirations and actions and energy and the power
15 to implement something given the situation that it was. So that is the
16 basis for this and the basis for what I'm here for. And it's the

17 question that I have been asking myself throughout the year, whether I,
18 vis-a-vis my own men, with my energy throughout the whole time, whether I
19 worked and did -- worked as an animal, as a moral animal, I mean, to
20 establish law and order, to punish people, to take legal proceedings
21 against people, and whether that power is limitless. And if it's not
22 limitless, that I'm guilty. Well, I'm not going to agree with anything
23 like that. Of course it's up to you Judges to decide, but ...

24 JUDGE ANTONETTI: [Interpretation] Mrs. Pinter.

25 MS. PINTER: [Interpretation]

Page 40810

1 Q. Thank you, General. You asked for page 216.

2 A. Yes, and 217, 18, and 19. I'm go through that very quickly.

3 Q. For the record, it is 3D41-0446 to 0449, and the English version,
4 3D41-0118 to 3D41-0120. Go ahead, please.

5 A. The title is again "Sefer protected criminal groups in Sarajevo,"
6 and he says exactly how the lists were made, how these groups that were
7 all over town had to be dealt with, and he also states here from the very
8 beginning of the war, the first three months, I shall quote:

9 "The criminals have looted almost all the shops, kiosks,
10 storehouses and other business premises, and they placed the looted goods
11 in hidden places. They started also to loot abandoned flats whereby they
12 took out everything that is valuable, especially jewellery, money, radio
13 sets, TV sets, and then groups of looters brutally treated the citizens
14 whom they found in their flats."

15 So the conclusion, the conclusion is quite realistic, that there
16 is no building in Sarajevo that had not been looted to a greater or
17 lesser extent and that there is not a single citizen who had not suffered
18 more or less damage in these criminal activities and so on and so on, and
19 that is the end of the quotation.

20 And he goes on to explain all this and states that there were
21 protests against that in the MUP and elsewhere. And on page 219, he said
22 that he brought the plan to Sefer, and it was supposed to be a secret
23 plan, but then he saw Sefer reading that plan with the people against
24 whom the plan was directed in -- that's on page 219.

25 Q. And that is 3D41- just a minute, General, I have to wait for the

Page 40811

1 transcript. That is 41-0449 up to 3D41-0450. The English page is 3 --
2 3D41-0120.

3 JUDGE TRECHSEL: A technical observation, Ms. Pinter. This goes
4 page after page, and it's really easy if one knows the page number which
5 is indicated also in the translation simply for us to take the next page.
6 I don't think that it is necessary that you go every time into reading
7 out these long numbers. Its -- I always found it before you had actually
8 read the number. So maybe we can save some time on that.

9 MS. PINTER: [Interpretation] I agree, Your Honours. We wouldn't
10 quote the pages, but if we are going to do the IC list, we have to list
11 the book pages on the IC list, so that has to be on record. We are short
12 of time. We are aware of that, but this is the method that we have to

13 employ in order to be able to present this list to you.

14 THE WITNESS: [Interpretation] So in page 248, he -- he,
15 Muslimovic, speaks about the problem of KOS [as interpreted], which was
16 there within the framework of the Army of Bosnia and Herzegovina, of
17 course, and who actually accepted to be subordinated to the Main Staff
18 command.

19 Well, that is a problem, because the leaders of the KOS,
20 Your Honours, really at that time --

21 JUDGE ANTONETTI: [Interpretation] There's an error on the
22 transcript. You said HOS, and on line 22, page 3, it says KOS, which is
23 different.

24 THE WITNESS: [Interpretation] No. H-O-S, HOS, our Croatian armed
25 forces. Initially there was a group of people which within the framework

Page 40812

1 of its party, which was the Croatian Party of Rights, set up military
2 units both in Croatia and in Bosnia and Herzegovina. In Croatia, that
3 was as soon as the state authority had stabilised to a certain extent
4 after a major strike in 1991. They, as the military component, were
5 eliminated, and the political component changed and still is in existence
6 today. But it is an incomprehensible, Your Honours. The idea of the
7 HOS, H-O-S, which resided in great measure at that time in the concepts
8 of Ante Pavelic was that Croatia was a state up to the Drina River,
9 including Bosnia-Herzegovina, in other words.

10 Now, how did the Army of Bosnia-Herzegovina embrace, accept such

11 an army with such a political idea remains incomprehensible, but that's
12 the way it was. And that is also noted here by this gentleman, except
13 that he also places Ante Starcevic next to Ante Pavelic which only shows
14 his total ignorance of political history of Croatia and the historical
15 political life in Croatia. But what remains is what he reiterates here
16 namely that propaganda is being employed in order to identify them with
17 the Ustasha troops.

18 Now as Milosevic had agreed with on a division of
19 Bosnia-Herzegovina with Tudjman who is a new Ustasha, according to
20 Mr. Muslimovic, who does not favour the old Ustashes, the HOS members,
21 because now they were in favour of an integral Bosnia-Herzegovina in a
22 confederal union with Croatia. But this officer of the Yugoslav People's
23 Army and KOS high official, of course, did not favour either the new or
24 the old Ustashes. And look here. He stresses in this conversation that
25 the conflicts between the HVO and the Army of Bosnia and Herzegovina

Page 40813

1 actually speak of a possible collusion between the personnel of Croatian
2 extraction in the government of the Bosnia and Herzegovina, and
3 especially with extremists of the HVO.

4 THE INTERPRETER: Would the witness please slow down.

5 THE WITNESS: [Interpretation] This is all happening --

6 JUDGE PRANDLER: Really, I do not know what to tell you. Several
7 times we have asked you to slow down. The poor interpreters are asking
8 you to slow down. I don't understand why this could not be followed by

9 you. Please, be so kind and slow down and also to pause when it is
10 important and to wait. Even sometimes, of course, others are also doing
11 the same mistake, frankly even from the Bench, but I would like to ask
12 everyone really to make sure that the interpreters' work is being helped.
13 Thank you.

14 THE WITNESS: [Interpretation] Thank you, Your Honour, Judge.
15 This is done automatically, because one's speech follows one's thoughts,
16 so you know -- and one's controls are relaxed in the process. That's
17 why. And I apologise. But this was at the beginning of November, 1992,
18 on these pages that I'm dealing with.

19 Mr. Muslimovic -- Muslimovic says that at that time he stressed
20 out that the conflicts between the Army of Bosnia and Herzegovina -- with
21 the Army of Bosnia-Herzegovina were perhaps the result of a conjunction
22 between personnel of Croatian nationality. This expression "personnel of
23 Croatian nationality," or ethnic Croats, this is a typically KOS
24 expression, and they were actually engaged in some shady deals, and
25 especially the personnel of the Bosnian army and police are engaged in

Page 40814

1 some shady deals with the police. So he says, I mentioned that there
2 were some personnel of Croatian nationality who were engaging in some
3 group meetings and were meeting that was very suspicious because they
4 were meeting this -- this is the typical thought of an idiot coming from
5 KOS. He said they intensively socialise with Catholic priests. Can you
6 comprehend this, Your Honours? So in the heads of those people, at that

7 time, the chief of the military security of the Army of
8 Bosnia-Herzegovina was a person who found it suspicious if a Croat should
9 meet with a Catholic priest.

10 This, Your Honours, is the cause which made them launch the war.
11 It was in their heads, in the heads of the former officers of the
12 Yugoslav People's Army who were Muslims. This is the cause of the war,
13 because if they find it's suspicious that a French officer should meet
14 with any -- with a priest of any religion in France, then here we can say
15 good-bye to all reason and all sincerity. It is only a matter of time
16 when he will actually attack you.

17 JUDGE ANTONETTI: [Interpretation] We will have the break, but I
18 would like some clarifications about this page 248. The author of this
19 document seems to establish a distinction between the Croats, and he puts
20 them in two categories, the former Ustashas. In this category, he
21 includes the people from HOS, H-O-S, and the new Ustashas. In this
22 category he includes Mr. Tadjman.

23 Based on this distinction, he relies on the "division" of
24 Bosnia-Herzegovina put forward by Tadjman and Milosevic to say, it seems
25 this is what page 248 states, that they, the Serbs, and the author of

Page 40815

1 this book are in agreement with the new Ustashas, more so than with the
2 former Ustashas. This is what he says. But where I find it difficult to
3 understand what is in the mind of the author is that the latter also
4 mentions the extremists. In his view, Mr. Praljak, who are these

5 extremists, the people that are opposed to the division, including the
6 HOS, or does he mean Tadjman and the others, or does he mean the former
7 Ustashes and the new Ustashes? It's rather confusing. Maybe you have a
8 view on this.

9 THE WITNESS: [Interpretation] Your Honour, I have an opinion on
10 that to the Serbs who were attacking Croatia, but I've already said that.

11 Franjo Tadjman was a Ustasha. Although Franjo Tadjman had been a
12 partisan for two years, he was a general of the Yugoslav People's Army.
13 And he had lived in Belgrade as well. He founded the Partisan soccer
14 club, one the two major soccer clubs in Belgrade. In Yugoslavia, it was
15 the Yugoslav People's Army Soccer Club. But when he featured as the
16 first time as an historian and that happened to many other people when he
17 spoke out a bit more liberally, a bit more freely about the departing
18 from Josip Broz Tito's doctrine they would be locked up in gaol. The
19 first one was Djilas who is a world-renowned name. He was in prison for
20 nine years. And then before that, he was one of the two or three top men
21 in the Communist regime after the Second World War. This also happened
22 to Franjo Tadjman, to Bobetko, and to many others.

23 So there existed a synonym identical meanings between Croat and
24 Ustasha. My parents, both of them, were partisans, Your Honours, and
25 I've said this. But the moment I departed from that particular line, I

Page 40816

1 was an Ustasha. That is one fact. And for an officer of the KOS in the
2 Yugoslav People's Army to say that you were a Croat was tantamount to

3 saying that you were a Ustasha.

4 Secondly, what you're trying to have me clarify is if you would
5 say a green cosine is singing, you cannot say that, or a green tangent is
6 singing. This is the way they wrote in that state. They would say
7 something of that kind. All the priests were, of course, suspicious and
8 to meet with a priest was in itself suspicious ipso facto.

9 I was at school at that time, and I didn't know what God was,
10 what church was in this early period, Your Honours, but once -- but we
11 were not able to celebrate Christmas. Once our teacher asked who had
12 gone to the Christmas mass, and then several pupils rose and they were
13 punished.

14 So I also had some moral dilemmas even at that early age, even
15 though I didn't know what the church was, what religion was, but I could
16 see that people, my fellow pupils were getting punished then, so I had
17 these dilemmas. So one had to know these previous facts. If you did not
18 agree with Muslimovic you were a Ustasha. Never mind if you're French.
19 If you did not agree with his views, you were are an Ustasha, that's it.

20 JUDGE ANTONETTI: [Interpretation] Very well. We'll have our
21 20-minute break.

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

23 --- On resuming at 11.02 a.m.

24 JUDGE ANTONETTI: [Interpretation] The court is back in session.
25 For a few short moments, we will move into private session.

- 1
- 2 (redacted)
- 3 (redacted)
- 4 (redacted)
- 5 (redacted)
- 6 (redacted)
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11 Pages 40818-40819 redacted. Private session.

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19 [Open session]

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

21 JUDGE ANTONETTI: [Interpretation] In open session, let me remind

22 the Defence once again that we would like you to quote the page numbers
23 slowly. The interpreters don't have the documents before them, so when
24 you refer to a document, the interpreters don't know which document it is
25 exactly and who's speaking. So please give us the page numbers so that

Page 40821

1 we're able to follow with the transcript.

2 MS. PINTER: [Interpretation] Thank you, Your Honour. I have to
3 say that the Defence, before the beginning of its case, on the 4th of May
4 provided the interpreters with all the electronic versions of all the
5 books that it would be using and the interpretation booths have them, and
6 that was the deal between the Defence team and the interpreters, but I
7 will try to speak as slowly as possible.

8 Q. General, which page are we going to use?

9 A. 305, 306.

10 Q. Just a moment. That's 3D41-0451 in Croatian, and 3D41-0452 in
11 the English version -- or, rather, in the Croatian version. The English
12 version is 3D41-0121, 121, through 3D41-0122.

13 A. Well, this is a meeting between Mr. Fikret Muslimovic, a Muslim,
14 with Mr. Izetbegovic in late May 1993. It was a Muslim religious feast,
15 Kurban Bajram. It's the most important Muslim religious feast. And in
16 fact, there is again the problem that Mr. Izetbegovic has on the military
17 plan again with Chetniks and extremists of the HVO presenting the problem
18 that Izetbegovic has a big problem with the bad situation in the Supreme
19 Command Staff, and then he tells Mr. Izetbegovic that it's not really

20 possible to liberate Bosnia and Herzegovina as they wanted from the Serbs,
21 or rather, the Republika Srpska army and the HVO extremists. For him, those
22 units and the police force are under the control of Milosevic and Tudjman.
23 The policies -- their policies and aspirations are the same in his eyes. And
24 then he tells Mr. Izetbegovic that Milosevic's and Tudjman's aspirations
25 about the war can be opposed only in such a way that huge losses are

Page 40822

1 inflicted on them.

2 And then he says that it will not be possible to get full
3 military victory. The bitter and difficult circumstance would have to be
4 accepted, that the followers of Tudjman and Milosevic, i.e., Croats and
5 Serbs in Bosnia-Herzegovina, whose intention it is to destroy the state
6 and the Bosniaks, that they would have to admit them to the institutions
7 of the government and that they would have to exercise power together
8 with them, those Croats and Serbs. And this is a difficult and bitter
9 circumstance. In other words, the Islamic declaration will not be
10 implemented in full. They would have to accept the fact that there are
11 two other nations living side by side with them.

12 And then he goes on to say -- well, Mr. Izetbegovic says that
13 peace should be achieved because time is not an ally of the BH Army. And
14 then the situation would develop well, because the nationalist and
15 fascist forces of evil - and that's Tudjman's and Milosevic's forces -
16 would suffer a defeat on -- at the hands of the democrats and civilised
17 people such as Mr. Muslimovic, until recently, a member of the

18 Yugoslav People's Army and a high-ranking official in the KOS, K-O-S.

19 So that would be it. He is a civilised and democratic force, and
20 Franjo Tudjman is a fascist anti-democrat, and he's anti-civilisation,
21 and he -- and so are all the Croats who are his followers.

22 I want to clear all this up, Your Honours, because this is an
23 answer to the question why all the efforts and why all the cease-fires
24 signed by Mr. Petkovic and all the agreements in Geneva and New York, and
25 so on and all the efforts to set up a joint command, actually why all

Page 40823

1 this fell through, why the efforts that I spoke about - I spoke about my
2 contribution - why all this was in vain, why those efforts stood no
3 chance, because here are the people that this was supposed to be done
4 with.

5 Could we please move to page 308.

6 Q. 3D41-0123. That's the English version. 3D41-0453.

7 A. In that short section there, Mr. Muslimovic says that he was very
8 often present when Sefer Halilovic would meet -- would see Izetbegovic on
9 television, and he would comment, and I quote:

10 "Look at the fool. There he is, the fool. I don't know what to
11 do with this old man. I keep telling him one thing, and he keeps doing
12 another," and things like that.

13 Muslimovic, of course --

14 Q. End of quotation now, is it?

15 A. Yes, end of quotation.

16 Muslimovic wondered why Sefer was using language like that and
17 that that was not in order, that he ought to be supporting
18 Mr. Izetbegovic; and Muslimovic conveyed this to the president, but
19 he was afraid of Sefer because he say, "The man could eliminate me." He
20 doesn't say, "Remove me from my post," but says, "eliminate." So that's
21 all I have to say about that.

22 Now I'd like to have pages 321, 322, 323, and -- so 320 through
23 323.

24 Q. In Croatian it is 3D41-0454, and for the English -- or rather,
25 0454 to 0457, and in the English it is 3D41-0123 and onwards until 0127.

Page 40824

1 A. Here Mr. Fikret Muslimovic speaks about a RBH Presidency meeting
2 held on the 8th of June, 1993, when, in fact, at the head of the BH Army
3 by presidential decision, Delic was brought in to head the armed forces,
4 and Sefer then became the Chief of Staff. In other words, he wasn't --
5 no longer the number one man but became the number two man.

6 This shocked Izetbegovic [as interpreted], of course, and
7 completely upset him to the end of his life, because quite obviously he
8 saw himself as a historical figure of the first order in
9 Bosnia-Herzegovina.

10 However, after all the vivid descriptions of how doors were being
11 slammed and how the secretaries behaved and so on and so forth, and all
12 those juicy details, the fact remains that Sefer called a meeting of the
13 commanders, of his own commanders, so that they could vote about whether

14 to accept the decision taken by the Presidency of the Republic of
15 Bosnia-Herzegovina. And at the meeting he presented the fact that the
16 appointment of Rasim Delic was a trick and tantamount to treason and that
17 the Presidency decision was a scandalous one, that it was taken along the
18 lines of the Chetnik policy pursued in Belgrade and Pale, and that this
19 was a threat to Bosnia-Herzegovina. And then it goes on to say that this
20 was a clash between him and Izetbegovic with respect to the general
21 concept of defence strategy, and that Izetbegovic didn't know about any
22 of that and that he was destroying the very concept, and then goes on to
23 say that by appointing Delic as commander, staff commander, commander of
24 the Supreme Command Staff, and I quote: "That the Chetnik course was
25 victorious in the Presidency of RBH."

Page 40825

1 Q. General, I apologise, but for the record I have to stop the page
2 there. Was it Alija Izetbegovic who was shocked or was it
3 Sefer Halilovic who was shocked?

4 A. No, Sefer Halilovic.

5 Q. Because it says in the transcript that Izetbegovic was shocked.

6 A. No. It was Sefer Halilovic who was shocked. And then he called
7 a meeting at which it was voted on whether the supreme commander decision
8 was to be accepted or whether there would be a coup d'etat because what
9 he was doing here was a coup d'etat. He was successful in the first
10 round of the voting, and then in the second round, many commanders
11 supported Sefer Halilovic as it says here. Many people changed their

12 minds. And so, of course, it was all very dramatic and contrary to any
13 logical organisation and this is considered to be a putsch on the part of
14 the army which Mr. Muslimovic at the end of this excerpt that I had
15 translated says that lack of obedience towards the political leadership
16 of the country can take on the character of a coup d'etat.

17 JUDGE ANTONETTI: [Interpretation] Is there not a contradiction in
18 what you are saying? We understood over the last few days that according
19 to you, Halilovic was a KOS agent, K-O-S. That is what I understood.
20 And now there's a change. He's being replaced by Delic, and you said
21 earlier that this seemed to be a victory for the Chetniks.

22 Does this mean that Mr. Delic, like Halilovic, is part of the
23 same group? What difference is there between the two?

24 THE WITNESS: [Interpretation] Your Honours -- Judge Antonetti,
25 Your Honour, apart from the fact that I presented whereby Mr. Halilovic

Page 40826

1 was -- and he was questioned by the BH Army and he recognises in the
2 document that was made public, that is to say that he worked for the
3 K-O-S, KOS, I did not draw any conclusions, I personally; because I'm
4 very wary of making conclusions on the basis of very scant information.

5 Halilovic first began setting up the Patriotic League, and then
6 those who came later considered this to be KOS. I'm just speaking about
7 the total unrest and unruliness that existed. Now, who worked for whom,
8 I can't claim that for sure. I think that you either misunderstood me
9 because of the interpretation or whatever. All I know is that those of

10 us down there, I, Petkovic, and so on -- well, what is quite clear is
11 that all the efforts, all the signed agreements, the peace processes, and
12 all the effort invested fell through. It came to nothing. And here we
13 have the answer as to why this all failed. Here we have an answer, and
14 it is that with people that think this way and behave in this way and
15 speak about Croats and Franjo Tudjman in the way they do are, A, those
16 who attack the HVO and, therefore, caused the war and used the -- used
17 Croatia as its backyard, and I explained why we allowed them to do that
18 despite our information about the attacks, and nothing more than that.
19 That's all I'm saying.

20 We were not able to establish a joint -- a joint struggle with
21 those people. It was they who attacked us. There was no Tudjman-Boban
22 agreements, no agreements of any kind, and then we'll see how the
23 situation evolved. But here we have their plan. One of them thinks they
24 can take control of the territory. The other says ha ha, we're not able
25 to do that, and it's very painful for us to have to divide up power with

Page 40827

1 those Croats and Serbs. We thought we would be the only ones, the
2 absolute majority. That's what they say here and that's what we knew
3 about.

4 JUDGE ANTONETTI: [Interpretation] Mrs. Pinter.

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

6 Q. General, are we going on to page 321?

7 A. No, no. I've gone through that. There's no need to dwell on

8 that.

9 So other commanders, too, who took the floor after Sefer also say
10 that the Presidency decision is unacceptable and that the Chetnik course
11 and stream had been victorious through that decision. The atmosphere was
12 a very ugly one, and he says according to six people who took the floor,
13 six more commanders, high-ranking commanders from the BH Army took the
14 floor after them, and from what they said one could conclude that the
15 Presidency decision should not be accepted and adopted and that the
16 Supreme Command Staff must stand up to it and oppose it. Well, that's
17 tantamount to a state coup. All right. Opinions change so that never
18 actually happened, and we'll see all this on page 324.

19 MS. PINTER: [Interpretation]

20 Q. 3D41-0458 of the Croatian, and it's Nika Pinter speaking not
21 Mr. Stringer, and in English it is 3D41-0127 of the English. 41-0127.

22 A. Izetbegovic knew that this was a very sensitive question, this
23 hand-over and takeover of duty, because he knew how Sefer behaved. So he
24 waited to see whether the commission, which was supposed to see to this
25 takeover, and then it says that there were two rounds of discussion here

Page 40828

1 and that the six people present went back on their positions. They
2 changed their positions. And once they had done that, the changeover or
3 takeover of duty was successful. So I have nothing further to say now on
4 that page and would like to go on to page 329 to 332.

5 Q. The Croatian text is 3D41-0460 to 3D41-0463, and for the English

6 it is 3D41-0127, 127, 3D41-0127 to 3D41-0130.

7 A. What we've already said several times, Sefer Halilovic was not a
8 citizen of Bosnia-Herzegovina, not a BH national, but he was a citizen, a
9 national of Serbia, Yugoslavia, from the Sandzak region. And it says
10 here how many people from Sandzak came into Bosnia-Herzegovina and
11 Sarajevo to fight on the side of the BH Army, and that was an extremely
12 high number, and all of them were received and taken in, although they
13 were foreign nationals. Sefer, in particular, had great respect for the
14 people from his own region, and this led to additional divisions and
15 rifts within the BH Army.

16 Then Mr. Muslimovic goes on to say that Sefer was the greatest
17 mistake Izetbegovic had made in terms of cadres and that he just sat in
18 his office and that he kept saying that UNPROFOR -- that the presence of
19 UNPROFOR on the territory of Bosnia-Herzegovina was detrimental and that
20 they should be removed and that the Bosniaks would, of course, then see
21 eye-to-eye with the Serbs and Croats very quickly after that.

22 Now, why does the author think this? Well, when they said that
23 they would reach an agreement, then it means that he would be victorious,
24 and we'll see this later on.

25 Secondly, he criticises Sefer's assessments to the effect that

Page 40829

1 the BH Army was a superior to the aggressor forces, and the aggressor
2 forces were the Army of Republika Srpska and the HVO, in his view, and
3 that the BH Army was ready for large-scale offensives, which I saw

4 nowhere else except vis-a-vis the HVO. And then he goes on to say that
5 Sefer meddled in politics and the policies pursued and that he stood up
6 to Izetbegovic's policy and the signing of some peace agreements because
7 he said he could repel the aggressor forces from the east and from the
8 west, meaning the Serbs and the Croats. And he strongly criticised
9 Izetbegovic because of his efforts to stop the war. He spoke about the
10 fight for freedom, and Izetbegovic spoke about the concept of putting an
11 end to the war.

12 And furthermore, he goes on to say that Sefer, in fact, hated
13 Izetbegovic and anybody who stood up to him and opposed him.

14 JUDGE ANTONETTI: [Interpretation] General Praljak, I was
15 listening to you and looking at this text on Sefer Halilovic, who came
16 from Sandzak, who was a Serb, who was of Serb origin.

17 We know that in the BH Army there were Croats, Siber Merdan, and
18 others. Now, yourself, didn't you ever think about joining the BH Army
19 just like other Croats did? And if you didn't, could you tell us why?

20 THE WITNESS: [Interpretation] First of all, I have an ID from the
21 BH Army, so in formal terms I was.

22 Why would I join the BH Army with people like that? The Croatian
23 people are a constituent and sovereign people, and they're saving Bosnia
24 and Herzegovina while Mr. Izetbegovic is walking around Sarajevo two days
25 prior to the attack. He's first talking about Ravno and he says it's not his

1 war. He couldn't care less about the aggression against Croatia. He's

2 not doing anything.

3 So you want me to wait for somebody to kill my family down there
4 and then I join them and they very reluctantly even recognise that I
5 belong to a people, a nation. No, Your Honour.

6 I wasn't on a footing of equality with Sefer Halilovic. I
7 wouldn't enter into an association with Sefer Halilovic even to talk to
8 him except with a human being but somebody that had to have some
9 knowledge.

10 Anyway, we organised ourselves first, the -- we never questioned
11 the community of Croats and Muslims in the BH Army except for Siber and
12 other people. There were very few individuals as opposed to the HVO
13 which in certain units had as many as 60 percent Muslims on a footing of
14 complete equality. Why didn't they join the HVO? Why would you join the
15 Germans as a French and not have the Germans join up with you? So
16 equality means equal rights for everyone. I'm not anybody's servant.
17 I'm not Sefer Halilovic's servant or a servant to his ideas. I at least
18 wasn't, and nobody could force me to be that then or today. I want to
19 have equal rights in Europe together with the French. With the exception
20 of God, I would like to be on equal rights with everybody else, on the
21 footing of equality.

22 JUDGE ANTONETTI: [Interpretation] You gave us your answer. Thank
23 you.

24 Mrs. Pinter.

25 MS. PINTER: [Interpretation]

1 Q. General, are we still on the subject of manipulation or are we
2 going to move on?

3 A. We are done with that. We can move on to page 326.

4 JUDGE PRANDLER: I'm sorry to interrupt you again, Mr. Praljak.
5 I listened to the question of the President and to your answer. Frankly,
6 for me the answer is very, very clear and should be formulated in one
7 sentence, that actually Sefer Halilovic was a -- a kind of Muslim from
8 Sandzak; and the Sandzak, as we know, there had always been a great
9 number of Muslims. So, therefore, he was in Bosnia and Herzegovina, and
10 he joined, of course, to the army. Thank you.

11 THE WITNESS: [Interpretation] Thank you, Your Honour
12 Judge Prandler. The fact that he hailed from Sandzak didn't bother me at
13 all. The fact was that according to the agreements and the decisions
14 that we had, we were two equal armies. Two equal nations had created two
15 equal armies, and we offered to cooperate in our joint defence. And that
16 was the situation that you have to abide by if you want to defend the
17 joint state, if you want to shape the future of Bosnia and Herzegovina as
18 a common state. You cannot just hand it over into the hands -- I mean,
19 its fate into hands of people who arm themselves, who write the Islamic
20 declaration, who treat us in this way. No. No serious politician or
21 military man would have done that.

22 MS. PINTER: [Interpretation]

23 Q. I have to ask you where Sandzak is, to show us, for -- because of
24 Judge Prandler's question. In which state is it?

25 A. It is in Serbia. It is there.

Page 40832

1 Q. So Sefer Halilovic was not born in Bosnia and Herzegovina.

2 A. No.

3 Q. Thank you.

4 JUDGE TRECHSEL: I'm sorry. I'm sorry, Mr. Praljak. Could you
5 try to express in words the area of Sandzak, because when you say
6 "there," that's all that we find in the transcript. It's not very
7 informative. Please. Thank you.

8 THE WITNESS: [Interpretation] It is on the east border of Bosnia
9 and Herzegovina towards the Republic of Serbia. There is a province
10 which is called Sandzak. It is on the western borders of Serbia towards
11 Bosnia and Herzegovina, or looking from Bosnia and Herzegovina on the
12 eastern border of Bosnia and Herzegovina towards Serbia, in Serbia.

13 JUDGE ANTONETTI: [Interpretation] Well, to lift an ambiguity,
14 could you tell us whether Mr. Halilovic was born in Sandzak? Can you
15 tell us if he stayed in Serbia would he have been a Serbian citizen?

16 THE WITNESS: [Interpretation] Yes, a citizen of Serbia. But
17 today, as far as I know, and I believe myself to be well informed, all
18 Muslims who lived in the territory of Yugoslavia today call themselves
19 Bosniaks save for those who remained Muslims and actually acquired the
20 nationality of another nation.

21 So in Croatia you have Muslims who are Croats who profess the
22 Islamic faith, and you have those whose religion is Islamic, and they

23 call themselves Bosniaks. There are about 60.000 of them in Croatia and
24 as part of national minorities, they have a representative in the
25 Croatian Sabor, in the Croatian Assembly, which is a directly elected

Page 40833

1 representative, not a part of the party's slates.

2 JUDGE ANTONETTI: [Interpretation] So to be very clear,
3 Sefer Halilovic is born of parents that were of Muslim faith. So he was
4 a Muslim, but he could have acquired a Serbian citizenship because he is
5 born in a Serbian region; is that it?

6 THE WITNESS: [Interpretation] Yes. Yes, that's right,
7 Judge Antonetti. He could have been a citizen of Serbia and declared
8 himself to be a Bosniak, because Sandzak they also declared themselves to
9 be Bosniaks by ethnicity. I know that you do not have this in France
10 because there a national is the same as a citizen, but here you can have
11 a national of the Republic of Croatia, who is a Czech or a Hungarian, or
12 a national of the Republic of Serbia, who is a Bosniak or a Serb, et
13 cetera.

14 JUDGE ANTONETTI: [Interpretation] Very well. Mrs. Pinter.

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

16 Q. General, I had stopped you, interrupted you, and we were at page
17 336 when I interrupted you.

18 A. Yes. Here again it is stated that Sefer used to say that
19 Izetbegovic was a traitor of Bosnia and Herzegovina, the Bosniak people;
20 and that in the view of Sefer Halilovic, Izetbegovic should have

21 resigned. For Izetbegovic, Sefer wrote that he was a graveyard digger.
22 That without Bosnia-Herzegovina, that he dug that and so on and so forth.
23 So he meddled. He meddled in all sorts of things. He wanted to be the
24 political and military boss of Bosnia. He wanted to conquered it with
25 his forces, and he had territorial ambitions in a word. Let's go to page

Page 40834

1 342 now, please.

2 Q. 3D41-0467. That's the Croatian, and English, 3D41-0131.

3 A. To continue, here he says that Sefer did not even like any
4 Bosniaks if he thought them some competition to himself, and he thought
5 so about his war colleagues and comrades in arms, Vehbija Karic, Suljevic
6 and others. How they didn't know anything. They were ignorant. They
7 were a burden to him, et cetera; so this was not only Izetbegovic that he
8 had a such view of but also his own high officers in his own army staff,
9 and he told these kinds of stories about them as well. So this was a
10 state of total disarray. Let us go to 344 and 345.

11 Q. In English it is still the same page in Croatian 3D41-01 -- 0468
12 and 3D41-0131 for the record, Your Honours, in English.

13 A. So Muslimovic testifies that there was a major difference between
14 Halilovic and Sefer in the intellectual education and moral and every
15 other respect, which of course is true. And we will all agree with that.
16 I had an encounter with Sefer Halilovic. After the war in a TV duel and
17 I can testify and it lasted about an hour or so. I can testify to the
18 intellectual levels of Sefer Halilovic. Furthermore, he reiterated how

19 many times Sefer had told him that Izetbegovic was not up to the task,
20 and he quoted how many times in 1992 and the second half of 1993 he had
21 heard Sefer say that Izetbegovic is an old fool saying stupid things.
22 Let us go to 346 now, please.

23 Q. 3D41-0470 - that's in Croatian - to 3D41-0472. And in English
24 3D41-0132 to 3D41-0133.

25 A. So Sefer, after his replacement or the replacement, sought to

Page 40835

1 soil, besmirch Delic, Izetbegovic and others as much as possible. And he
2 goes on to say that he employed the media, that he wanted to be a
3 political and military leader of the Bosniaks, that he printed posters
4 with his image on them, and also badges with his image on them. And I
5 had the opportunity to see those posters myself. The great warrior
6 smiling down on people in his poster in the pose of a victor. And then
7 he goes on to say all the sorts of things that he did to Mr. Ahmet Tabak
8 in order to force him to state how Izetbegovic, Cengic, and Alispahic
9 were criminals, that they were stealing money, that they were war
10 profiteers, and then he describes this incident, this torture.

11 Then the gentleman goes on to describe how Sefer actually incited
12 conflicts in Sarajevo and how he helped Caco and Celo, which are the
13 nicknames of commanders of brigades in Sarajevo who were obedient to no
14 one.

15 MR. STRINGER: Excuse me. Prosecution renews its objection to
16 this book and this testimony on relevancy grounds. I don't see how this

17 bears any connection to either the crimes charged in the indictment or
18 the joint criminal enterprise that's alleged in the indictment as well.

19 MS. PINTER: [Interpretation] This can be associated because
20 Ramiz Delalic, "Celo" is referred to here, who was later involved in the
21 action at Grabovica, which is in the area of Herceg-Bosna and is to the
22 north of Mostar and which is in the area where there were conflicts
23 between the ABH and the HVO. Of course this is only an appendix to all
24 the reasons already adduced previously by General Praljak.

25 THE WITNESS: [Interpretation] It is stated in the indictment, for

Page 40836

1 instance, that the document of the 15th of January, 1993, which was
2 generated in agreement with Izetbegovic was an ultimatum of the HVO which
3 actually brought about conflicts and set in motion an avalanche of
4 attacks by the Army of Bosnia-Herzegovina. Is it not clear from this
5 text now who in the Army of Bosnia-Herzegovina actually revoked
6 Izetbegovic, cancelled the document that he had approved, that he had
7 produced in Zagreb together with the co-chairmen of the peace conference?
8 Is it not clear from this book what Sefer and the rest thought -- think
9 about peace and the agreements of peace? Is that not one of the main
10 counts of the indictment that the HVO, namely by that ultimatum injured
11 or hurt or -- them or caused the war with the Bosniaks? If that is not
12 so, I don't know what I'm talking about.

13 So please bear with me, Your Honours. Let me finish this part
14 which I'm still working on.

15 JUDGE ANTONETTI: [Interpretation] General Praljak, yes, finish,
16 but finish briefly, please. We understood what you're trying to
17 demonstrate you seem to say that Halilovic has his own agenda. Maybe he
18 was even playing a double game. And he took part in the Geneva
19 conference because he signed a document with Mr. Petkovic. The document
20 was -- has already been admitted into evidence, and you believe this is
21 important to understand what exactly happened on the field. Fine, but
22 then, on the other hand, I'm sure you understood Mr. Stringer. He was
23 speaking about the crimes and your responsibility when it comes to these
24 crimes, or alleged crimes; so please keep that in mind.

25 THE WITNESS: [Interpretation] I'm not losing sight of that,

Page 40837

1 Your Honours. I know what I did and what I signed and cannot be --
2 there's no way that my association with any crime can be proved in any
3 way whatsoever except by idle stories, constructions. One of those
4 constructions is the 15th of January. And we lost and wasted hours and
5 hours of time on that, but nobody said why that fell through and who was
6 behind it. But just these two documents were taken as such. Let me,
7 therefore, say very briefly it is here on pages 334, 350 --

8 THE INTERPRETER: Could the witness please slow down.

9 THE WITNESS: [Interpretation] So the 352 --

10 JUDGE TRECHSEL: Mr. Praljak, I'm a bit amazed. You come here as
11 a soldier. Of the one the first duties of a soldier is discipline, and
12 normally it applies to all ranks, and discipline implies self-control,

13 and I'm surprised that you seem not to be able to control the speed --
14 the speed of your speech and have to be admonished once per hour about
15 after -- this is the fourth week that you're doing it. So if you want to
16 show that you have some discipline and self-control, this is the way you
17 could very usefully do so.

18 THE WITNESS: [Interpretation] Your Honour Judge Trechsel --

19 JUDGE TRECHSEL: I'm sorry, I'm not -- I was not asking you a
20 question. I was telling you how you should behave usefully in your own
21 interest as a witness, and that's all. That needs no comment from you.

22 Please, Ms. Pinter, continue.

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

24 THE WITNESS: [Interpretation] No, no, I do not agree with the
25 concept of how a military should behave. A soldier has discipline, but

Page 40838

1 the mind works in different ways. Judge Trechsel has the right to
2 present his view on the army or how a drill soldier looks like. I'm not
3 a drill soldier. I'm a human being, a man; and I'm doing my best, my
4 level best, but the concept of a such a drilled Prussian soldier,
5 Prussian idiot, is something that I will not accept, even if it does come
6 from His Honour Judge Trechsel.

7 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, I'm sure you
8 misunderstood my fellow Judge, and I would like to take the floor on this
9 point. My fellow Judge reminded you that on several occasions the
10 Trial Chamber asked you to slow down. You've understood this and you

11 have apologised for speaking too fast. My fellow Judge added that a
12 military man because that's -- I mean, you were a general. We have to
13 keep this in mind. So normally a military man is self-disciplined. It's
14 part and parcel of a military man, and it's a essential quality for
15 anyone in the military. This is what he wanted to point out. If a Judge
16 is, therefore, asking you to slow down, you must obey. That's all there
17 was to it.

18 THE WITNESS: [Interpretation] Thank you, Your Honours. I
19 apologise, and I'll really trying, but before I became an active-duty
20 serviceman, I was a director for 25 years, which means that you have to
21 be dramatic, thespian; and you know, Your Honours, that it's a different
22 kind of formation of a thought of speech, so I'm really trying; but
23 please understand me, this is my second nature coming out, my important
24 part of myself.

25 JUDGE ANTONETTI: [Interpretation] Very well, but we are not --

Page 40839

1 we're not talking to someone who was a director, who was a director.
2 This is not the director we're speaking to. We're talking to the general
3 here.

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

5 Q. So the page numbers are 3D41-0473.

6 THE INTERPRETER: The counsel is kindly asked to slow down when
7 reading numbers.

8 MS. PINTER: [Interpretation]

9 Q. To 3D41-0477 in Croatian and 3D41-40 -- -0134 through 3D41-0137.

10 A. Well, I have this and another portion. This is a brief
11 description of the role of Sefer Halilovic in supporting some of the
12 commands who are listed here, and the brigades so that they ended up
13 subordinate to him and no one else, and how those units blocked any kind
14 of action which probably Mr. Izetbegovic tried to carry out in order to
15 introduce some kind of order into the town of Sarajevo; and there was a
16 great deal of disorder and chaos there, and it's a well-known fact.
17 People know that. And we have some details that are recounted here from
18 the fact that Sefer ordered that anyone who wants to pose them should be
19 fired at into the body and there were conflicts between the MUP forces
20 and the police with Caco and Celo's followers, and people in Sarajevo
21 know that. This problem was solved as you will see a little bit later.
22 Let us move on to page 358. That's the last portion of this book that I
23 want to use.

24 Q. 3D41-0477.

25 A. And the next page.

Page 40840

1 Q. To 3D41-0482. In English that's 3D41-0137 through to the end.

2 A. Well, this is about the arrest of the members of the
3 10th Brigade. And the command of the military security in the Army of
4 Bosnia-Herzegovina has to send a letter to some commanders warning them
5 that they are no longer a part of the military organisation, that they
6 are out of -- out of control, that they're no longer controlled by any

7 military or political factors.

8 And then he goes on to say that Mr. Izetbegovic gave a positive
9 assessment to the perseverance on Muslimovic's part to solve the problem
10 with Caco. He speaks about how those people stole gasoline, took people
11 away to dig trenches, and so on.

12 And then he goes on to say that Celo's and Caco's men, and those
13 are two brigade commanders that are at issue here, arrested some 20
14 members of the civilian police, the military police, and officers of the
15 BH Army. They beat some of them up. And when -- attempts were made to
16 solve this and President Izetbegovic was involved in that too. He spoke
17 to some of Caco's men. Caco is one of those commanders, and Caco's men,
18 of course, issued an ultimatum for the release of some of his men or they
19 would shell the Presidency building.

20 President Izetbegovic vacillated. He couldn't make a final
21 decision. And then President Izetbegovic received some people from
22 Caco's brigade, and these talks were very hard for him. The negotiations
23 were very hard. The president had to replace Muslimovic and another
24 well-known commander, Hajrulahovic, Talijan, at the request of Caco's
25 men. And it goes on to say that that night Caco set up combat lines

Page 40841

1 along the streets of Sarajevo. And then on the 3rd of July, 1993, he
2 corralled some 200 people, rounded up some 200 people in the streets,
3 including Admir Delic, General Delic's son, and President Izetbegovic was
4 forced to decide to release from the Pecara prison the people who had

5 been arrested, the people who belonged to Commander Caco.

6 The situation then calmed down.

7 I have nothing more to say about that because this book speaks
8 for itself, and it is quite clear. It's a clear image of the other side,
9 the side that the HVO was supposed to create, a joint state, a joint
10 army, arm them. And that's what we were doing actually.

11 Thank you very much. Let us move on.

12 Q. Our next --

13 JUDGE ANTONETTI: [Interpretation] On the document we've just
14 seen, I'd like to put you a question. I'll will address later on your
15 relationship with Mate Boban. We will see this in detail later, but as a
16 military commander, whether it be Mr. Halilovic, you, yourself,
17 Mr. Petkovic, General Mladic, we can mention a number of names, but as a
18 military commander, I want to ask you this: Is a military commander
19 placed under the command of the acting president?

20 THE WITNESS: [Interpretation] Yes, Your Honour, absolutely. A
21 military commander may --

22 JUDGE ANTONETTI: [Interpretation] So your answered by saying yes.
23 How can you explain on the basis of the documents we've seen a few
24 moments ago that relate to Halilovic that's being replaced by Delic, and
25 that a coup d'etat is being prepared? Izetbegovic is not respected. How

Page 40842

1 can you explain this situation?

2 THE WITNESS: [Interpretation] Well, the explanation, Your Honour,

3 is very simple. As Mr. Izetbegovic had not prepared for the war and the
4 people of Sarajevo, the people who -- in the street, Caco's, Celo's men
5 and those who belonged to others, were the first to grab hold of weapons,
6 and they saved Sarajevo. They were the first to fight the Republika
7 Srpska army. They manned the position. They fought. They got killed.
8 And that is now they grew in stature. And it takes a year and a half.
9 It took one year and a half. It was only in the fall of 1993 that
10 Mr. Izetbegovic managed to arrest all these people and introduce order
11 into Sarajevo.

12 So from what I know, there is not a shred of doubt that the
13 inclination of President Izetbegovic was to resolve the situation. But
14 if he arrested Caco and Caco has a brigade composed of his pals, there
15 was no structure. They would simply leave the positions and Serbs would
16 enter Sarajevo. His hands were tied. He had to bide his time for his
17 organisation, for his army to grow in strength so that he could finally
18 grapple with the criminal elements. He did not have a state and then
19 created an army. Izetbegovic and the Presidency survived because Caco's
20 men and Celo's men and Juka's men went out onto the positions, and those
21 were street urchins so to speak, and they have had their own ideas of
22 morality. Those were people who had their share of -- and that is why
23 this happened. The armies that defend the state, it's difficult. It
24 takes time to turn them into a proper army because they say, Well, this
25 is my rifle. I defended this patch. Who are you? And you say, I am the

1 president of the state, and he just waves you off. What kind of a
2 president are you? You can't pay his salary, you didn't recruit him, and
3 you cannot punish him, you cannot discipline him. If you discipline him,
4 there goes your town. You lose your town.

5 MS. PINTER: [Interpretation] Thank you, Your Honour. In the
6 binder --

7 JUDGE TRECHSEL: I would like to add a question to the initial
8 question of the President, namely whether generals are submitted to the
9 president of the state. This you answered positively. You said yes, and
10 I think it's even more obvious if the president of the entity, I'm
11 avoiding now the word "state," of the entity is also the supreme
12 commander of the military.

13 How can you reconcile this with what you also said today, and I
14 think previously, that you accept no authority between yourself and God.

15 THE WITNESS: [Interpretation] Ah, you misunderstand me,
16 Your Honour Judge Trechsel. I am highly disciplined in this sense, but
17 if a policy or any supreme commander issued orders or decisions to me
18 that I couldn't accept as a human being, then I do not oppose it by
19 staging a coup d'etat. I leave the organisation.

20 So I did have some disagreements about the organisation of the
21 overall life in Herceg-Bosna with Mr. Boban, some disagreements, but it
22 never occurred to me to do what Sefer Halilovic was doing. I at that
23 time, because the Muslim offensive ended and I was sure that we had
24 managed to defend ourselves in this lull, I calmly asked to be relieved
25 of my duty. And this is a completely different situation from what we

1 have here.

2 So in any organisation, let's say the judiciously at one point
3 you cannot accept something. You say, All right. I don't want to be
4 part of it. So I'm speaking about the moral sentiment to the extent at
5 which I am prepared to participate or to be a member of something, and
6 for as long as I am, I am very disciplined and I always abide by all the
7 rules.

8 JUDGE TRECHSEL: Thank you. That's not exactly what I had meant,
9 but I leave it at that. Thank you. I did not want to compare you to
10 Mr. Halilovic at all. Thank you.

11 MS. PINTER: [Interpretation] Thank you, Your Honours. In the
12 binder "Central Bosnia," there is a single document that I need, and by
13 your leave I would like to call it up in e-court so that you don't have
14 to change binders because we will go back to the -- to the book so it's
15 3D02873. It was submitted to everyone so just that you don't change your
16 binders you can look at it on the screen. Now I would like to ask
17 General Praljak -- we're waiting for it to come up in e-court and then I
18 would like to ask him to look at it.

19 Q. General, it's the chief of VOS, Ivica Zeko. He was in Central
20 Bosnia, operational zone Central Bosnia.

21 A. Yes.

22 Q. I think the date is important here?

23 A. Yes, it's the 9th of May, 1993, and at that time, and I didn't

24 take it from the book, in the presence of General Morillon and others,
25 the demilitarisation was signed of Srebrenica, Zepa, Gorazde, and other

Page 40845

1 zones. So Sefer Halilovic, who was opposed to UNPROFOR's presence in
2 Bosnia and Herzegovina, Sefer Halilovic said, yes, okay, fine, the units
3 that we are defend -- that are defending our territory in Eastern Bosnia
4 we will now transfer them for the final clash with the Ustasha and then
5 we will have all routes open to Croatia.

6 Q. Could we now please have 02648. It's Sefer Halilovic's book, "A
7 Cunning Strategy."

8 General, what parts would you like us to read.

9 A. Pages 7 and 8, and it will take us a short time to go through the
10 book.

11 Q. 3D33-0962, Croatian, and that's 3D40-0818, and 3D40-0819 .

12 A. Well, it's the 7th of July, 1993. That's when Mr. Sefer
13 Halilovic's removal from office was in the offing, and again a -- a
14 meeting was arranged with Mr. Petkovic in Kiseljak, in the UNPROFOR base,
15 yet another one, and it says here --

16 JUDGE TRECHSEL: I'm sorry to interrupt. This book is not in the
17 binder books. It may be somewhere else, but it is not in this binder
18 which is entitled "Books." And it is also not on the list of documents
19 at the first page of the -- of this binder, at least not under the number
20 that we were given.

21 MS. PINTER: [Interpretation] I may have misspoken. It's 3D02648,

22 and it is listed --

23 JUDGE TRECHSEL: Yes.

24 MS. PINTER: [Interpretation] -- on the front page.

25 JUDGE TRECHSEL: Now I've found it. The number given was 2 --

Page 40846

1 well, it is okay now, but it was another number first. Thank you.

2 MS. PINTER: [Interpretation]

3 Q. Thank you, General. Please about ahead.

4 A. Well, this is Sefer Halilovic's book that he wrote probably
5 *compos mentis*, and there is no reason I should expect that particularly
6 because I know all those details. So Sefer Halilovic is supposed to
7 attend this meeting with Petkovic, but President Izetbegovic tells him no
8 you don't have to hurry that meeting is unimportant, and in the morning
9 we have other things to do.

10 So you can see that Mr. Izetbegovic did not consider the meetings
11 with Mr. Petkovic and others to be of any great importance, because he
12 was preparing to get rid of Sefer Halilovic.

13 At page 8, he says that he had an unpleasant conversation with
14 General Morillon and that Ganic was there, too, and that they asked --
15 demanded from Morillon that the embargo be lifted, and Sefer, in fact,
16 was very brusque with Morillon. He said remove this trash that is
17 UNPROFOR and how yourself off [as interpreted] where you came from, and
18 we, the BH Army, will reach a deal with the Ustasha and Chetniks about
19 whom Bosnia belongs to. So apart from the language that this man uses,

20 and he even reports it in the book, it is really astonishing this immense
21 arrogant stupidity. He has 70 percent of the territory that was taken
22 away from him by Serbs, and he claims that he has 250.000 men under arms,
23 and he says that he will defeat them. The only thing that is needed is
24 for UNPROFOR to go away. You really have to listen to it and wonder.

25 Now we can move to pages 14, 15, and 16.

Page 40847

1 Q. 3D33-0964 is the page number, and 3D0965, 66, and for the English
2 it is 3D40-820, 3D40-821. Go ahead, please.

3 A. Well, this first bit is quite clear. I have nothing to add.
4 It's the proposal by the BH Presidency about the new appointments, about
5 dismissals, Sefer Halilovic and Rasim Delic, and just a comment by
6 Sefer Halilovic when he saw that Alija Izetbegovic had signed this on the
7 2nd of June, 1993, his first thought was that it had been prepared for a
8 long time and that this it was heinous or treacherous. That's what
9 heinous means. And says that the differences between him and the
10 president were great, that they were two worlds not only with respect to
11 defence and -- defence concepts but on many other issues too. And
12 Sefer Halilovic testifies himself what Muslimovic had previously said
13 about him and what we saw in the previous document.

14 And now may I look at pages 18, 19, 20, and 21 to 23, please.

15 Q. That is 3D33-0967 to 3D33-0972, and in the English it is 3D40-822
16 to 3D40-826.

17 A. This is a very important text because it's first-hand testimony

18 about how the talks were conducted on this famous problem of
19 Bosnia-Herzegovina's division, and he speaks about the meeting with
20 President Izetbegovic and Ganic, and he refers to him as a Yugoslav
21 because Ganic was also from Sandzak; and he was also a national of the
22 then Yugoslavia and would be a national of the state of Serb today.

23 And then another observation made here is that
24 Mr. Sefer Halilovic was a member of the Presidency of Bosnia-Herzegovina,
25 and it's up to Your Honours and the lawyers to explain the fact of how in

Page 40848

1 an elected body, a body elected at the elections and confirmed in that
2 way, that is to say the Presidency of Bosnia-Herzegovina, how there can
3 be some appointment or you take someone by the ear and say, You're now
4 going to be a member of the Presidency.

5 Well, would things like that, when it comes to things like that,
6 and when in Croatia a body was to be established that would be more
7 expeditious, then a national security council was set up. And it never
8 entered anybody's head that you now, Bobetko, Praljak, are a member of
9 the Presidency because Croatia had a Presidency too. But it's not up to
10 me to say although I can't understand how you can appoint and nominate
11 someone, for example, the president of France or something, the
12 Presidency, or whatever.

13 And then he goes on to say that -- well, he's wondering whether
14 the people of Sandzak would accept the decision for him to move to
15 Eastern Herzegovina so that the Serbs can come and settle in Sandzak

16 then. Obviously Ganic, who is from Sandzak himself, would like that
17 because that would round off his majority in Bosnia-Herzegovina. And he
18 comes out in favour of what is being discussed there. Of course, Sefer
19 does not agree, and he says that he's a soldier. And they say, All
20 right. We know that you understand all this. And then they say, Only a
21 fool will not change his opinion.

22 Then Sefer goes on to explain why he doesn't agree, but he also
23 observes that Alija said to Ganic later on, "Did I tell you that --
24 didn't I tell you that you shouldn't discuss this matter with Sefer?"
25 And then Sefer keeps sticking by his guns and says it must remain intact.

Page 40849

1 It is indivisible, and so on and so forth.

2 And with respect to this same topic, there was a conversation in
3 the plane on our way back to Geneva, on the way back to Geneva, and that
4 was in January. So they set out from Sarajevo on the 1st of January,
5 1993, and now he describes how much pride there was involved, who would
6 get -- be allowed to get into the private jet, who would take the regular
7 flight to Geneva, and so on and so forth. So there was a lot of vanity
8 and pride afoot there.

9 And there was irony here, bring that Ustasha in. That was stated
10 with irony.

11 Sefer was opposed to this. Who was Jasmin Jaganjac in order to
12 be able to get into that plane?

13 Anyway, this describes an unruly atmosphere that shouldn't have

14 been present.

15 Now, he -- Sefer says he was taking his interpreter and
16 body-guard, I suppose, to safeguard him from some evil Swiss. I beg your
17 pardon, Your Honour Judge Trechsel, I have to make a joke now and again.

18 And at the end of page 21 there, let's see Sefer Halilovic's line
19 of thinking. He left the hotel, got into a taxi. He says that they both
20 used hands and sign language instead of speaking English, and that they
21 were looking for the Bosnian delegation and then he understood that the
22 Bosnian delegation was Karadzic and that the Bosnian delegation was Boban
23 too. And the Yugoslav delegation was taking part as well there, that is
24 to say Cosic, Milosevic, Bulatovic, and he says the United Nations palace
25 was full of Chetniks and Ustashas, and very -- it was all we could do to

Page 40850

1 find the real Bosnia and Herzegovinian delegation.

2 And let me repeat once again, Your Honours. Those people felt
3 themselves to be a nation. Sefer Halilovic saw himself and everybody he
4 commanded as a supernational, the Aryans. These are Chetniks, Ustashas
5 that have to be expelled and killed -- or killed, and he was above all
6 that. He was a nation above, a people above, and he's going with that
7 view to negotiations in Bosnia-Herzegovina.

8 MS. PINTER: [Interpretation] I think it's time for the break.

9 JUDGE ANTONETTI: [Interpretation] It is time to have a break.
10 It's 12.30. We shall have a 20-minute break.

11 --- Recess taken at 12.30 p.m.

12 --- On resuming at 12.51 p.m.

13 JUDGE ANTONETTI: [Interpretation] Mrs. Pinter.

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

15 Q. General, we completed the pages about Jasmin Jaganjac and the
16 events described on page 22. Would you continue, please.

17 A. Well, Sefer, in the breaks in the negotiations in Germany, he
18 left for Germany and Turkey -- the pause in the negotiations he left for
19 Germany and Turkey. He didn't agree with Jasmin Jaganjac role, and there
20 was the dilemma of it would either be him or Jaganjac. And quite
21 obviously Jaganjac left the negotiations, and from that we can see that
22 the four months of Jaganjac's work and my own work to set up a joint
23 command was futile. We wasted a lot of time and effort and talks and
24 nothing came of it.

25 It's important to mention here that the talks between

Page 40851

1 Mr. Izetbegovic, who in fact recounted his talks with Mr. Arafat, the PLO
2 head, and Mr. Arafat told him, said:

3 "Mr. Izetbegovic, I was offered a portion of the land too -- a
4 portion of land, too, and there is no Palestine state to this day."

5 And he advised Alija Izetbegovic to take a part and not to call
6 for the maximum demand of having an entire Bosnia-Herzegovina but to take
7 what he could.

8 And then he says to Sefer, who is against this, that he's
9 harbouring a delusion and that a part of Bosnia should be taken which

10 will allow the people to come back, people who had been expelled to
11 Croatia, to come to that portion of land, because otherwise they might be
12 left with nothing. Sefer is benevolent and says well, nobody who
13 respects the Bosnian state is withheld any rights. The general term used
14 is the "Bosnian state," and that term is used today, but in fact it's
15 Bosnia and Herzegovina. And after he presented his views, Izetbegovic
16 said that he needed a part of the land which would be big enough to take
17 2 million inhabitants. Some will come in, others will leave. So that
18 would be the best solution.

19 So that's as far as the thesis goes of who always has this idea
20 of the division of Bosnia-Herzegovina in their minds. The only question
21 is how much who would get.

22 Now we can move on to page 24 and 25, and I'd just like -- well,
23 and pages 26 and 27. You can give us the proper numbers.

24 Q. Very well. The Croatian text is on 3D33-00973 to 3D33-0977, and
25 for the English it is 3D40-80827 -- 0827 -- 3D40-0827 to 3D40-0829.

Page 40852

1 JUDGE TRECHSEL: May I still go back to the page 1 -- no,
2 3D40-0826. It was the one which was before us last.

3 I also read here Sefer quoting himself as saying:

4 "We do not want everything. We want to live in equality with all
5 those who have always lived in Bosnian, without depriving of their rights
6 anyone who respects the Bosnian state."

7 How do you interpret this, Witness?

8 THE WITNESS: [Interpretation] Yes, yes. I can see it. So the
9 words "we do not" already puts Mr. Sefer in a position of saying how he
10 respects or does not respect the Bosnian state.

11 As for me, in respect of the way that Sefer Halilovic conceives
12 of Bosnia and Herzegovina and that he is the one to determine who or what
13 respects it or not is not something that I could agree to, but this could
14 be tolerated were it not for his other statements, if we did not
15 comprehensively look at everything that he says.

16 So I interpret this to sound like this: If you are loyal to
17 Sefer Halilovic and his views of Bosnia-Herzegovina, then it is all
18 right. But if you would by any chance have any idea that would be
19 discrepant to his, then you would not be respectful of that state. Then
20 he would either put you deep six you or he would banish you to Croatia.

21 That's it. I do not consider this statement of Sefer's any
22 different from all of his other statements to the effect how the Chetniks
23 and Ustasha should be defeated.

24 JUDGE TRECHSEL: Thank you, Mr. Praljak.

25 MS. PINTER: [Interpretation]

Page 40853

1 Q. Please, General, let us revert to our basic page.

2 A. Yes. Very briefly in respect of all these pages, Sefer was
3 already shown the draft document of the Presidency about replacements,
4 dismissals, et cetera; and he was harshly protesting here saying that he
5 was also a member of the Presidency and had the right to -- saying that

6 the constitution of Bosnia and Herzegovina only speaks about the chief of
7 Main Staff, that they were violating the law, that this was a decision
8 that was counter-constitutional and in contravention of the law.

9 Mr. Izetbegovic says that this is his problem and that Sefer is
10 meddling too much in matters.

11 Sefer also states his opinion of people -- of the people who were
12 appointed generals. He speaks badly about Delic, bad-mouths other people
13 as well saying that Delic did not fight and so on and so forth.

14 So everything. What Selimovic placed in his book is confirmed in
15 this one as well by Sefer Halilovic too, name that Muslimovic and Delic
16 cannot be generals, that they were guilty of violations, that all of
17 Muslimovic's activities were in the very least very disputable because
18 all the time he spent all the time in the basement of the Presidency. So
19 this reflects a general wholesale political and military disorganisation,
20 disarray, and nothing more.

21 Can we move on? Page 54 -- pages 54 and 55.

22 Q. It's 3D33-0978 to 3D33-0978 -- 9 and in the English 3D40-830,
23 and 3D40-0831.

24 A. Here Sefer is talking about misunderstandings with Izetbegovic
25 the president of the Presidency ever since 1991 when he had hopes that

Page 40854

1 Bosnia and Herzegovina would get ready for war which was imminent, which
2 was on the horizon; and he speaks how he had organised the
3 Patriotic League organisation as it was called at the time. He refers to

4 how Karadzic was threatening that if the referendum on the independence
5 of Bosnia and Herzegovina should be successful and this is what Karadzic
6 said in parliament, he said that the Muslims would disappear and
7 President Izetbegovic sent this message to the citizens that there will
8 be no war in Bosnia and Herzegovina because it takes two to quarrel and
9 obviously the Muslims did not want to engage in any quarrel, so according
10 to his logic, because they didn't want to quarrel, nobody would attack
11 you.

12 Well, one really needed to be able to say something like that.
13 Sefer was saying that as we will all know Mr. Izetbegovic maintain his
14 neutral position also when Dubrovnik was being destroyed and during the
15 JNA's attack on Slovenia and Croatia, and when in 1991 in September he
16 said after the massacre and the attack in the village of Ravno that
17 it was not their war, the Muslims' war, I guess. Also, Sefer
18 refers to the fact -- to his intention to mobilise 250.000 people. He
19 gives statements to the effect that he had 250.000 or so people in the
20 ABiH army. He said that New Year's Eve in 1992, the newspaper
21 "Oslobodjenje," he says that Alija -- Alija will not attack Bosnia and --
22 that the army will not attack Bosnia and Herzegovina and that in
23 Brussels, in the paper "Le Soir," Izetbegovic actually claimed that the
24 people were actually awakening from a couchemar, seeing what was going to
25 be happening. And on the 17th of March, 1992, in an interview to a

1 Croatian paper, he said that the army had changed, that it was now

2 different in terms of quality, in terms of psychology. That's its
3 intentions and objectives were different and that an army would not
4 occupy Bosnia and Herzegovina and undertake a coup d'etat.

5 In "Oslobodjenje," there was published, and we will all were
6 familiar with that. I knew it for a fact that he had said, Izetbegovic:

7 "Go for a walk. Look around you. See that everything is
8 peaceful. Don't be taken in by rumours. The situation is under control.
9 So you can peacefully walk around town."

10 Several days after that, Sarajevo came under extremely heavy
11 shelling that was the situation.

12 Can we see 56, 57, 58 and 59 now, please.

13 Q. 3D33-09780, 0980. 3D33-0980 to 3D33-0983. The English is
14 3D40-0832 to 3D40-0833.

15 JUDGE TRECHSEL: I'm sorry I have a somewhat technical
16 observation to you, Mr. Praljak. It is not clear to someone who listens
17 always whether you are telling something out of your own head or whether
18 you are taking it from the paper that is in front of us. For instance,
19 you have spoken about 250.000 or so people. I do not find this figure on
20 pages 54 and 55 which are before us.

21 I'm not going to tell you what you should say, but I am asking
22 you to make it clear when you are saying things from your head or when
23 you are just referring to what is in the book that you are using.

24 Can you agree to that? Thank you.

25 THE WITNESS: [Interpretation] Yes, Your Honour Judge Trechsel.

1 Here I invoke documents that I have already shown this Court, documents
2 of the Patriotic League, namely, where Mr. Halilovic speaks about already
3 having 250.000 men, and in another document where he very clearly says
4 that the Army of Bosnia-Herzegovina has more than 250.000 men.

5 These are documents that have been shown here. I am speaking here -- I'm
6 saying here that Halilovic claims in this book everything that I in
7 different periods claimed likewise before this Tribunal, both in respect
8 of Ravno, both in respect of Bosnia and Herzegovina, which is attacking
9 Croatia --

10 JUDGE TRECHSEL: I was not inviting you to comment on the
11 substance. I just would like you to tell us when you are departing from
12 what is in this text. You may appreciate that we are not -- have present
13 in our mind the thousands of documents that have already been shown to
14 us. Thank you.

15 THE WITNESS: [Interpretation] Yes. Here Halilovic says what is
16 also my contention and which has been reiterated time and again, namely
17 that apart from Vojvodina, namely this eastern part, i.e., the western
18 part of Serbia, Croatia was attacked at Vukovar, that operations were
19 launched against Croatia from Bosnia and Herzegovina and that Izetbegovic
20 claimed that at that time while the Army of Bosnia and Herzegovina
21 together with the renegade Serbs in Croatia was doing what it was doing,
22 that the presence of the JNA in Bosnia and Herzegovina was necessary and
23 that it would be the fundamental military force of Bosnia and
24 Herzegovina.

25 It also says that Izetbegovic asked Croatians in Polog to let go those

Page 40857

1 tanks, the tank brigade towards Kupres, and it was, in fact, let go to
2 come at his insistence. Then it refers to the existence of the Ram plan
3 and the academy memorandum and how everything was clear, how the
4 intention was to destroy and to create a Greater Serbia, but
5 Judge Trechsel, you see that part of this plan was also to destroy the
6 Bosnian state and the Bosniaks. He does not mention the Croats here.
7 After this perhaps acceptable sentence he says the Bosnian state. He
8 does not say Bosnian and Herzegovina, but he does -- he says the Bosnian
9 state, which is not the same.

10 Furthermore, he says that the unambiguous conclusion is that the
11 very dangerous war is being prepared, dangerous to the Bosnian people and
12 the Bosnian state. I must say that there does not exist a Bosnia or a
13 Bosnian nation. These are very dangerous political thesis. This is how
14 the Yugoslav people exists as a form of the implementation of the
15 dictatorship and negation of nations, and Sefer is using the same
16 expressions, the same words, everything that was being said in Belgrade
17 after World War II; so Sefer says this is Bosna, Bosnian, not
18 Bosnia-Herzegovina, and in Bosnian there lived -- lives the Bosnian
19 nation. No. In Bosnia does not live the Bosnian nation. In Bosnia live
20 Croats, Bosniaks, Serbs, Jews, the Roma; and there is no Bosnian nation
21 or Bosnia people.

22 These are these basic planks, thesis, that this is about at that

23 I'm contesting. These theses are in his mind, unitaries -- a unitarian
24 state in which Sefer rules. So if you are not Bosnian nation member
25 but -- and you happen to say that you are a Croat, he has all the

Page 40858

1 argumentation, just as it was in Yugoslavia, to lock you up for two or
2 three years of gaol.

3 Furthermore, he states that according to what Mr. Izetbegovic
4 told the paper "Oslobodjenje" that the JNA shall be radically
5 transformed, that it shall become the Bosnian army, and then he actually
6 corrects himself as he's quoting, he says the armed forces.

7 Your Honours, the Bosnian army and the armed forces of Bosnia and
8 Herzegovina in our conditions, our conditions who -- of us who passed
9 through this unitarianisation [as interpreted] of the country these are
10 crucial differences. Is this Bosnia and the Bosnian nation? Or is this
11 Bosnia and Herzegovina that can have its own armed forces? These are
12 incredibly important differentiations, distinctions, and so on and so
13 forth. I shall not now belabour the point why the arms were not taken --
14 why arms were not taken from the barracks of the JNA. That is evident.
15 Let us now move on to pages 60, 61, and 62.

16 MS. PINTER: [Interpretation]

17 Q. 3D33-0984, 3D33-0985, 3D33 -0986. English, 3D40-0834.

18 A. Here he speaks about how within the MUP the protagonists of the
19 special war were hiding. This is the thesis about which His Honour
20 Judge Antonetti asked me several times, and I said that there were

21 hundreds of provocateurs there of those who provoke conflict, in fact.

22 Those who were the promoters of and agents of special warfare.

23 Now Sefer wonders how could have Juka Prazina, the well-known
24 criminal, Sarajevo criminal, how could he have become the commander of
25 the reserve force of the Special Police? Muslimovic on his part says

Page 40859

1 that Sefer Halilovic had made that possible so that one doesn't know here
2 who is responsible for what.

3 Then he goes on to say that Juka, when it was decided that he
4 should not be the chief of the police, that he was promoted and the
5 Presidency of the state appointed him commander of the special forces of
6 the MUP units. He wonders here, Your Honours, in particular, Your Honour
7 Judge Trechsel, how could have Milorad Ekmečić, Slavko Leovac,
8 Vojo Milijević, Nenad Kecmanović, or the brother of Nikola Koljević have
9 left Sarajevo unhindered? Milorad Ekmečić, these are all Serbs by the
10 way. That's one thing. Secondly, Milorad Ekmečić is a very well known
11 historian, a professor of history, a Serb. Nenad Kecmanović was, in
12 fact, even -- and a brother of Nikola Koljević.

13 According to Sefer, these people, apart from being Serbs, were in
14 no units, you but according to Sefer Halilovic, they were supposed to be
15 locked up because they were Serbs and also probably also blackmail.
16 Koljević was to be blackmailed with his brother who would have been
17 locked up.

18 That is the sense of this sentence.

19 Who made it possible for them to depart Sarajevo? Free people,
20 citizens of Bosnia and Herzegovina, university professors.
21 Nenad Kecmanovic, a professor at the university, Lecic as well. I don't
22 know about the others.

23 This is a very sinister thesis, you know, when you read it in
24 this way. Imagine if you read somewhere that Praljak had wandered
25 somewhere and written had how could Muslims have left Sarajevo? How

Page 40860

1 could they have allowed some wounded men to leave? How could they have
2 allowed some Serbs to leave when they could have told him, No we're going
3 to hold you here and then you see what you're going to do.

4 Furthermore, he goes on to say that Alija Delimustafic, at a
5 government session verified the decision that had been agreed with
6 Aleksandar Vasiljevic, who was the chief of the overall KOS of the
7 Yugoslav People's Army and how the army had protected all the TV relays
8 and occupied them all in this way.

9 This is, Your Honours, the answer to the question why no
10 communication with Sarajevo was possible, why no signals could pass, why
11 the city was completely blocked in terms of information and communication
12 apart from the radio ham operators, of course, and certain long radio
13 waves, probably. And they could do this because they had special
14 communications and devices able to send out signals across the mountains.

15 And then he says that Delimustafic had agreed with
16 Petar Gracanin, who was the minister of the interior of the federal

17 Yugoslav government and with Vasiljevic who was the chief of KOS, KOS,
18 agreed upon the arrival of approximately 100 inspectors from the federal
19 SUP, SUP, who were of course members of KOS as well who completely
20 paralyzed the work in Defence preparations.

21 And I would like to mention in this regard if you recall the
22 moment when Franjo Tudjman at a meeting with Filipovic said when he was
23 offering up secession from Yugoslavia and military cooperation and an
24 integral Bosnia-Herzegovina without any agreements with Tudjman and when
25 he says to Mr. Filipovic this is what I propose, but I don't believe that

Page 40861

1 Mr. Izetbegovic is going to accept that because he is surrounded by KOS
2 people. And here we have it. Here's confirmation of that, confirmation
3 of a fact like that.

4 Then he goes on to speak about money. I don't think we need to
5 spend any more time on this page. It's just confirmation of the facts
6 and the matters that I set forth and matters dealt with in the documents
7 and which testify to how the war in Bosnia-Herzegovina was forged and
8 also how the war and the conflict and the attack by the BH Army against
9 the HVO had instructors and helpers, agents, aiders and abettors, and how
10 many midwives there were to produce that particular baby.

11 Now may I have pages 70 and 71.

12 Q. The Croatian text is 3D33-0987 and 3D33-0988. The English
13 version is 3D40-0836. Go ahead, please, General.

14 A. He says here that Fikret Muslimovic was the chief of HOS in the

15 4th Corps, and that as a Communist he was in charge of Muslim nationalism
16 at that time. And then he goes on to recount a meeting that took place
17 in the summer of 1991 where Muslimovic stood up to Izetbegovic. He
18 referred to him as a fundamentalist, as somebody who was trying to break
19 up Yugoslavia, and then with his Serbs in the JNA that he would never be
20 Alija's soldier. And here you can see that somebody who worked for KOS
21 you can see how strong the organisation was, in fact, because this shows
22 it all. And he says Ivan Stambolic, who was one of the top officials,
23 top leaders in Yugoslavia, he says the weaker Tito became, the stronger
24 and more sovereign the war minister became and that it was -- or the
25 defence minister became and that through KOS he had complete control over

Page 40862

1 the Yugoslav People's Army, its cadres, policy, and all the rest of it.

2 And then it goes on to say that KOS did not only hold its pause
3 over the JNA, but it had its pause over security and Serbia and says that
4 Stambolic writes this in his work called "The Path to Wilderness" on
5 pages 185 and 187.

6 So KOS was an all-powerful organisation within Yugoslavia,
7 especially after Tito's death in 1980.

8 May I now have page number 79, please.

9 Q. 3D33-0993, and the English version is 3D40-0839.

10 A. Once again I'm going back to the sentence uttered by
11 Sefer Halilovic that Judge Trechsel mentioned. He referred to it.
12 Mr. Sefer Halilovic, how was it that Mr. Sefer Halilovic allowed those to

13 be -- that he allowed people who were loyal to the state to remain there
14 and weren't Bosniaks. Let's see what he says here. He says the SDS and
15 the HDZ, the behaviour of the leadership of the HDS and -- HDZ and SDS,
16 and especially the Chetniks and Ustasha units in the war from 1992 to
17 1995 are best evidence of persistence in the agreement to divide up
18 Bosnia-Herzegovina. So there you have it, Judge Trechsel.

19 The man just needed six or seven pages to forget what he wrote 15
20 pages earlier on. And 15 pages on, he says that the HDZ in
21 Bosnia-Herzegovina, that is to say Mate Boban, Prlic, and the rest; and
22 in the army, Petkovic and Praljak, they are Ustashas, Ustashas who had
23 reached an agreement on the division of Bosnia-Herzegovina.

24 And then he goes on to lie blatantly and says, "We never fought
25 among ourselves." And quotes the example of Stolac and Mostar where we

Page 40863

1 just happened to be.

2 Well, first of all, the Chetniks marched in and we withdrew, and
3 then the Ustashas marched in and the Chetniks withdrew, and that's how
4 peace came about. And we gained Splitska Banovina to Podvelezje, this
5 illiterate captain of the Yugoslav People's Army doesn't know that a
6 Banovina -- the Banovina is in not in the area of Podvelezje and then he
7 says in that Stolac, Kiseljak, Konjic, and Vares they came across
8 Ustashas socialising and trading. Well, where are the Chetniks in
9 Kiseljak? That's something we don't know, but I assume he knows
10 something about that.

11 Then he goes on to speak about something that -- well, now that
12 you have -- well, you saw the statements made by Muslims about the
13 fighting in Stolac and in Mostar and so on, and if you add up all the
14 wounded and dead, the casualties in the fighting against the JNA, the
15 number of Croats who were killed, and the number of Muslims who were
16 killed, too, then your stomach turns when you read sentences like this
17 from a third-rate wheeler-dealer here who not only insults Croats, but he
18 also insults many of the reports written about the people expelled and so
19 on. He's just insulting to everyone. That's just it, but I'm going to
20 move on.

21 He goes on to say that the SDA and the official policy of the
22 state is being waged by Mustafa efendi Ceric, the one-time imam of the
23 mosque in Zagreb. And furthermore, he says that Bosnian today looks just
24 the way KOS, the KOS, wanted it to look like, that is to say divided up
25 according to ethnic lines and boundaries and the Bosniak question has

Page 40864

1 been reduced to the Islamic problem in Europe and he says that Muslimovic
2 together with Zijad Ljevakovic played a key role in re-educating
3 the Army of Bosnia-Herzegovina based on exclusively party lines, a party
4 army or, rather, that it became ideologized [as interpreted] in the
5 religious sense strengthened by the Mujahedin or reinforced by the
6 Mujahedin.

7 And we can move on. Page 97 and 98.

8 Q. General, could you comment on what you have just said? May we

9 have your comments to that?

10 A. Well, I don't know what you want me to comment. I think that we
11 presented all the documents that are relevant. We've tendered them. I
12 think they speak for themselves. They're crystal clear, and if somebody
13 is able to speak in this way about that fighting over there, especially
14 in Stolac and so on, and this is something that General Petkovic led and
15 I led it in Mostar, although towards the end I was in Stolac myself; and
16 if you remember all the dead and wounded and if you remember all those
17 who had been expelled across the Neretva River, then, well, I can say
18 this quite calmly, that it's something that only a fool could utter, an
19 insulting fool, and that's what it is. But I'm in a court of law. I'm
20 in a courtroom, so I have to stick to that but that's my cool opinion and
21 I think I managed to convey it with a cool head. You can't even make a
22 chicken coop with a man like that let alone a joint army, not even a
23 chicken coop.

24 Q. When you were speaking about Stolac and Mostar, what year did you
25 mean?

Page 40865

1 A. 1992, of course.

2 Q. All right. Fine. Now we go on to page 97, which is number
3 3D33-0996 up until 3D33-0997. And for the English it is 3D40-0841.

4 A. Well, just briefly. Here he says how much money was collected
5 for the Muslims through special accounts, who had access to the money and
6 could sign for it, and that it was an informal group from the Party of

7 Democratic Action, but for the most part made up of people who in 1983,
8 as the Young Muslims Movement were convicted and sentenced to terms of
9 imprisonment. Izetbegovic, Cengic, Sabic. They were in prison.

10 It goes on to say that that group were in fact working in Zagreb
11 and were referred to as the Zagreb group and that they were organising
12 volunteers coming in from the Islamic countries, and so on and so forth.
13 I don't think we need comment on that any further.

14 May we move on now. We're going to skip the next portion. We
15 have dealt with that with other documents. We have orders about that
16 operation and so on.

17 May we have page 121 and 122 now, please.

18 Q. It is 3D33-1010 to 3D33-1011. And in the English it is
19 3D40-0853.

20 A. He says here that a military organisation has been set up
21 throughout the Republic of Bosnia-Herzegovina and that an army has been
22 established made up of five corps and that he managed to liberate 58
23 percent of the country. And he says that there he counts free liberated
24 territory under HVO control until 1992.

25 Well, man's lying. He's just lying, pure and simple. There's no

Page 40866

1 question of 58 percent of the country being liberated, but I suppose he's
2 allowed to do that and say that.

3 And then he says when we in the Main Staff of the HVO and
4 Croatian army saw that there was nothing -- that nothing would come of

5 the Milosevic-Tudjman agreement, that they then clashed with the army and
6 that the Ustasha units entered Prozor, but never mind. The Main Staff of
7 the HVO and the Croatian army understood, under quotations, that Tudjman
8 was a fool and why would he sign something like that and we took matters
9 into our own hands and then we had nothing else left to us as but as
10 Ustashes to attack Rama. Well there you have it, Your Honour
11 Judge Trechsel. I don't know whether this portion has been translated,
12 whether you have the translation of it, but he claims here that the
13 Bosnian patriots had an army numbering five corps with about 250.000 men,
14 and I quote, I'm quoting this now:

15 "The Bosnian patriots during that same time had an army of five
16 corps strong with about 250.000 fighters, and it was successful in
17 tackling the criminals on two fronts. And he goes on to say that there
18 have never been any such examples in history that with 250.000 men he was
19 able to tackle this other force." And then he goes on to enumerate which
20 corps of the Yugoslav People's Army had how many tanks, armoured APCs and
21 men. He talks of the Knin and Rijeka Corps that were, of course, in part
22 transferred to Bosnia and Herzegovina. Then he goes on to say that the
23 forces of the extremist part of the HDZ were organised in three brigades
24 numbering about 6.000 men and several smaller units amounting to the
25 strength of a company or battalion.

Page 40867

1 Now, I understand none of this anymore, because in that entire
2 area with all those Ustashes he says there were 6.000 of them and yet he

3 has an army of 250.000 men, and they're being attacked by the Ustashas
4 with just 6.000 men; and he's having to fight on two fronts. I don't
5 understand any of that. It's all nebulous and incomprehensible apart
6 from the fact that it is quite clear that an agreement with people of
7 that kind and everything that the Prosecution said about it being a clash
8 with -- that -- that HVO caused the clash with the BH Army and that the
9 HDZ policy was a nationalistic policy which I assume then supported the
10 HVO to carry all this out, well, there's not a single shred of evidence,
11 no arguments to say that we wanted to cut off part of Bosnia-Herzegovina
12 and that was the Croatian policy. That's why I claim that both these
13 books are highly relevant for this incomprehensible -- well, to me it's
14 incomprehensible -- the incomprehensible way in which the indictment has
15 been constructed.

16 And I'd just like to look at page 165 and 166, and I'll conclude
17 with that because I don't need to deal with any more of his documents if
18 we could just look at those two pages now.

19 JUDGE ANTONETTI: [Interpretation] We'll see these pages tomorrow,
20 because with you and your counsel, I need to take stock of how much time
21 you have.

22 As you know, the Trial Chamber has granted you 55 hours. There
23 is no question as far as the Trial Chamber is concerned to give you any
24 extra time. This would be an unbalanced situation vis-a-vis the other
25 accused who have not had any extra time.

1 Before you testified yourself, you had one hour and 30 minutes,
2 you then had 53 hours and 30 left. Since you are testifying, sitting
3 where you are opposite me, you have had approximately 32 hours to be
4 precise, 31 hours and 52 minutes. We are not going to be too picky about
5 these seconds.

6 Now, if I subtract these 23 hours 30 and the time you've had, as
7 of tomorrow you would have 21 hours and 30 minutes left.

8 For you to be able to finish and to be able to hear your
9 witnesses out of these 55 hours, you wanted 36 for yourself. You have
10 had 32. You would, therefore, have four hours left to finish.

11 I have had a look at the two remaining binders, and in light of
12 all the documents contained in these, I doubt very much that you will be
13 able to finish in 4 hours. The Chamber is not against the fact that you
14 go beyond your 36 hours, but that would be part and parcel of the overall
15 time you have, i.e., 51 hours and 30 minutes.

16 Based on that, there are a number of witnesses which you are
17 going to call to testify. We don't know which ones are coming, which
18 ones are not. This has not been confirmed, but this is not our problem.
19 We have no preference either way. It's for you to tell us who should
20 come and testify in support of your defence, but you should not overlook
21 the fact that the Prosecutor will have exactly the same time as you have
22 had to cross-examine you. If you have 36 hours, the Prosecution will
23 have 36 hours. If you have 40 hours, the Prosecution will have 40 hours.
24 So that is something you need to remember.

25 After that, I'm fairly certain that your counsel will ask for

1 redirect, and this extra time has to be included in these 21 hours and 30
2 minutes, so all this needs to be clear for you, and I'm giving you a
3 piece of advice.

4 So all of this unfolds in the best possible way, make sure that
5 you liaise with your counsel. Make sure which documents you wish to
6 adduce, and even if you don't know what the Prosecutor is going to say
7 and which issues he is going to address, you must already think ahead and
8 prepare for the redirect. You will not have any extra time and not have
9 more than those 55 hours that you have been given. We don't have
10 unlimited time. Therefore, it is something you need to be aware of.

11 From the Trial Chamber's point of view, there's no problem. If
12 after 36 hours you would like to have 38, 39, or 40 hours, that's for you
13 to work out; but if you have 40 hours, then the Prosecutor will
14 automatically have 40 hours also.

15 So look into this. The Trial Chamber is totally prepared to
16 facilitate your defence like it does in all cases, but it is not prepared
17 to give you any extra time. So it's for you to work this out.

18 You have stressed these books you have shown to us. There are
19 the binders that address the issue of the Main Staff that may be
20 interesting, but let me remind you we've heard nothing about the capture
21 of Mostar, the snipers, the Mostar bridge, and so on. So you can adduce
22 these elements any way, I just needed to let you know. I needed these
23 few minutes to share this with you. We shall resume

24 Mr. Sefer Halilovic's book tomorrow, because we have all afternoon and
25 half the night to leaf through these tens of thousands of pages you are

Page 40870

1 showing us.

2 It is just about a quarter to 2.00. I wish you all a very
3 pleasant afternoon, and we shall reconvene tomorrow at 9.00.

4 --- Whereupon the hearing adjourned at 1.44 p.m.,
5 to be reconvened on Thursday, the 28th day of May,
6 2009, at 9.00 a.m.

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