

3 JUDGE ANTONETTI: [Interpretation] Mr. Praljak.

4 THE ACCUSED PRALJAK: [Interpretation] Your Honours, I am very
5 calm, very reasonable, cold-headed, and in -- with my mind full I refuse
6 to participate in this trial until it is determined what Croatia is
7 guilty of or charged with. You are not asking me, Your Honours, to
8 participate in this trial and to provide precise information about the
9 military developments in a certain area. And what we are hearing here
10 are attacks on the sovereignty of a state. As a member of this state, I
11 refuse to participate, and I deny my counsel the right to participate.

12 Please, sir. Please, Your Honours, just one more sentence --

13 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, I will let you
14 finish. Because, you see, this morning I wanted to put that question to
15 you. Last week, you took the floor quite energetically, and then
16 Mr. Coric had the problem, we know. And at the weekend, I wondered why
17 there was such a reaction, and I must tell you that I don't understand
18 the problem. And what I'm expecting of you is to explain what the
19 problem is. You have talked about this matter many times. Apparently,
20 it's something that goes to your heart, but quite frankly I don't see
21 what it's all about. Last time Mr. Scott put a question, you intervened.
22 My intention was to review the transcript in order to find out what
23 question had been put and what you had said precisely. Here, Mr.

24 Stringer is dealing with the constitution, with various provisions of

25 law. He's doing his job. He's asking clarifications from the witness

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1 about some issues, but now you take the floor, and you may be right, but

2 I don't know because I don't see the problem, and you say, I refuse to

3 take part in this trial. But please, can you very calmly - and you've

4 told us that you were a quiet man - but can you tell us what the problem

5 is exactly because I fail to identify it; I can't. Can you please very

6 quietly tell us what is the cause for your reaction. Why do you react

7 that way when we deal with these questions of law relating to whether

8 someone is a citizen or not, why someone is a Croatian national or not?

9 The witness told us that he was not the one taking the decision, that the

10 minister of the interior was taking the decision. I don't know. We may

11 have a witness later on from the Ministry of the Interior to shed some

12 light on all this, but please try to tell us what the problem is. I'm

13 ready to listen, so try to explain.

14 THE ACCUSED PRALJAK: [Interpretation] Your Honour, Judge

15 Antonetti, I will gladly do so. Why I said what I said and why I am

16 simply not prepared for my mental and moral problems -- because I don't

17 see them since, the meaning of this trial. Imagine a situation in

18 which the French constitution was put for re-examination in order to

19 re-examine the sovereignty of the French people or the Hungarian people

20 or the confederation of the Swiss nation, The laws that have been passed
21 in a legal and legitimate way, and then all of a sudden you find yourself
22 in a war, in Algiers, in the Second World War, in the Iraqi war, and then
23 all of a sudden you come here and you are completely calm. You are out
24 of the game because of the bad legal system and process, and then you
25 start talking about whether Croatia had the right to pass a certain law

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1 after 5 or 6 or 700 years of torture. Your Honours, French came all the
2 way to Zagreb. Hungarians came all the way to Rijeka. Germans took
3 whatever they wanted to take. Turks came all the way up to Zagreb,
4 Sisak, and all the way to Vienna almost. And finally, when one people
5 consisting of 4 and a half million individuals finally gets a
6 chance to look after its own, then we get to a trial during which
7 gentlemen from America charge us with things that are not applied to
8 them. I am a professor of ethics and philosophy. I have been dealing
9 with those things for 40 years, and I'm no longer able to participate.
10 This is not even a farce; this is a burlesque. We have come here, at
11 least I have come here, to respond to the charges before the law for my
12 acts, for my doings, even for my thoughts that sometimes turned to words
13 and possibly led to an act that was contrary to the law. But here things
14 are happening that at the end of the day the whole of Europe is involved

15 in what was going on in our area, And we're talking about the
16 imperialistic mind. I can't accept that. You take the reigns in your
17 hands and tell us what is legally founded in the Prosecution's
18 examination. It is the constitution of Croatia? Is it the sovereignty
19 of the people that is being accused at? is it the Croatian language that
20 is being charged? I can deal with some counts of indictment, but this
21 goes beyond all proportions. I'm here to deal with the charges, and I
22 would like to share something very intimate with you. Just one more
23 sentence.

24 Your Honour, Judge Antonetti and other Judges, I really don't
25 care whether I'm dead or alive, whether I'm going to spend 20 or 30 or 50

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1 years here. There's just one thing that I've never understood. I've
2 never understood those who accepted to participate in a rigged trial
3 which led to their own conviction. I am here prepared to take
4 responsibility for every act or -- that was committed or not committed
5 but was supposed to be done. But we are now dealing with the farce or
6 burlesque ^ which has no moral or ethical foundation. I'm not prepared
7 to participate in that. I totally don't care how long this is going to
8 take, 50 years or 100 years. I don't care whether I am alive or dead.
9 Despite any grim prospects that may await me, I'm totally calm and
10 cold-headed.

11 JUDGE ANTONETTI: [Interpretation] The Prosecutor may wish to
12 respond, but first let me sum up what you've just said.
13 I think I'm beginning to understand why you intervened on many
14 occasions. You seem to be saying that when the Prosecutor addresses the
15 constitution or Croatian laws, he is challenging the sovereign right of
16 your country to adopt laws in the field of constitutional law or
17 nationality law. And you are saying that the Prosecutor is not entitled
18 to criticise the Prosecution [as interpreted] or the law, and through the
19 question he puts to the witness you feel that he's criticising the
20 Croatian constitution and the Croatian law, because these laws were
21 passed by your country in 1991, 1992, 1993 - I believe that's your
22 position - and I'm beginning to understand what you're trying to say. I
23 found it difficult at the beginning to see exactly what you were driving
24 at, but I feel that I'm trying to understand -- I'm beginning to
25 understand.

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1 You are, therefore, challenging the Prosecutor. He has the right
2 to respond.
3 Mr. Stringer.