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1 Thursday, 14 May 2009

2 [Open session]

3 [The accused entered court]

4 [The accused Prlic and Coric not present]

5 [The witness takes the stand]

6 --- Upon commencing at 9.01 a.m.

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

9 THE REGISTRAR: Good morning, Your Honours. This is case
10 number IT-04-74-T, the Prosecutor versus Jadranko Prlic et al.

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

12 Today is Thursday, 14th of May, 2009. Good morning, Mr. Praljak.
13 Good morning, Mr. Petkovic, Mr. Pusic, and Mr. Stojic. And good morning
14 to the Defence counsel and the entire OTP bench, with Mr. Stringer and
15 his associates. Good morning to all the people assisting us.

16 General Praljak's testimony is going to continue today. Without
17 further adieu, I'll ask Ms. Pinter to proceed, and wishing her a good
18 morning, too.

19 WITNESS: SLOBODAN PRALJAK [Resumed]

20 [The witness answered through interpreter]

21 MS. PINTER: [Interpretation] Good morning, Your Honour. It's not
22 Mr. Kovacic, but we'll try and be efficient.

23 With your permission, Your Honour, I'd like to give the original
24 book of -- entitled "Assistance to the Republic of
25 Croatia," which is 3D02633 first, because the e-court print is a very

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1 poor quality so it's difficult to read the text in Croatian. The book
2 has been translated from cover to cover, and it is to be found in the
3 binder called "Aid of the Republic of Croatia to the Republic of
4 Bosnia-Herzegovina."

5 THE INTERPRETER: So it's not "Assistants to," interpreter's
6 correction, but "Aid of."

7 MS. PINTER: [Interpretation] And with your permission, I'd like
8 to hand the book over, through the usher, to General Praljak.

9 Examination by Ms. Pinter: [Continued]

10 Q. General, 3D02633 is the document number. It is a book called
11 "Aid of the Republic of Croatia to the Muslim and Bosniak People in the
12 BH Army," in the course of 1991 until 1995. It says that the author is
13 Slobodan Praljak.

14 What can you tell the Court about how this book came into being,
15 and its contents, in general terms?

16 A. This book is a collection of documents setting out the facts
17 about all the political and military leadership's actions during the
18 aggression on Bosnia-Herzegovina, how they assisted -- how the Croatian
19 leadership assisted Bosnia-Herzegovina, that is to say, how it assisted
20 the Army of Bosnia-Herzegovina and the Muslim and Bosniak people.

21 In preparing for this trial, we collected documents together, and
22 they were gathered and take up 92 binders, as you know. They were
23 brought to The Hague, and I think that the CD-ROMs were handed over to
24 the OTP and the Tribunal. And of this vast amount of material, which as
25 I say takes up as many as 92 binders, we selected just the most

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1 characteristic documents. So these are the facts which will help us to
2 arrive at the truth in this case.

3 Q. And can you tell us what the sources of these documents were?

4 A. Yes. The source was the archives, the Croatian State Archive,
5 the archive of the Croatian Army, and some of the documents I received
6 from -- or we received from, rather, some Muslims who took part in these
7 activities on the territory of the Republic of Croatia; that is to say,
8 those who were in the centres for training, unit training centres, or
9 logistic support centres for the Main Staff of the BH Army, and so on and
10 so forth.

11 Q. Was there any cooperation with the Office for Cooperation with
12 The Hague Tribunal?

13 A. Yes, of course, yes.

14 Q. Thank you. Now, I think that we can take this document by
15 document.

16 I seem to be having a problem with the microphone, so I have to
17 adjust my position.

18 But I'd like to start off with page 3D -- I'm going to read out

19 the pages of the book for the Croatian and English versions so that we
20 can all follow. 3D32-1023 is the first one. That's right, that's the
21 page. And this is when the humanitarian crisis reached its peak in
22 December 1992. We discussed that yesterday, and I thought you could tell
23 us something about this map.

24 Now, on e-court, please. May it be placed on e-court for the
25 others? It's much easier to see and read.

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1 A. So this is the information that other people have testified about
2 here, too, but it says that at the peak of the humanitarian crisis in
3 December 1992, there were 402.768 refugees from Bosnia-Herzegovina in
4 Croatia and 260.000 displaced persons, and the number never dropped below
5 195.000 refugees and 183.000 displaced persons.

6 Q. Just a moment, please. Judge Trechsel has a question.

7 JUDGE TRECHSEL: I think it is - I'm speaking for the Bench - we
8 are not quite aware of what we should be looking at or could be looking
9 at. What we have on e-court is, on the left side, a map. Now I see, on
10 the right side, we have something else, and perhaps we can also be told
11 what page number it is. But the map we do not have in our file, and it
12 is also in Croatian, and we have no translation either. So it is
13 probably not, itself, very useful.

14 And I think what we now have is page 6. And having found out, I
15 apologise for the interruption. Thank you.

16 MS. PINTER: [Interpretation] Yes, that's precisely what I wanted

17 to say. Each map has been translated, but it's not on the map, it's on a
18 piece of paper and text beside the map. But I will give the English page
19 numbers in future, so I hope there won't be any problem in finding your
20 way.

21 Q. Now, General, as you have the original book, without the e-court
22 page numbers, I suggest that you leaf through the book, and I'll give the
23 page numbers.

24 A. I am referring to how many from the area -- well, we're dealing
25 with the end of 1992. And the Serbs -- I'm saying what territory the

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1 Serbs took control of and how many people they expelled. 15.000 to
2 20.000 Muslims were expelled from Republika Srpska and came to Zenica.
3 The same amount came to Travnik, Muslims, that is, 15.000 to 20.000.
4 There were about 20.000 expelled Muslims in Bugojno, for example. With
5 the fall of Jajce, about 15.000 Croats were displaced and expelled and
6 about 12.000 Muslims, and so on and so forth. And they scattered, most
7 people that went to Croatia. But most of the population remained in the
8 Lasva Valley, Uskoplje, Bugojno, or rather Gornji Vakuf and that
9 General area, which of course changed the ethnic structure, and the
10 consequences of that is something that I have already spoken at length
11 about. And I think that Ms. Thatcher had a lot to say about that.

12 Q. Now, General, would you take a look at the chapter entitled
13 "Croatian Assistance to the BH Army," and it is 2092, the document, and
14 in English it's 3D38 --

15 THE INTERPRETER: Could counsel kindly slow down when quoting
16 numbers. Thank you.

17 JUDGE ANTONETTI: [Interpretation] Ms. Pinter, the interpreters
18 are telling us that they do not have the text, so that when you read
19 quickly, it's a really huge problem for them. Do endeavour to slow down,
20 please.

21 MS. PINTER: [Interpretation] Thank you, Your Honour. The
22 interpreters have texts of all these documents. I have to say that. Our
23 case manager has handed them over. But I will slow down.

24 So in English, the page is 3D38-0010. The Croatian page is
25 3D32-1025.

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1 Q. General, now "Help in Armament to the BH Army" is this chapter.
2 And would you tell the Court what the most important documents there are
3 that you'd like to point out and focus on and which say how much Croatia
4 helped in arming the BH Army? But I'd like to remind you that we've
5 heard quite a lot about that in the proceedings so far.

6 A. Now, the total -- well, the quantified data, we have
7 801 documents, with 3.820 military articles continuously sent to the
8 BH Army, or items, and we have a smaller number of issue documents.

9 Q. Just a moment, General. The general is referring to 3D38-0012,
10 or in English -- that's the English. In Croatian, it is 3D32-1027.

11 A. The greatest assistance went by air towards Bihac Airport,
12 Coralici and the 5th Corps of the BH Army. That was an air drop. And

13 while possible, they flew to Sarajevo, but then afterwards different
14 avenues were pursued. The planes that were successfully used to obtain
15 weapons would land at airports in Zagreb, Pula, and Brcko.

16 Q. The next page is 3D38-0013 of the English and 3D32-1028 of the
17 Croatian. And what does that relate to?

18 A. It relates to the transport of military equipment and weapons
19 from Pula to Coralic by plan, from Zagreb to Coralic, and they flew
20 towards Zenica for as long as they could, and then from Zenica it was
21 taken to Gorazde. And that was driven by the BH Army towards Srebrenica
22 and Gorazde, because BH Army helicopters were procured via Croatia, the
23 pilots were trained there, and there were some unfortunate incidents. So
24 a helicopter crashed once at Pleso Airport because it was overloaded and
25 couldn't take the heavy load of weapons, and there was a big explosion.

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1 Q. The next map relates to a transport by land, and it is 3D38-0014
2 or 3D32-1029 in Croatian.

3 THE INTERPRETER: A little slower, please, with the numbers.

4 Thank you.

5 THE WITNESS: [Interpretation] It's the main route taking weapons
6 to the BH Army, Split, and then in different ways crossing -- by Imotski,
7 there was a crossing point towards Tomislavgrad, which is not on the map,
8 and then it went by via Rumboci, Rama, Gornji Vakuf, Bugojno, towards --
9 well, there were two ways. One went directly to the Main Logistics
10 Centre of the BH Army in Visoko, and a lot went directly to the

11 3rd Corps, to the various brigades, and so on and so forth. And a large
12 number of people were involved in all this, and everybody fended for
13 themselves, did what they could with respect to the convoys, except for
14 the main portion that went directly to the Logistics Base at Visoko. And
15 Mr. Rasim Delic, who was later the chief of the Main Staff of the
16 BH Army, compiled a report as to what they had received, and we have
17 that. And three or four times as much went directly to Sarajevo,
18 Gorazde, or Mostar through various channels.

19 JUDGE TRECHSEL: Excuse me, please. Excuse me, please. I must
20 confess that I'm a bit lost -- not lost in translation, lost in detail
21 this time. I absolutely accept, although it is not contested, and we've
22 heard plenty of evidence about it, that you want to show some more about
23 how Croatia assisted the Muslims, to put it in one word. I do not
24 understand why you go into details such as the roads taken or what was
25 transported by helicopter and what was transported by plane. I simply

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1 cannot see in what respect this is relevant, but perhaps you can explain
2 why you think that these details, even, are connected to the indictment.
3 Thank you.

4 THE WITNESS: [Interpretation] Well, in the indictment,
5 Judge Trechsel, there are two points. First of all, the main charge is
6 that the political and military leadership of Croatia wanted to cut off a
7 part of Bosnia-Herzegovina and an exit to Croatia, the so-called
8 Banovina. And then it is necessary to stipulate that the air force

9 planes, helicopters, and so on did quite the opposite of what one would
10 expect if that were the case. If you wanted to take something away from
11 a country and state, you don't supply their army in this way. And,
12 secondly, I indicated this route passing through Herceg-Bosna. So if the
13 Prosecutor claims that Herceg-Bosna wanted to separate and that it was --
14 and that there was parallel statehood and it wanted to secede and expel
15 the Muslims and destroy the state, then how come Herceg-Bosna allowed all
16 these convoys to go through throughout that time and to reach the
17 BH Army? And once that army, the BH Army in individual areas of
18 Bosnia-Herzegovina had those weapons, they turned it towards the HVO.
19 I think that's very clear. So it's clear why we need to look at all
20 this to see what the quantities were, how this was done, and what period
21 it covered.

22 JUDGE TRECHSEL: Well, for the record, I must say it is, to me,
23 the details are not clear. If it is established, it's not even contested
24 that huge amounts of material went to the ABiH and to the Muslims in
25 general. Then it doesn't add anything to say that it was also

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1 transported over their territory because, I mean, there's no other way.
2 But, I mean, I think it's hopeless to try to concentrate this to the
3 essential. And, I don't know, if my colleagues don't intervene, I will
4 leave it at that. But I must really say that I'm not convinced at all
5 that this enormous detail is necessary, not at all.

6 MS. PINTER: [Interpretation] Your Honour, if you allow me, I will

7 answer.

8 We don't have any facts that have been established. We have the
9 indictment, which is as broad as it is. We have the indictment with the
10 scope which is huge. And we cannot afford not to call every little shred
11 of evidence to show what was done in those years, what the Republic of
12 Croatia did to show that there was no plan and that there was no idea
13 about the joint criminal enterprise that would include leadership of the
14 Republic of Croatia and the accused present in this courtroom; that this
15 claim cannot stand. But we did not receive from the Prosecution or,
16 indeed, from the Trial Chamber any decision to the effect, You don't have
17 to call any evidence, because we know that this is a fact. Then we
18 wouldn't be calling any evidence on it.

19 MR. KARNAVAS: I just wanted to say, based on what I heard from
20 you, Judge Trechsel, it would appear that we -- that the Bench is taking
21 judicial notice that, in fact, the weapons did come; they came from
22 Croatia, and that -- and that's why the detail is not necessary. So if
23 we have -- if the Bench is united on that, that this is a fact that is
24 established, then perhaps we don't need to go into the details. You
25 know, so this would be considered an established fact, you know. So if

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1 the Bench is taking judicial notice, then I believe -- you know, I would
2 concur with you in that aspect.

3 JUDGE TRECHSEL: Thank you. I think this might be a very useful
4 road to save time, but, of course, we want to hear what the Prosecution

5 has to say to this.

6 MR. STRINGER: Yes, Your Honour. And good morning,
7 Mr. President, and Your Honours.

8 I don't think there's really any dispute that arms supplies moved
9 into Bosnia and Herzegovina through Croatia. I think the dispute is
10 about where those supplies went ultimately, whether they went to supply
11 ABiH units, for example, fighting in the Tuzla region, who fought
12 together with the HVO throughout the conflict, the Bihac region in the
13 north-western part of the country of Bosnia-Herzegovina. So I think
14 there's -- the divergence is the places where those arms were going, as
15 well as the time-frames involved, and the extent to which the arms
16 supplies dried up in the Herzegovina region or in those areas where the
17 HVO was in direct military conflict with the ABiH. And so I think we all
18 agree that arms went in. I think the dispute relates to where they were
19 going and the time-frames involved.

20 MR. KARNAVAS: And I thank the gentleman for that admission.
21 However, it must be borne in mind that you have routes that go through
22 various territories, you have a very fluid situation throughout this
23 period, things are changing. And of course weapons may be intended for
24 one particular area, they may -- some may arrive there, some may turn
25 back, and to suggest that somehow they were going to one particular

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1 destination, they all went there and remained there and they were used
2 for the very purposes for which they were given, is another thing.

3 I think what the general wishes to do, the way I understand it,
4 is to show the complexity in the locations of where these routes were,
5 because then it becomes very important to show that the Croats knew at
6 some point that those weapons in all likelihood could very well be used
7 against them, but nonetheless, because they were committed to a Bosnia
8 and Herzegovina, they went along and provided those weapons. And I think
9 that those details are what the general is trying to demonstrate, the
10 routes and what have you, because in some places they could have easily
11 choked the route, in which case the weapons would not have gone through.

12 And, again, while the Prosecution -- I understand what they're
13 saying. They want to compartmentalise this as if Croats in the Posavina
14 somehow think differently than the Croats in Central Bosnia, or, you
15 know, they're willing to cooperate in one area, but fight in another.
16 We're saying it's a very fluid situation, the situation changes from
17 place to place, but nonetheless the Croatian government at this time,
18 with the assistance and insistence of the big powers, in particular the
19 United States, is allowing massive amounts of weapons to be coming in
20 from places like Iran and Saudi Arabia and what have you. So that's why
21 the general is trying to go through the detail.

22 But if we can all agree on all of this, then I'm certainly
23 willing to go along in saving time.

24 JUDGE TRECHSEL: Well, I wonder whether it is possible to
25 stream-line the evidence in the -- or to the areas which are really

1 disputed; namely, I quote you, Mr. Karnavas, on what went -- was
2 destined, for instance, for Posavina and then when was detoured. And it
3 seems to me that to a large extent what is essential is perhaps more the
4 intention of the Croatian government than what actually happened,
5 although you correctly pointed out that at some times they must have had
6 some sort of dolus eventualis, that part of it would finally explode in
7 their own face.

8 If it were possible to stream-line the evidence so that we are
9 close to problem areas, then that would be useful, very useful for the
10 Chamber. The problem is that with the details we've heard now, we are in
11 the void. It's almost single grains of sand that should perhaps one day
12 give a mosaic picture, but it is not possible to place them at the
13 moment.

14 Mr. Stringer.

15 MR. STRINGER: If I could just make one suggestion -- I think --
16 that relates to what's being said. I'm going to avoid the invitation to
17 make a closing speech on this, because I think -- I mean, you know, we
18 can all argue about what it means, but that's for a later day.

19 Now, we have maps here, we have indications of material going to
20 various locations. What we don't have on any of this, for example, is
21 the time-frame, and the general hasn't spoken about that. And that's, in
22 the Prosecution point of view, an important issue. Maybe Ms. Pinter is
23 going to go there, and we're just anticipating the next line of
24 questions. But again it's, in our view, not very helpful at all if we
25 have these generalities without even any time-frame.

1 JUDGE PRANDLER: I'm sorry, Madam Nozica, but I would only like
2 to say the following: that, of course, we are ready to listen to the
3 witness and to the Defence, Mr. Praljak, and at the same time I also feel
4 that, for example, we have this very huge volume here only in B/C/S.
5 Now, frankly, I mean -- most of it in B/C/S, and somehow we are getting
6 lost in that abundance of material. So my point is also that probably
7 the Defence in the matter could help us to find really the most important
8 elements of the material in the documents and not to be lost everywhere.

9 JUDGE TRECHSEL: All in English. This is all in English.

10 JUDGE PRANDLER: Okay. So I thank Judge Trechsel.

11 So then, but in other words, I'm not really speaking about the
12 translation; I am speaking about the material which has been presented to
13 us and which means that at the same time during the last couple of
14 months, we have received a great number of other documents through other
15 witnesses, and like also the Stojic witness, et cetera -- witnesses. And
16 that is why I believe that it would be really a better way to choose if
17 the Praljak Defence would find the opportunity to help us to concentrate
18 on the major issues here and not to get lost in the details. Thank you.

19 JUDGE ANTONETTI: [Interpretation] General Praljak, I didn't take
20 the floor - it doesn't happen often - but I wanted to give the
21 opportunity for everyone to speak up in order to understand what
22 everyone's position was.

23 First and foremost, the Trial Chamber did not deliberate on this

24 issue of the judicial notice that might be made regarding weapons supply,
25 so each Judge takes the floor on his own behalf. And up until now, I

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1 insist to say that so far the Trial Chamber has not deliberated on the
2 facts and on the liabilities that might be incurred by each and every
3 one. This is absolutely clear, which means that all the evidence
4 submitted by the Defence, as well as by the Prosecution, is evidence that
5 will be assessed according to two criteria: relevance and probative
6 value. And the final assessment can only be done at the very end of this
7 trial.

8 So as of now, I must say that, personally, I'm still in a
9 complete fog, in the dark, you know. And I'm moving cautiously, step by
10 step, to try to understand what happened, what the Prosecutor is alleging
11 in the indictment, and what Defence is actually saying also.

12 We've just had a debate here in this courtroom. Mr. Stringer
13 highlighted a couple of points in this -- a couple of points that are
14 very important to understand things. First, he said that we absolutely
15 needed dates to know when the weapons were supplied. We need the
16 time-frame. Did these deliveries go on throughout 1992 and 1993, up
17 until the first months of 1994? This is crucial to see if there was a
18 continuous supply of arms, of weapons. Then the second very important
19 point for everyone, we need to know whether these weapons were for the
20 entire ABiH, and the last document we just saw, where obviously the arms
21 are to be supplied to Visoko, we need to know whether after Visoko, all

22 these weapons would be redistributed throughout all ABiH units or, as the
23 Prosecutor seems to allege, whether these weapons were only to be
24 provided to a number of units in a number of places. These two items are
25 essential, and here I fully agree with the Prosecution; we absolutely

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1 need to have a good time reference for all this, and we need to know
2 exactly how these weapons were dispatched. If we have a clear
3 understanding of this, I believe that we will be able to move forward.

4 Now, on the other hand, and here I share the point of view of my
5 fellow Judges, is it that important to really look at all the documents
6 regarding 1992? We've already seen a wealth of documents regarding this
7 year. That's a big problem. Maybe Mr. Praljak would better focus on
8 1993. As you know, 1993 is a year where we have very important dates;
9 January 5, for example, May 9, April 30th, the entire month of June.
10 There are some key moments in 1993, and then we have everything that
11 happened after June.

12 But let me tell you, Mr. Praljak, this whole drawing you made
13 with the trucks and the trucks routes, it's very interesting because we
14 see it originates from Zagreb or Rijeka, goes to Split, ends up in
15 Visoko, and we see that it has to go through Gornji Vakuf and Travnik
16 territories, which is fine. But did this happen in 1992? Did this
17 happen in 1993? Did this happen during the conflict, in the midst of it?
18 We absolutely have to have some information on this. So give us maybe
19 less details, but give us relevant details that have probative value.

20 While I was listening to everyone, I was looking at the binder,
21 the one in B/C/S, not the one in English but the one in B/C/S. And I saw
22 that in this binder we have a number of documents regarding August 1993.
23 That might be very important.

24 I think everybody gave their opinion, and now it's up to you.

25 THE WITNESS: [Interpretation] Your Honours, I understand that you

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1 know the relevance, that it is up to you to decide on the relevance. But
2 the indictment that I've read, the joint criminal enterprise begins in
3 1991. The joint criminal enterprise in the heads begins in 1991,
4 according to the charges against us. If it begins in
5 1991, then these documents show that it doesn't, it doesn't begin in
6 1991, and it goes on into 1992. Well, we're not stupid, so these
7 documents tell us, no, in 1992 there was no such thing.

8 Furthermore, of course, if I were a judge deciding on this, I
9 would say, Okay, it's enough to show just a couple of documents to prove
10 that this did not exist. But on our part, there is something that is
11 called fear, fear of the indictment, of the charges. I have my own
12 opinion of it, but this fear of this indictment has made me go into too
13 many details, to be too broad. Of course, I cannot decide what is
14 relevant. It is up to you to do it. Well, I am afraid, not physically,
15 but I'm afraid of the prevailing logic here.

16 So I'm saying this: Throughout the war, arms were going to the
17 BH Army in Visoko, Your Honours. Visoko is the central logistics base of

18 the BH Army. And if the commander, chief of their Main Staff,
19 Sefer Halilovic, or Rasim Delic, decides to launch this Offensive 93, and
20 if I or we give them weapons to Visoko, who decides who will get those
21 weapons, which unit? They own the weapons. They can distribute them as
22 they see fit. And, of course, they send it to Jablanica, to Mostar,
23 because what will the BH Army use by way of weapons, what will it use to
24 fire upon the enemy in this Offensive 93 if it doesn't have any weapons?
25 And the only source of weapons for them is Croatia.

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1 And this should be it, in terms of solving this problem
2 logically. But this logic is familiar to me. I know every detail of it,
3 but I don't know whether you can understand it, and that's why I went
4 into such detail. Of course, we will narrow it down, not only as regards
5 the weapons, but the overall aid. I will tell you what was going on, on
6 the plan of sports, humanitarian organisations, sports. Croatia was the
7 only way in which Bosnia and Herzegovina could survive, Croats and
8 Muslims alike.

9 Now let me say one more thing. Apart from the weapons in
10 Visoko -- and you will see a report from Rasim Delic about the quantity
11 of weapons that came into Croatia in 1993. And three or four times as
12 many weapons came in through other channels to individual units of
13 BH Army. For instance, we were sending some weapons to Sarajevo, and
14 people smuggled weapons in. And it is also the truth, when the BH Army
15 attacked the HVO, when the conflict broke out, we in Croatia, and I will

16 show you documents where it says, Let Praljak decide about some
17 training - I have it here - we started smuggling things around Zagreb, in
18 some parts controlled by the Croatian Army around Zagreb. There were
19 small devices where we put weapons into food. We took out food from the
20 containers and put in weapons, because I said already there was this huge
21 problem. I was fighting people who were attacking me, and at the same
22 time I knew -- I was aware of and I was approving the transfer of weapons
23 to the same army, and that was going on throughout the war.

24 As I said, after the conflict started, there were some problems,
25 but we were lying to ourselves; we were lying to our own fighters,

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1 Your Honours. This is what I'm claiming. This is my evidence. I have
2 proof of that. I have a person who testified about that, a Muslim who
3 was working on it, and he will come here, and he will testify as to how
4 weapons were smuggled to BH Army.

5 And, Ms. Nika, could you please look at the establishment of
6 logistic centres of the BH Army in Croatia and get me the dates?

7 MS. PINTER: [Interpretation] Yes, but let me just respond to the
8 Trial Chamber that we started with the maps in order to give you an
9 overview, and it is not our intention to go through all those documents.
10 But, on the other hand, in order to be able to tender this book into
11 evidence, we have to deal with some documents and all the chapters in
12 order to be able to ask for it to be tendered into evidence, because it
13 is a compendium of documents put together in one place. And only when

14 you get all the documents in one place can you get the whole picture.
15 You cannot get the whole picture from disjointed pieces, to see the forms
16 and shapes that this aid took. And the Defence is trying to give you as
17 many facts as possible in order for your decision to be based on those
18 facts and in order for you to be -- to have all the data at your
19 disposal.

20 Q. Let us now look at -- well, I don't really have it. We should
21 look at yours.

22 A. Training centres, you mean?

23 Q. Well, look at the chapter on the training of BH pilots in
24 Croatia. I have a chapter here on unit establishment --

25 JUDGE ANTONETTI: [Interpretation] I have a question for you,

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1 Mr. Praljak.

2 You mentioned Halilovic, saying that Croatia, through the HVO,
3 supplied -- or that the HVO supplied weapons to the ABiH. Very well.
4 Unfortunately, here you know that each party has to submit its own
5 evidence. In a civil law system, we would have asked Mr. Halilovic
6 whether he actually received weapons and how he actually distributed the
7 weapons, and that would have saved everyone a lot of time.

8 Now, General Praljak, I'd like to know whether you envisaged to
9 actually call any of your adversaries as witnesses in your case, you
10 know, high-level adversaries, so that they could confirm what you're
11 actually saying, or do you believe that this is impossible to have these

12 people come and testify for you?

13 THE WITNESS: [Interpretation] Well, an associate did try to talk
14 to two people, but they refused, so that was impossible. But there is a
15 report. We have that. It's a regular report by Rasim Delic about what
16 was procured from Croatia just for the base in Visoko, and we're going to
17 show you that, show you the document. It's a very extensive document.
18 So it's his document, not mine. These aren't my documents. They're
19 documents mostly related to units organised by the Muslims, transported
20 by Muslims, where the truck-drivers were Muslims, so those are the
21 documents.

22 MS. PINTER: [Interpretation] In this book, there are documents
23 which relate to a number of topics, and they are enumerated in the
24 contents list. Now, all the questions that Judge Antonetti raised with
25 respect to the period of time, the year, the critical dates as far as the

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1 indictment is concerned and so on, we have documents on that. However,
2 I think we're going to lose our way if we keep skipping things.

3 We're going to skip 1992, but I think that, General, we should
4 take this in the order it is set out to look at the documents that are
5 essential in order to show what the situation was like with respect to
6 Croatian aid to Bosnia-Herzegovina, and thereby we would be refuting the
7 charges and allegations in the indictment which say that the politics in
8 Croatia and the HZ-HB had the intention to undertake a joint criminal
9 enterprise and the intention to cut off part of Bosnia-Herzegovina.

10 Q. So I'd like to ask you, General, that we go through the topics.
11 We're going to skip the years, skip 1992 and skip some documents, but go
12 through the material in general. So you don't have the page numbers; I
13 do. I will give the page numbers, and you can just tell us what the
14 documents are. Otherwise, we'll never get through it. We'll get
15 through --

16 A. Let's do March, when there was a conflict in Rama.

17 Q. Are we dealing with 1993 and Gojko Susak? The document on the
18 right, I believe, shows you that. I'll give the page number.

19 Now, the 1st of March, 1993, the Ministry Of Defence of the
20 Republic of Croatia. The letter is from Ante Jelavic, and it is a list
21 of the resources confiscated from the BH Army which were being sent to
22 the Operative Zone of Central Bosnia. It's 3D32-1035 or, rather -- well,
23 the number's the same, it's the same number. I don't seem to have the
24 number of the English page, but it is 3D38-0016, I think. And then we
25 can go on to the next document, and the date after that is the 6th of

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1 March.

2 A. That's right, the 6th of March, where there are already conflicts
3 in Uskoplje and Rama and Novi Travnik, and I knew -- well, Your Honours,
4 if you read the document dated the 13th of January where I talked to the
5 high-ranking French delegation, I expressly say that the war will
6 continue and what the political options are -- of the individual sides
7 are. And from that, you can see that we were fully conscious of the fact

8 that the conflict would probably break out, and you'll see how much
9 effort we put in to prevent the conflict breaking out.

10 But, anyway, here on the 6th of March, a vast quantity of weapons
11 were being sent, and you've already mentioned this 6th of March document.

12 Q. 3D38-0024 is the number?

13 A. Yes.

14 Q. 3D32-1039?

15 A. We --

16 THE INTERPRETER: Could the speakers kindly slow down and speak
17 one at a time and state the -- read the numbers slowly. Thank you.

18 MR. STRINGER: Mr. President, we're lost with the numbers over
19 here. We're just moving too fast, and we're not able to keep up. We're
20 trying to take notes of which documents we might object to or not object
21 to, and it's impossible the way we're going here.

22 JUDGE ANTONETTI: [Interpretation] Madam Pinter, give the number
23 of the document in B/C/S so that Mr. Praljak can look at the document,
24 and at the same time give the number in English, of the English page, so
25 that each and every one can see and follow. Thank you.

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1 MS. PINTER: [Interpretation]

2 Q. General, take the binder up, because you have the Croatian page
3 numbers there, and look at the original as well. That's the only way we
4 can proceed. Otherwise, the Prosecution won't be able to follow, and
5 that won't be a good thing.

6 Now, we reached 3D32-1040. That was the page number, to simplify
7 matters.

8 My learned friend Mr. Kovacic wants me to tell you that we're
9 referring to the same document all the time.

10 THE INTERPRETER: The interpreter can't catch the number. Too
11 fast.

12 MS. PINTER: [Previous translation continues]... It is "Aid by
13 the Republic of Croatia to the Republic of Bosnia-Herzegovina." So I
14 don't give the main numbers all the time, because I said at the very
15 beginning that it was one document, and that is 3D02633, and there are a
16 series of documents there.

17 THE WITNESS: [Interpretation] I've found it. It is the 5th of
18 March, 1993, and you can give the English number.

19 MS. PINTER: [Interpretation]

20 Q. 3D38-0025 is the English reference. That's right. Now we can
21 move on.

22 You leaf through the document --

23 A. The next date is the 6th of March.

24 Q. That is 3D38-0026, or 3D32-1041.

25 JUDGE TRECHSEL: Excuse me, please. This document, 0025, is

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1 dated 5 March. It is from the Croatian Army Main Staff, and some
2 material is to be issued for Grude Logistics Base. I was of the opinion
3 that Grude was the headquarters of Mate Boban and a place of the HVO, but

4 I thought that the purpose was to show that material went to the ABiH.
5 And can I -- do I misunderstand something, overlook something which
6 indicates that this, in fact, was material for the ABiH and not for the
7 HVO?

8 MS. PINTER: [Interpretation] Your Honour, the problem is that
9 you've already heard witnesses who have -- they were Bosniaks, Muslims,
10 who took over weapons in Grude, at the logistics base there of the HVO at
11 Grude. Now, by this we wish to demonstrate and are demonstrating that
12 the logistics base in Grude received weapons, that weapons were coming
13 in, and the source of those weapons, if you look at the documents, we'll
14 see -- or, rather, you'll see where those weapons were sent on to
15 further. So these documents show where the trucks could have left from
16 or -- well, the general wants to say something.

17 THE WITNESS: [Interpretation] Your Honour Judge Trechsel, we have
18 heard testimony from witnesses here who said how many weapons from Grude
19 went to the BH Army. A portion went to Grude first and was then sent on
20 to the BH Army, and another part went directly to Visoko, as I said. The
21 third part went to other places. And if we look at the document of the
22 6th of March, 1993, the next document, we'll be able to see that.

23 MS. PINTER: [Interpretation]

24 Q. General, just a moment, please. Could the Court and the
25 Trial Chamber look at 3D38-0024 now, please.

1 A. And what's the Croatian number?

2 Q. The Croatian number is 38 -- 3D32-1039. The date is the same.
3 It's the 6th of March, 1993, and this is instructions for the issuance of
4 equipment for the requirements of Grude, and MTS taken over by Mr. Sujab
5 from Sarajevo, and the equipment will be transported in the following
6 vehicles. And the trucks are listed, with their drivers.

7 General, the drivers of these trucks --

8 A. Well, it goes to Zenica, and they were all Muslims. They were
9 all trucks from Zenica, going to Zenica, and we only wrote down that it
10 was going to Grude, whereas it was being dispatched directly to Zenica.
11 And the drivers were Muslim drivers, driving for the BH Army. So I think
12 some things are so clear, and we've been repeating them umpteen times
13 that there can be no doubt.

14 Q. Now, General, the 6th of March, 1993, 3D32 is the Croatian,
15 3D32-1042. The English is 3D38-0027. And that is a letter sent to the
16 Ministry of Defence of the Republic of Croatia, that's who it's addressed
17 to, and it is sent by the BH Army and the Logistics Centre in Zagreb.
18 The coordinator is Azim Karamehmedovic.

19 A. Yes, that's what I've been trying to say throughout. The
20 BH Army, on the 6th of March, after a series of conflicts had already
21 taken place, there were things going on in Konjic already, and everything
22 was clear to us already. Well, we weren't stupid down there not to
23 realise what was going on, neither in Croatia or in Bosnia-Herzegovina.
24 On the 6th of March, and we'll see this later on, too, there was a
25 logistics centre in Zagreb, of the army of another state which is taking

1 over what is listed in this document and is driving it to Zenica,
2 transporting it to Zenica, and they're all Muslims. This man,
3 Stipo Blazevic, he's a Croat. But all the others are Muslims. And the
4 coordinator of all this is Engineer Azim Karamehmedovic who was in the
5 logistics centre of the BH Army in Zagreb. And the criminal enterprise
6 has been going on, according to the Prosecution, for already two years.

7 JUDGE ANTONETTI: [Interpretation] General Praljak, a question
8 [indiscernible]. This document of March 6th on the delivery of weapons
9 to Zenica, could you tell us whether at the time, in March, you knew that
10 the 7th Brigade was stationed in Zenica? The 7th Brigade was the
11 strong -- it was part of the 3rd Corps; did you know that?

12 THE WITNESS: [Interpretation] Your Honours, I knew about the 7th,
13 the 17th, the Mujahedin. I was well informed. I was totally informed
14 about everything. As you will hear later on, we still hoped that he --
15 we would be able to prevent the conflict. I'm going to show it very
16 clearly on my own example.

17 JUDGE TRECHSEL: If I may further to clarify. It appears to me,
18 and I stand, of course, to be corrected, that the documents from, in
19 English, 0024 to 0027, are all very closely linked together. They always
20 seem to come up, those 100.000 bullets and the thousand 152-millimetre
21 rounds. One document shows - that's 25 - that they are to be delivered
22 to Grude. Then there is an order that they -- that was 26, I think. And
23 then there's the letter of 6th March which says who is going to pick it
24 up. We have again the same number. And then we have the drivers that

25 pick them up at 24. Is that correct? Are all these four documents

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1 concerning, inter alia, the exactly same parcel of ammunition?

2 MS. PINTER: [Interpretation] You can see that from the names of
3 the drivers, the registration plates. And we started with Grude to show
4 the origins of the loads, but they are connected by the dates, by the
5 sequence.

6 THE WITNESS: [Interpretation] However, therefore, here, then,
7 some things do go to Gradacac, but they are destined for the 1st and 2nd
8 Corps, for the units of the 106th as well. However, the main escort of
9 the convoy, Mr. Emir Beslagic, hails from Visoko. And all this has been
10 taken to Visoko.

11 Please we're not -- I know, I understand all the questions. But
12 look here, if you're delivering a thousand shells for 152-millimetre
13 calibre weapons, then this is not exactly a small quantity. It's not
14 peanuts, is it?

15 You can go on, Ms. Pinter.

16 MS. PINTER: [Interpretation] I believe that we can move on to the
17 next topic, Mr. Stojic's Defence has already presented so much evidence
18 and so many documents about the arms.

19 THE INTERPRETER: Could, please, the shuffling in the courtroom
20 stop, because we can't follow anything in the booths.

21 THE WITNESS: [Interpretation] Look at the document 3D32-1051.
22 This is the 7th April, 1993.

23 MS. PINTER: [Interpretation] Just a moment. I would like to
24 provide the Trial Chamber with the English number, which I don't have
25 because I did not prepare it.

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1 THE WITNESS: [Interpretation] I've got it.

2 MS. PINTER: [Interpretation]

3 Q. English?

4 A. 3D32-1051.

5 Q. This is Croatian. I don't have the English.

6 A. Well, it's the 7th April. It's already April 1993, and it says
7 the Main Staff of the HVO has approved an unhindered passage of the MTS.
8 A list is then given of all the vehicles, with their loads, how many
9 bullets; 1 million; RPG rockets, 1.048 pieces; automatic rifle, 305
10 pieces; Maljutka, seven pieces. That's for anti-armour defence. This
11 was on the 7th of April, 1993. And then I don't know whether you have it
12 on your list, 18 February 1993, two transport helicopters were purchased,
13 MI8T [phoen] for the Army of Bosnia-Herzegovina.

14 Q. This is 3D32-1052, but I still don't have the English pages.

15 A. Well, never mind. It's neither here nor there.

16 JUDGE TRECHSEL: If I can assist, it might be 3D38-0035.

17 MS. PINTER: [Interpretation] This refers to the document dated
18 18 February, 1993, or the previous one?

19 JUDGE TRECHSEL: The 7th of April, 1993.

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

21 THE WITNESS: [Interpretation] Ms. Nika, let's move on, let's go
22 on.

23 MS. PINTER: [Interpretation]

24 Q. Please go to 3D32-1061. In English, this is 3D38-0047.

25 A. Yes.

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1 Q. This is a report, i.e., a letter to the Office for National
2 Security of Croatian Report Service. The date is 10 May, 1999. The
3 Ministry of the Interior Service for Protection Constitutional Order of
4 the Republic of Croatia. General, what do you know about the allegations
5 in this document and about this document, in general?

6 A. I also know that all the staff from the BH Army who were working
7 in Croatia were allowed to obtain communications tools. We have evidence
8 to that, and we will see about (redacted), because I personally
9 approved for lost quantities of communication equipment to be given to
10 the Army of Bosnia-Herzegovina. And here it is stated very clearly in
11 the third paragraph --

12 JUDGE ANTONETTI: [Interpretation] One moment, Mr. Praljak. We
13 might need to redact, because you mentioned a witness for whom you sought
14 protective measures.

15 THE INTERPRETER: Could all the microphones which are not in use
16 please be switched off. Thank you.

17 Could the counsel please turn on the microphone.

18 MS. PINTER: [Interpretation] Luckily enough, the name on the

19 record is not correct, but I would still like to thank you, Your Honour,
20 for making sure that the person is protected.

21 THE WITNESS: [Interpretation] In the third paragraph, there is a
22 reference to all the persons who came to collect all that and the places
23 where all that went to.

24 JUDGE ANTONETTI: [Interpretation] One moment.

25 Registrar, can you please prepare a redacting order; page 27,

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1 line 23.

2 Please continue.

3 MS. PINTER: [Interpretation] Thank you.

4 Q. General, can you now go to the packing of food products.

5 3D32-1084 is the page number. We are talking about UNHCR trucks, weapons
6 packaged in food stuff packaging. The English page is 3D38-0078,
7 Croatian page 3D32-1084.

8 A. Yes. There is a cluster of documents testifying to the fact
9 that -- or, rather, how all that was done. This is especially important
10 in the case of Bihac, because in addition to the helicopter and the
11 aircraft flights, of which some were brought down and they could not have
12 transported enough for such a huge corps. Among the personnel of the
13 United Nations and UNHCR there was people who, when they returned from
14 Bihac, having seen what the situation was like over there, and who was
15 attacking whom over there, and what could happen there, and how people
16 fared over there, they simply, for their humanitarian reasons and

17 motives, that's the only interpretation I have, they violated the rules
18 of their own service. That's how I interpret the whole thing. I don't
19 think this was permissible. However, when some provisions of the law are
20 contrary to the moral feelings of an individual, certain individuals opt
21 for their moral sentiments rather than for the letter of the law. And
22 they -- these people then agreed to transport weapons in the food
23 packaging, and this was all done with the knowledge of Franjo Tudjman,
24 Gojko Susak, and mine, and this was all done in the barracks of the
25 Croatian Army.

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1 MS. PINTER: Just for the Trial Chamber and the Prosecution, the
2 time-frame is 1993. All the documents are relevant to the year 1993.

3 JUDGE ANTONETTI: [Interpretation] General Praljak, sorry for
4 returning to a previous important question. I really try to understand
5 the concatenation of events and also the objectives. No doubt, the
6 documents we saw earlier of March showed that weapons were supplied to
7 the ABiH. One driver from Zenica came to pick them up. This was in
8 March 1993. But I asked you a question then. I asked you whether you
9 knew that the 7th Brigade was stationed in Zenica, and you said, Yes.
10 Therefore, I have to ask you the other side of my question.

11 Did you know that since January 1993, Croatian civilians had been
12 detained in Zenica?

13 THE WITNESS: [Interpretation] Yes.

14 JUDGE ANTONETTI: [Interpretation] And despite the fact that they

15 were detained, you send weapons?

16 THE WITNESS: [Interpretation] Yes. Your Honour, we will see
17 later on when exactly, but it was sometime at the beginning of March. We
18 had a witness here. I was up there in order to calm the situation down.
19 I was in Zenica even with Mr. Prkacin. He was a HOS general, and in some
20 way he was tied to the area, and we tried to see if we could have people
21 released. And I was his driver. At that time, I was a driver in Zenica.
22 Somehow it happened that I was driving Mr. Prkacin.

23 JUDGE ANTONETTI: [Interpretation] I assume, then -- with a
24 decision as important as this one, what was the decisive factor to keep
25 on supplying weapons? Was it the fact that you had a common enemy, that

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1 is, the Serb forces, and the very fact that there were civilians in
2 Zenica? It was, of course, a dramatic event that could find a solution.
3 Therefore, when you weigh out the common purpose and the issue of
4 civilians detained in Zenica, you ended up opting for the general
5 interest, which was to fight the Serbian forces? Was it that factor that
6 was taken on board?

7 THE WITNESS: [Interpretation] Exclusively that element,
8 Your Honour. In war, you never -- or almost never have an opportunity to
9 choose between the good and the evil. In 99 percent of the cases in war,
10 at least this type of war, you have a decision which is bad and a
11 decision which is even worse, and you opt for the lesser evil. You make
12 a decision that you believe will result in less evil.

13 It was painful to talk to the people who were closely related to
14 the detainees over there. However, all of us who were thinking about
15 that, starting with President Tudjman, myself, and Petkovic, what would
16 have happened if we had cut that off and if we had told them, There's no
17 weapons forthcoming? Let's develop that scenario.

18 Bosnia and Herzegovina would simply politically join Yugoslavia,
19 and Muslims would have disappeared. They would have been expelled.
20 50.000 or 60.000 more people would have been killed. That's at least
21 what the Serbs did. And what good would that have brought us? And a
22 million-plus would have been expelled, and this would have been a total
23 disaster.

24 We never interrupted the supply of weapons, communications means,
25 reproduction materials. Food and humanitarian convoys were the least of

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1 our problems. However, Your Honours, of course, listen -- look here,
2 actually. A mother whose son is over there, a man [as interpreted] whose
3 son is detained, she does not want to talk about all things general, she
4 doesn't want to look at the bigger picture. All she cares about is her
5 own detained son. And if you have 50 parents on your hands, the only
6 thought on their minds is that their children are down there, that their
7 children are not coming back. And we, on the other hand, are letting the
8 weapons go through. And that's why the convoy in Citluk was stopped.
9 They were not interested in the global policy of Franjo Tudjman,
10 Petkovic, Stojic, Prlic, or Praljak, or whoever. That mother wants her

11 baby and does not see beyond that, which is only understandable, of
12 course.

13 JUDGE ANTONETTI: [Interpretation] Very well.

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

15 Q. General, on 3D32-1085, or 3D38-0079, you will see the schematic
16 of the place where the weapons were packaged.

17 A. Yes, Zdencina and some of the places in Zagreb.

18 Q. What follows are documents testifying to the way the weapons were
19 packaged. I would like to draw your attention to the screen. It will be
20 easier for you to read, 3D38-0086, and 3D32, is the Croatian
21 version, -1089.

22 A. I don't have anything to add to the documents. The documents are
23 self-explanatory. They are clear enough. I just tender those documents
24 for admission. If the Court is going to admit these documents, I have
25 nothing to add to them. They are very clear; they are self-explanatory.

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1 Maybe I could answer few questions, and that would bring the whole
2 process to an end. It will probably take me 10 or so minutes to explain
3 everything. If the documents are in, then they speak for themselves.
4 They speak volumes of the time-frame and everything else.

5 MS. PINTER: [Interpretation] Can we please move into private
6 session for a moment?

7 JUDGE ANTONETTI: [Interpretation] Yes. Let's move into private
8 session. Registrar, please, private session.

9 MS. PINTER: [Interpretation]

10 Q. General --

11 [Private session]

12 (redacted)

13 (redacted)

14 (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

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1 (redacted)

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12 (redacted)
13 (redacted)
14 (redacted)
15 (redacted)
16 (redacted)
17 (redacted)
18 (redacted)
19 (redacted)

20 [Open session]

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

22 MS. PINTER: [Interpretation]

23 Q. General, go to the establishment of the units of the Army of
24 Bosnia-Herzegovina in the territory of the Republic of Croatia. The page
25 number is 3D32-1107 in Croatian, and 3D38-0111 in English.

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1 A. Yes.

2 Q. Here, you see that the total number of documents is 158, and they
3 all speak about the establishment of the units, and that in the annex
4 there are 32 documents. And now I'm going to ask you to take us through

5 the annex.

6 A. Well, in the Croatian version, that's 3D32-1108. We can see a
7 map.

8 Q. Let me just give the English reference. It's 3D38-0111.

9 A. Well, where the units that were sent to Central Bosnia were
10 actually set up, the units sent to Bosnia and Posavina and to the Bihac
11 enclave. And here we're talking about units that were made up mostly of
12 ethnic Muslims, and it shows the routes they took.

13 THE INTERPRETER: Microphone, please.

14 MS. PINTER: [Interpretation]

15 Q. The units were the 7th Brigade --

16 A. The 77th Brigade.

17 Q. Yes, the 77th. I can hardly see.

18 A. Yes, yes.

19 Q. The 77th Brigade, the Rijeka, the Berbir Brigade, the
20 Handzar Brigade, and the 17th Brigade from Zagreb.

21 A. Yes, those were their names.

22 Q. I'm reading.

23 A. Well, the next document in Croatian, that's 1109.

24 Q. 3D38-0112.

25 JUDGE TRECHSEL: I have a question to the document 0111. I do

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1 not see a date here. Is it possible to have a date?

2 MS. PINTER: [Interpretation] I'm sorry, 0111, that's an overview,

3 and now as we go through the documents, we'll see the dates. The dates
4 are on the documents. You can see them on the documents. It's 1993 and
5 1992. This is just an overview, and then through the documents you can
6 see the dates.

7 THE WITNESS: [Interpretation] Well, let's take the next one,
8 then, 1109.

9 JUDGE ANTONETTI: [Interpretation] One moment, Mr. Kovacic -- oh,
10 sorry. I know that in the interest of time, we moved on to 3D38-0111,
11 but you're going to seek to tender all the documents, so this has to be
12 on record. There are documents about July and August, so with regard to
13 the time-frame we have documents about July and August, or even January
14 1994. Can you confirm this or not?

15 THE WITNESS: [Interpretation] Yes, Your Honour. Throughout the
16 time, I say that for all those documents that we don't have enough time
17 to go through them. My argument is clear, continually in 1992, 1993,
18 1994, 1995, with minor hitches in the second half of 1993 that we managed
19 to resolve by smuggling the weapons behind our own backs, but the weapons
20 kept coming into Bosnia and Herzegovina.

21 JUDGE ANTONETTI: [Interpretation] General Praljak, follow-up
22 questions about military tactics.

23 I saw in the documents that oil for tanks was supplied, which
24 goes to show that the ABiH had tanks. Can you confirm this?

25 THE WITNESS: [Interpretation] Yes, Your Honour. The BH Army had

1 quite a few tanks. We gave them a tank from Jablanica, when they wanted
2 to liberate Sarajevo, and then they never -- well, we can't,
3 unfortunately, go through all this. And raw materials for the production
4 of some casings in Konjic. That's what we transported, and there are
5 documents to support it, from the Ploce port, and the materials used for
6 the production of gunpowder. I really -- I'm telling you, boots,
7 clothes, oil, ammunition, telecommunications equipment, raw materials,
8 medicines, well, for the wounded, and the wounded -- it's humanitarian
9 aid, it's not under this chapter. But everything that could be obtained
10 under the conditions went to the Army of Bosnia and Herzegovina.

11 MS. PINTER: [Interpretation] Just for the transcript, let me give
12 you the English and Croatian page references for the 7th -- for the July
13 and August of 1993, referring to the consignments going to BH Army.
14 That's 3D32-1099. The English version is 3D38-0099. 3D32-1101, that's
15 the Croatian version; and 3D38-0102, 010 -- oh, I'm sorry, 3201. I'm
16 sorry, I got confused. 3D38-0105, 3D32-1103 --

17 THE INTERPRETER: Interpreters note, could the shuffles of papers
18 please be kept at a minimum. We can hardly hear the speaker.

19 MS. PINTER: [Previous translation continues]... 3D38-0106,
20 that's the English version. 3D32-1104, the Croatian version. 3D32-1105,
21 that's the Croatian version. 3D38-0108, that's the English version.

22 Q. And now we go back to the establishment of the units, General,
23 but it's also time for our break.

24 A. Well, we can look at 1109.

25 Q. Which is, which in English is 3D38-0112.

1 A. The date is the 26th of January, 1993, and it's the Military
2 Mission of Bosnia-Herzegovina.

3 Q. What's the date?

4 A. Well, I gave you the date. It's the 26th of January, Colonel
5 Hasan Efendic, and they are asking for an urgent meeting with
6 General Bobetko. And this is what's on the agenda: To continue
7 discussions and to set up a collection point -- well, in Lika and Kordun
8 they have this collection point centre. That's where Muslims from abroad
9 and from Croatia come. There were quite a few of them living abroad, and
10 then they were to be sent to Bihac because there were some routes still
11 open there.

12 And then item number 2 is a procurement and other -- purchase or
13 other forms of procurement and military equipment; 3, cooperation and
14 coordination between the Croatian Army and the 5th Corps; then
15 maintaining the airlift and various other issues. And this meeting was
16 to be attended by the secretary for military issues from the 5th Corps,
17 Brigadier Hajrudin Osmanagic.

18 MS. PINTER: [Interpretation] Since it is time for our break, the
19 next document will be dealt with after the break.

20 JUDGE ANTONETTI: [Interpretation] We're going to break for
21 20 minutes.

22 --- Recess taken at 10.30 a.m.

23 --- On resuming at 10.53 a.m.

24

[The accused Pusic not present]

25

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

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1

Mr. Pusic left us for a while. He is not feeling well. We hope

2

that he will come back soon.

3

You have the floor.

4

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

5

Q. General, would you open to page 3D32-1110, and the English

6

page is 3D38-0113. It is a report on the work of the Crisis Staff for

7

Bosnia-Herzegovina, Split, dated the 6th of April to the 18th of October,

8

1992. The document was written in Split, which is the Republic of

9

Croatia, and it was written on the 18th of October, 1992. General, what

10

do you know about the circumstances when this document was compiled, and

11

the work of the Crisis Staff, and the document in general?

12

A. First of all, let me say that there were crisis staffs of this

13

kind for Bosnia-Herzegovina on the territory of the Republic of Croatia

14

in great numbers, and we have a report from Split here and the

15

Crisis Staff in Split. There were many such crisis staffs, and they list

16

how many volunteers they sent to Visoko, to Northern Bosnia, to

17

Krajl Tomislav, which was a unit fighting in Southern Croatia first and

18

then it came under the command of the BH Army.

19

Q. General, that is on 3D 321111 and 3D38-0114. Go

20

ahead.

21

A. As I was saying, the unit came under the direct command later on

22 of Mr. Izetbegovic, and we've already seen this document, and he
23 appointed a commander, and that was the man Daidza, Mate Sarlija -
24 Daidza. And then the 1st Mostar Independent Battalion, that's the
25 battalion that later on became the 1st Mostar Brigade and later on the

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1 4th Corps, with 118 volunteers, and so on and so forth. And in
2 conclusion, they say that they sent over 2.000 volunteers to the armed
3 forces of Bosnia and Herzegovina and the HVO. And it says that there
4 were women and foreign nationals from Algeria, France, Turkey, who were
5 sent and who helped them; how everybody tried to help them in Split. All
6 the companies and the Croatian Army lent their assistance to these people
7 coming in. Anyway, he explains in detail how much humanitarian aid was
8 being given and how they were generally helped out with transport and in
9 all manner of other ways.

10 Q. And the document was signed by the president of the Crisis Staff
11 for Bosnia-Herzegovina, Split, Alija Dzafo; right?

12 A. Yes, and he is sending this to the government of
13 Bosnia-Herzegovina, it's addressed to them, and to Hasan Efendic, the
14 military attache of Bosnia-Herzegovina in Croatia, and the Bureau of the
15 Republic of BH in Croatia. So the Presidency or Government of
16 Bosnia-Herzegovina had an office in Croatia, bureau in Croatia, and
17 that's where the government meetings were held, and so on and so forth,
18 as they would be in a completely open and friendly country.

19 Q. May we have your knowledge and additional information on document

20 3D32-1112, a document we've already seen, and in English it is 3D38-0123.

21 A. 112, but which one? I can't find that 112.

22 JUDGE TRECHSEL: I would like to ask a question with regard to
23 the document which we have just had. It is a report on the work of the
24 Crisis Staff for Bosnia and Herzegovina, Split. I was of the opinion
25 that Split was in Croatia. Now, is this another Split, or how come there

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1 is a Bosnia and Herzegovina crisis staff in a Croatian town? Can you
2 explain this, Mr. Praljak?

3 THE WITNESS: [Interpretation] Yes, I can, Your Honour
4 Judge Trechsel. That is precisely what I've been talking about all this
5 time; not only in Split, by the way. There were such crisis staffs -- BH
6 crisis staffs in Croatia. Well, certainly more than 10 of them; Split,
7 Rijeka, Zagreb, Sisak, I believe, Slavonski Brod, and so on.

8 As I was saying, Croatia, in all respects, at all levels, at all
9 levels of the army, in every way possible, the government, the president,
10 the authorities, the various towns, offered aid and assistance,
11 comprehensive aid and assistance, to Bosnia-Herzegovina for its defence.
12 And this is one of those reports that says: by providing money, companies,
13 by placing warehouses at their disposal (...) people were collecting too
14 and the weapons were provided. To individuals too, of course. Each of
15 these groups were armed. They didn't go over there bare-handed.

16 JUDGE TRECHSEL: Thank you. I'm still a bit puzzled.

17 In Bosnia-Herzegovina, I gained the impression that where a

18 crisis staff took over, it took over the functions of the municipal
19 government, as in view of the emergency war situation. I must assume,
20 unless told or explained otherwise, that the term "crisis staff" in
21 Croatian towns does not have the same meaning, but rather is something
22 like an association of the friends of Bosnia-Herzegovina, something of
23 that kind. Is that wrong?

24 THE WITNESS: [Interpretation] Well, partially yes, partially no,
25 Judge Trechsel. The same was done by the crisis staffs in

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1 Bosnia-Herzegovina, the same things, kind of things, which means that
2 with the siege of Sarajevo and with the state disintegrating and its
3 communications disintegrating, to send anybody to defend something over
4 there and to go up to the front-lines, you had to rally people, collect
5 people from somewhere, collect the weapons, train the people, so this was
6 the same that the crisis staffs in Bosnia-Herzegovina did, the same kinds
7 of activities they were engaged in. These were authorised structures and
8 recognised in the state of Croatia as such, as the military attaches, as
9 branch offices of their Main Staff, in a way. They had their stamp,
10 their papers, their reports, and everything else. So they weren't just a
11 group of friends or an association of friends. They were registered by
12 the Croatian state, recognised by the state. A recognised institution,
13 if you will, by the state.

14 JUDGE ANTONETTI: [Interpretation] General, I think that the first
15 sentence in this document explains things. It says that the Crisis Staff

16 for Bosnia-Herzegovina - Split was established as part of the Split
17 branch of the Party of Democratic Action of Croatia. So if I understand
18 things right, the SDA was set up in Croatia. It seems to say this,
19 anyway. And starting from that, a branch of the SDA in Split christened
20 itself "Crisis Staff." Is this how we're supposed to understand this?
21 To your knowledge, was the SDA actually settled in Croatia?

22 THE WITNESS: [Interpretation] Your Honour Judge Antonetti, the
23 situation was somewhat different. The SDA of Croatia was an independent,
24 autonomous party within Croatia which followed the politics and policies
25 of the SDA of Bosnia-Herzegovina. But it was a party registered in

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1 Croatia, just like the HDZ of Bosnia-Herzegovina had the same programme
2 and platform as the HDZ of Croatia, of course, but it was an independent
3 party in Bosnia and Herzegovina. So this was the SDA Party of Croatia,
4 which had its branches, it was registered in Croatia, and on the
5 territory of the Republic of Croatia it existed in this way, as you just
6 read out, and it quite simply organised its legal branch offices. They
7 had their stamps and seals and offices, and everything else.

8 Of course, under normal conditions, in normal countries and
9 circumstances, this activity would not have been permitted, because it
10 would have gone against the grain and letter of many laws, but that's why
11 I keep emphasising that without an overall understanding of the
12 comprehensive situation, it's impossible to understand its individual
13 details in the right way. It was a war. There was a war on. People

14 would lose their lives. Lots of evil had already taken place.

15 JUDGE ANTONETTI: [Interpretation] General, on page 2, page 114 of
16 the English version, there is one word, and I'm very careful with words
17 and the weight that can be attached to words. It's at the very end of
18 the page, and it says that there were 2.000 volunteers and that through
19 the crisis cell, these volunteers were dispatched to the OSBH and the
20 HVO. So when reading this, it looks like the crisis cell in Split, the
21 BiH Crisis Staff in Split, actually welcomes the volunteers and then
22 decides, on its own volition, how it's going to dispatch these
23 volunteers, which might lead us to think that in the mind of those people
24 in Split, the HVO and the ABiH is just one army, or two armies but joined
25 against a common enemy, against the Serbs. Is this the way it operated,

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1 because it seems to be what this document indicates?

2 THE WITNESS: [Interpretation] Precisely so, Judge Antonetti.
3 Here you see that these people reported to Pula, Rijeka, Varazdin, and
4 Zadar. They were registered there, and once they had gathered together,
5 there would be a team, and they would say, We're from Mostar, or the
6 surrounding parts, and we would like to go to the Mostar Independent
7 Battalion. Another group would say, We would like to go to Tomislavgrad,
8 and so on. And then that group would be armed and equipped and would be
9 transported to where they wanted to go, to the BH Army and the HVO. And
10 up until this point of time when this document was written, 2.000
11 volunteers had been recorded and dispatched.

12 JUDGE ANTONETTI: [Interpretation] Very well. This is the first
13 time we see this document, but it -- out of memory, I think we've never
14 mentioned this, but it establishes that Muslims in Croatia wanted to go
15 back to Bosnia-Herzegovina and wanted to volunteer, actually, for
16 Bosnia-Herzegovina. So if we have Muslims who volunteer, do you think
17 that it could have had a psychological impact on Croats who said, Well,
18 if Muslims go to Bosnia-Herzegovina, why wouldn't we, as Croats of
19 Bosnia-Herzegovina, also go there? Was there, do you think, some kind of
20 impact either in one way or the other?

21 THE WITNESS: [Interpretation] Not at this point in time,
22 Your Honour, nothing. At this point in time, the feeling of a joint
23 struggle was complete, so during this period there were no thoughts if
24 the Muslims were to go and so on. It was all on a volunteer basis,
25 according to individual sentiments, whether Croats or Muslims, and they

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1 felt this urge, basic urge, inner urge to go, a moral duty to go and
2 defend areas where they thought were necessary.

3 JUDGE ANTONETTI: [Interpretation] This document dates October 18,
4 1992, and this is around the Prozor elements. When the incidents
5 occurred in Prozor, I assume that in Croatia people knew about what had
6 happened in Prozor through the Muslims who were volunteering to go to
7 Bosnia-Herzegovina, to be dispatched within the ranks of the HVO or of
8 the ABiH. As far as you know, could you tell us whether the incidents in
9 Prozor were actually relayed in the Croatian press, and do you believe

10 that these incidents had an impact on the behaviour of the volunteers to
11 be?

12 THE WITNESS: [Interpretation] The answer is yes. There were
13 reports about that in the press, and this was considered a conflict of
14 local significance.

15 To your second question, Your Honour, not in general terms, but
16 there may have been individuals who hailed from the area were impacted by
17 the conflict, but in global terms that influence did not exist.

18 And another thing that you can see in the document is that what
19 the Croatian Army did was also done by Croatian companies. Towards the
20 end of the third page in Croatian, it says that the Laucevic company and
21 the ship-building yards and all the volunteers and employees of those
22 companies were still on their payroll and that the salaries were received
23 by their families, upon our approval. As I said, a lot of people in
24 Bosnia and Herzegovina worked in those companies, because the constructor
25 and the ship-building yards were big companies. These people were still

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1 on their payrolls, and the money went to their families, which had
2 already been refugees or residing in the territory of the Republic of
3 Croatia.

4 JUDGE ANTONETTI: [Interpretation] Thanks to your answer, I can
5 top this off and discuss this essential question of Prozor.

6 We know that you were there. We've had witnesses on this, and
7 I'm sure you'll come back to this. But when you were in Prozor, when you

8 were over there, did you go on your own volition, because you said, Well,
9 there's a local incident that occurred, let me go to try and cool things
10 down over there? Or did Mr. Tudjman tell you, Slobodan, go there. You
11 have to go; a local incident just occurred. It might completely disrupt
12 the situation, and you need to go over there and do something about it?
13 As far as you remember, could you tell us how it happened? Remember that
14 you're under oath, please.

15 THE WITNESS: [Interpretation] Your Honour, I am aware of that. I
16 was aware of that from the very beginning, Your Honour. I spoke about
17 that yesterday, and today I'm going to provide some more detail.

18 There are two events. One concerns Prozor, and the other concerns Uskoplje
19 -- Vakuf, yes. Both times, before I went up there, I first had a word with
20 President Tudjman. At one of the meetings with President Tudjman, there was
21 also President Alija Izetbegovic. With the best of intentions, I got mixed
22 up, I don't know whether this was before going to Rama, but it is probably
23 before I went to Uskoplje, Gornji Vakuf. But it doesn't really matter;
24 it's neither here nor there. However, what does matter is the fact that at
25 one of these -- or, rather, both times, I was asked to go there and try

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1 and calm the situation down, stop the conflict, and try to put things in
2 order. Both times, and I don't know at which Mr. Alija Izetbegovic was
3 present, on one of the two occasions, and I don't know which one that
4 was, and I said that, Mr. Franjo Tudjman, the president of the Croatian
5 state, said that to me in the following way: Praljak, this obviously

6 cannot be recorded. There is a difference between the spoken word and
7 the written word. He was slamming his fist on the desk, and he said,
8 Slobodan, go there. We don't want war with the Muslims. Stop it, stop
9 it. Of course, I obeyed him. This was not an order. He could not issue
10 an order to me. This was a request, which I obviously would not have
11 turned down. And then I did it in cooperation with Stojic, Petkovic, and
12 the rest of the team down there. However, I'm going to tell you exactly
13 how all that transpired.

14 JUDGE ANTONETTI: [Interpretation] Very well. This is why I said
15 that you'll probably come back to this at one point in time, but I think
16 it's important to keep all this in mind.

17 Madam Pinter.

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

19 Q. Following up on the questions about this document, General,
20 according to what you know, the SDA of Croatia, was it active in 1993 and
21 1994 in the Republic of Croatia?

22 A. It still exists to this very day.

23 Q. At the time that the indictment refers to in 1993 and 1994, was
24 there ever a ban on its work?

25 A. No way.

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1 Q. Since we are talking about Prozor, and when you were answering
2 questions by His Honour Judge Antonetti about your departure to Prozor in
3 1992, in October and later on, the question that imposes itself is as

4 follows: Why did President Tudjman and, on one occasion,
5 President Tudjman and Alija Izetbegovic, why did they ask you to go down
6 there?

7 A. It is much more probable that on the 15th of January, Mr. Izetbegovic
8 was there when they asked me to go to Uskoplje. This is a much more
9 probable scenario. I was in the territory of South-East Herzegovina. I
10 was in command down there, and I believe that the witnesses who have
11 testified in this courtroom, and all the others, demonstrated and showed
12 they trusted me and that both the peoples trusted me, the representatives
13 of both the peoples trusted me. I believe, and I will later show, that I
14 did my job with a maximum degree of correctness, energy and involvement.
15 And then until the very end of the conflict, before they pinned the bridge
16 on me, I was held in high esteem by the commanders of both militaries, and
17 you will see that in Travnik too, and so on. And the soldiers. If there's
18 anything I can say about myself, this would be it. And I believe that this
19 was testified by the Muslims who have testified here in this courtroom.

20 Q. Can you now please open page 3D32-1122. English, 3D38-0123.
21 This is a list of the members of the 77th Brigade. Could you say
22 something about the 77th Brigade? The document was issued by
23 Rijeka Municipality, and the entire document is voluminous and is in
24 e-court under 3D022259 [as interpreted]. And it contains the handwriting
25 of all the listed -- 3D02259.

1 A. I don't have --

2 Q. You've already spoken. You said something yesterday, when we
3 were discussing the issues of Hrvatski Vojnik."

4 A. There are 664 men. That's the last number, 664. There's a list
5 of all the men here. And as I already said, most of them are Muslims.
6 There is nothing to add to that.

7 Q. The following document is 3D32-1115, and the English version is
8 3D38-0124. This is the Crisis Staff for Bosnia-Herzegovina in Split
9 again. The year is 1992. The number is 3D32-1125. This is the number
10 of the Croatian document. Do you want to say something about the
11 document or is this just one in the series of documents issued by the
12 Crisis Staff in Split?

13 A. Well, I did, we did manage to gather those in Split, and those
14 are always the same documents, where it says that it -- that a war crime
15 is being committed and that the Army of Bosnia and Herzegovina and home-
16 grown Bosniaks in Split should work, they made the decision to continue
17 with their activity and in the just struggle and that this work is
18 immeasurable for the Army of Bosnia and Herzegovina. Mehmed Malkoc is
19 hereby appointed, and the military attache is going to be informed about
20 that These are the offices of the military attaches of the Army of
21 Bosnia and Herzegovina in Croatia, and this is under his jurisdiction.

22 Q. This document has a comment that follows the decision on the
23 second page, and the page is 3D32-1126; English, 3D38-0126. It was
24 issued on the 28th of December, 1993, in Split.

25 A. It is self-explanatory. I really don't know, what else I could

1 say? Again, they were commended by the commission of the Croatian SDA,
2 within that framework, and it says that the military delegation of the
3 BiH Army, consisting of Colonel Rifat Bilajac, Bina [phoen] Fabijan, and
4 Said Rizvic, and from all the military and civilian authorities in Split
5 are thanked for having helped to defend the sovereignty of
6 Bosnia-Herzegovina. It says that there were volunteers that would help
7 Bosnia and Herzegovina, and their only desire was for their homeland of
8 Bosnia-Herzegovina to be saved.

9 And it says here since this is all about military issues and
10 matters, all this information should be preserved and kept safe from
11 unauthorised persons. In those areas, there was a limitless number of
12 spies from all states, from the KOS, the former State Security Service,
13 and the international community sent a huge number of those who did
14 whatever they did in each of their contingents, and that's why this has
15 to be preserved and kept safe in order to protect the members of the
16 Crisis Staff.

17 Q. Thank you very much. Go to 3D32-1132; English, 3D38-0133. The
18 document bears the date the 29 October, 1992. It was based on the
19 decision of the Presidency of the Republic of -- the Republic of
20 Bosnia-Herzegovina on general mobilisation. What I would like to draw
21 your attention to is the text below the order.

22 General, do you know anything about the armed forces of the HV
23 under the command of Senad Dedic a member of the HV for the Republic of
24 Bosnia and Herzegovina?

25 A. Yes, of course, yes; that's this. These people have to be

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1 transported to Mount Igman, close to Sarajevo, the Famos Hotel by bus.
2 They once again have to take the long and hard road. Among them is
3 Christopher James Watson, who is an Englishman, and again military
4 attache is signed, and it's very difficult to understand, it's very
5 difficult to accept that. However, in a speech of his, Franjo Tudjman
6 said, and we saw the speech yesterday, he said that they behaved in the
7 Republic of Croatia as they would have -- I don't know whether they would
8 have be served [as interpreted] in the same way in their own state. They
9 were free. I'm not saying that we knew all that. However, they were
10 free to do whatever they wanted. They could issue orders. They received
11 everything they ever wanted. They would come armed, they would leave
12 armed. In that sense, in that sense, we did not behave as a different
13 state. We behaved as their own branch office for everything.

14 Q. And, General, what about Igman? Why is Mount Igman important?

15 A. Because --

16 Q. Did it have any bearing on the issue of Sarajevo and the defence
17 of Sarajevo and other areas?

18 A. Yes, that was the only possible passage through which you could
19 enter Sarajevo and then later on via the tunnel.

20 Q. Thank you. Please go to 3D --

21 JUDGE TRECHSEL: You are overlapping, you start speaking while
22 the interpretation is going on, so perhaps you could start again.

23 MS. PINTER: [Interpretation] Thank you.

24 Q. General, 3D32-1135 is the next page I would like you to look at;
25 English, 3D38-0136. This is a document about the mobilisation of the

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1 citizens of Bosnia and Herzegovina which was sent to the Ministry of the
2 Interior of the Republic of Croatia and the Police Administration of the
3 city of Zagreb. Do you have any personal knowledge about the
4 circumstances surrounding this document, i.e., about the need to mobilise
5 people and how the mobilisation was implemented?

6 A. In keeping with what I have been repeating, without any reason to
7 repeat things, he says that one of the three officials of the government
8 of the Republic of Bosnia-Herzegovina is in Zagreb, and those are
9 Dr. Semso Tankovic, Tomo Krsticevic, and Miljenko Brkic. It says that
10 there are some problems; they're talking about the rights to stamp
11 documents, who is an authorised person, and so on and so forth.

12 Q. I would like to draw your attention to the beginning, where it
13 says:

14 "Certain problems and misunderstandings have occurred in recent
15 times when taking in and deporting military conscripts for -- who are the
16 citizens of the Republic of Bosnia-Herzegovina and who are currently
17 staying in the Republic of Croatia, a task being carried out by the
18 Ministry of the Interior as instructed --"

19 A. There was a misunderstanding at stake here. They had proclaimed
20 mobilisation, and they wanted people who were to respond to the

21 mobilisation. They asked for these people to be taken in. And from that
22 arose some problems because there were people who didn't want to go, and
23 they cited their right not to go into war, and the Red Cross approved
24 that because one can refuse to go into war. And when the legal dimension
25 of the problem was finally understood, then this whole exercise was

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1 abandoned. However, they thought --

2 MR. STRINGER: Could the general indicate whether this is a
3 document from 1992 or 1993. It says "23 September," but the year is not
4 indicated. It's not on the original, either. We looked at that.

5 THE WITNESS: [Interpretation] I can't answer that question, but
6 it is more likely that this was the year 1992 because the mobilisation
7 was declared at that time, and it's more likely that it's 1992 than 1993,
8 and I think that Dr. Semso Tankovic was -- I don't know -- he was the
9 president of the SDA in Zagreb, or if not, he was a high-ranking member
10 of the organisation. And Dr. Semso Tankovic teaches at the School of
11 Economics in Zagreb, and he's a member of the Croatian Parliament today.
12 I think he's serving his second or third term of office. He lived in
13 Croatia, he's a Croatian citizen, and he was also a member of the BH
14 government.

15 So anything went. When it came to assisting the Republic of
16 Bosnia-Herzegovina, all legal provisions of law or intensity of law or
17 rank could be violated; who was born where, who was a member of what
18 government. So he could, at the same time, serve as a member of the

19 government and, at the same time, teach at the Zagreb School of
20 Economics, and --

21 THE ACCUSED PETKOVIC: [Interpretation] Your Honours, if you allow
22 me, from what I was able to understand from the interpretation, I think
23 that General Praljak said that it was the citizens of the Republic of
24 Bosnia-Herzegovina residing in the Republic of Croatia that were being
25 drafted.

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1 THE WITNESS: [Interpretation] No, that's what I said, conscripts,
2 citizens of Bosnia and Herzegovina who are in -- well, I know from my own
3 job that there were problems, because this was not supposed to be done,
4 because you cannot draft --

5 THE INTERPRETER: Microphone, please.

6 THE WITNESS: [Interpretation] Well, we're talking about people
7 being brought in.

8 MS. PINTER: [Interpretation]

9 Q. Yes, but it was on the demand of the Republic of
10 Bosnia-Herzegovina, not the decision of the Republic of Croatia.

11 A. Yes, of course. I'm sorry, yes, that's all correct. But soon
12 enough, people realised that this could not be done, that there could be
13 no mobilisation in the territory of another state.

14 Q. Could we now move to our next topic, and the topic is the
15 training centres of the BH Army in the Republic of Croatia. That's at
16 page 3D32-1140; English, 3D38-0140. The total number of documents that

17 we have, regarding the training centres, is 120, and in this file we have
18 15 of them.

19 General, what can you tell us, in general? What is your personal
20 knowledge about the existence of the BH Army training centres in the
21 Republic of Croatia? And then we'll move on.

22 A. Well, some of the locations where training centres are listed
23 here --

24 Q. That's at page 3D32-1142; English, 3D38-0141. In e-court, the
25 map is much more visible than it is in the hard copy.

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1 A. Well, here are the training centres, training -- well, no, these
2 are not pilots.

3 Q. No, these are not pilots. The training for BH Army members in
4 1991-1992.

5 A. Well, we have a wrong map on the e-court. It was in Borongaj, as
6 far as Zagreb was concerned, then in Svete Simonska [phoen] Street at
7 Sljeme --

8 THE INTERPRETER: Interpreters note, could the speakers not speak
9 at the same time.

10 MS. PINTER: [Interpretation] I have to correct the number for the
11 sake of e-court. It's 3D32-1142.

12 JUDGE PRANDLER: Wait for each other. Thank you.

13 THE INTERPRETER: Interpreter's correction, 41.

14 JUDGE TRECHSEL: It would really be helpful if the Judges would

15 not have to recall this rule all the time. Is it not possible to make an
16 effort and to refrain from this shooting before the other shot has
17 arrived, please?

18 MS. PINTER: [Interpretation] I'll try to restrain myself.

19 3D32-1141. Now we have the right map.

20 THE WITNESS: [Interpretation] Well, here we have a list of
21 locations in Croatia where there were training centres, where BH Army
22 personnel were trained. There are two, four, six, eight, ten, twelve --
23 twelve. These are not all of them, but I listed just the major ones.

24 MS. PINTER: [Interpretation]

25 Q. Do you have anything else?

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1 A. No.

2 Q. Anything apart from this on the training centres?

3 A. Apart from that, not. Ms. Pinter, training centres are training
4 centres. People are gathered there, and then they're trained for combat
5 before being sent to Bosnia and Herzegovina, to the BH Army.

6 Q. Very well. Could you please open 3D32-1144. That's the Croatian
7 version, 3D38-0144. And the next page, that's the list of candidates for
8 specialist training in the Croatian MUP. The document was issued by the
9 Democratic Action Party of Sarajevo. The date is the 8th of July, 1991,
10 and there is a list of documents -- or, rather, of persons who underwent
11 this training, and the last number is 463.

12 A. Yes. From this document, we can see that in the Democratic

13 Action Party, there was somebody who was smart when it came to police.
14 At that time, I think it was Delimustafic, and Stojic was also in the
15 ministry, and they were smart enough to realise that -- to realise what
16 was in the offing. And then through the party, because at that time they
17 couldn't do it through the state because it would naturally cause a total
18 hysteria among the Serbs, so they went through the party channels, seeking
19 assistance from Croatia in the training of these people. Of course, war
20 was already raging in Croatia, but Croatia did admit those people and
21 I think they spent seven days, yes, seven days in a training course, and
22 then they went back. And I think that at the beginning, the Special Police
23 played an important role in saving Sarajevo, Vikic's units, and so on.

24 Q. Very well. Here we have a document of the 3rd of August, 1992,
25 at page 3D32-1147, and the English version is 3D38-0146. A mention is

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1 made of a Handzar division. Do you know anything about the
2 Handzar Division, where it was established, and where it fought, and in
3 what theaters?

4 A. Of course, it is not a division. That was its name, the Handzar
5 Division, but it was a unit, a small brigade, half a brigade, in terms
6 of its strength. It fought in Posavina. It gathered in the Republic
7 of Croatia, and it was trained in the Republic of Croatia. These -- this
8 kind of authorisations were issued by all the commanders. They would
9 provide them with a piece of paper that was then used by the gentleman
10 in question by way of introduction in Croatia. All the clubs gathering

11 people who originated from certain areas, there were dozens of them in
12 Croatia, were people from Visoko, Brcko, Tuzla, Doboje would gather.
13 Those were the so-called home clubs, and then they would gather aid only
14 for their specific location. So it was parallel activities. It was done
15 on all levels and parallel efforts, because everybody wanted to do
16 something. So every commander from Bosnia and Herzegovina, either from
17 the HVO or from the BH Army, would get some kind of an authorisation in
18 order to be able to maybe find something to purchase in addition to the
19 official channels, maybe some people they knew in Germany, and then they
20 would go to East Germany and buy army surplus stuff left after Russian --
21 after Russians withdrew, because people were really clever. So there
22 were thousands and thousands of these kinds of papers.

23 Q. I was waiting for the transcript to finish. Could you please now
24 turn -- now we're going to the file about the training of pilots from
25 Bosnia and Herzegovina in the Republic of Croatia. This file begins at

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1 page 3D32-1156, and the English version begins at 3D38-0155, generally
2 speaking, about the training of pilots from Bosnia and Herzegovina in the
3 Republic of Croatia.

4 A. Well, in all other areas, they couldn't do it in Bosnia and
5 Herzegovina, and Croatia provided not only the knowledge of its own
6 pilots and the capabilities at its disposal to train the pilots,
7 helicopter pilots and -- well, for the most part, they didn't have any
8 planes. But the pilots who knew how to fly planes had to now be

9 retrained to fly helicopters.

10 Q. Could you please now look at page 3D32-1159.

11 A. You don't have 58?

12 Q. I do. I'm sorry. Very well. So could we first look at
13 3D32-1158. That's 3D38-0157 in the English version. The date is the
14 9th of August, 1992, Sarajevo, the Presidency of the Republic of
15 Bosnia-Herzegovina, the president, Alija Izetbegovic, the minister of
16 national defence, Jerko Doko, sends to the Ministry of the National
17 Defence of the Republic of Croatia its request. What do you know,
18 General, about this document?

19 A. Well, here we have the first 22 people, so this is the 9th of
20 August, 1992. The war is raging. Mr. Alija Izetbegovic, as the
21 president of the Presidency, and Minister Jerko Doko signed this request.
22 And, of course, this was complied with, Croatia provided those services.
23 And the people listed here were sent to appropriate training, as
24 requested. The only thing that's wrong here is we didn't have the
25 Ministry of National Defence.

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1 Q. Our next document is the one that I referred to earlier. That's
2 3D32-1159, and the English version is 3D38-0159. This is the document
3 dated the 27th of December, 1992. Again, this is the training of pilots
4 and technicians in the Republic of Croatia.

5 A. Yes. As Judge Antonetti would say, after the conflicts in Rama
6 and some conflicts in Novi Travnik, well, the conflicts did not change

7 anything in terms of the political and all other decisions in the
8 Republic of Croatia, the commitment to help Bosnia-Herzegovina in every
9 way, in every way. I mean every way.

10 Q. There was training in 1993. We can see that from the document
11 3D32-1161; English, 3D38-0162. Do you want to say something about this
12 document?

13 A. Well, it says here arrangements have been made with the command
14 of the air force and air defence of the Republic of Croatia. Of course,
15 they couldn't talk to the air force without an appropriate decision of
16 Minister Susak and without my decision, because at that time I was
17 involved in the political decision-making, and, of course, without the
18 appropriate decision of Franjo Tudjman. They couldn't just go there and
19 do that without any political decision made by the political leadership.
20 And we are now on the 8th of March, 1993. Nothing has changed in the
21 policy of the Republic of Croatia, and nothing will change in the future.

22 Q. Yes, and negotiations are underway. On the 3rd of March, there
23 were negotiations in New York.

24 A. Well, yes. As far as the political relations are concerned,
25 Alija Izetbegovic has already trampled on lots of things;

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1 Cutileiro's Plan; the Vance-Owen Plan was also set aside; the elements of
2 the behavior and where it was all going. It was clear to people who
3 didn't have such sharp political eyesight. But still we didn't change
4 our policies.

5 JUDGE ANTONETTI: [Interpretation] General, I'm looking at this
6 document as I was looking at the others. This morning I was reading your
7 pre-trial brief in which you were speaking of the international armed
8 conflict. As far as you know, and you have read a lot, you have studied
9 a lot, in the history of armies can we find situations in which there is
10 a conflict between a state, say State A and State B, in which the State B
11 would get their pilots trained in the other state? Has such a situation
12 occurred yet, as say, for example, today in Afghanistan, as if NATO were
13 to train Taliban pilots or soldiers? Do you have any such examples?

14 THE WITNESS: [Interpretation] Well, Your Honour Judge Antonetti,
15 I said already, and I maintain this, and I challenge any military expert
16 to contest my claims. The way that the Republic of Croatia acted towards
17 the Army of Bosnia-Herzegovina and the Muslims, at an earlier stage when
18 there were isolated, small-scale conflicts, and later on when there were
19 major conflicts, especially in Konjic in Central Bosnia, and then further
20 down to Mostar, the policy remained the same almost as if nothing was
21 going on there. There is no precedent in history, no such example in
22 history, anything of the sort where a state and a nation acted in this
23 manner towards another state, towards Muslims, even at the time -- this
24 is what they said loud and clear. Even at the time when those people
25 attacked elements of that same nation. Just imagine, what would happen

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1 if someone were to attack the French in Quebec. Let's say that the
2 English -- anglophone-Canadians, for instance, and then France is arming

3 and aiding the English who are attacking the French in Quebec. Well,
4 that has never happened anywhere else.

5 Let me give you an example from the Second World War, when
6 de Gaulle approved the air-strikes by the English in which lots of French
7 soldiers were killed, because the French officers refused to hand over
8 the shipping to the English because some of the French officers hated the
9 English more than they hated Hitler, but that was dictated by the logic
10 of war.

11 This is contrary -- this, what we have here, is contrary to any
12 logic of war. You can call any of your generals and ask them whether
13 they would do anything of the sort and whether they heard of anything of
14 the sort. And now in some heads we are presented as members of a joint
15 criminal enterprise, and this is absurd. But as a man said, if it is
16 absurd, then it cannot be refuted.

17 JUDGE TRECHSEL: Mr. Praljak, we have heard not very, very much,
18 but some about the actual fighting between HVO and ABiH. Can you tell
19 the Chamber to what extent and at what moment the ABiH attacked the HVO
20 by planes?

21 THE WITNESS: [Interpretation] I didn't say that the BH Army
22 attacked by planes.

23 JUDGE TRECHSEL: I did not say that you said it. I ask you
24 whether you know about this. You say no. Thank you.

25 MR. KOVACIC: Your Honour, it is a problem of interpretation, and

1 it is in the transcript, so it is a short-circuit here, I think.

2 THE WITNESS: [Interpretation] The army had helicopters,
3 Judge Trechsel, and it released some explosive devices that way and
4 transferred some of its units in Operation 93, and transferred its units
5 and its commanders.

6 JUDGE TRECHSEL: Thank you. I'm sure we will hear more about
7 this.

8 Ms. Pinter.

9 MS. PINTER: [Interpretation]

10 Q. General, in the transcript it was recorded that it was
11 Operation 93. What operation did you mean?

12 A. Neretva-93, I meant to say.

13 THE INTERPRETER: Microphone, please, for counsel.

14 MS. PINTER: [Interpretation]

15 Q. The next document is 3D32-1163, and the English, 3D38-0164. The
16 document is dated the 24th of July, 1992. It is signed by
17 Petar Stipetic, the deputy chief of the Main Staff of the HVO for the
18 combat sector, and the document relates to retraining. The document has
19 a handwritten addition, General.

20 A. Yes. General Stipetic sent this to the minister of defence, and
21 the defence minister says, Let Praljak decide. And this is Ms. Zloic's
22 [phoen] handwriting, Mr. Susak's secretary. So I was informed about
23 things like this, and we made our decisions jointly, but you didn't need
24 to think much about it because there was a general position that had been
25 taken, and we just confirmed it, and that it should be continued.

1 Q. In the document, it says that it refers to pilots who, on BH
2 territory, would fly for the defence of that republic. And this
3 assignment was urgent because of the constant need for evacuation and
4 supplies for the Territorial Defence of BiH. So can you tell us why you
5 had this authorisation standing agreement?

6 A. Yes.

7 Q. Now, the next document is 3D32-1170, and the English is 3D --

8 JUDGE ANTONETTI: [Interpretation] I'm trying to decipher this
9 document. You're giving the go-ahead for three pilots and technicians to
10 come, but did they fly? Did they come by plane?

11 THE WITNESS: [Interpretation] I don't know how they arrived, but
12 they were retrained to fly Antonov-2 type planes, and those planes, well,
13 I don't know whether they purchased one somewhere, but it was the
14 Croatian Air Force that had these freight planes. They're not too big,
15 this type of plane, the Antonov-2. And they mostly flew from
16 Pleso Airport in Zagreb towards the airports that were operational at
17 that time. One was in Coralic, at Bihac. Then there was Tuzla. I know
18 about those two for certain, but I wouldn't like to hazard a guess about
19 the others.

20 JUDGE ANTONETTI: [Interpretation] Very well. You are saying that
21 these Antonovs took off from the Zagreb Airport, and they went to Tuzla,
22 Bihac, Coralic and so on. But did they also do the return trip? Did
23 they also take off from Tuzla, Bihac, in order to go to Zagreb and land

24 in Zagreb?

25 THE WITNESS: [Interpretation] Yes, Your Honour. We would load

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1 them up with everything that was required over there; weapons, medical
2 corps material, cigarettes, which are very important in a war, and then
3 they would bring in the wounded over there, and some women and children,
4 or anybody who is sick, and people who the staff had designated as
5 needing to go back to Zagreb.

6 JUDGE ANTONETTI: [Interpretation] Could you tell us whether these
7 Antonovs were flown by Muslim pilots?

8 THE WITNESS: [Interpretation] There were both; a lot of Croatian
9 pilots, too, who also flew those planes for the requirements and needs of
10 the BH Army.

11 Now, Your Honours, mostly they would fly by night, with their
12 light switched off, and they would come into contact with the airport --
13 well, they would contact the airport just before landing, and then the
14 lights would be quickly switched on. This was all at night. They would
15 land quickly, unload quickly, reload quickly, and fly off, because of
16 course the Serbs targeted the planes, and there were planes that had been
17 shot down.

18 MS. PINTER: [Interpretation]

19 Q. General, following on from Judge Antonetti's question, I'd like
20 to take you back to page 3D32-1161, or in English, 3D38-0162. And I'd
21 like to look at item 2, which speaks about training on the AN-2 type

22 plane, which we have heard is the Antonov plane. So can you tell us the
23 names of the people listed here? Are those Muslim names, Bosniak names,
24 or are they Croats?

25 A. Apart from this man Ante Grigic, the rest are all Muslims. Yes,

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1 that's right.

2 Q. Thank you. Now turn the page -- or, rather, turn to 3D32-1170, and the
3 English is 3D38-0173. The document is dated the 4th of January, 1993, and
4 it is addressed to Major General Imra Agotic, who was the commander of the
5 Croatian Air Force and Air Defence, and the document is signed by Josip
6 Hrgovic [phoen], and it relates to cargo transport from Coralic Airport.

7 Does this document confirm -- or, rather, would you agree that this document
8 confirms all the things you've told us so far? Have you got anything to add?

9 A. No, just to say that at the end of the year, they drew up a
10 review of what they did. And they said that for the requirements of BiH,
11 there were six flights; and for the TO of BiH, there were twenty-eight
12 flights, sorties, and all the other data mentioned, including the pilots.
13 And then it says at the end that there were 280 flights in the period
14 gone by, 71 over-flight hours. And it says that on the territory of
15 Croatia, 118 passengers were transported and 46 wounded. So that's what
16 I said. That was the purpose of it, to take weapons to them over there
17 and to bring back these people and also BH Army officials, the wounded,
18 or whoever.

19 Q. For the transcript --

20 MR. STRINGER: I apologise for the interruption. Could the
21 general indicate perhaps on the map the locations where these materials
22 were going to, because the font that's used in the English transcript, I
23 can't -- I'm not sure that I can read the name of the airport, and
24 perhaps he could just indicate where Kazin [phoen] or Cazin is located.

25 THE WITNESS: [Interpretation] It's by Bihac, the airport by

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1 Bihac, and Tuzla is over here [indicates].

2 MS. PINTER: [Interpretation]

3 Q. For the transcript, General, let's just state that the document
4 gives a recapitulation summary of transportation for the needs of BiH and
5 for the TO of BiH. And on page 2 of the document we have the names of
6 the crew carrying out the flights and the number of flight hours.

7 A. That's right.

8 Q. Fine. Now let's move on to --

9 JUDGE ANTONETTI: [Interpretation] General, in this document we
10 see that wounded are being transported. I would like to know whether,
11 among these wounded, there are ABiH soldiers, soldiers who were wounded
12 and who are going to be flown to Croatia to be treated in Croatian
13 hospitals.

14 THE WITNESS: [Interpretation] Judge Antonetti, never -- never,
15 ever, did we look to see who the wounded were. There were far more
16 BH Army wounded than HVO wounded, because there were far more BH soldiers
17 than there were HVO soldiers. And all those who were transported to the

18 Republic of Croatia, all the ones that we could admit and take in, and
19 we'll see later on that it was more than 10.000 people, we did.

20 JUDGE ANTONETTI: [Interpretation] I'm putting this question to
21 you because I'm trying logically to reintegrate this in this notion of
22 international armed conflict.

23 This document establishes that there were flights between Croatia
24 and Bosnia-Herzegovina, and it also establishes that wounded were flown
25 during these flights, and you're telling us that, according to you, as

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1 far as you were concerned, you made no difference between ABiH soldiers
2 and HVO soldiers. However, if ABiH soldiers are wounded, and had been
3 actually wounded by HVO soldiers in the framework of a local conflict,
4 would it be -- is it logical for them to be -- it is logical that they
5 would be sent back to be treated. But if it's an international conflict,
6 is it logical to have Country A to take care of the wounded of the other
7 side that is opposed to it, in an international armed struggle? What can
8 you say about all this?

9 THE WITNESS: [Interpretation] The war doctrine which was
10 developed over a period of time required the following: that the
11 ammunition to put the opposite side out of action should be done in such
12 a way that there would be far more wounded than killed, because it was
13 considered that a wounded soldier inflicted far greater damage on the
14 enemy side than did a dead soldier. First of all, you have to take them
15 away from the battle-front, which requires additional men. Then costly

16 treatment is required and so on. So modern ammunition was developed to
17 that effect.

18 The Croatian Defence Council, and I personally, and you've
19 already heard this from me, Your Honours, we never -- well, whatever the
20 wounded -- whoever the wounded person was, be he from the BH Army, if we
21 were able to, we would take in the wounded, and you saw this with the
22 example of Mostar. We would always give them aid and assistance. And we
23 heard the testimony here from -- testimony here from SpaBat from August
24 and September of 1993, and I personally took part in that. That is to
25 say, we took in four groups, transported them or that family from Rama.

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1 I took them in. Not only did they go to Split, but I also asked that
2 they be granted Croatian citizenship, which they did receive, and so they
3 used the social insurance of the state of Croatia. It paid for them to
4 go to Switzerland. And the Judge said that he knew full well how much
5 medical treatment costs, what medical treatment costs in Switzerland. So
6 not only did we differentiate between the different people, but the
7 BH Army wounded were taken care of in Croatia, given medical treatment in
8 Croatia. And you saw that I used a helicopter on one occasion, and I
9 never flew in a helicopter; not because I was afraid, but because the
10 occasion didn't arise. Anyway, I transported a Muslim lady doctor from
11 Mostar. Unfortunately, she died, but we did our best to save her. And
12 there were dozens of examples like that.

13 So never, ever did we make any distinction between people, and we

14 invested great efforts to cater to everyone. And you have seen evidence
15 of that many a time.

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

17 Q. Now we're going to show a document relating to the Silajdzic
18 family who was transported from Prozor to Split and from there to
19 Switzerland. We have those documents, and we will be presenting them in
20 court, but they haven't been included into this particular book and
21 edition.

22 A. Your Honours, let me say that I never spoke about this in public
23 until I saw the indictment, because I'm ashamed to speak of things like
24 that. The fact that they forced me to talk about this, I feel shame for
25 having done so.

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1 May I have a break, please? May we have a break?

2 JUDGE ANTONETTI: [Interpretation] Let's have a 20-minute break,
3 and we will resume at 12.30.

4 --- Recess taken at 12.10 p.m.

5 --- On resuming at 12.35 p.m.

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

7 I have a request to make with Mr. Kovacic. Paragraph 52 of your
8 pre-trial brief, you mentioned a joint statement made by Tudjman and
9 Izetbegovic on September 14th, 1993. And according to this statement, it
10 says, and I quote: "Conflicts among the units of the ABiH and the HVO."
11 And in the footnote, you referred to the Exhibit D50 in the Kordic case.

12 I would like to know exactly what is the exact number of this statement.
13 I believe that it must have been already integrated into your evidence
14 list.

15 MS. PINTER: [Interpretation] Your Honour, the statement has a
16 3D number. It's already in evidence. General Praljak's Defence team
17 wants to talk about that statement when we come to the year 1993, since
18 therefore we have been following a certain chronology of events.

19 JUDGE ANTONETTI: [Interpretation] Very well, so I'll keep this in
20 mind.

21 Let's resume.

22 MS. PINTER: [Interpretation] Thank you.

23 Q. General, please go to 3D32-1173. In English, it is 3D38-0176.
24 The annex refers to the logistical centres of the BH Army which were
25 established in the Republic of Croatia. The number of documents -- the

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1 total number of documents in the possession of the Defence is 834, and
2 the annex contains a total of 41 documents about that subject.

3 The following document I would like to discuss is 3D32-1174, and
4 in English it is 3D38-0177. The date on the document is 12 July 1993.
5 The document was signed by the deputy minister of the government in
6 Bosnia and Herzegovina. General, could you please tell us what you know
7 about the document and what --

8 A. Well, you again have some crystal-clear documents in front of
9 you. The conflict already is underway, on the 12th of July there was a

10 conflict, and I'm always going to call it the attack of the BH Army in
11 Central Bosnia. This was after the 30th of June and the incidents in
12 Mostar, after the events that took place in Mostar on the 9th of May,
13 after the events in Konjic and so on and so forth. We're talking about
14 the 12th of July, 1993, and here the Republic of Bosnia and Herzegovina
15 says that it issued a decision in order to perform duties and tasks from
16 the framework of activities of the Staff of the Supreme Command of the
17 Armed Forces of the Republic of Bosnia-Herzegovina outside the territory
18 of the republic itself, and the following persons are appointed. In the
19 Military and Economic Representative Office in Zagreb, six persons are
20 mentioned here within the Logistical Department of the Supreme Command
21 Staff of the Armed Forces in Zagreb, so in addition to the Economic
22 Representative Office, there is also the Logistics of the Army of Bosnia
23 and Herzegovina, and what follows are 21 members. And then the Logistical
24 Department of the Staff of the Supreme Command in Split counts two
25 members. These people, after having been appointed, will represent the

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1 permanent staff in the logistical departments for as long as there is a
2 need for them being there.

3 There is also a statement of reasons, which says that the Staff
4 of the Supreme Command issued a request to issue accreditations to the
5 logistical centres of the Army of Bosnia-Herzegovina. A request was for
6 them to be able to do all of that.

7 The war was already underway. We're talking about the year 1993,

8 and the conflict had been on since 1992. And the military force that we
9 are in conflict with appoints its members a whole staff. It's not a part
10 of the state bodies of foreign affairs, it's a staff.

11 I really can't say anything more about that. I believe this is
12 perfectly clear.

13 Q. Very well.

14 A. You can see what the policy of the Croatian state was.

15 MS. PINTER: [Interpretation] For the Trial Chamber's information,
16 this document that the general has just spoken about is in e-court under
17 3D00302, and it's already been admitted. And as regards the document
18 about which Judge Antonetti asked the witness about, a joint statement
19 issued in September 1993, issued by Dr. Franjo Tudjman and
20 Mr. Alija Izetbegovic, this is also an exhibit bearing the following
21 number: P05051. 5051, yes.

22 Q. General, could you please go to 3D32-1176. In English, it is
23 3D38-0180. The document was drafted on the 15th of July, 1993, by the
24 Embassy of the Republic of Bosnia and Herzegovina in Zagreb, and the
25 document was sent to the Ministry of Foreign Affairs of the Republic of

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1 Croatia. What can you tell us about this document?

2 A. It is the 15th of July, 1993, and they say, You, in Croatia, and
3 your Ministry of Foreign Affairs, please convey the information. They
4 are asking the information on their appointment in the territory of the
5 Republic of Croatia in the logistical departments to be conveyed to

6 Croatia, to the HVO. It says here that a certain number of persons have
7 been appointed. The persons in question are listed in the document. It
8 says that their stay will be regulated in keeping with the regulations of
9 the Republic of Croatia.

10 Well, now, I am not sure that a foreign military force is allowed
11 to have their bases in the Republic of Croatia. There's no law in
12 Croatia allowing that, and it's nonsense, but they perceived Croatia as a
13 prolonged hand of their own state, because that's what we had allowed
14 them.

15 Of all these names, only Blanko Vucak is not Muslim. All the
16 others are Muslim.

17 And at the end, they say, very properly, that the Embassy of the
18 Republic of Bosnia and Herzegovina takes the opportunity to express their
19 sentiment of deepest respect to the Ministry of Foreign Affairs of the
20 Republic of Croatia. All this was possible and functioned for as long as
21 they deemed it necessary, not because --

22 JUDGE ANTONETTI: [Interpretation] General Praljak, could you
23 please try to be more concise in your answers and try to refrain from
24 making comments or going a bit overboard. Otherwise, it's a waste of
25 time.

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1 THE WITNESS: [Interpretation] Everything is clear. If it's
2 clear, it's clear; if it's not, it's not. Very well.

3 MS. PINTER: [Interpretation]

4 Q. General, I would like to state for the record where were the
5 logistical centres in the Republic of Croatia, because the document is
6 not clear. I would like to say that there were two; one in Zagreb and
7 one in Split.

8 The following document I would like you to look at is on
9 page 3D32-1179.

10 A. 78 says that they received salaries, that they were working, that
11 these men were working -- or these people, rather, and receiving
12 salaries.

13 Q. This is the document on page 3D38-0182 in English, and in
14 Croatian it is 3D32-1178.

15 A. Yes, here you have it. It says here that the military officers
16 received salaries for the month of July 1993. The monies are specified
17 here, which means that they were working at the time.

18 Q. What's the date?

19 A. 31 July 1993.

20 Q. Number 3D32-1179; English, 3D38-0184. The date is 6 August 1993.
21 That's on the document. And the document was issued by the Embassy of
22 the Republic of Bosnia-Herzegovina in the Republic of Croatia. The
23 military mission issued the document.

24 A. This is the money that they spent after having been received from
25 Mr. Hasan Cengic, who was the main logistician of the Army of Bosnia and

2 Q. Very well. In order to gain some time, General, which documents
3 in the bundle about the logistical centres would you like to draw our
4 attention to? I believe that it would be necessary for us to pay
5 attention to document 3D32-1185. This is a report on the work, dated
6 29 April 1993, by the Military Mission. It's not very legible in my
7 copy. Could you please look at your copy. The English page is
8 3D38-0194.

9 A. On the 29th of April, 1993, the document was issued. It's a
10 rather long. I would not like to waste anybody's time. In the document,
11 they explain what they do, who they negotiated with and how. And again
12 the document testifies about the basic thesis, which is very clear. And
13 I don't really have anything to say unless specifically asked to answer
14 questions. I don't want to waste any more time providing explanations
15 about the things that have already been explained thoroughly.

16 Q. The document also provides the chronology of the development of
17 the Military Mission and tasks that it had.

18 And the following document I would like you to look at is on
19 page 3D32-1191. In English, it is 3D38-0199, 38-0199. The date is
20 7 March 1993.

21 A. Well, once again we can ask the question in this manner: How can
22 somebody from the 2nd Corps, from Tuzla, can issue
23 the authorisation to Fadil Muhic, who is a member of the BH Army, because
24 he is under the command as the Deputy Commander of the corps testified
25 here, authorising him to purchase weapons and other items necessary for

1 the defence of Bosnia and Herzegovina and to enter into contracts and
2 take all other action without any restrictions in the territories of the
3 republics of Croatia and Slovenia, and these authorisation is valid for
4 those two states.

5 Well, I would like somebody could come with a paper from
6 Switzerland, or France, or Hungary, waving this piece of paper, saying,
7 Well, I can do pretty much as I please, because this has the signature of
8 somebody from the 2nd Corps. But at that time, this was a normal
9 occurrence in our circumstances and because of our efforts to provide
10 assistance. This is what this man was doing.

11 Q. Very well. We will be skipping documents from 1992. Let us look
12 at the document from 1993. It's at page 3D32-1198. The English version
13 is 3D38-0206.

14 A. Well, we skipped, Ms. Pinter, the lists of people who were in the
15 Logistics Base of the Supreme Command Staff of the BH Army in Samobor,
16 and then you can see how many people there were.

17 Q. I skipped because my colleague, Ms. Nozica, used it as 2D00498,
18 but you can say something about this document. It's at page 3D32-1194.
19 The English version is 3D38-0203.

20 A. Well, this is just to show to the Judges that in the Logistics
21 Centre in Sarajevo -- Sarajevo [as interpreted] is a small place, it's
22 too small to be on the map. It's Samobor, and you can see how many
23 people worked there, the payroll expenses. Well, I don't want to go into
24 that.

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1 place is Samobor.

2 MS. PINTER: [Interpretation]

3 Q. I would now like to take you back to 3D32-1198 in Croatian,
4 3D38-0206 in English. The date is the 10th of September, 1993. It's an
5 association -- okay, are you going to tell us about this document?

6 A. Well, Jankomir, it's on the outskirts of Zagreb. There are some
7 warehouses there. It's warehouse number 8. This is where goods of the
8 BH Army, uniforms, boots, and so on, are stored. And about 30.000 items,
9 worth approximately 20 million German marks. That was the assessment at
10 the time. And the Croatian MUP -- well, Your Honours, at that time there
11 was a flourishing black market. You know that when you're dealing with
12 such huge amounts of money, and volumes of procurement, there are people
13 who are dishonest, who don't do their in an honest manner, and then
14 there's smuggling, and at that time some of the representatives of the
15 logistics bases started buying weapons on the black market from Croatian
16 soldiers who had bought their weapons from some other sources or who had
17 been demobilised. So there was a subversive activity, so to speak, in
18 this area, and the Croatian MUP was actually trying to put some order
19 into all that. And the only demand there is for a person to show up with
20 the appropriate accreditation and immunity, who would be the
21 representative of the BH Embassy and to sign as the owner, because the
22 goods would be removed and somebody would smuggle the goods. It is not

23 in dispute that this quantity of goods worth 20 million German marks
24 should be transferred to BH. But at that time there were quite a few
25 people in Croatia who were trying to profit from this whole effort.

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1 But this is the 10th of September, and in the warehouse there are
2 30.000 pieces of each of these items, three corps of the army. That's
3 much more than I had, or General Petkovic before me, under our command in
4 terms of the troops, number of troops; effective command, not including
5 those who were in the BH Army.

6 Q. Let us move on to 3D32-1206; it's 3D38-0214 in the English
7 version, because we're only using documents from 1993. Well, this is
8 Alija Izetbegovic's handwriting. We are already familiar with it. It's
9 a certificate written on paper with the Hilton Hotel letterhead. It was
10 signed in Vienna, confirming that Mr. Alija Izetbegovic -- well, I can't
11 really see the name in the hard copy, but it should be Fatih --

12 A. Alhamnej.

13 Q. Yes, I can't read it. And the amount is listed here.

14 At that time, were you aware that Mr. Izetbegovic -- rather, that
15 the leadership of Bosnia-Herzegovina were receiving aid from outside,
16 from other persons?

17 A. Yes, we knew that.

18 Q. You knew that?

19 A. Yes, we knew that there was a lot of this aid. It was huge
20 amounts. And according to the information that was published in the BH

21 press, the aid was to the amount of several billion German marks, and the
22 HVO did not receive a single German mark. This was aid not to the armed
23 forces of Bosnia and Herzegovina, but to the BH Army.

24 Q. The next document on the next page confirms what we've just said,
25 but let me just quote it for the record. 3D32-1207 and 3D38-0215. And

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1 I think I have to intervene. There is an error in interpretation. In
2 the English language -- or, rather, in translation, it says
3 "300.000 German marks," and it should actually read "60.000 German
4 marks."

5 We have this document, 3D32-1208. The English number is --

6 A. We'll skip that document.

7 Q. Very well.

8 A. Let's move on to that -- to the document of the 14th of
9 September, 1993, to see who paid what.

10 Q. It is the document that is 3D32-1212, that's the Croatian
11 version, and the English version is 3D38-0218. The document is the 7th
12 of December --

13 A. No, it's actually the 14th of September, Ms. Pinter. What the
14 document dated the 7th -- which number did you say?

15 Q. 3D32-1212.

16 A. Well, that's the document dated the 14th of September, 1993.

17 Q. Yes, but there is another page. It was a translation that was
18 done on the 7th of December, 1993, because it's German; it's in the

19 German language.

20 A. The translation, Ms. Pinter, was done as part of an investigation
21 conducted by the German authorities that -- and Austrian -- or, rather,
22 Austrian and German authorities that started addressing the problem of
23 those huge transfers of money, and for the most part that was cash, and
24 it went through this organisation TWRA. Those amounts were paid to
25 Hasan Cengic and Alija Izetbegovic, to Muslims. Let me be loud and

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1 clear. This was paid to the Muslims by the Islamic countries. And there
2 was a large-scale investigation in Germany and Austria regarding this
3 problem. And in this document, you can see that the meeting was held in
4 the President Hotel in Geneva. And, of course, there were no Croats
5 present. It was Izetbegovic, Ganic, Silajdzic, and Mr. El Fatah Hussein
6 [phoen], who was the director of the TWRA organisation. And here they
7 say that they will set up a bank and how they would assist Preporod and
8 the organisation of -- that helps the families of the Sahid. All the
9 Muslims who are killed for the cause are considered as Sahid, although
10 the Sahid are not those who are killed in the defence of the state, but
11 in the defence of Islamic teachings.

12 MR. STRINGER: For the record, the Prosecution is going to object
13 to this document, as well as the previous one, which was on page 214 of
14 the English. We appear to be moving into a different area. It's sort of
15 interesting, but it's not relevant; that is, activities of the Muslim or
16 the Bosnia-Herzegovina leadership to arm themselves. There are some

17 transactions that are referred to here taking place outside of Croatia in
18 Vienna. So we don't appear to be, at least for these last two documents,
19 talking about Croatia's involvement or assistance or support in the
20 efforts of the Bosnian-Herzegovina government to acquire arms. And so
21 I think these last couple of documents are irrelevant for those reasons.

22 MS. PINTER: [Interpretation] Your Honours, let me respond to my
23 learned friend Mr. Stringer.

24 This document pertains to Alija Izetbegovic, the president of the
25 Republic of Bosnia and Herzegovina.

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1 THE WITNESS: [Interpretation] Well, the president of the
2 Presidency.

3 MS. PINTER: [Interpretation] I'm reading from the document, where
4 it says "President of the Republic." Then there is Ejup Ganic, the
5 vice-president of Republic of Bosnia and Herzegovina and Haris Silajdzic,
6 foreign minister in the government. So if we're talking about the state
7 of Bosnia and Herzegovina and if these are the highest officials,
8 representatives of that state, and there are no Croats among them, and
9 there are no political representatives of the Croatian people, and indeed
10 they are unaware of all this, and if we link this with the allegations in
11 the indictment, then this is a highly relevant document showing that
12 there was a double policy on the other side, while Croatia was giving as
13 much as it could to assist Bosnia and Herzegovina.

14 On the other hand, representatives of Bosnia and Herzegovina, and

15 the indictment alleges that Croats and the HZ-HB ignored them and
16 bypassed them, are not only collecting money, but they're travelling
17 around purporting to be representing Bosnia-Herzegovina, never saying
18 that this was a state in which Croats and Serbs also lived.

19 MR. KARNAVAS: If I may supplement as well, because I think it
20 goes to the heart of the joint criminal enterprise and it also goes to
21 the heart of our theory of the Defence, part of which was brought in, as
22 you may recall, through one of our very last witnesses.

23 Yes.

24 JUDGE ANTONETTI: [Interpretation] Sorry, Mr. Karnavas. On what
25 capacity are you now taking the floor?

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1 MR. KARNAVAS: Well, we have been charged with joint criminal
2 enterprise. We moved to sever from this case so we could be tried
3 separately. We did it before the trial; we did it during the trial.
4 We're being tried together. We moved to have a sufficient amount of time
5 to put on our case. Our case was limited in part of the time that you
6 divvied up to everybody else. Therefore, we have no choice but -- we had
7 no choice but to put on a limited case, and, of course, through the other
8 accused cases, to -- either through cross-examination or, in this manner,
9 to protect our rights. That is why.

10 We are part and parcel of the joint criminal enterprise. And I'm
11 not going to sit here and not make a record, particularly when it refers
12 to a document that we tried to introduce in our case through a witness.

13 If you may recall, Your Honour, even you, yourself, pointed out the
14 hypocrisy of, on the one hand, the Prosecution arguing that the HVO HZ-HB
15 was somehow siphoning up the money from the border, from the Customs,
16 while at the same time billions of dollars is coming in through various
17 countries, hard-line Islamic countries who are promoting an Islamic
18 revolution, in a sense, in Bosnia-Herzegovina at the time.

19 So that's why I'm intervening. I have a right to intervene.
20 Otherwise, grant my motion to sever, and we can go on. We made that
21 motion. But this goes to the heart, because while the Prosecution is
22 promoting this double policy by the Croats, what we maintain -- what we
23 maintain, that Alija Izetbegovic, as a young Muslim, way before, when the
24 young Muslims were participating with the Nazis as part of the SS in
25 order to create a Muslim state within Bosnia-Herzegovina, that's where it

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1 all began. And some of those, along with Alija Izetbegovic, then later
2 on become at the very top of the SDA policy, and this policy -- and when
3 you read the Islamic declaration which we put in for --

4 JUDGE TRECHSEL: Mr. Karnavas, I can't get rid of the impression
5 that you are pleading.

6 MR. KARNAVAS: You asked me why it's relevant.

7 JUDGE TRECHSEL: No, no.

8 MR. KARNAVAS: I thought that was the purpose.

9 JUDGE TRECHSEL: Why do you intervene? You intervene to plead?

10 MR. KARNAVAS: [Overlapping speakers]... I have a reason to show

11 that I have a reason for intervening and why the relevance of this
12 document. I can't explain the relevance without giving an explanation.

13 JUDGE TRECHSEL: But this is a witness; it's an accused in his
14 own case. He appears as a witness, and he is questioned by able counsel.
15 And you stand up and you comment on this.

16 MR. KARNAVAS: No, no, I'm not commenting.

17 JUDGE TRECHSEL: Yes, you are.

18 MR. KARNAVAS: There was an objection. The objection was they do
19 not wish for this document to come in. That's how it all started.

20 JUDGE TRECHSEL: Oh, I'm sorry, I missed the objection. I missed
21 the objection. I'm sorry.

22 MR. KARNAVAS: I was just responding to the objection.

23 JUDGE TRECHSEL: Okay. I'm really sorry, because I had missed
24 that. I do not always see the --

25 MR. KARNAVAS: I'm trying to restrain myself. I'm trying to

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1 restrain myself, but --

2 JUDGE TRECHSEL: That's okay.

3 MR. KARNAVAS: But I'm also trying to make my record.

4 Now, if the Prosecution wishes to withdraw the objection and
5 allow the witness to comment upon it, that's fine.

6 JUDGE TRECHSEL: Okay, yeah, yeah.

7 MR. STRINGER: Well, the objection was relevancy, Your Honour.

8 Now, a skillful lawyer like Mr. Karnavas can respond to an objection on

9 relevancy grounds in three lines or less, that's number one, without
10 making a closing statement.

11 Now, this is the point: There was an arms embargo going on.
12 Croatia needs to raise arms, and they're going out and trying to raise
13 arms. Fine. Bosnia-Herzegovina is going around trying to raise arms as
14 well. Fine. Now, but this document is being tendered as part of a
15 submission that Croatia was aiding and helping Bosnia-Herzegovina acquire
16 arms. The document doesn't show that. This document is irrelevant to
17 that assertion, because this simply puts Alija Izetbegovic and others in
18 Vienna paying money to acquire arms to -- for Bosnia-Herzegovina. It has
19 nothing to do with any involvement or assistance from Croatia. That's
20 the basis of the objection as being irrelevant, Mr. President.

21 MS. PINTER: [Interpretation] I would like to respond to my
22 colleague, Mr. Stringer, that this document -- the point of this document
23 is -- and the fact that Croatia, that had just been through a war and
24 that was housing an incredible amount of refugees, is now allocating
25 money, weapons, to aid Bosnia and Herzegovina, yet at the same time, the

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1 authorised -- the highest representatives of Bosnia and Herzegovina are
2 gathering resources, money. And although they are in areas where they're
3 fighting side by side with the HVO with the Croats from Bosnia and
4 Herzegovina, these funds never reach Croats in Bosnia and Herzegovina.

5 Q. General, you wanted to say something?

6 A. I would like to say this: The stockholders of the bank are not

7 the presidents of the Presidency, Alija Izetbegovic, but the president of
8 the SDA Party, Alija Izetbegovic. It's an association to aid Muslims,
9 not citizens of Bosnia and Herzegovina. Merhamet is an exclusively
10 Muslim organisation. The Gazi Husrev-Begova Medresa is a Muslim
11 religious organisation exclusively. The Preporod Cultural Society is a
12 Muslim cultural society. The Organisation for Helping the Sahid is there
13 to help only Muslims. Here, Alija Izetbegovic figures as a
14 representative of the Muslim people only. He's only fighting for the
15 Muslims. He's not a statesman; he's not representing Bosnia and
16 Herzegovina, and this was how he conducted himself throughout this
17 period. And I will show that quite clearly, despite the fact that at
18 times he was treated by the West as the president of the republic.

19 These documents and the billions that they gathered did not go
20 into the coffers of the state of Bosnia and Herzegovina, but only to the
21 Muslim people. They are not buying weapons; they are taking money to
22 fund their party, the party of the Muslims.

23 MR. STRINGER: Well, Mr. President, I've stated our objections.
24 The Trial Chamber will see our objections when these documents are
25 tendered. It seems to me now that the document is being tendered for

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1 reasons other than initially suggested, which had to do with this
2 Croatian aid to Bosnia-Herzegovina. So there may be other reasons why
3 it's being tendered, but that alone is relevant.

4 Anyway, nothing more from me on this. You'll have our objections

5 at the time.

6 JUDGE ANTONETTI: [Interpretation] All this is recorded,
7 everybody's position has been recorded. The Trial Chamber will hand down
8 a decision when it receives submissions for documents to be tendered.
9 Each document will be scrutinised. It takes hundreds of hours, is very
10 time-consuming, but we'll do it.

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

12 Q. General, we're now moving on to humanitarian organisations on the
13 territory of Republic of Croatia for collecting aid to the people of
14 Bosnia-Herzegovina. This is the next document. There are actually
15 276 documents and 49 sub-documents. And it starts on 3D32-1215; and in
16 English, 3D38-0220. So can you say something about the humanitarian aid
17 that was given to the Republic of Bosnia-Herzegovina on the territory of
18 the Republic of Croatia first?

19 A. Well, the Croatian authorities registered the right to existence
20 with an address, names, surname of the representatives and so on, of 234
21 foreign humanitarian organisations. They were registered in the Republic
22 of Croatia. And all of them tell with providing aid to
23 Bosnia-Herzegovina and to taking care of the displaced persons and
24 refugees. Of course, Your Honours, there were many honest people and
25 genuine efforts to help, but of those 234 organisations, half of them

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1 were quite simply spy organisations, with all that that entails. And
2 once the Mujahedin started arriving, and I remember when we stopped a

3 convoy on one occasion with 21 old vans that were almost scrap and only
4 worth a thousand Deutschemarks each, with four or five people inside
5 them, and when we saw that it wasn't the humanitarian workers who were
6 coming in but some people who were going to fight, then we said, Load
7 this up on a truck; do that. But what do you need so many people for?

8 And then, of course, they complained and said they all had IDs
9 testifying to the fact that they belonged to humanitarian organisations
10 and that people shouldn't be allowed to stop them. And 5.000 entered
11 Bosnia-Herzegovina in that way. They all had IDs from some recognised
12 humanitarian organisation.

13 Q. Now, the information that you referred to can be found on
14 page 3D32-1216, and for the English, 3D38-0221.

15 I'm going to ask you now to turn to the next page -- or, rather,
16 we'll skip the maps and go to 3D32-1220, and in English, 3D38-0225. And
17 with that 3D32-0221 -- or, rather, 38-2226 --

18 A. What was the Croatian number?

19 Q. It was 32-1220, and it is an inquest register of people
20 registered in Croatia of persons authorised to carry out humanitarian
21 activities, and that is the list that confirms what you were saying
22 earlier on. It was issued by the Republic of Croatia, the Ministry of
23 Social Services, Department for Humanitarian Activities, and the date is
24 Zagreb, May 1996.

25 Now turn to page 3D32-1245.

1 JUDGE TRECHSEL: May I just have a moment --

2 THE INTERPRETER: Microphone, Your Honour.

3 JUDGE TRECHSEL: May I just have a small clarification. Is it
4 the contention of the Defence that these 234 organisations were all
5 acting in favour -- exclusively or partly in favour of
6 Bosnia-Herzegovina, and in particular the Muslims of Bosnia-Herzegovina?

7 MS. PINTER: [Interpretation] The Defence isn't challenging that.
8 The Defence is just showing which humanitarian organisations existed on
9 the territory of Croatia and had their offices there and worked on
10 humanitarian aid -- or, rather, aid to Bosnia-Herzegovina.

11 THE WITNESS: [Interpretation] No, no, no. They also worked for
12 assistance to the Republic of Croatia, partially, and to
13 Bosnia-Herzegovina, but there are a considerable number of those who were
14 working only for the Muslims. I know that. I have documents to bear
15 that out. For example, when certain shipments arrived in the port of
16 Ploce, it said, only for the Muslims, exclusively for Muslims.

17 MS. PINTER: [Interpretation] But the question was whether we
18 challenged that this aid came in and that these organisations existed.
19 That's why I said we don't.

20 JUDGE TRECHSEL: There's something I said got lost in
21 translation. I did not challenge anything. Mr. Praljak has absolutely
22 answered my question in a satisfactory way, also in a short way. Thank
23 you.

24 MS. PINTER: [Interpretation] We don't need to address those next
25 documents which are letters of thanks, gratitude.

1 Q. We now come to the protocol on cooperation. It is 3D32-1246, and
2 3D38-0231 is the English version. And we've already seen this protocol
3 in the courtroom.

4 A. Yes, and there's nothing to add.

5 Q. Fine. There is a document that I would like us to discuss now.
6 It is 32-1247, and for the English, 3D38-0232. And it is the Office for
7 Refugees and Displaced Persons of the Government of Croatia, addressed to
8 Professor Adalbert Rebic, the ambassador to the Republic of Bosnia and
9 Herzegovina. The date is the 19th of April, 1994. And it says,
10 according to paragraph 1, that information is being disseminated about an
11 increasing number of Bosnia-Herzegovinian citizens who, with the help of
12 the UNHCR, keep arriving at the border of the Republic of Croatia, with
13 the aim of going further on to third countries. And the ambassador of
14 Bosnia-Herzegovina is sending information to Mr. Adalbert Rebic, and in
15 that way is drawing his attention to this fact and asking for cooperation
16 and proposals linked to that topic.

17 A. I do know about this problem. It did exist, and later on it
18 became even more topical. War is always a dark thing, and some
19 organisations wanted to recruit refugees and to take them somewhere.

20 Now, Your Honours, later on it turned out that children were
21 being taken, and later in Bosnia and Herzegovina everyone who lives
22 there -- well, mothers went to look for their children. They went to
23 look for their children in Italy and other countries, children who never

24 came back to them. In certain parts there was something that was akin to
25 the slave trade, trading with people. But how can you intervene if this

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1 is carried out by authorised organisations? How can you stop this human
2 trafficking? How can you find the perpetrators and arrest them? It was
3 difficult, and I'm still reading about people searching for missing
4 children, children who were quite simply seized and never returned, and
5 they were taken over, allegedly, for humanitarian reasons.

6 THE INTERPRETER: Microphone, please.

7 MS. PINTER: [Interpretation]

8 Q. 3D32-1253 is the document I'd like us to look at next, and it is
9 3D38-0238 for the English. The date is the 16th of September, 1993, and
10 the proclamation was written in Zagreb on behalf of the Mesihat, signed
11 by Mr. Omer Pasic. Do you know this man, Mr. Omer Pasic, do you know
12 him?

13 A. Yes, we know each other and have for quite some time.
14 Mr. Sefko Omerbasic is the number-one man in the Islamic community in
15 Croatia. And then we have Dr. Izet Aganovic. He was at the university,
16 and he worked in the Croatian government, as far as I know.

17 Q. And what about Caritas for the Republic of Croatia,
18 Andjelika Okic or Cokic?

19 A. No, I don't know who that is.

20 Q. Anyway, it is a humanitarian organisation with its seat in
21 Zagreb, and humanitarian organisations in Zagreb are launching an appeal

22 and saying that they're concerned about the situation that both the
23 Orthodox Muslims and Catholics are finding themselves in.

24 I think that we can skip over the next documents, which are in
25 Arabic, although we do have the English translations of them, but I don't

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1 have the English to hand so I can't deal with those just now.

2 A. You have a letter to the Main Staff of the HVO, dated the 9th of
3 June, 1993. The deputy commander, Stjepan Siber speaks about a
4 helicopter -- helicopters going from Split to Tuzla and back,
5 transporting the wounded.

6 Q. That is 3D32-1255, and the English is -- well, I don't seem to
7 have the English, unfortunately.

8 A. Well, never mind. On the 9th of June, 1993, it says: "To the
9 Main Staff of the HVO and deputy commander of the BH Army."
10 Stjepan Siber sent a letter about the intended helicopter fly-overs, BH
11 helicopter fly-overs. And it says that they will be making transports
12 from Tuzla to Split, that they will be transporting the wounded. And as
13 far as I know, this was all respected and adhered to, but
14 General Petkovic will be able to tell you more about that when his turn
15 comes.

16 Q. Okay, let's move on. We have a document about the purchase of
17 satellite telephone devices, which was recorded on 3D32-1260; English,
18 3D38-0241. The date is Vienna, 19 March 1993. Twenty satellite
19 telephone devices for Bosnia. Hasan Cengic, who took them over.

20 A. Yes.

21 Q. Do you know if the HVO received any of the satellite telephones?

22 A. No, not a single one. I know how many -- how much

23 telecommunication things we released through the Ministry of Foreign

24 Affairs, and the HVO. I and Minister Susak approved the contingent for a

25 gentleman whose name we won't mention because he is protected. However,

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1 we never received anything from the BiH Army. I'm not talking only about

2 telephones; nothing.

3 Q. I believe we can go on to a new file called "The Assistance to

4 the Republic of Bosnia-Herzegovina via Croatian Harbours." The first

5 page is 3D32-1265, and the first English page is 3D38-0246. The total

6 number of documents is 223, and our file contains 40 of them.

7 General, you've already mentioned harbours. You mentioned --

8 first of all, can you tell us how we collected documents relative to the

9 harbours?

10 A. A person from the Defence team went to Ploce Harbour and spent

11 two months there digging in the cellar to ferret out the documents.

12 Q. Thank you. We have some witness statements. They worked between

13 1992 and 1995 in the harbours, and they can confirm the veracity and

14 authenticity of all the documents.

15 If we go to page 3D32-1269, English 3D38-0248, we are in the year

16 1993. I skipped a few. This is a list of arrivals in Ploce Harbour of

17 various ships. This lists the names of the ships, the type of cargo, the

18 shipper, and the addressee or the recipient of the cargo. We're starting
19 with the 19th of February, 1993, and we cover the entire year 1993. We
20 can see that humanitarian aid arrived in Ploce. The Red Cross of the
21 Republic of Croatia sends things for the Green Crescent of the Republic
22 of Bosnia and Herzegovina. Again, in June the Red Cross sends flour for
23 the Green Crescent of the Republic of Bosnia and Herzegovina.

24 A. In May 1993, you can see -- well, never mind that. It doesn't --
25 it's diesel fuel.

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1 Q. Diesel fuel?

2 A. Diesel fuel. You know diesel fuel went to the BH Army in
3 continuity. There was never any quibble about that, although that was
4 useful, the Army of Bosnia-Herzegovina, for the helicopters, for the
5 tanks, for all the vehicles that they had. The entire Bosnian Army used
6 it.

7 JUDGE TRECHSEL: It strikes me that under the 2nd July 1993, I
8 note a shipment of wine. Were the Muslims given wine?

9 THE WITNESS: [Interpretation] Just a moment, just --

10 THE INTERPRETER: Microphone for the counsel.

11 MS. PINTER: [Interpretation] 3D32 --

12 JUDGE TRECHSEL: On second look, I see, on the right-hand column:
13 "Import to RH." So this is not all stuff that came in from the
14 Muslims -- for the Muslims, but it's mixed; right?

15 MS. PINTER: [Interpretation] Yes, yes, Your Honour, not only for

16 the Muslims.

17 THE WITNESS: [Interpretation] No, no, this is not only for the
18 Muslims. However, save for the cargo that was let through, this is
19 actually export, and 90 percent of -- or maybe even more than that is
20 export for Bosnia-Herzegovina. That's the destination of the cargo.

21 MS. PINTER: [Interpretation]

22 Q. In the last column, you can see the recipient, addressee who's
23 going to receive the cargo that arrived in the harbours. And it says
24 "BiH." It's in the list. So as you go through the months of that year
25 in the last right-hand side column, you can see exactly who the cargo was

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1 intended for. For example, 10 July 1993, the UNHCR, Metkovic sends
2 something from BiH, but also there was flour from Caritas in Medjugorje.
3 This is just an overview of what was happening. The general has already
4 told us that Ploce Harbour was used to handle any kind of assistance.

5 A. Ploce Harbour is in Croatia, and the assistance went to
6 Bosnia-Herzegovina, lots of it.

7 Q. On page 3D32-1274; English 3D38-0256, through 3D32-1276 and
8 3D38-0258, or maybe 7, is the transcript of the audio-recording of the
9 172nd Session of the Presidency of the Republic of Bosnia-Herzegovina in
10 from October 1992. On page 2, which is 3D32-1275, i.e., 3D38-0257, a
11 person by the name Zlatko interrupted the session. Actually, he bursts
12 in the session and informs everybody that 20.000 tonnes of oil had
13 arrived in Split from Turkey. You said it yourself, General, the diesel

14 fuel and oil kept on arriving throughout all that time?

15 A. Yes.

16 Q. And this document shows that the oil arrived either for the
17 Merhamet or the citizens of Sarajevo. However, it arrived in Split?

18 A. Only for Merhamet.

19 Q. There is a discussion about that, and you say it's for the
20 Merhamet?

21 A. Yes, that's what I say.

22 Q. Do you wish to look at another document in the file about the
23 humanitarian aid and the assistance of harbour? There is the import of
24 fuel into BiH through Croatian harbours. It starts at 3D32-1289, in
25 English it is 3D38-0261. D38-0261. This is where the documents start.

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1 Do you want to go through each of them?

2 A. No, no. These are documents at everybody's disposal, and at the
3 end we can see the tonnes total. We're talking about hundreds of
4 thousands of tonnes, maybe several hundred thousands of tonnes through
5 the harbour of Ploce. We did not have the capabilities to investigate
6 all the harbours. Croatia has not done that. It's only normal. So we
7 are talking about harbours Ploce, Split, Pula, Istra, Rasa, and so on.

8 Q. Can we now skip these documents and move on to the next file,
9 which is treating the wounded soldiers of the BiH Army and civilians.

10 MR. STRINGER: I apologise to counsel for the interruption.

11 Mr. President, just as we reach the last final minutes of this

12 week's trial proceedings, I'd like to ask the Trial Chamber for just two
13 minutes to address something before we adjourn today.

14 JUDGE ANTONETTI: [Interpretation] Very well. Let's put an end to
15 this today, and we'll continue next week with whatever you wanted to deal
16 with.

17 Mr. Stringer, you have the floor.

18 MR. STRINGER: Thank you, Mr. President.

19 This relates to -- well, now that we're at the end of the second
20 week of testimony and evidence for the general, it's occurred to us that
21 perhaps given the number of documents that we expect the Praljak Defence
22 is going to tender in IC lists after General Praljak completes his
23 testimony, we wonder whether it might be more efficient for everyone for
24 the Praljak Defence to submit IC lists perhaps on a rolling basis at the
25 end of a week or so, rather than saving what might be hundreds of

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1 documents until the very end, because it's a burdensome process, I think,
2 for everybody to put these IC lists together and to review them and
3 comment, and ultimately for the Trial Chamber to rule. So we wanted to
4 propose that perhaps we get this process underway on a weekly or some
5 other periodic basis so that it's not all left for the end.

6 And then my only other -- actually, this is more of an inquiry,
7 because --

8 JUDGE ANTONETTI: [Interpretation] On your first item,
9 Mr. Stringer's idea is quite interesting, I must say, because it's true

10 that we have a wealth of documents.

11 Does Mr. Praljak's Defence see a problem in giving us an IC list
12 of all documents that were presented at the end of the week, with the
13 exhibit numbers? Then we can compile an IC list; the Prosecution can
14 then start working on it, maybe draft its objections if need be, rather
15 than waiting to the very end of Mr. Praljak's testimony to have a
16 staggering IC list? We'll probably have hundreds or thousands of
17 documents in this huge IC list at the very end.

18 MR. KOVACIC: [Interpretation] What you're suggesting is to change
19 the rule that you prescribed in the instruction that you provided before
20 and that we have all adhered to very closely.

21 The Defence is absolutely willing and ready to accept another
22 ruling. However, if you want to have a list submitted towards the end of
23 each week, then I suggest that this should be done at the beginning of
24 the week for the week before, because we have established our own work
25 procedure, and it's not going to be easy to change it. We don't have

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1 enough staff. We are completing our list, we are checking and
2 double-checking it on Saturday or even Sunday.

3 JUDGE ANTONETTI: [Interpretation] Yes, you could do that at the
4 beginning of the week. That way it would make everybody's work easier.

5 The second point, please, Mr. Stringer.

6 MR. STRINGER: Just an inquiry of the Praljak Defence, because we
7 want to make sure that -- and maybe the other Defence teams as well. We

8 want to make sure that we have all of our own documents ready for the
9 cross-examination when that begins. Now that we're into -- we've gone
10 through two weeks, I don't know where we are in terms of the amount of
11 time that's been used, maybe about 15 hours. But I wanted to inquire of
12 the Praljak Defence whether they're still sort of -- whether the pace
13 that we're on is the one that's envisioned to continue. In other words,
14 maybe they're moving faster and won't end up using all of the 36 hours,
15 and it would be helpful if we had some idea where we're at.

16 MR. KOVACIC: [Interpretation] Your Honour, I --

17 JUDGE ANTONETTI: [Interpretation] Mr. Kovacic.

18 MR. KOVACIC: [Interpretation] I don't think we should burden the
19 Judges with our requests. I think we can deal with that in a couple of
20 minutes during a break. I'm sorry that my learned friend has not reached
21 me first, but the mathematics are simple. There is our projection, there
22 is official data on the number of hours, and we also adjust our
23 estimates. I will gladly have a word with my learned friend outside of
24 the courtroom. I don't think we should burden the Court's time with
25 that.

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1 JUDGE ANTONETTI: [Interpretation] I think altogether you have
2 about 20 hours left. Mr. Stringer wanted to know whether you were going
3 to use up all of the remaining 20 hours, or whether you're going to cut
4 it short. That was his question, but I don't think that you're able to
5 answer right away.

6 Now, one last thing. Next week, we're supposed to sit in the
7 afternoon -- we were supposed to sit in the afternoon, but the
8 Popovic Chamber will not sit in the morning. So if you don't see any
9 problem to this, we could sit in the morning Tuesday, Wednesday, and
10 Thursday, rather than in the afternoon. So please take that into
11 account.

12 And we will reconvene on Monday at 2.15 p.m.

13 Thank you.

14 [The witness stands down]

15 --- Whereupon the hearing adjourned at 1.47 p.m.,
16 to be reconvened on Monday, the 18th day of May,
17 2009, at 2.15 p.m.

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