



Page 40680

1 Tuesday, 26 May 2009

2 [Open session]

3 [The accused entered court]

4 [The Accused Prlic and Coric not present]

5 [The witness takes the stand]

6 --- Upon commencing at 9.02 a.m.

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

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

12 JUDGE ANTONETTI: [Interpretation] Thank you, registrar. Today is
13 Tuesday, the 26th of May, 2009. I would like to greet Mr. Praljak,
14 Mr. Petkovic, Mr. Pusic, and Mr. Stojic. I would also like to greet the
15 accused who are not present in the courtroom because they are ill. I
16 would also like to greet the Defence counsel, Mr. Stringer and his entire
17 team. Without forgetting the court reporter, the interpreters, the
18 registrar, and the usher.

19 We need to resume Mr. Praljak's testimony. I shall therefore
20 give the floor to Mrs. Pinter.

21 MS. PINTER: [Interpretation] Thank you, Your Honours. Good
22 morning to you. Good morning to everyone in the courtroom.

23 WITNESS: SLOBODAN PRALJAK [Resumed]

24 [Witness answered through interpreter]

25 Examination by Ms. Pinter: [Continued]

Page 40681

1 Q. [Interpretation] Good morning, General. We stopped at 3D001228,
2 and we stopped at the part where it says: "Leave the trenches and
3 repeaters and fill them in." So we will go through the document and also
4 based on your recollection.

5 A. Yes. These are the position that on the 17th of January in
6 Gornji Vakuf were presented by Siljeg and Andric in the presence of
7 Mr. Dzemaal Merdan and Enver Hadzihasanovic, and they go on to say that
8 the BH Army should assign a commander who would be subordinated to the
9 HVO in terms of the chain of command and that a joint check-point be set
10 up where Muslims and Croats would be represented proportionately. So
11 that would be a mixed composition that the militant units, and this is
12 primarily a reference to Paraga's units should withdraw to the villages,
13 that there should be no troops with rifles in the town itself except for
14 the military police patrols of mixed composition, and also to deny vile
15 propaganda that the HVO had been killing civilians.

16 And what happened was that they fired at an ambulance, and this
17 is what was done by the BH Army, in fact; and that all of this in this
18 area should have as its objective the establishment of peace. And this
19 report which is signed by Enver Hadzihasanovic states that it is their
20 opinion that this is an ultimatum and this is, of course, not an
21 ultimatum. It's just a military position, a very clear military

22 position. And in particular that the president of the SDA Abdulah

23 Topcic and Fahrudin Agic should have no influence over the army.

24 THE INTERPRETER: The interpreter did not catch the last name of

25 the person who are --

Page 40682

1 JUDGE ANTONETTI: [Interpretation] General Praljak, I read the
2 first paragraph of this document with a keen interest. Since it stems --
3 since it stems from the accused, it's all the more important in support
4 of your case. Your overall theory is to say that the ABiH attacked and
5 that it wasn't the HVO. So through your theory, I try to check this
6 whether it was the Muslim forces that attacked, and I discover on reading
7 paragraph 1 something which could be of interest.

8 It seems that the HVO shelled a number of villages with artillery
9 fire. The villages are mentioned. These are the villages of Voljevac --
10 I apologise for my pronunciation, and Pridvorci. Why did the HVO shell
11 these villages? General Hadzihasanovic explains why, because they -- our
12 troops had moved towards Crni Vrh. Therefore, military speaking, what
13 happened where the ABiH moves, the HVO realises it, and then fires
14 barrage shots and tries to shoot at the villages. What happened on the
15 night of the 15th, does it really illustrate what happened and what
16 occurred on the other side on that day?

17 THE WITNESS: [Interpretation] Your Honours, we will see in the
18 document that follows a report by Mr. Andric quite specifically what this
19 is all about, but here when it comes to Vakuf, we have already admitted
20 documents from the Muslim side where clearly they write about what units

21 they had brought in from outside to Vakuf from the direction of Konjic,
22 through Here, from Bugojno, and partially from Central Bosnia. They
23 wanted elements of the 7th Muslim Brigade to come in. Of course in such
24 a situation where they in effect are preparing and you have seen from the
25 document to take a broader region from the elevations that they had

Page 40683

1 already taken in the town itself and around it that one has to -- a
2 military response is required, especially so because it was always said
3 withdraw the units that you had brought in from the outside. They're not
4 needed here, and then we will withdraw too.

5 JUDGE ANTONETTI: [Interpretation] Very well.

6 MS. NOZICA: [Interpretation] I do apologise to my colleague.
7 Good morning to everyone in the courtroom. I would just like to bring to
8 your attention that at line 24, at page 1, the -- I would just like to
9 note that the number of this exhibit has been recorded wrongly. It's
10 3D1228.

11 JUDGE ANTONETTI: [Interpretation] On reading the first paragraph
12 you could have done that but maybe you didn't see it and maybe your
13 counsel didn't see it either. You could have, on the basis of the map,
14 you could have shown us that the position of the ABiH at point 1303, that
15 the trig point was such that the units were moving in a particular
16 direction. You told us that a hundred people were working for you, so
17 you could have identified those units that were placed on the trig point
18 1303.

19 You could have discovered that there had been order and that they

20 had been asked to move, and with your men you could have demonstrated
21 that the HVO, having been informed of these movements had been given an
22 order to fire barrage shots on the villages that are mentioned, and that
23 is how you need to demonstrate things. You can't just make statements.
24 That's not enough. You need to present compelling evidence in support of
25 what you are saying, and generally speaking, these are documents of a

Page 40684

1 military nature.

2 Mrs. Pinter.

3 JUDGE TRECHSEL: I would -- excuse me, please. I would add a
4 question to the question asked by the President.

5 According to what is stated in this first paragraph, one gets the
6 impression that the allegation is that the HVO shelled with heavy
7 artillery Muslim villages. Not positions of the ABiH but Muslim
8 villages, and one then thinks that these are villages inhabited by
9 civilians, and it is not easily -- it's not obvious that this was
10 necessary in order to stop an approach of troops that had not yet reached
11 these villages. Now, I wonder what your reaction is. I see that you
12 have been shaking your head.

13 THE WITNESS: [Interpretation] Your Honour, in all combat reports
14 one should say, as it is often said, that units in such and such villages
15 were targeted, but it's simply not done in that way. You say where the
16 units are moving units are shelled, and then you say a village was
17 shelled. It was not a village that was shelled. The reference here is
18 the units that were advancing along that axis. The villages were not

19 shelled because they could have been shelled earlier and so on. We're
20 now talking about the movement of units, and then it is said like it is
21 said in the reports by other armies, for instance, such and such town was
22 shelled and so on.

23 JUDGE ANTONETTI: [Interpretation] That is why I said that
24 earlier. If you had had orders from the HVO saying that since the HVO
25 troops had moved in the direction of Crni Vrh, the HVO had to shell these

Page 40685

1 two villages because in these two villages there were units of the rear,
2 that then it would have been easy to establish a distinction between the
3 civilian targets and the military targets, because as my colleague has
4 said on reading this, one could believe that you knowingly targeted
5 civilians.

6 THE WITNESS: [Interpretation] It is true, Your Honour, but if you
7 take orders from any war, World War II and so on, they say, let's say
8 among French units when they say such and such a village was shelled, the
9 reference is to the army. What they mean is the troops were shelled.
10 There are no villages around Crni Vrh. It's just the movement of the
11 troops from Here towards Crni Vrh. And you have elevations listed here,
12 Crni Vrh TT trig point, that's one thing.

13 And another thing, you have a map here, Your Honours. I
14 exhibited a map of Gornji Vakuf with the units of the BH Army clearly
15 marked at every elevation. It has an IC number which, of course, I don't
16 know at the moment, but it has been confirmed by the English major who
17 testified here. And I didn't show it after that because I thought that

18 it is very precise, and it has been confirmed by this English officer
19 that this was the situation in Vakuf, the situation as I plotted it on
20 the map. And I remember that I asked him: "Sir, to the best of your
21 recollection, is this map accurate?" And he looked at the map, I
22 remember quite clearly. He took three minutes to think, and he said,
23 "Yes," and sign the map.

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

25 MS. PINTER: [Interpretation]

Page 40686

1 Q. As far as the map is concerned it's 3D00464. That's a map of
2 Gornji Vakuf, and I would just like to add something. We have admitted
3 so far documents -- we have tendered into evidence documents that speak
4 about the events in Gornji Vakuf until the 16th of January and even later
5 on in -- into 1993, and I have to admit that we decided to use documents
6 that have not yet been shown to the Chamber. The documents that are
7 already exhibits, that have been admitted into evidence, were not used
8 unless there was an important situation which they could assist us in
9 explaining.

10 Now, General I would like to ask you, Here, what is the
11 importance of Here? What happened to Here -- what happened in Here?

12 A. Yes, I do know that. Later in 1993 an attack was launched from
13 Here on Uzdol where some 40 people were killed.

14 Q. And in 1992, after Prozor?

15 A. After Prozor, according to the documents that have already been
16 exhibited here in this court, and the documents are quite clear because

17 they are from the BH Army, plans were made to take Rama with direct
18 attacks from Prozor onwards with clear tasks for everyone from Here.

19 Q. Where was the BH Army stationed apart from the town of Prozor?

20 Do you know that? The BH Army units.

21 A. Well, in all the villages with mixed population and in particular
22 in the Muslim villages, and Here was one of major extremists attitudes,
23 and units from -- the unit from that village did what happened in Uzdol,
24 killed some 40 people.

25 I was up there at the time, on that day, at that time, and we

Page 40687

1 managed to repel the BH Army in a swift action, preventing an even
2 greater massacre. And we managed to do another thing while we're on this
3 topic. In the report from the international community, the European
4 observers, there was no retaliation. I and other people who were there
5 managed to prevent any form of reprisals except for the fact that I put
6 under the guard, in accordance with the agreement, the local Muslim
7 priest, and I put the guards in front of the mosque, and I now face
8 accusations that I placed this man under house arrest.

9 After such an event, this was the only way to prevent somebody
10 who is really embittered and is perhaps might be tempted to commit a
11 crime to do so.

12 Q. General, you have the map in front of you. This line, Kute to
13 Scipe to Here. Can you say is it relevant in the military sense?

14 A. I've already said this is the road leading from Konjic both to
15 Rama, so the eastern portion; and this road was used by units to go to

16 the Gornji Vakuf area. They came from Bugojno. They came from
17 Central Bosnia as we have seen from all the documents already exhibited.
18 I cannot revert to all the documents now, not because I wouldn't like to
19 do so, but if the Judges allow us another ten hours, this is what I want
20 to do, because I want to be very precise and specific. And,
21 Your Honours, I'm only -- I only have in mind the time that I have
22 allotted to me, because I can use all these maps and show all these maps
23 again, but I think this will suffice. I have already exhibited several
24 maps here, was the Mujahedin camp.

25 And while we are at the subject of that, in the spring of 1993,

Page 40688

1 after returning from negotiations again to calm down the situation and at
2 that time I was also in Central Bosnia, although Mr. Izetbegovic had not
3 sent me a single Muslim to assist me in easing tensions, in calming the
4 situation. So on this road, the negotiating team of the HVO with
5 Mr. Andric, who was man number two in the HVO, at that time after
6 General Petkovic were intercepted by the Mujahedin. They were looted.
7 Their car was seized. They were stripped naked, and they were expelled
8 to walk to Bugojno on foot in that condition. They were sent packing
9 here at this spot.

10 JUDGE ANTONETTI: [Interpretation] General Praljak, you emphasise
11 the Mujahedin and the Mujahedin camps. How many people were there all in
12 all do you think, in this camp?

13 THE WITNESS: [Interpretation] This was a mountain lodge, and I
14 often passed by it, and I always stepped on the accelerator as I passed

15 by it, frankly speaking, because you never knew who would be waiting
16 there for you among these wild controllers of roads, but I could see them
17 on the left side if you went along this direction, namely from the
18 direction of Bugojno to this other direction.

19 There were between 30, 40, or 50 people in this mountain lodge.

20 JUDGE ANTONETTI: [Interpretation] Well, there are 30, 40, or 50
21 of them. Maybe up to a hundred?

22 THE WITNESS: [Interpretation] I cannot be precise. I really
23 don't know. Up to 50, as far as I could see, not more than that.

24 JUDGE ANTONETTI: [Interpretation] We know that you had artillery
25 pieces. Was it that complicated? Was your artillery pieces, was it so

Page 40689

1 difficult to shell them and then there would be no more camp?

2 THE WITNESS: [Interpretation] Yes, Your Honour. No, we did not
3 have artillery at that point, that position. We were turned backwards.
4 Actually, our pieces were trained to the position where the Army of the
5 Republika Srpska was. It was not facing that direction, our artillery,
6 and we wouldn't have achieved any major result to speak of, in fact.

7 JUDGE ANTONETTI: [Interpretation] Yes, but you had mortars as
8 well, not only that.

9 THE WITNESS: [Interpretation] This is beyond the range of
10 mortars.

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

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

13 Q. General, you referred to a report by Mr. Andric, and you said

14 that he was in the Gornji Vakuf area. Please look at 3D03065. You're
15 familiar with this document, and it was, in fact, submitted to you in
16 1993.

17 Does the content of the document reflect what you have been
18 telling us in your testimony so far?

19 A. Yes. This document is from my archives. It was submitted -- a
20 copy of it was submitted to me by Mr. Andric, and that is a report that
21 he had sent to Mr. Bruno Stojic, the head, and Bruno Stojic orally
22 conveyed -- sent these five people for them to try and calm down the
23 situation in the area of Gornji Vakuf, and that was on the 12th of
24 January, 1993. And Stojic did so because -- probably because Petkovic
25 was in Geneva, and a couple of days after they returned from Geneva, I'm

Page 40690

1 not quite sure, and then they left for Geneva again. And I believe that
2 they actually left on the 1st of January, 1993, and then stayed there up
3 until the 13th or the 14th or thereabouts, and then they spent a couple
4 of days. I believe Mate Boban in Hrvatska -- in Croatia, and
5 Mr. Petkovic returned down there, and then they all again went to Geneva
6 and stayed there until the end of the month.

7 As for the report, it is completely correct, precise, and clear,
8 and I have nothing to add to it.

9 Q. Thank you very much.

10 THE INTERPRETER: Microphone for counsel, please.

11 THE WITNESS: [Interpretation] Of course they say that the
12 meetings were held on a daily basis. It wasn't the first meeting on the

13 17th. They had meetings every day from the 13th and on at the UNPROFOR
14 base in Gornji Vakuf to try and find the solution. Of course, a solution
15 that would not be such that it would mean that the HVO would have to be
16 humiliated by the way in which they had occupied Gornji Vakuf.

17 MS. PINTER: [Interpretation]

18 Q. Please look at 3D02666.

19 JUDGE ANTONETTI: [Interpretation] This document which comes from
20 Colonel Andric, we can see that there were discussions between the HVO
21 and the ABiH, but this meeting, in fact, had been organised because a
22 soldier from UNPROFOR had been killed, and that was a problem that needed
23 solving. One had to discover who had killed him and who put an end to
24 the sniping. Was that not the main purpose of this meeting?

25 THE WITNESS: [Interpretation] No, no, no, Your Honour

Page 40691

1 Judge Antonetti. During a meeting, obviously, a soldier was killed.

2 MS. PINTER: [Interpretation]

3 Q. On the first page?

4 A. On the first page. So it was precisely for that meeting that
5 Mr. Andric had been sent up there. And he says that the situation is
6 tense, and that there existed a possibility of a major conflict erupting
7 between the HVO and the ABiH. And then he goes on to say they got in
8 touch. They agreed -- scheduled a meeting with representatives of the
9 ABiH and when they arrived -- so the meeting had been scheduled for a
10 completely different reason, but when they came in UN APCs, in the
11 meantime they had learned that a UN officer had been killed and

12 immediately proposed that the commission be set up to find out who had
13 opened fire at him and killed him because when something like that
14 happened, formidable propaganda campaign would be launched to accuse the
15 HVO.

16 Unfortunately, the HVO had a catastrophically low level of
17 information capacity, and in that respect there was, in fact, an argument
18 between Mr. Boban and myself, because in contrast to him I knew how
19 important it was to inform -- to convey good information about the
20 situation in the field. If something like that was done by the opposite
21 side and everybody else and all the people in the international community
22 who were representing specific policies of their countries, which
23 unfortunately were not always in compliance, were not always in the
24 service of calming down the conflict in Bosnia, then what would be aired
25 would be a completely distorted and false picture. Therefore, whenever

Page 40692

1 an incident of this kind happened - you remember the one in Mostar - the
2 HVO pleaded and asked that there be set up a commission including
3 UNPROFOR representatives to investigate the exact spot, the exact way,
4 the positions of the respective forces from where the fire came so to
5 conduct a proper investigation rather than just raise a din. You know,
6 it was always the HVO, it was always some nebulous story about HVO sharp
7 shooters shooting all over the place, left, right, and centre.

8 JUDGE ANTONETTI: [Interpretation] Ms. Pinter.

9 MS. PINTER: [Interpretation]

10 Q. So let us now go to 3D02666. This is a power of attorney

11 authorisation signed by Bruno Stojic and General Slobodan Praljak given
12 to Jasmin Jaganjac. There is also associated with your joint actions
13 aimed at relaxing the situation. Can you tell us a bit more about the
14 circumstances when you gave this authorisation?

15 A. Yes. Mr. Jaganjac was also going to Zenica, to Central Bosnia,
16 and up there, as far as I know, he also waited for Mr. Boras, a member of
17 the Presidency of the Republic of Bosnia and Herzegovina. And after
18 that, you recall, there was an entire series of HZ HB and HVO delegations
19 going around the terrain in order to try and calm down the situation and
20 to have the Vance-Owen Plan that had been signed by Izetbegovic and Boban
21 applied at least in respect of easing the situation, a cease-fire. And
22 if something else was concluded at some new negotiations, the HVO was
23 always prepared to always accept it, and it is so stated in every
24 statement. That was what we were doing at that time, and that is why we
25 gave this to Mr. Jaganjac. And we worked really hard and more than that,

Page 40693

1 if I can say. That was the case with me and both Mr. Jaganjac in order
2 to prevent an attack by the HBO [as interpreted] army, Army of Bosnia and
3 Herzegovina **on the HVO, to prevent a conflict.**

4 JUDGE ANTONETTI: [Interpretation] Looking at this order, I must
5 say that I'm a bit surprised at this. A document was signed by yourself
6 and by Mr. Stojic, and it was sent to all the military police units,
7 including to the MUP and the commanders at the check-points. So we have
8 the feeling that this order was communicated to everybody, including to
9 three military policemen on the road carrying out the checks on the road.

10 First of all, will they be getting this order? One may wonder.
11 And secondly, Jasmin Jaganjac is probably unknown by all military
12 policemen in the HVO. So was this order usable in military terms, or did
13 they send orders simply for the sake of sending orders? Is this only
14 paperwork?

15 THE WITNESS: [Interpretation] Your Honour, it was not only
16 paperwork. It was an authorisation. Mr. Jaganjac had this paper on him
17 at all times. First and foremost, Mr. Jaganjac was very well known in
18 the HVO because he was the commander of Mostar in 1992. So his name was
19 not unfamiliar.

20 This was not an order. This was an authorisation. So he would
21 come to a spot, and if he could see -- if there was any problem created
22 for him, he would take out this piece of paper, and he would say, Here.
23 Stojic and Praljak have authorised me, so-and-so, and it refers to all --
24 to whom it may concern, to whom I show this.

25 Of course strictly speaking, strictly considering the right or --

Page 40694

1 or perhaps you could ask meet question: Who gave you the right, General,
2 to sign this? Your Honour, law does not give me this possibility. It is
3 not in the law. It is in the wish that I had for that man to be able to
4 pass through various points and discharge the duty that the two of us
5 were doing on behalf of Mr. Izetbegovic and in accordance with the
6 agreement that we had reached, which was to work to establish peace.

7 Secondly -- and the name meant something too.

8 JUDGE ANTONETTI: [Interpretation] General Praljak, we thought we

9 understood - and at least that's what I understood so far - that you were
10 officially the commander from July to November 1993. Here we have a
11 document dated 26th of January, 1993 where the word "commander of the
12 HVO --" the words "commander of the HVO" are mentioned. So how can you
13 explain that?

14 THE WITNESS: [Interpretation] No explanation. I have no
15 explanation, Your Honours. I'm not the commander, and had I read this up
16 here when I was signing this, I would have crossed it out most certainly,
17 but obviously it was typed the way it was typed.

18 I know that General Petkovic was in Geneva at the time. Had he
19 not been there, he would have signed it probably. It bears -- in the
20 situation I signed it, so I have no explanation. But had I seen it, I
21 did sign myself as a general, but I would never have signed myself as
22 a -- as the commander of the Main Staff, because I certainly was not
23 that, and I would have crossed it out.

24 First and foremost, there was no commander at all of the
25 Main Staff at that time. We had the head of the -- the chief of Main

Page 40695

1 Staff. So it was just the speed of the action and the -- without me
2 having properly seen what was at the top of the paper, the commander
3 mainly, because I was not the commander at the time. The HVO at that
4 time did not have a Main Staff commander, and that is my explanation and
5 I have no other explanation.

6 JUDGE ANTONETTI: [Interpretation] Okay. Ms. Pinter.

7 MS. PINTER: [Interpretation] Okay. Would the usher -- no, that's

8 fine. Let's move on to another document it is 3D00320, which is a book
9 entitled "The Truth About Bosnia and Herzegovina," which has been handed
10 round to everybody.

11 Q. Have you received a copy of the book, General? Fine. Do Their
12 Honours have the book in English? It looks like this. It's in the
13 binder. It has a black title page.

14 MS. PINTER: [Interpretation] May we now turn to page -- yes, I do
15 need the usher's help, because there are two more binders for the Judges
16 here. We didn't have time to hand them out.

17 Q. Would you turn to page -- just a minute, let me find it. 3D in
18 Croatian --

19 JUDGE ANTONETTI: [Interpretation] Ms. Pinter, the document we
20 have is a B/C/S version. There is no English in this document. Will we
21 get the English version?

22 MS. PINTER: [Interpretation] There is an English version. We
23 couldn't fit it all into one binder, so the English version is in the
24 hard cover binder. And I'd like to call up on e-court 3D12-0237, which
25 in English is 3D28-0321 and 3D28-0322.

Page 40696

1 Q. And, General, if you turn to page 100 -- or, rather, the document
2 number is 100.

3 Let me ask you about this book, "The Truth About Bosnia and
4 Herzegovina." It was written by Mr. Tudjman?

5 A. Mr. Miroslav Tudjman.

6 Q. Yes, that's right.

7 A. Mr. Miroslav Tudjman worked on this book pursuant to my request,
8 among other things. I requested that all the documents be collected
9 which during the war were signed by any side. And it has to do, of
10 course, with the war in Bosnia-Herzegovina. So any party, the
11 international community, and everybody else.

12 It was a very difficult job, because the documents were not put
13 in the best order in the Croatian state at that time, and he went to a
14 lot of effort to collect all these documents and to quote the sources.

15 All I can tell the Judges is that we searched for the document on
16 the recognition of the Republic of Bosnia and Herzegovina by the Republic
17 of Croatia. **It took us months to find that document. So you see what**
18 the archives look like and the -- how the documents are stored. It took
19 us a great deal of time and effort to compile this book, which shows us
20 when the various peace agreements were signed, agreements on mutual
21 relations, what time they were signed, where they were signed, what
22 parties signed it, and so on and so forth.

23 And that is why I said that this is a very important book if you
24 want to understand the situation and the positions -- positions taken
25 both by the Croatian state and also by the representatives of the Croats

Page 40697

1 from Bosnia-Herzegovina, that is to say Mate Boban, Akmadzic, and all the
2 others, the politicians, of course. And of course we have some military
3 documents signed by General Petkovic and the like.

4 Q. Thank you. I'm waiting for the transcript. Now, would you look
5 at document number 100, which is the Vance-Owen Plan, the agreement on

6 future relations between the Croats and Muslims in Bosnia-Herzegovina.

7 It was signed in New York **on** the 3rd of March, 1993.

8 In your testimony yesterday and last week, you mentioned the
9 signing of these documents and the Vance-Owen Plan and the circumstances
10 under which all this took place and how this was reflected on the ground,
11 in the field.

12 A. Well, on that particular day, the Vance-Owen Plan was signed by
13 Mate Boban on behalf of the HZ HB; and the premier of BH, Mile Akmadzic;
14 and on behalf of the Muslims, the president of the Presidency
15 Izetbegovic; and the Foreign Minister, Haris Silajdzic, the Foreign
16 Minister of Bosnia-Herzegovina, that is.

17 Now, of course we can't read through the whole text of the
18 agreement.

19 Q. It says that it was an informal agreement in the preamble.
20 That's what it says.

21 A. Well, an informal agreement because -- well, it wasn't an
22 informal agreement between the Muslims and Croats. It was informal
23 because the third party, that is the Serbs, still had to sign it. So the
24 agreement was comprehensive and all-embracing, but the Serbs hadn't
25 signed it yet at this point in time, and so that's why it says

Page 40698

1 "informal," in that sense; but the Croatian and Muslim side did sign it,
2 and the joint side, because we have the Foreign Minister of BH and the
3 prime minister of BH. And of course there was an agreement on the
4 provisional order and system. Once again provisional or transitional

5 period, because they were waiting to have the Serb side sign.

6 So as far as I know at the time, the Croats and Muslims were
7 supposed to work together to implement this agreement and then wait and
8 see what the Serbs would decide, but that did not prevent the Muslims and
9 Croats from implementing the agreement and what it stipulated as it was
10 signed here.

11 Q. Thank you. Now turn to page -- or, rather, the next page, which
12 is number 101, agreement, 101. The page in Croatian is 3D12-0238, and
13 for the English it is 3D28-0323 and 3D28-0324. And this is an agreement
14 on provisional organisation, Bosnia-Herzegovina, signed in New York on
15 the 25th of March, 1993.

16 You've already spoken about the different subjects incorporated
17 into this agreement, but we are just showing this is an agreement on
18 provisional organisation; and that it was signed between the Muslim and
19 Croats. Do you have anything to add?

20 A. No. The document speaks for itself. It's quite clear. So the
21 two sides signed the document, and they were to work to implement what
22 the document stipulates. And we wanted to provide the international
23 community which had compiled this plan the possibility of exerting
24 pressure on the Serbs more forcefully than they had been doing up until
25 then, to prevail upon them to sign a plan of this kind, which was a good

Page 40699

1 plan and could improve -- well, you could improve on it but generally it
2 was good. And here the Croats and Muslims provided for the possibility
3 of the great powers, the big powers, to -- the big powers to threaten

4 Serbia or to lift the embargo and to use some other method to force the
5 Serbs to sign up. Unfortunately, none of this happen. They did not
6 exert pressure on them -- well, by bombing them, nor did they lift the
7 embargo from us so that we could be strong and stand up to them and
8 achieve better military results.

9 When the Serbs saw that the international community was
10 threatening with an empty gun, they refused to sign up to this, and so
11 the Vance-Owen Plan fell through. And I think that some countries, as
12 you were able to read -- well, America wasn't very much in favour of the
13 Vance-Owen Plan. It had another plan. When they put the other plan on
14 the table, the French and the English said, We doesn't like your plan.
15 It's no good.

16 And so while they were trying to settle the situation and see who
17 was more important and would be able to wield more influence on the
18 country, the situation deteriorated severely.

19 And that's all I have to say.

20 JUDGE TRECHSEL: A small technicality again. I think you have
21 said that the agreement was of March 25. That's what's in the
22 transcript. On the document it says 26th March, and I suppose 26th is
23 right, but maybe you could clarify.

24 MS. PINTER: [Interpretation] I can't see that. I'm looking at
25 the Croatian text and it says New York, the 25th of March, 1993.

Page 40700

1 JUDGE TRECHSEL: And that is 100 and --

2 MS. PINTER: [Interpretation] Yes, there's a problem with the

3 translation there.

4 JUDGE TRECHSEL: Because 102, then, is 26.

5 MS. PINTER: [Interpretation] The 25th.

6 THE WITNESS: [Interpretation] Perhaps the time difference.

7 Perhaps the time difference explains it.

8 MS. PINTER: [Interpretation] The problem is in the translation of

9 the text. Thank you.

10 Q. General --

11 A. Well, look at this. It says withdraw of forces.

12 Q. What are you referring to, General?

13 A. In this document it says withdrawal of forces, of troops.

14 Q. The agreement on provisional organisation you mean?

15 A. Yes. It says the Croatian troops present in Sarajevo province
16 will have to withdraw to the -- a province where the Croats were in the
17 majority. So what is referred to is provinces with a majority Croatian
18 population, not where the Muslims would expel the Croats or the Croats
19 expel the Muslims.

20 So as I say, the agreement speaks for itself. It's very clear
21 and states everything that the HVO wanted to do beforehand, before the
22 agreements of principle of Geneva which contained all these different
23 elements.

24 Q. We can now move on to the statement under 102, which in Croatian
25 is 3D12-0239, and for the English it is 3D28-0325 [as interpreted], and

1 it is a report stating that Izetbegovic and Boban had signed the entire

2 Vance-Owen Peace Plan in New York **On** the 25th of March, 1993. And this
3 document repeats everything that you have already told us, but I would
4 like to point out the last paragraph and the statement made by Cyrus
5 Vance.

6 JUDGE ANTONETTI: [Interpretation] Ms. Pinter, since Ms. Kovacic,
7 your assistant, sitting next to you can you just check that this is the
8 right number, because otherwise I have to flick through the whole binder
9 and look for the appropriate numbers, because here there is a mistake.
10 It should not -- it doesn't read 3025 but 325, 3D --

11 MS. PINTER: [Interpretation] 325. My mistake. I wasn't looking
12 at the transcript.

13 JUDGE ANTONETTI: [Interpretation] But your colleagues can help
14 you. Otherwise, the Judges will have to do your work.

15 MS. PINTER: [Interpretation] The page number was 3D28-0325.
16 Thank you, Your Honour.

17 THE WITNESS: [Interpretation] Izetbegovic and Boban signed the
18 entire Vance-Owen Peace Plan, and what is important to note here is that
19 the Serbs didn't sign. That's the first point.

20 Secondly, that Vance expressed his regrets that the third party
21 with Radovan Karadzic at its head decided not to sign the plan and go
22 back home. So they refused to sign.

23 And the third point, something that I've been saying, and that is
24 that Mr. Izetbegovic says, "Now everything depends on the international
25 community," because everybody expected the international community,

1 within the frameworks of its peace solutions, would do at least something
2 to force the Serbs to sign, and there were several options. They could
3 either intervene, or they could enable the Muslims and Croats to have the
4 embargo lifted so that we could be equal partners in the fight. And if
5 they didn't want to involve themselves, at least not to have the Serb
6 military supremacy prevail, that is to say to -- well, the Serbs
7 didn't -- didn't take these international negotiations seriously. They
8 saw nothing -- that nothing was happening except for verbal threats,
9 whether they signed or not, just an expression of regrets, and a very
10 benign diplomatic language was generally used but nothing actually
11 happen.

12 And I'm saying, Your Honours, that a situation of this kind then
13 with the generals in the Bosnian army, gave rise to the thought -- they
14 said, All right. Okay. We can't do anything to the Serbs. They're too
15 strong, too powerful, but we're going to hit the HVO, and we'll reach the
16 western borders of Bosnia-Herzegovina, and then it's a fait accompli.
17 The international community, without wishing to meddle into the conflict
18 except in humanitarian terms, in giving humanitarian aid and verbally,
19 diplomatically expressing their regrets and so on and so forth will
20 recognise the situation on the ground according to the principle that
21 those who had taken control of the territory can keep the territory, and
22 that was the reason for --

23 THE INTERPRETER: Could the general kindly slow down, please.

24 JUDGE ANTONETTI: [Interpretation] General, Praljak, I was looking
25 at the document while listening to you, and I was telling myself, and I

1 repeat, and please correct me if I'm wrong, we discovered that on
2 March 25, 1993, in New York you have the various participants to this
3 famous Vance-Owen Plan. They went there to sign the plan, and one of
4 them refused to sign, Mr. Karadzic, who refused to sign the plan. That
5 created a lot of surprise.

6 A meeting of this kind in New York with -- in the presence of all
7 the media, where everybody is there to welcome peace was a real failure,
8 because one of the participants refused to sign.

9 As far as you know, were there any steps taken to see why
10 Karadzic refused to sign? Did the United Nations Secretary-General go
11 and see Karadzic and ask him, Why don't you want to sign? Has there been
12 any actions taken by the diplomats to see -- to make him sign, because it
13 was a complete failure. Have you studied is this point, or don't you
14 have any answer to provide us?

15 THE WITNESS: [Interpretation] Your Honours, in the next document
16 which we're going to look at after this one, and in the transcript of the
17 meeting of President Franjo Tudjman, Alija Izetbegovic, Silajdzic, Susak,
18 Boban, and so on, you will see with absolute clarity what the positions
19 were, what the line of thinking was, and what the positions were taken by
20 these people. It will become crystal clear. You'll see what
21 Franjo Tudjman thought. You'll see what Mr. Izetbegovic thought. You'll
22 see what Silajdzic thought and what a tough time they were having, very
23 tough to understand what the international community actually wanted.

24 And I know that at that point in time the international community

25 just introduced and enforced certain sanctions on Serbia, thinking that

Page 40704

1 the Serbs would force -- it would force the Serbs and Milosevic to change
2 his attitude towards the Army of Republika Srpska Krajina. However, the
3 sanctions were violated along the Danube. Fuel was brought in that way,
4 and I know how all this happened.

5 So they had absolutely no relevant effect. They bore no fruit.
6 They did not force the Serbs to sign something they didn't wish to sign
7 for the simple reason that they had their weapons. They had their
8 weapons factories. They had their stockpiles of weapons which would
9 enable them to fight for another seven or eight years.

10 JUDGE PRANDLER: Of course I don't want to discuss with you the
11 sanctions, et cetera, but in some way I'm forced to say the following:
12 That you mentioned that the sanctions had not been kept and they were
13 violated, and you made a reference to the Danube, that fuel was brought
14 in that way, et cetera. So it is in -- actually in line 16.

15 Now, what I would only like to say that -- that I have been
16 familiar with this issue. At that time there was a check-point at the
17 Danube **before the Serbian border, and -- and I know that a European**
18 mission as well, and Hungarian detachment which had to see to it that no
19 violation be committed. But again I say that I cannot exclude some
20 problems, but I just felt that I had to -- I have to mention this for
21 your information. Thank you.

22 THE WITNESS: [Interpretation] Your Honour Judge Prandler, thank you. I know
23 that there was a check-point in the direction of Hungary controlling the

24 whole thing, but in the direction of Romania the situation was completely
25 different; and there was a pipeline transporting raw materials for some

Page 40705

1 chemical industry from Romania **into** Serbia; and oil was pumped through that
2 pipeline. But sanctions were violated, and you, yourself,
3 Judge Prandler, you know that very well, that at that time the UN
4 Secretary-General rejected any proposal by Morillon and by other generals
5 from the international community to use force against the artillery of
6 the VRS around Sarajevo **and around Srebrenica and so on up until the very**
7 end of the war.

8 Simply, militarily nobody wanted to get involved. They didn't
9 even want to use the air force. And it is understandable to a certain
10 extent, but it remains incomprehensible that at the same time the other
11 two sides still had the embargo. It is true that it was possible to
12 obtain weapons, but it was very difficult, and it resulted in a black
13 market, trafficking, the destruction of the state authorities; and it
14 cost four or five times more than it would have had it been possible to
15 obtain it at market prices without an embargo in place.

16 JUDGE ANTONETTI: [Interpretation] In order to help the Judges
17 understand, because what we've seen and heard is extremely complicated,
18 according to you why did Mr. Karadzic not want to sign this document?
19 What is your assessment of this? What is your take on it? Why did he
20 not want to sign this plan? Do you have an explanation to give us or
21 not? Of course you're not in his mind, but since you were one of the
22 parties, you may have an idea.

23 THE WITNESS: [Interpretation] Judge Antonetti, if you remember my
24 explanation to General Quesnot. And yesterday, I read what they wanted.
25 They wanted all the Serb lines to be united, and their plan for a Greater

Page 40706

1 Serbia was still in place. They did not abandon it. It is a plan that
2 was contrary to what has been said for years of what they wanted to
3 achieve. They couldn't change their opinion, an opinion of this kind, or
4 views of a conquering nature can only be changed if you defeat that party
5 or if you make the other sides equal to have equality of arms and then
6 they can defeat them.

7 I am -- I was not in Karadzic's head, but I know his political
8 views probably as well as he knows them himself.

9 JUDGE ANTONETTI: [Interpretation] So as far as you were
10 concerned, this plan did not coincide with the idea of Greater Serbia.
11 That is what you're telling us, isn't?

12 THE WITNESS: [Interpretation] That's correct. That's correct.

13 MS. PINTER: [Interpretation] Thank you, Your Honour. For your
14 information, Your Honours, and regarding the question by His Honour
15 Judge Antonetti, the question is at page 23, lines 23 and spilling over
16 to 24, line 3, whether there was any response to Karadzic's behaviour --
17 or, rather, his refusal to sign, I would like to refer you to document
18 P01924 [as interpreted], thanking my colleague Ms. Tomanovic, and that's
19 the Resolution of the UN Security Council, dated the 17th of April, 1993,
20 where -- which deals or, rather, which contains all the allegations that
21 the general has just discussed and the answer to the question whether

22 there was any response to Karadzic's refusal to sign. P is 01924. Thank
23 you.

24 We will go back to this book, but now I would like us to look at
25 document P0173 --

Page 40707

1 JUDGE ANTONETTI: [Interpretation] Since we are going to set aside
2 the book soon, I went through it while you were talking. As you know, I
3 work very fast, and I leafed through all the documents, and I realised
4 something, and I would like you to confirm or deny this.

5 In the constitutional and legal system of the Republic of
6 Croatia, the president of the republic, in this particular case
7 Mr. Tudjman does he have personal authority? Can he have international
8 text adopted, and can he conduct international negotiations? Can as yet
9 the head of the armed forces or does he depend -- is he entirely
10 dependent on the Sabor, the Assembly, that can, if need be, issue an
11 impeachment procedure if the president of the republic is not competent
12 before the parliament?

13 I'm putting this question to you, because I realised in the
14 documents that you have provide us with that the deliberations of the
15 Assembly of Croatia are mentioned on a number of issues, and I would like
16 you to tell me whether the president of the Republic of Croatia has a
17 degree of autonomy; or, like in any other parliamentary democracy, he can
18 only act on the basis of a mandate that has entrusted to him by the Sabor
19 or by his electorate.

20 THE WITNESS: [Interpretation] Your Honour Judge Antonetti, at
21 that time in Croatia, there was something that in political and legal
22 terms is called the presidential system. So Dr. Franjo Tudjman had the
23 right to pursue foreign policy and to control the army according to the
24 powers vested in him as the president of the state. But within the
25 constitution that was in force, not going outside of what is prescribed

Page 40708

1 by -- prescribed by the constitution and under the control of the
2 parliament. So all the decisions that pertain to some constitutional
3 provisions such as, for instance, sending Croatian troops outside of its
4 borders or changing the borders or any other major view he could
5 negotiate or he could even sign something as part of the negotiations;
6 but in order for this decision to be valid, he -- actually, the Croatian
7 parliament had to ratify it by its vote. On some topics the required
8 majority was the simple majority, and on some other major issues it was
9 the two-thirds majority that was required to pass a bill. For those
10 classical problems, all you needed was a simple majority of all the
11 members of the parliament.

12 JUDGE ANTONETTI: [Interpretation] On the basis of your answer I
13 can put a more sensitive question to you which is a key issue. The trial
14 has been ongoing for three years now, and we really need to assess the
15 essential element of this case.

16 Now, if the theory of the Prosecution, i.e., as part of the
17 criminal enterprise all the participants in the joint criminal enterprise
18 including Mr. Tudjman and you, yourself, had there been any intention to

19 annex Herzegovina, the Banovina, the Croatian territories that were part
20 of the Republic of Bosnia-Herzegovina? Should there have been a vote?
21 Would the Croatian parliament have to adopt this before the Assembly for
22 it to be ratified?

23 THE WITNESS: [Interpretation] Absolutely, Your Honour. Without
24 two-thirds majority in the parliament after it has already gone through
25 the parliamentary committees, nobody could implement such a decision,

Page 40709

1 even if any such decisions existed in somebody's head. And I'm telling
2 you, nobody had it in their heads. So the parliament of the republic, as
3 the president -- as President Tudjman spoke, there's only God above the
4 Croatian parliament. God, the Croatian parliament, and then everything
5 else. The parliament is the supreme legislative and any other body in
6 the Republic of Croatia.

7 JUDGE ANTONETTI: [Interpretation] My last question now. Then
8 I'll give the floor back to your counsel.

9 You told us earlier that you had asked Miroslav Tudjman to write
10 this book. This book is, in fact, a compilation of a series of
11 documents. Miroslav Tudjman is the son of his father, the late
12 Franjo Tudjman. When you asked him to do this, did you say that he had
13 all liberty to write this book, knowing that he was his father's son, or
14 did you give him instructions, and did you tell him to refer to some
15 documents and not to others? Or since he was an academic, and from what
16 I understand, he was an academic; therefore, he is a free thinker, did he
17 prepare this book as a free thinker and as any academic would do?

18 THE WITNESS: [Interpretation] Your Honour Judge Antonetti, first
19 of all, my Defence team has asked that ministry of foreign of affairs of
20 the Republic of Croatia **and of this office for the cooperation with the**
21 Tribunal the submission of all the documents that the parliament, the
22 government, the president of the republic, the Foreign Minister,
23 Mate Boban, all the documents that were signed and that pertain to these
24 issues, and now please listen to me very closely. That's what I'm asking
25 you. And if you ask us, we will submit those documents.

Page 40710

1 After a month and a half, we receive a response, and they sent
2 three documents. Three documents, Your Honours, of the documents. Three
3 documents. After a week, we receive another letter, and they attach one
4 more document. So a total of four documents out of 227 documents. And I
5 am saying to you, and we have documents that -- memos where they manage
6 to put together a grand total of four documents. That's one thing. And
7 after that, I asked Miroslav Tudjman, whom I have known since the late
8 1960s because we studied together at the faculty of philosophy, we were
9 not close friends but we knew each other, to gather everything,
10 everything, and I mean everything. And this is everything, Your Honours.
11 This is not a selection. This man is a scientist. He's really accurate
12 and meticulous, and at the beginning of all those events he was not in
13 his father's party. He was in the Liberal Party. So he's an independent
14 man.

15 So we're not talking about father and son. We're talking about
16 my friend. He became a friend of mine during the war, and he is the

17 person who collected all the documents. He did not make a selection.
18 And there are no documents apart from these. And I have always said that
19 without these, in my opinion it is impossible to understand this case and
20 to, in effect, provide counter arguments to the Prosecution's allegation
21 that the Croatian state, the government, the president, the parliament,
22 and the HZ HB, Mate Boban, Akmadzic, and all the others, how they acted
23 throughout this period. So that's it.

24 JUDGE TRECHSEL: I'm sorry, Mr. Praljak. I think this calls
25 for -- for some qualification. You say that this binder contains all the

Page 40711

1 relevant documents. How come we have 20 other binders on our tables?
2 What's in them, the same again, or are there other documents than these
3 which are in this binder?

4 Obviously it's not all the documents, so there must be criteria
5 for selection. What were the criteria?

6 THE WITNESS: [Interpretation] No. The signing of international
7 agreements, Vance-Owen, Cutileiro, Stoltenberg, all the agreements at the
8 level of state or national delegations, Izetbegovic signed it with Serbs,
9 what was signed by Mate Boban, what was signed at all the conferences
10 that were held to impose -- well, all the documents that are relevant for
11 this topic. I didn't say relevant for the whole case. I'm just talking
12 about the political and military and -- some -- with some military and so
13 on. What was signed at what time and under what circumstances. Who
14 signed first, and who tried to implement it; and why the Serbs did not
15 sign; and why Mr. Izetbegovic then decided not to sign or renounce his

16 signature, just the relevant documents on this issue.

17 JUDGE TRECHSEL: All right. I take that point of the limitation,
18 but I still believe this is not all the documents. It's impossible, in
19 my view. Because many of these documents I have now seen are press
20 reports, press reports picked from certain - and I think Croatian -
21 newspapers. The same events certainly generated press reports in
22 innumerable newspapers worldwide with different emphasis, with
23 different -- maybe also content, and they are not here. So a selection
24 must have been made, but you are not aware of that?

25 THE WITNESS: [Interpretation] Your Honour, I don't know. There

Page 40712

1 is not a single newspaper article here.

2 JUDGE TRECHSEL: Yes. I'm sorry, Mr. Praljak. What we have been
3 looking at, 102, for instance, that's a newspaper report from Vjesnik. I
4 think Vjesnik is a Croatian newspaper. I may be wrong. And the previous
5 one I do not know, but then the second one -- I think there are others.
6 At least we have been pointed to one which clearly is. 115, again very
7 much any list. Tell me I'm wrong, Vecernji List is not a newspaper.

8 THE WITNESS: [Interpretation] Your Honour, Vecernji List is a
9 newspaper, but I've just said if the state does not have an orderly
10 archives of the original documents, then what you have is not texts about
11 the signed contract or signed agreement, but it is just a reproduction of
12 what the journalists had about the signed agreement.

13 I still claim that this is the original document which was
14 published in the newspapers. This is not signed by the journalist as his

15 work of authorship or his explanation of any event. This was in the
16 newspapers or at the HINA agency, reproduced documents, copied documents
17 in the form in which they arrived from the source at which they were
18 signed. The journalist received a facsimile of the signed document and
19 published it as such, and it was taken over as such. And it was taken
20 over for the simple reason that the -- regrettably such documentation is
21 not orderly in the Croatian government.

22 So I claim that if anyone says that anything is wrong in respect
23 of any item, I'd like that to be proven. I'd like anyone to show me that
24 a letter has been subtracted or added to the original document the way it
25 was produced and signed wherever, in New York or Geneva.

Page 40713

1 MS. ALABURIC: [Interpretation] I apologise, Your Honours. There
2 might be a linguistical problem in understanding the question of -- of
3 His Honour, because when he asks about press reports, we understand it as
4 a report prepared by a journalist, an original work of authorship by a
5 journalist in the newspapers.

6 In this situation, what we are talking about the following: The
7 newspapers -- newspapers are a source, because all these agreements were
8 indeed published in integral form in the newspapers. So General Praljak
9 is trying to say that the agreements in question were published in full
10 form in the newspapers, but these are not press reports.

11 I just wanted to help explain the question.

12 JUDGE TRECHSEL: Thank you. I absolutely take that. I'm not
13 saying that these are useless or anything but if you look, for instance,

14 at 102, which we had before us all the time, there is a strange way that
15 quotation marks are used. I must confess that I do not -- I do not see
16 what the system is. But the -- the last paragraph, for instance, is
17 written by a journalist. It has no quotation marks at all, and other
18 newspapers may have said something else on this.

19 I just want to draw back a bit the pretense that this is
20 absolutely complete and there are no other sources in this field that
21 might also be worth looking at. But I have made my -- my point, and you
22 have answered, Mr. Praljak. I think we should not lose time on this now.
23 It's not such an essential point after all.

24 JUDGE ANTONETTI: [Interpretation] General Praljak, I realised
25 that in line with what my colleague has just said, it's document which is

Page 40714

1 not document 151 but 150, in fact. This would be a secret agreement on
2 a -- about a confederation between Izetbegovic and Tudjman which had
3 allegedly been signed in Geneva **On** the 14th of September, 1993. We have
4 the text of the agreement. This text is interesting because it mentions
5 this confederation, i.e., the union of the two republics, and this is in
6 support of your arguments, but then I realised that in the footnote it
7 says that the source of this document is the newspaper Vecernji List,
8 30th of June, 1994.

9 It would have been useful to provide us with a photocopy of this
10 newspaper article to understand how this came about. How was the -- was
11 the journalist aware of the secret agreement? Was it a secret agreement
12 between the participants? Did somebody want to convey this to the press?

13 We don't have the answer to this question, whereas this agreement would
14 have been of interest to us to shed some light on the theory of the union
15 of the republic since we have seen a whole series of documents that had
16 been entitled the union of the republics.

17 You equate the document. You say that it comes from a newspaper,
18 but we don't know what the origin of this is. We don't know how the
19 newspaper got hold of it? Was it Mr. Tadjman? Was it Mr. Izetbegovic?
20 Was it an anonymous source? Was it people who were close to these two
21 men? We don't know.

22 THE WITNESS: [Interpretation] Your Honours, in September, around
23 this date, you will see, and we prepared it precisely for the Court,
24 Mr. Izetbegovic signed this secret agreement on a confederation between
25 the Bosnian Muslim republic in Bosnia and Herzegovina and the Republic of

Page 40715

1 Croatia.

2 Over a couple of days -- in a couple of days in this same month,
3 and you have the facsimile of the signed original documents there as
4 well, Mr. Izetbegovic signed the document with the Serbian side which
5 regulates Serb or Muslim relations. So this is a double play. We will
6 show that. This could not have been published without the consent of
7 President Franjo Tadjman, and the document was published in the
8 newspapers as a facsimile with a signature of President Tadjman. Of
9 course I can find the Vecernji List.

10 MS. PINTER: [Interpretation] We have the document.

11 MR. STRINGER: Mr. President, you referred to one of the

12 subsequent documents. I think it's document number 150, and I wonder
13 whether we could get the page number of the English translation which I
14 think would be at the bottom right-hand corner of the page.

15 JUDGE ANTONETTI: [Interpretation] The document I mentioned, which
16 is number 150, is 3D28-0426.

17 JUDGE TRECHSEL: I can give the original page number, which is
18 3D12-0290.

19 MS. PINTER: [Interpretation] Thank you, Your Honours. I just
20 wish to add one thing in the meantime. We have not left this book
21 forever. We have left it just in conjunction with -- with March 1993.
22 We should be reverting to it again. And I shall also like to say I'm not
23 sure whether it's in the transcript, that the secret of agreement on a
24 confederation is in 3 -- in e-court under number 3D00451. It has
25 signature. It has already been exhibited. So if it could be shown, I'd

Page 40716

1 appreciate that.

2 THE WITNESS: [Interpretation] Namely it is only because of
3 smaller number of pages. For the sake of that that Mr. Tudjman did not
4 print all the facsimiles because it would have been a very thick volume.
5 But all the documents were taken as facsimiles here, and here you can see
6 the signatures 3D004 -- aha, it's here.

7 THE INTERPRETER: Interpreters note, please do not overlap.

8 THE WITNESS: [Interpretation] This is a document from the 16th of
9 September, signed on the 16th of September, would days later by
10 Mr. Izetbegovic with the Serbs.

11 THE INTERPRETER: Would counsel and witness please not overlap.

12 Counsel please repeat her last sentence.

13 MS. PINTER: [Interpretation] It is 4D01040. Yes. And I made an
14 oversight. I forgot the signatories because of the speed.

15 JUDGE ANTONETTI: [Interpretation] We'll now have a 20 minutes'
16 break since it's 10.30.

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

18 --- On resuming at 10.52 a.m.

19 JUDGE ANTONETTI: [Interpretation] Ms. Pinter, the floor is yours.

20 MS. PINTER: [Interpretation] Thank you, Your Honour. First I
21 should like to say that this document number 150 is a secret agreement on
22 a confederation between the president of the Republic of Croatia,
23 Mr. Franjo Tudjman, and the president of the Presidency of the republic
24 of Bosnia and Herzegovina, Mr. Izetbegovic has been exhibited as P05051
25 with Witness DZ. Likewise, this document under number 3D00298, from

Page 40717

1 precisely this book, presented to the witness Zuzul on the 8th of May,

2 2008, on pages 27793, line 20 -- lines to -- 27794 up to line 15

3 Mr. Zuzul recognised the text of the document according to the

4 allegations in the transcript, because he himself had participated in its

5 production and signing.

6 Q. As we have called up and referred to document 151, General,

7 please look at page 3D12-0291. The English number is immediately

8 following this, 1, 150. I do not have it with me at this moment, but

9 this is a joint Serb or Muslim declaration of Alija Izetbegovic and

10 Momcilo Krajisnik, Geneva, the 16th of September, 1993. We have seen
11 this document already. It was also signed. Should you like to give us
12 any additional information about that document?

13 A. Yes. So two days after Mr. Izetbegovic had agreed with
14 Mr. Franjo Tudjman, the president of the Republic of Croatia **that they**
15 would work to establish a joint state of Croats and Muslims in the union
16 of Bosnia and Herzegovina but simultaneously thus established state would
17 be part of confederal structure with the Republic of Croatia, **and that is**
18 the foundation of what is referred to as the Washington Accords, the
19 Washington Agreement from 1994 which actually was created on that basis.
20 And the -- A federation and, B, confederation with Croatia. Later
21 regrettably the idea of the confederation was abandoned as if it had
22 never existed and the federation got 51 percent of the territory.

23 In this second document, number 151, what is of importance is
24 item 1. All items are important, of course, but this is the one that is
25 mostly important, which is that immediate cessation of all hostilities

Page 40718

1 and military conflicts was agreed between the Army of Bosnia and
2 Herzegovina **and the army of the Bosnian Serbs. And the military**
3 agreement was signed. Some lines were established between their
4 commanders, and thereby the Army of Bosnia and Herzegovina unilaterally
5 stopped fighting with the -- at that time, Army of the Republika Srpska,
6 and that is the period. That is the time when Sefer Halilovic and
7 Rasim Delic initiated the last part of the offensives against the Croats

8 in the Neretva River valley from Uskoplje, and that is the time of the
9 fiercest attacks over an area of 200 kilometres from Vakuf to Mostar.

10 And item 5, they agreed on disengagement between Serbs and
11 Muslims, demarcation between Serbs and Muslims, a territory on
12 demarcation of the three republics that would form the union of which two
13 republics, the Croatian and the Muslim ones, would enter into a
14 confederation with Croatia. They say that a referendum needs to be
15 prepared, but they also say that they will ask the citizens whether they
16 wish to remain in a union or wish to leave it.

17 So Bosnia and Herzegovina you can see with the signatures of
18 Izetbegovic and Krajisnik and Stoltenberg and Owen is divided. Citizens
19 are being given the right to say, We don't want to live in it; and we
20 know what the Serbs decision would be. And it also says that in the case
21 of a dissolution of the union, all the rights are vested in the union or
22 the rights of the union of the Republic of Bosnia and Herzegovina, including
23 membership of the United Nations shall be automatically transferred
24 to the republic with the predominantly Muslim population. So as the part
25 that was occupied by Serbia had been more or less -- by Serbs had been

Page 40719

1 more or less ethnically cleansed, what remained in this federation of
2 Muslims and Croats was, of course, already predominantly Muslim
3 populated, and that is what they called it. And so they say, Okay,
4 When we part ways, if that is shown by the referendum results, we shall
5 remain members of the United Nations, et cetera.

6 So who is dividing Bosnia and Herzegovina? Here you can see who
7 is dividing Bosnia and Herzegovina. There you are.

8 Q. Thank you. This joint Serbian-Muslim declaration is number
9 3D00451, Exhibit -- it's already an exhibit and admitted by the
10 Trial Chamber.

11 A. Let me just mention that they are discussing an outlet to the sea
12 and so on and so forth.

13 Q. We're now going to leave the book for the time being, but we will
14 come back to it in due course. And now would you look at document
15 P01739, please. We have prepared a copy for Their Honours and for
16 Mr. Stringer for them on it able to follow more easily. It is the record
17 or minutes from a meeting held in the office of the president of the
18 Republic of Croatia, **Dr. Franjo Tudjman**. Are you aware of this record,
19 and do you know of its contents?

20 A. Yes.

21 Q. Can you tell us who attended this meeting?

22 A. Yes, I can. Franjo Tudjman, Alija Izetbegovic, Haris Silajdzic,
23 Gojko Susak. I think Minister Jarnjak was there, too, the minister of
24 the interior of the republic of Croatia, **that is, Ivan Jarnjak**. And
25 another ambassador, I believe.

Page 40720

1 Q. Was it Mr. Sancevic?

2 A. I don't know whether it was Sancevic. Let me have a look. Well,
3 they were the main people, Sancevic is by the by.

4 Q. Since you've looked at the document, could you tell us the topics

5 discussed?

6 A. Well, the topics that were discussed were in a way very broad,
7 but they had to do with the problem of the conflict between the HVO and
8 the BH Army, and Mr. Izetbegovic -- the president says it's a problem.
9 That's the main problem. How to prevent those clashes and conflicts, and
10 Mr. Izetbegovic says we'll send some people over there. He failed to
11 send anybody, and then he goes on to say that are anybody from the BH
12 Army who would obstruct the agreement would be dismissed, but he says he
13 doesn't know the facts he doesn't know who is obstructing the process.
14 He didn't know who was doing what. He didn't know how the conflicts and
15 clashes came about, and he goes on to say that it is something that
16 should not happen but there are always mad men on all sides, and they
17 don't live in the logical realistic world, the realm of logic.

18 Then he goes on to discuss another matter, and we have a series
19 of speeches here. Well, the Serbs didn't sign. The Serbs failed to sign
20 the agreement and now, over all these pages, they are debating who --
21 which international forces are standing behind the Serbs. So Tadjman,
22 Izetbegovic, Silajdzic, Susak are trying to understand the situation, to
23 understand why the international community doesn't have more influence
24 and isn't exerting more pressure on the Serbs.

25 Izetbegovic is fully conscious of the fact that they won't sign

Page 40721

1 ultimately, and then it's clear to them that in the Pentagon there is
2 resistance toward any kind of intervention. And then they're trying to
3 see who said what from amongst the international community and what it is

4 that the international community wants at all in Bosnia-Herzegovina.

5 And so that is what is contained in this record and these pages,
6 and you should read them carefully, first of all to see that these people
7 know that they themselves alone cannot solve the problem, that they have
8 to keep reading what the individual countries of the West, England,
9 France, America think and what their intentions and interests are for
10 them then to be able to adapt themselves to those interests.

11 And then they're discussing whether the sanctions against Serbia
12 are going to bear fruit, are going to have any influence, and they hope
13 that they will. Then they come to realise that they probably won't have
14 much influence and that Mladic is leading the army in the way he sees
15 fit, and that the question is whether he's listening to Karadzic and
16 Milosevic at all any more and so on.

17 Then President Tudjman goes on to ask why the West allowed Serbia
18 in the first place to carry out an aggression and why those people in the
19 internal negotiations with him raise the question of the possible
20 survival of Bosnia-Herzegovina at all. And then they're not quite sure
21 whether the West wants to create Republika Srpska which it did create in
22 the way it created it ultimately.

23 And from this it follows and one can see that Tudjman says,
24 "Okay. Let's -- let's resort to plan B. If the international community
25 through its force and strength decides to create Republika Srpska, let's

Page 40722

1 resort to plan B, the Croats and Muslims in Bosnia-Herzegovina. Let's
2 create a joint front." And he says that quite explicitly.

3 And mention is made of Christopher Bartholomew and so on. It's a
4 very important document for us to be able to see --

5 Q. General, I apologise for interrupting you, but the document and
6 meeting was held on the 27th of March, 1993; is that right?

7 A. Yes.

8 Q. Immediately after the events -- or, rather, the signing of the
9 agreement that we previously saw of the 3rd of March and the 25th of
10 March. So we're now talking about what happened in New York; is that
11 right?

12 A. Yes. They came back. They signed an agreement but without the
13 Serbs, and now they saw that nobody was going to force the Serbs to sign.
14 They're trying to see why all this is happening in Yugoslavia since the
15 1990s, why the situation has developed in the way it has. Of course,
16 there's something afoot, and the president says that they now have to
17 decide, page 01322408 in Croatian, he says that, "We should decide
18 what the Croatian and Muslim policy should be," that they should try and
19 be realistic and preserve the maximum possible when facing with the
20 situation we're facing. So this is a classical sentence uttered by
21 President Tudjman. The world as it is. He kept repeating this phrase,
22 such and such a world. The world we live in is reality, the fact that
23 they are waging a policy isn't a policy of principle, but it is a
24 forceful strong policy which has the strength to implement whether -- to
25 implement what was publicly agreed or agreed behind the scenes. And he

Page 40723

1 says that one faced with the world of this kind, with the world as it is,

2 we cannot do anything but see what we can do to gain the maximum for us
3 in a world of that kind, as it is.

4 And then Silajdzic goes on to say what Owen promised Karadzic and
5 so on. Mr. Izetbegovic says he understands that they're going to exert
6 pressure on the weakest -- on the weaker side, and if Karadzic fails to
7 agree then the international community will say, right, Karadzic has not
8 agreed and you see the borders so that he can be satisfied, because as
9 far as they were concerned, peace was the most essential point.

10 Now, what form this peace would take and who would suffer under
11 that kind of peace and who would lose what and what happened to the
12 principles of that peace all that was left out in the open and as far as
13 international policy in the Balkans was concerned, from the annexing of
14 Bosnia and Herzegovina by Austria in 1878, Austria's election
15 and so on, nobody cared, nobody could care less. Nobody waged a policy of
16 principle at all, but it was just a policy of interest that was waged.

17 And then Izetbegovic goes on to say that Owen had, in fact,
18 stated that there would be no Serb republic. And as we know full well,
19 they were given a Serb republic. They obtained it, and so on and so
20 forth.

21 And, of course, at one point, President Tudjman says that if that
22 happens, we would resort to what they had agreed upon, to form a joint
23 Croatian and Muslim state in Bosnia-Herzegovina. We'll go together.

24 Q. Can you tell us what that page number is, please?

25 A. I can't find it just now, but let's look at what's important on

1 that page, 01322415. On that page, Silajdzic says that
2 President Mitterrand had somewhat changed his opinion vis-à-vis the
3 support he lent to the Serbs at the beginning. So France at this point
4 was more prone to enforce a logical solution, but the English weren't in
5 favour of that. Then you had the problem of Russians and all this
6 combined, and President Tudjman says again two pages later that one must
7 be very resolute and united and simply not allow them to implement their
8 policy.

9 Silajdzic then goes on to say that the West expects Croatia **and**
10 Bosnia-Herzegovina to cooperate closely because they would thereby
11 facilitate matters and their pressure exerted on the Serbs, and that was
12 in a way conditional to this.

13 So it's a complicated piece of writing but which speaks volumes
14 about the facts that are relevant for an understanding of the
15 relationships between the Muslims and Croats and the international
16 community and how weak the leadership was, in fact, both in
17 Bosnia-Herzegovina and of Croatia, **weak to do anything against the will**
18 of the international community. And mention is made of the fact that
19 Croatia **is helping to arm Bosnia-Herzegovina. The embargo is mentioned.**
20 They say the Americans had promised to lift the embargo on certain
21 weapons, but nothing came of that, of course.

22 And then Izetbegovic, on one of the pages, says that Buha had
23 told him that they wanted to take control of Eastern Bosnia and that
24 Eastern Bosnia **was Serbian and that there was no question of that.**

25 Q. Who was Buha?

Page 40725

1 A. He was the Foreign Minister of Republika Srpska and that he would
2 expel the Muslims from there, which they which they, in fact, did with
3 the genocide in Srebrenica except for Gorazde.

4 Now, Mr. Izetbegovic was conscious of the fact that the Serbs
5 could defeat the BH Army in Eastern Bosnia, for instance. And this
6 happened, with the exception of Gorazde, as I've already said, that they
7 would not manage to take control of Sarajevo.

8 So that's it roughly, right up until the time when they mention
9 names, when they name names.

10 Q. Now, this was after your talks about -- your discussions about
11 the events in Konjic and the shipment of weapons; right?

12 A. Yes, 01322421 is the page number in the Croatian version where
13 Mr. Izetbegovic, on the previous page, first refers to Srebrenica and
14 says that the situation is very difficult over there. He speaks about
15 some 400 metres that they managed to advance and so on, and that the
16 problem was survival there and not whether the Serbs would take control
17 of the town or not; but that it was pure survival and the people over
18 there would fight to the very end, of course with the help and assistance
19 once again of what later happened, that is that it was protected area the
20 people gave up their arms and then what happened happened.

21 Q. Tuzla is mentioned too?

22 A. Yes, Tuzla is mentioned. And Mr. Izetbegovic says that he would

23 travel to Tuzla, and then I think Susak intervened because Susak had had
24 enough, because there was a BH Army attack in Konjic on the HVO, and he
25 says let's solve Konjic first, and then Mr. Izetbegovic says, "But we'll

Page 40726

1 solve the situation in Konjic, of course." And that's a classical phrase
2 of his, we'll resolve it, we'll solve it. He doesn't say I'll go to
3 Konjic. I'll send my best men there, but he says assumes it will be
4 resolved in one way or another, that the appointed leader of Konjic,
5 Jablanica, and Rama would deal with the matter. Cibo, that Cibo would
6 deal with it according to perhaps a secret agreement.

7 Anyway Gojko Susak says well he's quite nervous there, and he
8 reacts quite roughly, and he says, Alija you got five planes in Zagreb.
9 Three are on their way, and he says, I'm not going to provide the BH Army
10 with any more weapons so that they can use those weapons expel the Croats
11 and attack the HVO, and that's the terrible problem that I spoke to you
12 about earlier on. And then he mentions a man called Praljak, who's
13 sitting here before you, and he says that Praljak is not an unreasonable
14 man, and I agree with that, and that he's pissing blood down there with
15 Jaganjac day and night to try and deal with the situation. Of course I
16 wasn't alone. Petkovic did that too and so did Stojic and all the rest
17 of them.

18 So they went and toured all those Konjic places and wherever and
19 tried to reach some agreement. And Susak is recounting what happened and
20 says that I was very angry, but I wasn't in a panic. The word "panic"
21 does not -- cannot be attached to me. I'm never in a panic. I can be

22 angry or bitter because they were tricking us, but not in a panic.

23 Q. Did you expect to come into contact with President Izetbegovic
24 and to see him upon his return from New York?

25 A. Of course. Either him or in any other way. I asked that when he

Page 40727

1 land, he make a statement which would be crystal clear about the facts as
2 he knew them, and I asked Gojko immediately at the airport to order his
3 people to stop the attacks being launched against the HVO and to appoint
4 some people who would then together with the HVO and together with me and
5 Jaganjac, as I had previously requested in February 1993 to provide me
6 with some men of authority and respect in the political sense to work
7 together with us to stop that. But A, he didn't send anybody; B, he
8 didn't make a statement of any kind to that effect, and everything that
9 Gojko says here, well, the president then went on to say because
10 President Tudjman was informed about this position of mine, my very
11 resolute demands, and the Judges have got to know me well. When I think
12 that something is right, then I am very resolute in demanding my rights.
13 I call for something that I think is right, and I was right on that
14 occasion.

15 And then Gojko said he'd ring me up later and so on.

16 And Alija Izetbegovic just says these are very unsettled matters.
17 Just listen to that phrase, unsettled matters. That's all he has to say
18 to everything that Susak has told him, as if you went into a store and
19 when you found it rather untidy, unsettled; as far as he was concerned,
20 there seemed to be no war on and he just says it's an untidy situation.

21 And here Gojko goes on to say they sat down there and negotiated and then
22 somebody comes in from outside and says it's not binding upon them at
23 all. And you'll see from the documents that we're going to show you
24 later on that the leadership of the BH Army quite simply says Vance-Owen
25 and what he says is not binding upon us. We are not sticking to that.

Page 40728

1 That's what Halilovic says. He says you politicians can sign whatever
2 you like, but I have the army and I'm going to defeat the HVO.

3 And then the president goes on to say, that is to say
4 President Franjo Tudjman says that he agreed that I go to Herceg-Bosna,
5 rather, Bosnia-Herzegovina and I spoke about certain mistakes that our
6 Croats made to our people, our Croats made towards the Muslims, which
7 then gave them leeway to do what they did later on. And as they couldn't
8 act towards the Serbs, then in the territorial sense they would settle
9 their accounts to the detriment of the Croats and the HVO.

10 And the president tells him if this man like Praljak, and they
11 claim that he is reasonable and I am reasonable, that's what I'm saying
12 for myself, and let those who want to believe me, believe me; and those
13 who don't, well, they don't have to, to call for a statement for the sake
14 of both parties down there, Croats and Muslims. And Mr. Izetbegovic
15 says, well, he'll remain in Zagreb **and then probably go to Sarajevo**
16 the day after tomorrow, and he will try to get in touch with me and with
17 Jaganjac. And that's it for that matter. He never did get in touch. I
18 don't know whether he tried, but if he had tried really hard, he could
19 have. He had a direct line with Jasmin Jaganjac.

20 And there you have it. Again there's the number of people killed
21 in -- about the ongoing conflict, and then at page 01322425.

22 THE INTERPRETER: Interpreter's note, the accused is kindly asked
23 to speak slowly when he's quoting numbers.

24 JUDGE PRANDLER: Mr. Praljak, I would like to only convey the
25 request of the interpreters, that please kindly speak slowly, especially

Page 40729

1 when you are reading from a book. It is really very difficult for them
2 to follow you. And of course it goes the same thing for -- for
3 Mrs. Pinter to be kind enough to -- to ask you the questions slowly and
4 to have a break between the question and the answer. Thank you.

5 THE WITNESS: [Interpretation] Thank you Your Honour
6 Judge Prandler. Believe me when I'm saying hard, but one gets sucked
7 into this whole thing and starts speaking faster. So at page 01322425,
8 Dr. Tudjman says that, on the basis of the recognition of this agreement
9 because an agreement had been signed by them that this cooperation should
10 be implemented immediately because he says we don't know how the
11 aggression would end, the aggression, of course, of the overall number of
12 Serbs from Yugoslavia, the Army of Republika Srpska and those guys in
13 Krajina and even if it ends, for Bosnia and Herzegovina to be able to
14 survive.

15 MS. PINTER: [Interpretation]

16 Q. Who's saying that?

17 A. Franjo Tudjman. And he says and I will say one more thing. I am
18 until favour of preserving ourselves. But if it would be impossible to

19 preserve it, if this world, and this is the sentence, if this world, such
20 a world, would agree to Serbs, in other words, to make it possible for
21 them to implement their plans, but he says, but if this world, this
22 strong world that can implement its decisions. So if this should come to
23 pass, then there should again cooperation between Muslims and Croats. Is
24 that right? Therefore, let's do it. So there was the option of Bosnia
25 and Herzegovina, and there was the option of the world saying to the

Page 40730

1 Serbs okay, we're letting you have it. Come on. Let's keep Muslims and
2 Croats in Bosnia and Herzegovina. Of course that's what he means.

3 And Mate Boban says the same thing. There's nothing to add here.
4 And what you asked me about, Mrs. Nika is at 01322428. President Tudjman
5 takes the floor he says, of course, that the starting point should be
6 that the USA would should speed up to give their contribution to the
7 implementation of the agreement, but he says one possible solution would
8 be to strengthen the Vance-Owen Plan for the decentralisation, develop an
9 alternative plan for the decentralisation, which means to make efforts to
10 create a single Bosnian state, and D, secession. But what kind of
11 secession? This is what President Tudjman says:

12 "We will focus all our efforts on assisting these talks to
13 succeed, but if an agreement turns out to be impossible, and that might
14 well happen because of the Western policy, Croatia as a state, Croats,
15 Muslims in Bosnia-Herzegovina." And this is what engender this September
16 plan.

17 So Franjo Tudjman doesn't want to give Croatia away. He doesn't

18 want to fritter away the state that he doesn't even have, because
19 one-third of the Croatian territory is occupied. What kind of a
20 secession of the Croatian territory in Bosnia-Herzegovina? And he says
21 explicitly Croatia is a state and then Croats and Muslims in Bosnia and
22 Herzegovina, and that is only if they see that the West wants to reward
23 Serbs to have peace in the house and give them their state of some kind
24 and unfortunately in Dayton this came to pass for -- to a great extent
25 and in the text that follow, it's -- it is stated that they did not -- do

Page 40731

1 not expect that America is not ready to interfere militarily, that the
2 embargo would not be lifted. Silajdzic realises here. And I think that
3 this conversation is crystal clear and I have nothing more to say about
4 it.

5 In all the details this difficult dialogue, this discussion is
6 clear. Thank you very much.

7 Q. Thank you, General. Now we have done with this document, and we
8 have come to the end of March 1993, and we follow your movements in April
9 1993 now.

10 In April 1993, were you in Bosnia-Herzegovina or in HZ HB, and if
11 yes, when, why, and what can you tell us about it?

12 A. I was in March in Bosnia at the time when Franjo Boras, member of
13 the BH Presidency was there. Some minutes from some of the meetings were
14 taken by Mr. Blaskic. I don't know whether he was really able to
15 understand everything properly. I attended the meeting in Travnik of the

16 municipal officials, Croats and Muslims. I tried to talk. I asked, and
17 I begged them to diffuse the tensions and conflicts and for a solution to
18 be found to avoid conflicts.

19 In the second half of April, then of course I would travel back
20 to Zagreb, and I came and went. It's difficult now, but I do know the
21 key points.

22 In April 1993, sometime in the second half of March -- or,
23 rather, April. Yes, I'm sorry. That's April. The situation in Mostar
24 was already tense. At one point a group of some -- of 30 soldiers of the
25 BH Army came to a place called Rondo, which is deep in the west -- in

Page 40732

1 Western Mostar, and there was Mate Boban's building where he stayed for a
2 while. The HDZ building, Mate Boban's building, and they took up
3 positions there. On the other side, of course, there was not panic, but
4 the HVO soldiers got upset, and of course it was it only a matter of
5 minutes when a clash would occur.

6 And I don't know how I learnt about that, but any rate -- at any
7 rate I ran to Rondo. Among the Muslim soldiers, I had known them from
8 before, and in fact I asked them, "Well, guys, what are you doing? Are
9 we now supposed to shoot at each other? Because Serbs would then route
10 us." And then I said, "Well, if you want to shoot somebody, shoot them,
11 but what would you gain by that?" So it was just a classical
12 conversation of this kind.

13 And -- well, they weren't quite clear as to why they were there.
14 It's the kind of heightened emotional state that is not -- that doesn't

15 always have a reasonable explanation. And then I invited them that we
16 should walk together through Mostar towards the Old Bridge **and to go to**
17 Arif Pasalic.

18 And, Your Honours, this is the photograph that you have seen here
19 where I crossed the Old Bridge **and I toured the left bank of the Neretva**
20 River, that part of Mostar.

21 MS. PINTER: [Interpretation] That's IC00443 and IC00444. Could
22 we please have them uploaded in e-court.

23 JUDGE ANTONETTI: [Interpretation] Therefore, we take a look at
24 the photograph. I have the feeling that you are discussing -- or that
25 you are always there when something happens. This is the case in Rondo.

Page 40733

1 You went to Rondo. Maybe a lot of things were going on, but you are
2 there every time an event of a particular scale occurs.

3 You were saying that you went back and forth from Zagreb to
4 Bosnia and Herzegovina. At that time were you dressed in civilian
5 clothes or were you wearing a uniform?

6 THE WITNESS: [Interpretation] Well, look at this picture. I was
7 in uniform without any insignia. No insignia on the uniform.

8 JUDGE ANTONETTI: [Interpretation] When you went back to Zagreb,
9 which route did you follow?

10 THE WITNESS: [Interpretation] Your Honour, there was just one
11 road that you could take to get to Zagreb, **and that was** Zagreb, **and then**
12 you had to go to Karlobag, taking the long route, and then take a ferry

13 to the island of Pag. That's the island up here. And then go down the
14 island of Pag and then cross a bridge that was almost destroyed by the
15 JNA planes. And then you take the road to Split, and you take the road
16 via Grude and Mostar. That was the only way.

17 JUDGE ANTONETTI: [Interpretation] Very well. At some point when
18 you crossed the border were there check-points or could you just go
19 across the border easily?

20 THE WITNESS: [Interpretation] No, Your Honour. There were border
21 controls in place. It was the regular police and customs officers and
22 military policemen from the Croatian army on one side and the military
23 police of the HVO, the men under Mr. Coric's command on the other.

24 JUDGE ANTONETTI: [Interpretation] Did one check your papers every
25 time?

Page 40734

1 THE WITNESS: [Interpretation] Well, to be quite frank, not always
2 because they would recognise me, but they did ask documents of everybody
3 else. And if sometimes they didn't recognise me, then I had to produce
4 my documents too.

5 JUDGE ANTONETTI: [Interpretation] I assume you weren't driving
6 the car. You had a chauffeur.

7 THE WITNESS: [Interpretation] You assume wrongly, Your Honour. I
8 always drove myself. Only rarely did I use a driver.

9 JUDGE ANTONETTI: [Interpretation] Was this your car? Was it a
10 vehicle belonging to the HVO, belonging to the Republic of Croatia? What
11 kind of vehicle was this?

12 THE WITNESS: [Interpretation] I went through a number of
13 vehicles, because quite often when I would get some place and then a unit
14 would say, well, they can't take food supplies somewhere because their
15 vehicle had broken down, then I would give them my car. I used sometimes
16 cars with HV plates and at times cars with HVO plates. But I used HV
17 cars more often, until I became the commander of the Main Staff, and then
18 I used the HVO cars.

19 But, Your Honours, if I -- or, rather, when I travelled to
20 Central Bosnia, then I had civilian licence plates, not military licence
21 plates. So whenever I went up there, I would have civilian licence
22 plates. It was, you know, just --

23 JUDGE ANTONETTI: [Interpretation] Your car, the vehicle from the
24 Croatian army, had the number plates of the Croatian army. So when you
25 went to Bosnia, you put on civilian plates on your car. So every time

Page 40735

1 you crossed the border you changed your number plates, did you?

2 THE WITNESS: [Interpretation] Changed vehicles. I would leave
3 my car behind and I would get another vehicle, either a civilian vehicle
4 or an HVO vehicle.

5 JUDGE ANTONETTI: [Interpretation] As the army's always extremely
6 well organised, and when you picked up a vehicle that belonged to the
7 Croatian army, was there a logbook that went together with the vehicle
8 and on which somebody wrote down all your trips from Grude to Zagreb and
9 so on?

10 THE WITNESS: [Interpretation] Your Honour, I'm sorry but I have
11 to challenge what you've said. Armies are very rarely well organised in
12 a war. Even well-organised armies have a lot of unorganised things in a
13 war, and of course in our parts the level of disorganisation was even
14 higher. Of course I did have the -- the papers, the registration papers
15 for the car, but although one could get a paper with the so-called order
16 authorising me to travel, I did not take those papers. And since there
17 was only one route that we could take, the itinerary was not marked
18 because there was only one way to take.

19 JUDGE ANTONETTI: [Interpretation] Very well. Let's get back to
20 the photograph.

21 MS. PINTER: [Interpretation]

22 Q. General, can you tell us if after so many years you can recognise
23 who is on -- in the photographs?

24 A. Yes, I will.

25 MS. PINTER: [Interpretation] Can you zoom in so that the general

Page 40736

1 could see this better?

2 THE WITNESS: [Interpretation] Your Honours, I cannot say the
3 names of these three people, but they are from the Army of Bosnia and
4 Herzegovina, and I will show you Arif Pasalic.

5 So this is Mr. Pasalic. He was the commander of the 4th Corps,
6 and at that time he together visited all these places and calmed down the
7 situation.

8 After that, I also went to the headquarters of the Party of

9 Democratic Action where I remember I met Mr. Buljak. He, in fact, wrote
10 and signed a statement to the -- to that effect, that he had met me. I
11 asked Mr. Pasalic as a politician to -- for them to try and defuse the
12 tense situation in town. The commander of the zone operation Mr. Mica
13 Lasic and Mr. Pasalic and the politicians, I asked them to take a walk
14 through town so that the people could see that they are not in conflict,
15 because -- because molehill develops into a mountain once stories start
16 spreading. So the best way to deny and to challenge such stories is for
17 people to see a Croat and Muslim and their commanders, military and
18 politicians walking together through town; and that is indeed what took
19 place. That is detail.

20 However, as I always say these are what I call palliative
21 measures. This is extinguishing a fire which is being again built by
22 other people. By the time you have extinguished one fire, there is a
23 second even bigger fire, and then when you have extinguished the second,
24 there is a third fire, and so on and so forth and I was fully aware of
25 the fact that these fires will not be able to be extinguished by either

Page 40737

1 my engagement or Petkovic's or Stojic's engagement nor the efforts of
2 Prlic and that there was a source of this contagion somewhere, that it
3 wasn't just a spot source that there were many sources, and that they
4 cumulatively generated a synergistic energy and effect. But of course
5 what you can do in a day, so that. That was the idea.

6 So this is also described as event when they walked in the
7 streets. This is also described in Hadziosmanovic's book, and there is a

8 statement that I went to the SDA to see Mr. Buljko. That's all
9 described.

10 Q. General, apart from Mr. Pasalic was there anyone else from the
11 HVO that you could recognise today as --

12 A. No, no. I was alone there on behalf of the HVO. No, no, no. In
13 fact no, I'm wrong. I'm not saying the right thing, there was the
14 commander of this zone of operations.

15 Q. Can you tell us who that was?

16 A. It was -- this is Arif Pasalic, and this is Mica Lasic from the
17 HVO, ABH, and this is Mica here, yeah.

18 Q. And in the other photograph, please.

19 A. Mica Lasic, Arif Pasalic, HVO, commander of the zone of
20 operations and his counterpart, his equal -- his equal. The commander of
21 the 4th Corps of the Army of Bosnia-Herzegovina.

22 Q. General, before you signed this and before we ask for an IC
23 number to be assigned to it once you have marked it, can you
24 approximately remember when this took place? You said it was in --

25 A. It was perhaps on the 16th or 17th of April or between the 16th

Page 40738

1 and the 20th of April or thereabouts.

2 Q. So it was in able 1993?

3 A. Yes. The second half of April.

4 MS. PINTER: [Interpretation] Thank you. Can we now be assigned
5 an IC number for these two photographs.

6 JUDGE ANTONETTI: [Interpretation] Registrar. We need an IC

7 number, please.

8 THE REGISTRAR: Yes, Your Honour the document IC00443 and IC00444
9 captured on the same screen shall be given Exhibit IC1019. Thank you,
10 Your Honours.

11 MS. PINTER: [Interpretation]

12 Q. This would be about that. In this binder, please, the first
13 document is 3D03101. This is precisely this part from the book of
14 Mr. Hadziosmanovic in which he refers to the events which you have just
15 now spoken about. So you confirm what he says in his book, so there is
16 no need for us to go into detail as far as that is confirmed?

17 A. Yes, I do confirm that.

18 Q. Thank you. Later, later did you return there also in May?

19 A. I returned to Zagreb **in April, and what I've been saying, what I**
20 **said about preventing the conflict, that the conflict had to be prevented**
21 **at a much higher level well, well that connection already at the time in**
22 **Zagreb because of the extremely poor information service that the HVO**
23 **had; and in Zagreb and in Croatia there was a semblance of a peace**
24 **already; and those who were engaged in politics were quite laid back**
25 **because they said, Well, down there, some place in Bosnia and Herzegovina**

Page 40739

1 there is a war going on. We know what the positions of the Serbs are.

2 And totally distorted information started to be received that perhaps the
3 HVO was the cause of the conflict in Bosnia and Herzegovina.

4 And, Your Honours, at that time in respect of such a laid back

5 attitude where the coming conflict was viewed in this light, I was
6 extremely embittered. I was angry, in fact, and at the end of April 1993
7 I went to the parliament of the Republic of Croatia, and I demanded from,
8 I believe, the vice-president of the parliament of the Republic of
9 Croatia **Mr. -- one of the vice-presidents. One of the vice-presidents**
10 was Mr. Mato Arlovic, and I believe that Mr. Stjepan Mesic was the
11 president of the Assembly at the time. So I asked Mr. Arlovic to allow
12 me to address the deputies to the Assembly of the Republic of Croatia **and**
13 tell them the facts about what was going on in Bosnia and Herzegovina **and**
14 where all this was leading. Of course Mr. Arlovic explained to me
15 something that I already knew, namely that one could not address
16 parliament. Not just anybody could address parliament, the parliament of
17 Croatia, **of the Republic of Croatia could be addressed only by members of**
18 parliament. The president of the republic could also address parliament
19 but only if so allowed by parliament, or it could be addressed by a high
20 dignitary from abroad who also needed, of course, special permission,
21 but -- and this was an honour that would be bestowed on such a foreign
22 guest.

23 And as you will read in Mr. Arlovic's statement, he said that
24 General Praljak is -- was hard to stop. And I also say that I'm very
25 hard to stop. So anyway, I penetrated, penetrated this barrier. I

Page 40740

1 overcame this resistance. I breached or violated the rights, because all
2 the excitement, all the opposition in me to that laid-back view of things

3 was so strong that I had to.

4 So I addressed the deputies. I explained to them what the matter
5 was. I told them that the HVO did not wish to wage war; inter alia
6 Slobodan Praljak did not wish to wage war. I had spent all of my life
7 among writers, actors, actresses, and now I'm being accused of being a
8 militant and wishing to do things along those lines.

9 Petkovic was in wine production and Coric was in wine production.
10 Prlic, who is an economist. We really did not want to wage war.

11 I drew their attention to the policies that were being conducted
12 there, and I asked them to make -- to set up a multi-party parliamentary
13 delegation and to go down there and talk to the Muslims, to the Croats,
14 with UNPROFOR, and for heaven's sake, to reach an agreement on a sort of
15 peace and whatever they agreed on we would accept.

16 And thus at the very end of April 1993, a parliamentary -- a
17 seven-member parliamentary delegation was composed and very soon left,
18 went down there. I intervened with the Ministry of Defence making it
19 possible for them to go to the airport. I believe we paid their airfare
20 to Split. **And I asked Coric and Petkovic to meet them at Split, to send**
21 a car, to transport them immediately to their destination.

22 JUDGE ANTONETTI: [Interpretation] I would like to stop you for a
23 second. Two things. You took the floor before the Sabor. Fine. This
24 is something which normally, legally, is not possible. So we would like
25 to know how come you were legally able to speak before the Sabor? But

1 let's say you spoke before the parliament, and if you did so, there must

2 be a written trace or a report of your statement. Was this officially or
3 formally recorded?

4 THE WITNESS: [Interpretation] Your Honour Judge Antonetti, I
5 don't know. It is true what you say that legally speaking that should be
6 that way, but you know with those conditions, the conditions that
7 prevailed then, law sometimes gives way to arguments, to argumentation,
8 the argumentation being that those people had to know what was going on.
9 So I managed to do that.

10 The Speaker allowed me to do so. In his statement, he says that
11 he did tell me that it was not okay, but he also said that
12 General Praljak was hard to stop, and he was telling the truth.

13 JUDGE ANTONETTI: [Interpretation] Yes, but, General Praljak, I'm
14 asking you this question: Were you, yourself, surprised to be part of a
15 joint criminal enterprise, and therefore it is -- it was up to you to
16 prove that through a public and recorded statement which it is possible
17 to trace back, because you said that you took the floor before them just
18 to explain what the HVO was doing, what was happening there. That's very
19 interesting, but how can we find a trace of this? Maybe this is what you
20 should have been looking for rather than Mr. Clinton or Mrs. Thatcher's
21 books. That's important, but your statement was also important. And
22 this you do not have.

23 THE WITNESS: [Interpretation] I do not have it, Your Honour. I
24 think that we did look for it, but they either had not recorded it or
25 transcribed it at the time. The records were not being kept properly.

1 They were not being kept as is done in normal conditions as today. But
2 at any rate, I did not get a stenogram or a transcript or an audio
3 recording, but we did ask for one.

4 And apart from that, Your Honour-

5 JUDGE ANTONETTI: [Interpretation] Wait a minute. Wait a minute.
6 When you go before the parliament, you go there relaxed. You make your
7 statement off-the-cuff, or are you prepared your speech, and maybe your
8 secretary had typed your speech? How did you proceed?

9 THE WITNESS: [Interpretation] Your Honour, I have not made any
10 notes beforehand. I had not prepared anything. I simply arrived in
11 parliament. And I've just told you I was brimming with a desire to tell
12 them that without the engagement of the parliament, without the proper
13 insight into the facts in Bosnia-Herzegovina, without their assistance,
14 without their comprehension of what the Army of Bosnia and Herzegovina
15 was doing, what was happening in Sarajevo.

16 Sarajevo **was a victim, a major victim of that war, and it was**
17 through that victim that the Muslims, apart from considering Sarajevo **as**
18 a victim, nobody else actually viewed what else was happening beyond
19 Sarajevo. **The entire world was focussed on** Sarajevo, and Shrader also
20 says so in his book. What was happening in Konjic, what was happening
21 elsewhere, nobody cared.

22 Of course, I didn't twiddle my thumbs in front of the parliament.
23 I just wanted to tell them, please go there and see what the situation is
24 like in situ.

25 You know what was happening? Everything knew everything.

Page 40743

1 Everybody was talking about everything, and nobody had the real facts.
2 Nobody wanted to go to the -- to see things in the field. Everybody knew
3 everything. In New York, in London, in Zagreb, they were informed about
4 everything, and this is -- they had information that they -- that was the
5 basis of their knowledge, but this is possible only in politics. It is
6 not possible in real life. I mean, everybody was saying what Clinton
7 wanted, what Yeltsin wanted, and about what was happening in the field,
8 it was for the stupid soldiers to go and see. And actually, they thought
9 that who was actually in the war waging war were some stupid people,
10 stupid soldiers.

11 So I knew these politicians in the parliament in 1988 and 1989. In 1989,
12 I knew their biographies. I knew what was in their minds and what they
13 knew; and they couldn't really pull the wool over my eyes just because
14 they were deputies. And that's why I was given this right. I was
15 granted the right to tell them what I thought, and they went down
16 there --

17 JUDGE ANTONETTI: [Interpretation] When you made your statement,
18 was it in the presence of Mr. Mesic?

19 THE WITNESS: [Interpretation] No, Mr. Mesic wasn't there, but the
20 vice-president of the Sabor was there. What was his name? Arlovic, the
21 Deputy Speaker. And he'll be here to testify about law and
22 constitutional right.

23 MS. PINTER: [Interpretation] We did ask for the minutes from the

24 Assembly.

25 JUDGE ANTONETTI: [Interpretation] [Previous translation

Page 40744

1 continues] ... we will ask him -- I will tell him -- I will ask him if
2 you don't ask the question, I will ask him to tell us what you actually
3 said that day.

4 JUDGE TRECHSEL: Taking up the last word of the President, "Ce
5 jour la," can you tell us on what date that was, at least approximately?
6 Perhaps you know the week and the day of the week.

7 THE WITNESS: [Interpretation] The 29th of April was the agreement
8 of the 29th of April, 1993, when the multi-parliamentary delegation was
9 set up. So I might have been there either a day before or the same
10 morning of that day. So either on the 28th or the 29th of April, 1993.

11 JUDGE TRECHSEL: Thank you very much.

12 MS. PINTER: [Interpretation] As we haven't got the minutes from
13 the Assembly or from parliament, can you tell us the people we talked to
14 and asked for their statements in order to bear out what you say about
15 your entry into the Sabor or Assembly?

16 JUDGE ANTONETTI: [Interpretation] Ms. Pinter, just a technical
17 issue. In the archives in Croatia, the archives in the administrations,
18 the parliament, et cetera, does everybody has access -- have access to
19 these archives, or do you have to ask for an authorisation, and do you
20 have to wait a certain time before you get an answer?

21 MS. PINTER: [Interpretation] We asked access through the office
22 for cooperation with The Hague Tribunal and the Assembly of Croatia

23 because they have their own archives, and we did, indeed, receive some
24 minutes because I can't say they didn't provide us with any of those, but
25 we didn't receive the minutes that were key documents and relevant as far

Page 40745

1 as this portion of the trial is concerned, but we did ask the office for
2 cooperation attached to the Ministry of Justice for us to be able to
3 arrive at any documents. That's the path we have to follow. That's how
4 we went to the Croatian State Archives and so on. MORH or the Defence
5 Ministry, we always had had to ask them, and then they would grant
6 permission or the organisation that we asked the documents from would
7 place at our disposal documents that we were allowed to look through and
8 ask for copies for them to be copied and so on.

9 Thank you.

10 Q. Now, General, can you remember who else attended -- or, rather,
11 gave statements about your presence in the Sabor, Croatian parliament, if
12 you can remember?

13 A. Mrs. Vera Stanic has died. She was in the HDZ, but she died in
14 the meantime. There was Ivan Milas who was there, but he had to leave
15 and go to Germany, and he was replaced by Drago Krpina, and he did make a
16 statement. He's from the HDZ. Then there was Ivica Vrkic, from the HMS.
17 I think we have his statement. There was Mato Arlovic, who was from the
18 SDP, the social democratic party of Croatia, the former Communists as
19 they were referred to often, and then there was someone from the HSP.

20 Q. As a representative but not as a member of the delegation?

21 A. Yes, that's right. And I think that there are four statements.

22 There was Anto Dzapic and of course the statement of Mate Arlovic as
23 speaker of parliament describes the way in which that was -- that
24 happened.

25 And then I described the way they went down there, and then they

Page 40746

1 wrote a report to parliament. That's what was customary, and you have
2 that report.

3 MS. PINTER: [Interpretation] That's right. And for the record
4 and also for the Trial Chamber, let me tell you that 3D00566 is already
5 in evidence. 3D01092 is another document. And they are documents which
6 are related to security and the parliamentary delegation and their visit
7 to Herceg-Bosna and Mostar, and there are documents where Dr. Ivo Sanader
8 addresses the BH organs and tells them of the imminent arrival of a
9 parliamentary delegation from the Republic of Croatia **to Mostar. May we**
10 now look at document 3D01091, which is a report by the multi-party
11 parliamentary delegation about the goodwill mission that they undertook
12 to Bosnia-Herzegovina?

13 Q. And since you, General, were the initiator of this mission, along
14 with everything you've told us about it so far, explaining the
15 circumstances under which it came about in the first place, could you
16 tell us some more and tell us whether they planned to go to Mostar only
17 or other parts as well, and could you tell us some more about the
18 document itself, please.

19 A. No, it wasn't supposed to be a trip -- only a trip to Mostar. I
20 had asked that they -- well, political delegations of that kind usually

21 go somewhere into the background. They sit down to a table, have
22 something to eat and drink and everything evolves in that kind of way
23 without them looking at the facts. So I asked that they go to Busovaca,
24 Vitez, Zenica, Travnik, Jablanica, Konjic, and those places.

25 I have nothing to add about this document, because it was a

Page 40747

1 fiasco, actually. Their tour was a fiasco because the BH Army and the
2 Muslim side just did not allow them to see anything either in the Konjic
3 area or towards Jablanica. They went to Medjugorje, to West Mostar.
4 In -- when they were in East Mostar they had some unpleasantness happen
5 to them, and they almost had to flee from the area. And, of course, then
6 they partially began to realise what the situation was like, how much
7 tension there was and who it was who did not wish, and this was a
8 goodwill mission let me remind you, who did not wish the truth to be
9 known, that is to say that -- for people to learn what was going on in
10 the area.

11 Let me mention Mr. Ivo Sanader. At that time, the deputy Foreign
12 Minister said that a parliament wrote to UNPROFOR and said that a
13 parliamentary delegation would be arriving, so everything was in order in
14 that respect. And I also know, although I don't know the details, that
15 immediately after that, perhaps some 20 days later, a delegation of that
16 kind was sent by Dr. Franjo Tudjman and Mr. Sulejman Demirel, the
17 President of Turkey, **after their joint talks set up a Croatian-Turkish**
18 goodwill mission. That's what it was called. And that mission also was
19 a fiasco and ended with no results being scored.

20 Q. Thank you, General. I think we can carry on. This was the 29th
21 of April that we were dealing with, and then the mission went on until
22 the 2nd and 3rd of May.

23 JUDGE ANTONETTI: [Interpretation] General Praljak, you said that
24 this mission was a fiasco. I was looking at the agenda of these talks
25 which took place in Mostar on May the 1st. May the 1st was eight days

Page 40748

1 before May the 9th.

2 Two things. First of all, the HVO will attack on May the 9th.
3 So there is an ongoing preparation for these attacks. Then comes this
4 delegation of Croatian MPs, and this may create a problem, i.e., there
5 would be a dual language. You have a goodwill mission while at the same
6 time preparing an attack. That's the first vision of the situation.

7 Second possibility, the HVO does not prepare anything. HV has
8 already prepared something, and with the arrival of these MPs, this may
9 create a problem. Therefore, a certain unwillingness or some reticences
10 regarding this mission, because I realise that this mission was supposed
11 to take the point of view of the Muslims. This is item 2 of this
12 mission.

13 So as far as you're concerned, the fact that this mission arrived
14 a few days before May the 9th, how should this be understood?

15 THE WITNESS: [Interpretation] Well, Judge Antonetti, Your Honour,
16 I'm a director, film director, and I dealt in dramatisations, and I can
17 give you ten scenarios, each of them different. But you don't storm
18 parliament and send a delegation in order to mask some future HVO attack

19 in Mostar, for example, especially not when the delegation has been
20 rejected by UNPROFOR. UNPROFOR rejected -- refused to take the
21 parliamentary delegation to Mostar, because they say that for security
22 reasons they aren't able to ensure an escort for our delegation.

23 So, Judge Antonetti, there we have it. UNPROFOR is unable to
24 ensure safe passage for the delegation in the areas in which the BH Army
25 was preparing to -- well, in Konjic and Jablanica, in Konjic the HVO had

Page 40749

1 been defeated already. There were lots of people dead, and the others
2 had been expelled. And we also saw the attacks -- the orders for attack
3 for West Mostar in March 1993. So I am expecting somebody to show a
4 previous order for an HVO attack on the BH Army. Well, there would have
5 to be some trace if that were being planned or carried out, because you
6 can see after the attack, I would send out requests for ambulances to set
7 in.

8 And I was in Mostar on the 11th of May, and I did talk to
9 Mico Lasic and Petkovic, and there were no preparations for any kind of
10 attack. And here I have produced umpteen documents which you asked me
11 about which clearly indicate that there was general panic or, rather,
12 relative panic, and the problem was to defend the town. And we showed
13 the same thing -- yes, I will slow down. I've been asked to slow down.
14 But I've also shown Mr. Hadziosmanovic's book -- book who says that from
15 his window he could see the BH Army attacking across the separation line.
16 So -- and from an UNPROFOR report, we saw that they were withdrawing from
17 the separation line. Of course, that was the BH Army when the HVO

18 responded. So how could they withdraw towards the separation line if
19 they hadn't transgressed the separation line and crossed over it in the
20 first place in their advance. So there's nothing more I can tell you.

21 JUDGE ANTONETTI: [Interpretation] I would like to clarify one
22 point. You said that UNPROFOR did not want to accompany the delegation
23 for security reasons. Nevertheless, in the document it is said that
24 efforts were made and that Mr. Izetbegovic has signed on May the 2nd the
25 necessary authorisations. So, therefore, the UNPROFOR was made aware of

Page 40750

1 the fact that Mr. Izetbegovic did not see any problems with the
2 delegation taking this trip.

3 If this was the case, why did the UNPROFOR not accompany the
4 delegation in the so-called "unsafe areas," since it seems that everybody
5 was in agreement.

6 THE WITNESS: [Interpretation] Not everyone, Your Honour.
7 Mr. Izetbegovic, on the -- well, on the 2nd of November -- was -- May was
8 when the request arrived for going to the areas that were requested, but
9 for security reasons UNPROFOR refused. And that was because the BH Army
10 didn't listen to Izetbegovic. Whether there was an agreement amongst
11 themselves or we'll see that in some books that I'm going to show you
12 later on.

13 But anyway, Sefer Halilovic did not respect Izetbegovic. He
14 would use ugly words to describe him. He spoke about him in derogatory
15 tones. And you will see that a general of the BH Army, for example,
16 Izetbegovic as far as he was concerned was an old fool who impeded his

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

23 (redacted)

24 (redacted)

25 (redacted)

Page 40752

1

2

3

4

5

6

7

8

9

10

11 Pages 40752-40759 redacted. Private session.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Page 40760

1 (redacted)

2 (redacted)

3 (redacted)

4 (redacted)

5 (redacted)

6 (redacted)

7 (redacted)

8 (redacted)

9 (redacted)

10 (redacted)

11 (redacted)

12 (redacted)

13 (redacted)

14 (redacted)

15 [Open session]

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

17 JUDGE ANTONETTI: [Interpretation] Mrs. Pinter, the floor is
18 yours.

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

20 Q. General, we have reached May. My question to you is this: In
21 May 1993, were you in the area of HZ HB, i.e., in the area of Bosnia and
22 Herzegovina?

23 A. On the 11th of May, 1993, I arrived in Mostar for a meeting held
24 in the premises of the main HVO staff where the offices were for
25 Mr. Stojic and the other people. I do not remember. I do don't know who

Page 40761

1 informed me about the meeting. The meeting was held in the morning.
2 Attending the meeting was Mr. Ivica Tomic that I recall, the commander of
3 the HVO Brigade from Ljubuski, then Mr. Valentin Coric, the chief of
4 military police was also there, Mr. Ivica Lucic, the head of the SIS was
5 also there, Mr. Naletilic was there, I was there, and there were perhaps
6 some other two or three men whose names I cannot recall at this moment.

7 Q. Can you recall whether Ivica Tomic was there?

8 A. I said that Ivica Tomic was there.

9 Q. Sorry, my mistake.

10 A. Yes, I did say that.

11 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, since you
12 mentioned the functions of the different people, could you please tell me

13 exactly what was Mr. Naletilic's position?

14 THE WITNESS: [Interpretation] No, I cannot. I have no idea what
15 his function in the HVO was. And in -- in what capacity he was there, I
16 don't know that either.

17 JUDGE ANTONETTI: [Interpretation] Okay. Mrs. Pinter.

18 MS. PINTER: [Interpretation]

19 Q. Yes, General.

20 A. So the conflicts were already going on in Mostar, and attempts
21 were being made to ease the situation. Mr. Petkovic, according to the
22 information which I received later, was in Central Bosnia negotiating a
23 peace agreement or something similar, and I don't know -- and I know that
24 the commander of the operational zone, Mico Lasic, was not at that
25 meeting. The situation that had arisen was on the agenda. My position

Page 40762

1 as somebody from outside who was attending the meeting and had some
2 influence was that the situation needed to be relaxed, calmed. According
3 to the information I had received, the attack of the Army of
4 Bosnia-Herzegovina had failed, had not succeeded, but we needed to exert
5 more efforts, and this was done later by Mr. Katavic and the others to
6 exert more efforts in order to defuse the tensions.

7 And now I would ask you -- for us to go into private session,
8 please.

9 JUDGE ANTONETTI: [Interpretation] Before we move into private
10 session, I would like to ask you a question. When you went to this
11 meeting on the 11th of May, were you aware of the communique of Mr. Topic

12 on what had happened on the 9th of May. And second question: Had you
13 seen on TV the fact that the Vranica building was captured with the
14 Muslim prison who could be seen on the video. Had you also seen this
15 broadcasted before the -- the meeting on May the 11th?

16 THE WITNESS: [Interpretation] No, Your Honour. I did not see the
17 broadcast. I had not seen that programme. I learned that the Vranica
18 building -- I learned that before the meeting, that the Vranica building
19 had been captured, there had been fighting, but I had not seen the
20 programme and I was not aware of any details up to that meeting.

21 JUDGE ANTONETTI: [Interpretation] And the press release of
22 Mr. Topic, no? So let's move into --

23 JUDGE TRECHSEL: I have still a question that can be in the open.
24 You have said, I quote, "I as somebody from outside." This is the 11th
25 of May. Am I wrong in thinking to remember that you had taken your

Page 40763

1 position with the HVO Herceg-Bosna on the 10th of April? Is that -- is
2 my memory correct?

3 THE WITNESS: [Interpretation] No, Your Honour. This is what --
4 something that I must admit confuses me. On the 10th of April, 1992, I
5 was there in that zone performing the function of commander, and then
6 again on the 24th of July, 1993. I did not have any functions. I did
7 not hold any -- perform any duties formally in the HVO. I had these
8 missions touring cities and such, but from May 1992 and on --

9 JUDGE TRECHSEL: I apologise for the weakness of my memory.
10 Thank you.

11 JUDGE ANTONETTI: [Interpretation] Registrar, we can now move on

12 into private session.

13 [Private session]

14 (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

23 (redacted)

24 (redacted)

25 (redacted)

Page 40764

1

2

3

4

5

6

7

8

9

10

11 Page 40764 redacted. Private session.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Page 40765

1 (redacted)

2 [Open session]

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

4 MS. PINTER: [Interpretation]

5 Q. General, can you tell us what this meeting was like and what were
6 the topics that were discussed?

7 A. So after this, according to the information that I had received,
8 after this attack of the Army of Bosnia-Herzegovina, talk was about what

9 to do next. Mr. Naletilic was one -- of one view. I had a different
10 view. There was this conflict that escalated, and in this difficult
11 atmosphere I left of the meeting. I walked out. It could have been
12 10.00 a.m. **I sat in my car, and I left Mostar.**

13 At the very exit of Mostar, at the road bend where there was a
14 military police check-point but at that time there was still HVO soldiers
15 there, there was an ambulance parked there and then an APC of the Spanish
16 UNPROFOR battalion there, and there was still shooting in town. So it
17 couldn't enter Mostar. It was barred from entering Mostar. So despite
18 this unpleasant feeling that I had, this -- after this meeting I stopped
19 there and I asked what the problem was, and a Spanish officer explained
20 to me what the problem was, and with the authority that I wielded, I told
21 the guys to move away and to let the APC **through, for it to pull out the**
22 wounded UNPROFOR officer testimony from whom you ever heard from people
23 from the Spanish Battalion who have told you that they met me, and how I
24 acted.

25 Q. Who was the witness?

Page 40766

1 A. It was witness B --

2 JUDGE ANTONETTI: [Interpretation] This is an element against you
3 according to the indictment, and the UNPROFOR could have had access to
4 the city. I repeat, the UNPROFOR was not able to enter into the city.
5 And there maybe several reasons to that. The several -- the first reason
6 is that it was in their own interest to avoid firing from different
7 people, and an officer had been killed.

8 Second reason, the BiH or the HVO preferred that what was
9 happening inside not be known to the outside world, and therefore they
10 preferred that the UNPROFOR not be allowed to enter into the city. And
11 according to the Prosecution, and you're familiar with that, HVO had not
12 allowed the UNPROFOR to enter the city.

13 This was a brief summary of what we have in the indictment, and
14 what you're saying is that being at the check-point once you left this
15 meeting, you were informed of the presence of a wounded soldier, and you
16 did what was necessary for UNPROFOR to be able to enter. And as far as
17 you know, and I would like to remind you that you're under oath, had the
18 HVO given instructions to forbid UNPROFOR to enter into the city.

19 THE WITNESS: [Interpretation] I don't know, Your Honours, I
20 didn't meet either Mr. Petkovic or Mr. Mico Lasic at that time, so I
21 don't know why the HVO command gave such an order.

22 I was not feeling well, which you can appreciate, and you can
23 appreciate that everything was seething in me and then some. But still,
24 because I'm a reasonable man, I stopped and I asked the guys. I actually
25 shouted at them for preventing in any way the people to go and pull out

Page 40767

1 the wounded, and I'm proud of that. It is a detail, but in such a
2 situation, not having a formal function, I did so and irrespective of the
3 indictment, irrespective of any judgement in such circumstances as a man
4 who had wielded some extent of authority, I stopped. I didn't just pass
5 by, and I made it possible for the APC to go inside and for this wounded
6 person, wounded man to be pulled out, and I don't know whether later he

7 perhaps succumbed to his wounds or not, but I did so and then I left for
8 Medjugorje.

9 MS. PINTER: [Interpretation]

10 Q. General, I have to ask you again for the sake of the transcript.
11 At the question of His Honour Judge Antonetti to that -- to the question
12 whether you knew about the order prohibiting UNPROFOR from entering the
13 city --

14 A. No, no, absolutely not. It is clear from this very incident that
15 I had had no information to that effect at all. I had not seen Petkovic,
16 and I had not seen Mico Lasic. It is them who could have issued such an
17 order, either the commander of the zone of operations or a superior
18 commander of his. So I didn't know anything about it, and I precisely
19 recounted the events as they had evolved. I went to Medjugorje, and in
20 fact that's why I came from Zagreb **in the first place. I -- because**
21 Sefko Omer Basic was also to come to Medjugorje or was already there.

22 JUDGE ANTONETTI: [Interpretation] Wait a minute, there must be a
23 problem since Ms. Alaburic is standing up.

24 MS. ALABURIC: [Interpretation] Your Honours, just a mistake in
25 the transcript with, I believe, Madam Pinter also wanted to clarify page

Page 40768

1 85, line 25. The word "why" instead of the word "whether" is written.
2 He didn't say that he didn't know the -- he didn't say that he didn't
3 know the reasons for the issuance of such an order, which would mean that
4 such an order did, in fact, exist to prevent UNPROFOR from entering.
5 What he did say was that he doesn't -- didn't meet either Petkovic or

6 Lasic and that he didn't know whether such an order had been issued.

7 THE WITNESS: [Interpretation] Exactly. That's the way -- what I
8 said. That is exactly what I said, Madam Alaburic.

9 So let me continue. So Mr. Sefko Omerbasic was to have come
10 there from Zagreb, and he was down there, the president of the Mesihat of
11 the Islamic Community in Croatia. So he did come. He arrived in the
12 area in order to calm the situation down. So we had a few days after
13 that talks with him and UNPROFOR. By that time General Petkovic also
14 returned, and everybody was very heated up about this event in Mostar and
15 the events involved as already described in this court, and I on my part
16 tried to help because I know that I was with Mr. Sefko Omerbasic for a
17 conversation in UNPROFOR offices, and we talked about what would be done,
18 what were we to do, who would talk to with whom, to whom it is hard to
19 relate all that, but, generally, we worked to ease tensions and calm the
20 situation down.

21 So this is a truthful and accurate account of that event on my
22 part.

23 I know of another incident which I shall also recount, which is
24 important for me and which is important for --

25 MS. PINTER: [Interpretation]

Page 40769

1 Q. Just before that, tell -- tell Their Honours who Sefko Omerbasic
2 is.

3 A. I did say.

4 Q. It is not in the transcript.

5 A. He is the president of the Mesihat, which is the overall Muslim
6 organisation in the Republic of Croatia. This is the rank of a bishop or
7 archbishop in the Catholic church hierarchy, for instance.

8 Q. Thank you. Now, tell us about the other event.

9 A. Now, whether in Medjugorje or Ljubuski, anyway, somewhere along
10 that route, and I think it was that same day, the 11th of September, no
11 11 of May, that's right, 11th of May, 1993, is what I meant to say.

12 Anyway I met a young guy from the Ljubuski brigade, which
13 according to my information was called to assist and help defend the
14 found, and in the fighting a commander of the battalion of the Ljubuski
15 brigade was killed. He was a much loved man and a very good commander,
16 and at that point I knew that this would hit the unit hard, and I
17 realised the bitterness that this would unleash, because these people had
18 always fought against the Army of Republika Srpska, whereas now suddenly
19 one of their commanders were killed, and in Ljubuski there were no
20 problems between the Croats and the Muslims, and suddenly this person was
21 killed by the BH Army.

22 So fully conscious of the fact that the -- these people who were
23 going back to Ljubuski because they were replacement, and that's what he
24 had told me, and now the scenario, the possible scenario is this: They
25 might have criticised in each other and said, I told you they'd attack

Page 40770

1 us, and so on and so forth.

2 To calm the situation down, I went to the church in Ljubuski, and
3 I found a Catholic priest there, and I said to him, "Prepare a mass," and

4 I explained about the event that had taken place; and I said I'll bring
5 in these young guys and you do your best to calm the situation down in
6 the religious sense, in the moral sense, and so on. And then I got into
7 my car and met the buses which were taking the -- this military unit
8 back. I stopped at the entrance to Ljubuski. I stopped by the buses and
9 told them to follow me, that they were going to church to attend mass,
10 and I took them to attend the mass in the church, fully conscious of the
11 fact that when they listened to what the -- listened to what the priest
12 had to say in that atmosphere of calm and peace they would probably leave
13 feeling much calmer than they would have had they just gone home in the
14 buses to -- with their weapons and gone to a bar to drink and who knows
15 what would have happened then. So the sermon would serve to calm them.

16 And I don't know whether you know but in the foreign legion,
17 after the battle when the unit returns to barracks, then the commanders
18 also report on the state of each and every soldier and psychologists come
19 in to talk the to soldiers. And if they see that one of the combatants
20 after having fought was in a very poor psychological state, they -- that
21 person would not be allowed out into town. He would stay and be talked
22 to, and they would try and have that person return to a normal state.

23 This is something the Americans do, and many others, but the HVO
24 didn't have that facility, and many commanders weren't even conscious of
25 the fact that an ordinary person could be very upset given extreme

Page 40771

1 socio-psychological situations.

2 Thanks to my education I knew this, and so I used my knowledge

3 and training in this particular instance, and that's how I acted, and
4 that's how the thing ended. And you have witness statements to that
5 effect about the incident. Witness Tomic, he was the commander of that
6 brigade. And I can bring you ten more statements.

7 Q. General, after the 11th of May, you went back to Zagreb.

8 A. Yes, I did.

9 Q. And did you stay in Zagreb, or did you go back to
10 Bosnia-Herzegovina?

11 A. On the 15th of June, 1993, I asked to be relieved of my duties in
12 the Croatian army so that I could join the HVO again, and several days
13 later, I don't know when I was granted permission, whether on that same
14 day or another day, anyway, I returned in the second half of June, around
15 the 20th of June, in fact. And I reported to General Petkovic and went
16 to the area of Gornji Vakuf where the Muslims had already been attacking.
17 I stayed there for a few days, and then I went on to Boksevica mountain
18 towards the end of the month.

19 Q. And where is that mountain located?

20 A. Boksevica is a mountain -- well, I can't show you on the map.
21 It's too small a map. But anyway, it's a mountain above lake Jablanica
22 and Kostajnica in which after the BH Army attack on Konjic, in that
23 Kostajnica, 250 to 300 women, children, and elderly persons stayed on and
24 a small number of HVO members.

25 Q. And what municipality is that in?

2 that you returned to Zagreb, and that on the 15th of June you asked to be
3 removed from your position in the Croatian army to join the HVO. What
4 I'm interested in is this -- I had intended putting the question to you
5 when I would be addressing everything for which you stand accused.

6 I'm little bit surprised by the fact that when you returned to
7 Zagreb you did not prepare a report which you would have given to
8 Mr. Tudjman for the minister of defence to explain what had happened.
9 Why was this not done? Or maybe it was done. What information can you
10 give us? Even if, according to you, the Republic of Croatia had nothing
11 to do in the events that occurred in Mostar on the 9th of May, did you
12 not report on what had happened?

13 Let me remind you that the multi-party commission of the MPs of
14 the Sabor had gone there? And when I looked at the document a while ago,
15 I realised that they had held a conference, a press conference, on the
16 3rd of May and that they had gone back on the 3rd of May at 9.00. Did
17 you describe those events that occurred on the 9th of May, and if you
18 didn't, why didn't you?

19 THE WITNESS: [Interpretation] Yes, I did report on that. I
20 reported to Mr. Susak and Mr. Franjo Tudjman. I reported on that and I
21 informed them exactly what was going on to the best of my knowledge and
22 the information that I had, and I told them what would happen next in my
23 opinion. So I said quite clearly, I told both these gentlemen quite
24 clearly what I thought, and judging by everything I knew, I think that my
25 analysis of the situation was good. It was rational, made in a very cool

1 manner. I wasn't rooting for anyone, but I said the BH Army would
2 continue their attacks in Central Bosnia, both against the HVO and --
3 well, for the reasons that I mentioned here a number of times. And that
4 is that the territory which they cannot seize from the Serbs and from
5 which they had been expelled needs to be made up for and taken away from
6 the weaker party in the war, and that was the HVO. And there were open
7 rumours at that time saying that the BH Army would be in the semi-finals.
8 That is to it say we fought against the Serbs and now in the finals
9 they -- the HVO was totally unprepared for fighting the BH Army in the
10 area in which they counted on taking control of and that they would
11 launch the attack.

12 And I stated this loud and clear, orally, of course, not in
13 writing. I didn't write any written reports because I wasn't sent down
14 there from Croatia **officially, but I told Susak all this, and he was**
15 already fairly well acquainted with the situation, and so was
16 Dr. Franjo Tudjman, and I presented my views of the situation and said
17 all right, fine. As far as I'm concerned, the aggressor is the person
18 who attacks me. And I claim that the BH Army will attack. And I want to
19 place myself at the disposal of the HVO.

20 I was given permission to do that, and that's what I did. At
21 first I had no duties or post or position of any kind because Mr. Boban
22 didn't consider this to be necessary. So I was just an ordinary soldier
23 in a way, in the second half of June. And as an ordinary soldier, I went
24 to Boksevica, Mount Boksevica.

Page 40774

1 correctly, when you were "dismissed" by the Croatian army on the 15th of
2 June, well, this was due to the fact that you had reported on the
3 situation to Mr. Susak and this other gentleman, and the solution was for
4 you to go back there. Is this how we should understand why you left the
5 Croatian army on the 15th of June?

6 THE WITNESS: [Interpretation] No, Your Honour. I was dismissed
7 because I asked to be dismissed. It's one thing that I informed them
8 about the situation as it stood, but I asked them to dismiss me at my own
9 request. So it's one thing I said that's how things stand. That's the
10 case as it stands. And then secondly, I said -- well, the friendship
11 between the Croats and the Muslims which you were able to see how it
12 evolved in 1992, at least from my angle of vision, it expanded and became
13 something that I call an aggression loud and clear in Central Bosnia,
14 Bugojno, and so on, according to the maps that I showed you.

15 So I didn't think that America **or anybody else would define**
16 matters for me. As far as I was concerned, anybody attacking me was my
17 enemy and my attacker.

18 JUDGE ANTONETTI: [Interpretation] General, as regards this event,
19 it can be construed in two different manners. First of all, you report
20 on the situation, and President Tudjman says, Go ahead, you need to go on
21 the spot.

22 And you, as a good soldier, you obey the order. That's one way
23 one could see it.

24 Second way, you report on the situation, and you feel that
25 President Tudjman doesn't intend to do anything more about it, and the

Page 40775

1 only solution in that case is for you to go back this to help the Croats
2 who are fighting in light of the dangers you clearly described in detail
3 to President Tudjman. This is another way of understanding this
4 situation. Of course one can understand it in other different ways also.

5 What I'm interested in is what your position was. Why did you
6 decide to go back there?

7 THE WITNESS: [Interpretation] The latter, Judge Antonetti. I
8 decide to go or to leave because the same danger threatened as it did in
9 1992 that the Army of Republika Srpska at that time would reach the
10 western borders of Bosnia-Herzegovina and then enter Croatia **as well in**
11 places where it had not been until then. So also in this particular
12 instance, Sefer Halilovic with his associates decided to reach the
13 western borders of Bosnia-Herzegovina and thereby to liberate
14 Bosnia-Herzegovina.

15 I saw that Sefer Halilovic -- there was no need for
16 Sefer Halilovic to liberate me, that I was free and liberated to begin
17 with and that the Muslim army need not attack the HVO except if it was a
18 militarist army, an army that wished to expand the territory for the
19 Muslims. And that's why I went to fight. Regardless of Franjo Tudjman
20 and his opinion and his permission, I would have left and gone, because
21 I'm quite wild when that respect, you know, Your Honours. Had he said,
22 No, you can't go, I would have tendered my resignation that very moment,

23 picked up my things and left. I had every respect for the man, endless
24 respect for him, but I have my views and my opinions, and I always put
25 them into practice in the way I think that this should happen. So

Page 40776

1 whether it's Cyrus Vance or the President of America or the UN
2 Secretary-General, whatever, Slobodan Praljak does what he wants. I do
3 what I want and I'm responsible to myself for my actions and thoughts.

4 Of course, I'm not stupid. I'm only talking within limitations.
5 I exhausted all other available methods before that, of course. But at
6 that point in time, it was quite clear to me that they were launching an
7 attack. They were on the attack, and I said, No, I'm going to be in the
8 HVO again, and that's it.

9 JUDGE ANTONETTI: [Interpretation] Mrs. Pinter.

10 MS. PINTER: [Interpretation] Thank you, Your Honour. Now may we
11 have map 3D00381 on e-court, please. It's already an exhibit. And it
12 will help the general to explain the situation about Boksevica and how he
13 went to Mount Boksevica. **The number is 3D00381.**

14 THE WITNESS: [Interpretation] Well, I can give you just a brief
15 outline. In Kostajnica, which has already been mentioned here -- could
16 you please zoom in just a little bit. The central part. Yes. Thank
17 you. This section here. Yes. Okay. I'll mark it now.

18 Here in Kostajnica, which I will mark with number 1, there were
19 about 250 to 300 civilians.

20 Could you please zoom in on the central part. Okay. This is
21 Kostajnica. That's number 1. And there were about 250 to 300 civilians

22 there. This entire area as you have seen so many times was controlled by
23 the BH Army. You already know that. Except for this small part here.
24 Well, you know that the HVO controlled it and was in effect pulling out.
25 And this here is Boksevica. That's number 2.

Page 40777

1 Here at the very end of Boksevica there were HVO oppositions, and
2 all the rest was controlled by the BH Army, which also held this part
3 here. So all of this was held by the BH Army, ABiH.

4 We managed to hold on to that area with very little personnel,
5 and I was a soldier there taking shifts on sentry duty; and at that time,
6 the commander of this brigade, which was composed of the three battalions
7 from Jablanica, Konjic, and, well, from some place here. Mr. Sagolj
8 tried to get in touch with those people so that they could take this
9 route here to evacuate. Well, there are some rugged mountains paths
10 here, so from Lizoperci they could then get to the HVO-controlled areas.

11 I spent 11 or 12 days there, until the 9th of July, 1993. Eleven
12 or 12 hard days. We had a number of clashes with the BH Army, which of
13 course was trying to push us back. There were two attacks with quite a
14 few casualties, and the evacuation of the wounded, all those things that
15 are naturally in a war, and for the last two days of my stay there, the
16 people up there why completely exhausted. They want to leave their
17 positions, and I told them, "Well, go ahead and leave." And I said that
18 I would remain there with my driver. I had a driver there. And then I
19 said that we would fight alone for as long as we had ammunition. For the
20 last couple of days I received assistance and support from the

21 Tomislavgrad brigade, Mr. Glasnovic; and I think on the 9th in the
22 morning and in the night after Sagolj got in touch with the people down
23 there, the 280 people, let's say, managed to evacuate, mostly women,
24 children, and the elderly and some HVO soldiers, and I went to meet --
25 went out to meet them, and I assisted them. I helped a lady carry her

Page 40778

1 twin daughters who were eight months old -- eight days old, and we
2 managed to pull out in the direction of Rama because there -- it was
3 impossible to hold Boksevica any longer, and we'll abandon those
4 positions there too.

5 Then I went to see Mate Boban. I discussed the whole situation
6 with him. I think I had a brief meeting with Mr. Petkovic -- or, rather,
7 that's not what I think, I know that we met. We talked a while as normal
8 people. Throughout the war, I never had any conceivable conflict with
9 Mr. Petkovic. We were inundated with work. There was enough work for
10 ten more of us.

11 And in the evening -- well, I spoke to Mr. Stojic, and in the
12 evening, I believe it was the 10th or something like that, the 10th of
13 July, 1993, I came to his place to take a bath and to eat something,
14 because the food up there -- well, there was nothing there. There was
15 just a cabin, a lot of cattle, dead cattle. It was impossible to bury
16 the carcasses because they were in places where one would expose oneself
17 to fire from the other side. And I got some kind of a rash because of
18 the carcasses.

19 I took a bath, and the next morning I went to Zagreb for private

20 reasons, because my father was very ill. He had been ill for quite a
21 long time. He had palsy as a result -- as a result of stroke. So I had
22 to go to Zagreb to deal with these private problems.

23 And then at one point Mr. Boban called me, and he offered to me
24 to take the command of the Main Staff of the HVO. I agreed, and on the
25 24th of July, 1993, I was appointed the chief -- the commander of the

Page 40779

1 Main Staff of the HVO, and I remained there. I served as the commander
2 of the Main Staff until the 9th of November, 1993.

3 And you asked me about the 20th of October, 1993. So before
4 Stupni Do, I applied to the Croatian army because the Muslim offensive
5 was over. There were some disagreements between Mr. Boban and myself,
6 and I thought it was necessary for both Mr. Boban and myself to change.
7 The situation was very complex and ill-defined in organisational terms,
8 and you know how things proceeded; and on the 9th of November, at 7.45, I
9 left HZ HB and travelled to Zagreb.

10 So that would be it. That's the time line, the exact time line.

11 JUDGE ANTONETTI: [Interpretation] It's time to stop because it's
12 just about a quarter to 2.00. I think that the registrar is going to
13 give us an IC number for the map. Registrar, please.

14 THE WITNESS: [Interpretation] Just a moment. Let me just sign
15 it.

16 MS. PINTER: [Interpretation]

17 Q. General, please sign it, and while we're doing it, this for the

18 information of the Trial Chamber: The document that Mr. Praljak talked
19 about, about his request to be readmitted as an active-duty serviceman in
20 the Ministry of Defence is P05973, and it's an exhibit.

21 THE REGISTRAR: Your Honours, the marked version of the document
22 3D00381 shall be given Exhibit IC1020. Thank you, Your Honours.

23 JUDGE ANTONETTI: [Interpretation] Very well. We have already
24 overstepped our time. As you know, we will be sitting at 9.00 tomorrow
25 morning, and for the sake of the Defence, the registrar has just told me

Page 40780

1 that you've had 29 hours and 30 minutes so far.

2 We shall resume tomorrow morning at 9.00. In the meantime, I
3 wish you all a pleasant afternoon.

4 --- Whereupon the hearing adjourned at 1.45 p.m.,
5 to be reconvened on Wednesday, the 27th day
6 of May, 2009, at 9.00 a.m.

7
8
9
10
11
12
13
14
15
16

17

18

19

20

21

22

23

24

25