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1 Monday, 15 June 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 2.16 p.m.

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

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

12 JUDGE ANTONETTI: [Interpretation] Thank you, Registrar. This  
13 Monday, 15 June 2009, I greet first Mr. Praljak and Mr. Pusic,  
14 Mr. Petkovic, and Mr. Stojic. I greet counsel and the accused who for  
15 several reasons are not present. I also greet Mr. Stringer, and  
16 Mr. Scott, and their collaborators, and all the people assisting us.

17 I will first give the floor to the Registrar.

18 THE REGISTRAR: Thank you, Your Honour. 3D has submitted its  
19 fifth batch of list of documents to be tendered via Witness  
20 Slobodan Praljak. This list shall be given Exhibit IC1029. Thank you,  
21 Your Honours.

22 JUDGE ANTONETTI: [Interpretation] Thank you. The Chamber is now

23 going to give two decisions. First decisions -- first decision, oral:

24 In the hearing of June 2009, the Praljak Defence requested the  
25 Chamber to benefit from 15 minutes of more time to treat certain items,

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1 the Mujahedin, within the framework of the examination-in-chief. They  
2 will be given 15 minutes extra time, which will be counted from the  
3 global time given to the Praljak Defence.

4 As you know, the Chamber has given 55 hours globally to the  
5 Praljak Defence, and to date the Praljak Defence has already used exactly  
6 41 hours and 31 minutes.

7 Second decision given orally: Oral decision concerning the  
8 notices deposited -- filed by the parties.

9 The Chamber notes that as from several months, the Praljak  
10 Defence has filed a certain number of notices relating to several issues.  
11 As an example, the Chamber refers to the notice concerning the tu quoque  
12 principle filed by Slobodan Praljak on the 18th of February, 2009.  
13 Prosecution has in turn filed a number of notices to answer the  
14 Praljak Defence and the Praljak Defence has in turn filed replies.

15 For clarity's sake, the Chamber will recall that pursuant to the  
16 rules, it is seized of a matter only when the party concerned files it as  
17 a proper motion, which then enables the other parties to respond.

18 Therefore, the Chamber does not consider that it is seized of the  
19 questions presented in the forms of notices or correspondence exchanged  
20 between the parties. Therefore, it invites the parties to abstain from

21 sending such notices to the Chamber.

22 So this is the second oral decision.

23 Now I think, Mr. Kovacic needed two minutes.

24 MR. KOVACIC: [Interpretation] Yes, Your Honour -- giving me the  
25 floor. Good afternoon to everyone in the courtroom, in and around the

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1 courtroom. And I'd just like to inform the Trial Chamber of the  
2 following: First of all, that the Defence of General Praljak -- or,  
3 rather, General Praljak and his Defence team have decided that during the  
4 cross-examination of General Praljak the Defence -- or, rather, the  
5 Defence counsel will not be communicating with Mr. Praljak, and we'd like  
6 to inform the Chamber thereof and the opposite side, too. The reason for  
7 this being that we wish to contribute to the authenticity of our client's  
8 testimony and so that the Prosecution or anybody else should not try to  
9 belittle the value of the testimony, especially this part of the  
10 cross-examination and testimony, because the accused had the opportunity  
11 to consult his Defence. So the Defence team and Defence counsel,  
12 therefore, feel that General Praljak needs no assistance in that respect,  
13 no assistance with respect to the facts and the circumstances, and  
14 because he knows much more about this than Defence counsel, which is  
15 always the case. The client always knows more.

16 The second proposal I'd like to make to the Trial Chamber, it's  
17 an oral motion, in actual fact, you informed us you -- of the  
18 18th of May, 2005, decision, which is an amendment to your previous

19 order, which we call guidelines, with respect to paragraphs 32, line 8.  
20 On the 18th of May, as I say, 2009, you told the Defence to table an  
21 IC list on every Monday during the testimony, which is what we did. We  
22 followed those guidelines and provided it on Monday. However, in your  
23 decision and ruling there was the original decision made in the  
24 guidelines whereby the position comes at the end of the testimony.

25 Now, my proposal is for the efficaciousness of these proceedings

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1 it would be a good idea if the opposite side were duty-bound to reply and  
2 challenge the IC exhibit list once we have it in its entirety, to voice  
3 their objections, for example, or raise them within the next few days  
4 or -- or perhaps the following Monday, for practical reasons, to gain  
5 time, to make these proceedings as efficient as possible, because then  
6 this would reply -- this would require our response as the list of  
7 documents is fairly lengthy.

8 So my proposal is that the Prosecution look at our IC list and if  
9 they have any objections, and of course this applies to the other Defence  
10 teams, that they raise those objections at least by Monday of the  
11 following week.

12 Thank you, Your Honour.

13 JUDGE ANTONETTI: [Interpretation] The Chamber will deliberate.

14 Mr. Stringer, you wanted the floor at this stage or would you  
15 like to have some time to reflect?

16 MR. STRINGER: Yes, Mr. President, if we could just have a little

17 bit of time to reflect on that, and I can check to see what Mr. Scott  
18 thinks as well. Thank you.

19 JUDGE ANTONETTI: [Interpretation] Very well. So we are now going  
20 to start with the 15 minutes on the Mujahedin. Therefore, I give the  
21 floor again to -- to Mr. Khan, whom I greet again. I saw you this  
22 morning on television, on the monitor. I see you are working morning,  
23 afternoon and evening. So it is with pleasure that I give you the floor.

24 MR. KHAN: Mr. President, firstly, thank you so much for that  
25 very warm and kind greeting.

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1 Your Honour, I'm very sorry to have to report that my lead  
2 counsel is absent today. She lost her sister over the weekend, and the  
3 funeral is today. We have been in contact with her, and we are not  
4 certain that she will be back tomorrow. After consultation with our  
5 client and given the importance of this particular cross-examination, we  
6 just do read into the record that it will be our application, hopefully  
7 there won't be difficulties from my friends, that if lead counsel is not  
8 back, we be put back after other people have finished their  
9 cross-examination. Your Honour, that was the basis of me standing to  
10 address Your Honours.

11 JUDGE ANTONETTI: [Interpretation] Thank you, Mr. Khan. You had  
12 announced this piece of news. We will express our condolences to your  
13 counsel when she will be back, and there are circumstances in life when  
14 unfortunately one cannot be present, and it is in this situation that you

15 will put in for her as counsel associated for the defence of Mr. Stojic.

16 Now, concerning the 15 minutes which have been granted,

17 Mrs. Pinter.

18 MS. PINTER: [Interpretation] Good afternoon, Your Honours. Good

19 afternoon to everybody else in the courtroom. The Defence of

20 General Praljak, for the moment, doesn't have the book "The Mujahedin."

21 We didn't prepare that, because as things stood on Thursday when we

22 concluded our defence, the general didn't bring in these books, "The

23 Mujahedin," that we were supposed to discuss.

24 What I want to say is that we're not going to go back to the

25 Mujahedin, the subject of Mujahedin, nor are we going to extend our

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1 examination-in-chief. We would like to thank the Trial Chamber for their

2 ruling today, but we've already decided that we have concluded our

3 examination-in-chief. So thank you.

4 JUDGE ANTONETTI: [Interpretation] Very well. Thank you very

5 much, Mrs. Pinter.

6 So, Mr. Praljak, I shall now start asking my questions.

7 WITNESS: SLOBODAN PRALJAK [Resumed]

8 [Witness answered through interpreter]

9 Questioned by the Court:

10 JUDGE ANTONETTI: [Interpretation] First I wanted to tell you as a

11 forward. You have here a Judge who is going to ask you questions totally

12 impartially. You know, just like me, that I have been the Judge of the

13 confirmation. Therefore, you may suppose, you may assume that I have  
14 already an idea on whether you are innocent or guilty inasmuch as I  
15 confirmed the indictment and I delivered an arrest warrant against you.

16 The Judge of confirmation in this Tribunal is seized by the  
17 Prosecution of request for confirmation of an indictment as from some  
18 cubic metres of evidence sometimes. Several years ago I was seized of a  
19 request for confirmation against yourself and your other comrades here  
20 for an indictment, and in the framework of this work, I fixed myself, as  
21 a rule, only the fact of verifying whether what was written by the  
22 Prosecution was confirmed by document without going in depth whether it  
23 was well founded or not. Therefore, I checked that if it was alleged  
24 that there had been crimes, there was at least one document who spoke  
25 about these crimes. That was my first job. Then I checked the names for

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1 the possible accused. There were hearings of these persons, and if there  
2 were documents which would enable us to check, this was my second work.

3 The third job was to check whether the counts were indeed  
4 foreseen by the Statute and were those which were confirmed by the case  
5 law of our Tribunal. So prima facie I established an indictment. And I  
6 wanted to tell you this so that you should know that vis-a-vis this  
7 indictment I am totally free to ask you questions without any prejudice,  
8 any bias.

9 I am aware that there may be a problem. Remember that when you  
10 were present without your counsel I had myself raised this problem,

11 telling you and the counsel who were present that I had been the Judge of  
12 confirmation, the Confirming Judge, but that the Appeals Chamber, because  
13 of the small number of Judges, had considered that there wasn't any  
14 impossibility for the confirmation Judge to also judge on the merits.  
15 And at the time I had told everybody, and there had been no request  
16 against me -- disqualification against me at the time, no request.

17 So I wanted you to know this so that you understand, well, that  
18 in my questions and my way of proceeding it is the way of proceeding of a  
19 totally independent Judge, totally impartial in the regard of the  
20 prosecution, and we shall then see the key points of the prosecution and  
21 of the key points of what is reproach to you.

22 Secondly, I wanted to tell you, Mr. Praljak, that from my point  
23 of view you had -- could defend yourself. You were completely capable of  
24 doing so, and you were alone during the Status Conference, and these  
25 matters were read out. I could have incited you to defend yourself

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1 alone, but since there were five other accused, I considered that in  
2 order not to perturb the hearings, so that everybody could be on the same  
3 footing, it would be necessary for you to be assisted by counsel.  
4 Therefore, I did all I could to have Mr. -- Mrs. Pinter and Mr. Kovacic  
5 could assist you. But if you had been alone to be judged, I would have  
6 seen no problem myself in your assuming yourself your own defence, since  
7 there have been already examples in the history of this Tribunal,  
8 Slobodan Milosevic, Vojislav Seselj, and more recently Mr. Radovan

9 Karadzic. But taking account of the fact that there are several accused,  
10 you understand that everybody must have their counsel, and this is the  
11 reason why I took the steps for you to have also with you your own  
12 counsel.

13 As from the beginning you've seen there have been some problems  
14 because you wanted to continue to defend yourself personally, and we were  
15 not always on the same plane with my colleagues because you thought you  
16 might ask questions, and the majority of Judges was of a different  
17 opinion. The Appeals Chambers decided, and -- decided that you could ask  
18 questions within your competence, the field, and on this matter I have to  
19 tell you that personally I think you have a very wide field of competence  
20 inasmuch as you have had the responsibility of military commander at a  
21 very high level and have also been a political figure in the life of  
22 Croatia. You told us recently you were Secretary-General of a small  
23 political party. You were deputy minister of the Republic of Croatia.  
24 You also were in artistic and literary field a very important part of the  
25 cultural life in Croatia. Therefore, you have a thorough knowledge. I

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1 see that by your -- also your training in philosophy and sociology.  
2 Therefore, you can treat of several fields.

3 Personally, I consider that you were perfectly capable of -- of  
4 asking any questions even if sometimes the form of the questions might  
5 have been a problem because since you're not a jurist, a lawyer, the  
6 questions were not always asked properly, but the Judges are there to

7 rectify these matters.

8 I know that for several years you have been waiting for this  
9 moment, which is very important for you, to be able to answer questions,  
10 because I remember that you had told us -- you had told me, and you said  
11 so also to my colleagues when the Chamber was constituted that you  
12 were -- wanted to bear witness and say everything you wished to say.  
13 Unfortunately, because of these procedures, we had to wait three years  
14 before you could speak to us, address to us -- address us in total  
15 freedom in order to answer these questions.

16 So I know this moment is very important in your life. You were  
17 waiting for this moment. This moment has now come. Therefore, I am now  
18 going to start my own questions, a series of questions. I sent to your  
19 counsel several lists. There are seven lists with different documents  
20 which are mentioned. Perhaps I won't have time to talk about all these  
21 documents, but at least the essential documents are listed both for the  
22 Prosecution's cause and your own defence.

23 Before we start directly on this subject, I would also like to  
24 ask you some more personal and familial questions, because in this  
25 procedure at the Tribunal, the personal life of the accused, the family

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1 environment, is sometimes not very clear. Psychiatric and psychological  
2 aspects are not always taken into consideration, while in a country like  
3 mine there is a whole file which is made on the person or elements  
4 concerning the accused so that the Judge may better know the person they

5 have to judge. And since I wish to know you a bit better, I will start  
6 on certain questions concerning your family -- family environment.

7 You told us a few days ago that your father was, unfortunately --  
8 unfortunately died in August 1993, while you were in a meeting, a working  
9 meeting in Bosnia-Herzegovina, but I was given no information about your  
10 mother. So could you tell us if your mother is still alive or whether  
11 she's deceased?

12 A. My mother has died.

13 JUDGE ANTONETTI: [Interpretation] Very well. In which year?

14 A. 1996. 1996 or 1997. Three or four years after the death of my  
15 father. I can't give you an exact year. 1997, I believe.

16 JUDGE ANTONETTI: [Interpretation] Very well. So she died after  
17 your father. We have learnt that your parents had worked in the state  
18 security services in the days of the ex-Yugoslavia -- former Yugoslavia.  
19 So you were brought up in this context. The fact of having parents who  
20 were narrowly connected with the security matters, did it have any effect  
21 on you or no effect at all?

22 A. Judge Antonetti, Your Honour, let me put you right. My mother  
23 did not work in any -- in any services. After World War II, she was a  
24 white-collar worker. She was a clerk, and several years later she  
25 retired with an invalid pension. My father worked and he retired as a

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1 relatively young man. He was -- well, in 1962, 1963, because the kind of  
2 man he was, and of course it was a Communist radical organisation, but he

3 was -- he sort of bothered people. But there were, of course, radical  
4 and more radical streams.

5 That's the first piece of information, but if I might say the  
6 following, Judge Antonetti: As the son of those parents from  
7 Western Herzegovina, in the system that prevailed and that we've  
8 discussed here, I had excellent possibilities, and rarely did people in  
9 the former state have that kind of opportunity to -- I had the  
10 opportunity of entering the lofty party spheres. I could choose whether  
11 I was going to be a member of the Central Committee of Bosnia-Herzegovina  
12 or Croatia. This was all laid before me. And all my colleagues know  
13 that full well, here and there.

14 A Croat in Western Herzegovina, who was the son of Communist  
15 parents, parents of the regime, well, all doors were open to such a  
16 child. Now, Your Honours, I did not pass through any of those open  
17 doors. At the time -- well, I'm not going to say I became fully  
18 conscious at the age of 18, fully conscious of everything that Communism  
19 was, that would not be true, but there was another truth and here it is:  
20 I knew that my friends from Siroki Brijeg, who was known as a sort of  
21 Ustasha town because labels were placed on people. Gojko Susak, Penavic  
22 and so on, all these young guys who were my friends and whom I socialised  
23 with, they had no chance whatsoever. So all these friends of mine,  
24 classroom friends or people who were a year older than me or a year  
25 younger than me, they were proscribed by the very fact of having been

1 from Siroki Brijeg and Western Herzegovina, whereas all doors were open  
2 to me of all state institutions, and at that time I opted for my friends,  
3 in favour of my friends. And then several years later while I  
4 investigated everything that Communism was and meant and all the things  
5 that I didn't learn in my parental home, I knew there were things that  
6 nobody dared say in school, I clashed politically with my father.

7 My mother is a Dalmatian. She is from Dalmatia, from the coast.  
8 Her town was taken over by the Italians and she joined the partisans,  
9 simply following the same logic that I went towards; that is to say, she  
10 didn't want to recognise Mussolini and his army in the area she lived in  
11 and came from, and she came to realise that what she had fought for in  
12 World War II was not realised and implemented in Yugoslavia. But my  
13 grandfather, that is, on my father's side, he was in prison because he  
14 fought against the regime of the Kingdom of Yugoslavia.

15 So as you can see, each generation creates something, builds  
16 something and destroys something, at least in the areas from where we  
17 come. He -- my father didn't gain anything from the regime. He was a  
18 very honest man. He received no benefits from the regime, nor did my  
19 mother, and so I would never renounce my parents, of course. But I just  
20 took a different political stand to my father, which was first of all  
21 based on the fact that I -- I remained loyal to my friends because they  
22 didn't have any chance of having -- of gaining a scholarship or having  
23 the doors opened for them that I had opened before me.

24 JUDGE ANTONETTI: [Interpretation] As for the composition of your  
25 family, your parents, were you an only child or did you have brothers and

1 sisters?

2 A. I have a sister and a brother.

3 JUDGE ANTONETTI: [Interpretation] And what does your sister or  
4 your brother do?

5 A. My sister is a university professor, or was at university in  
6 Sarajevo, and when the war broke out, she had taught as a professor in  
7 Sarajevo and currently she is a full-time professor at the university in  
8 Zagreb.

9 My brother is a dentist. She -- he has a Ph.D. in dentistry, and  
10 he has his own private practice in Makarska as a private dentist.

11 JUDGE ANTONETTI: [Interpretation] So you are intellectuals in the  
12 family. You have a sister who is a university professor and a brother  
13 who is a physician.

14 As far as your departure for Zagreb is concerned, you went to  
15 study in an engineering and technical school. On reading the indictment  
16 again, I realised that Mr. Prlic studied economics at the Sarajevo  
17 faculty.

18 You studied in Zagreb. Was this choice made on geographical  
19 grounds or did you make this choice because in Sarajevo there was no  
20 engineering school with a speciality in electrical engineering?

21 A. I don't know. It seems to me that there was no school of  
22 electrical engineering in Sarajevo. There was one in Belgrade and  
23 another one in Zagreb.

24 Mr. Prlic attended the entire grammar school in Mostar or  
25 something of the sort. However, I went there because all of my friends

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1 that I had gained while I was growing up in Siroki Brijeg, they all went  
2 to Zagreb. That was my choice because I was going to be studying with  
3 those same people with whom I was intimate, with whom I was friends.

4 My two years spent in Mostar was too short a period of time to  
5 extend my circle of friends.

6 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, several days ago  
7 you told us that most young students left for Zagreb. When you said  
8 that, I had felt like asking you a question, but then I said to myself I  
9 would put you the question today when I put all my questions to you, so  
10 this is my question: The youths at the time that came from Mostar or its  
11 surroundings, why did these young people go to Zagreb rather than go to  
12 Sarajevo, because as I have just said, Mr. Prlic studied in Sarajevo.  
13 Was it because it was near? Was it because the teaching in Zagreb was  
14 better as opposed to Sarajevo? Why did you and your comrades, rather, go  
15 to Zagreb rather than Sarajevo or Belgrade?

16 A. The truth is this: Western Herzegovina went to Croatia --  
17 rather, to Zagreb as a result of national interest. Most Serbs from  
18 Herzegovina went to Belgrade, and a majority of Croats went to Zagreb. A  
19 majority of Serbs went to study in Belgrade.

20 Later on as the university in Sarajevo developed, depending on  
21 their possibilities, due to the vicinity of Sarajevo and Mostar, the

22 number of people who went to study in Sarajevo grew gradually.

23 JUDGE ANTONETTI: [Interpretation] You are telling us that young  
24 people that were Serb preferred to go to Belgrade? The Croatian students  
25 rather go to Zagreb, and the Muslim students went to Sarajevo. All of

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1 this happened in the Communist regime of the former Yugoslavia. In other  
2 words, when you went to university, was the choice based on ethnicity?

3 A. Correct. Not only when choosing a school. In Yugoslavia  
4 ethnicity played a role in almost everything, because the ethnical issue  
5 was unresolved in Yugoslavia.

6 JUDGE ANTONETTI: [Interpretation] The Bench before you is not  
7 familiar with the former Yugoslavia in the sense that we haven't lived  
8 there, so this is something new to us. You are telling us that prior to  
9 1991, let's say, the ethnic issue was an important issue, because one  
10 decided what -- what one's career was going to be and what university was  
11 going to choose based on one's ethnicity, and one decided to go to either  
12 Zagreb or Belgrade or Sarajevo. Is that what you are telling us?

13 A. They didn't choose their profession based on their ethnicity, but  
14 they did choose the place where they would study.

15 JUDGE ANTONETTI: [Interpretation] To finish off with this topic,  
16 were there any comrades of yours decided not to go to Zagreb, Sarajevo,  
17 or Belgrade, who decided to go to, let's say, Moscow or one of the cities  
18 in the former USSR?

19 A. No, Your Honour. In Yugoslavia -- or during the time of

20 Yugoslavia, nobody went to study anywhere in the Soviet Bloc.

21 JUDGE ANTONETTI: [Interpretation] So everyone remained in the  
22 former Yugoslavia.

23 So you reached the age of 18, and you come to Zagreb. What  
24 prompted you to go and study engineering? Was this an interesting  
25 stream, professionally speaking, or were you enthused by the work

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1 conducted by Fermi or Edison? Why did you choose this particular stream  
2 specialising in electrical engineering?

3 A. Your Honours, I was not exactly much aware of what I wanted to  
4 study at the age of 17 or 18. I was considering a lot of options. I was  
5 good at mathematics in high school, and I was being pushed, as it were,  
6 to study either technical sciences or mathematics, because the perception  
7 was of that profession to be safe, well paid, would provide a secure job,  
8 and that's how I went to study electrical engineering.

9 Already after the first year I realised that the -- I could  
10 complete my studies without any problems, and I could be an excellent  
11 student. However, that I would not be satisfied if I spent my whole life  
12 working as an engineer. To be honest, I was not an engineer by vocation.  
13 I was a good student, but I was more interested in theory and I fell  
14 apart after the first year, and for the next two years I did not even  
15 study. I did all sorts of odd jobs. I drank a lot as well, and I was  
16 simply looking for myself, searching for myself, and already while I was  
17 a student at the grammar school in Mostar, I got involved in some theatre

18 things, and actually I realised that I wanted to be a theatre or a film  
19 director. I went to the film academy to see what this was all about. At  
20 that time, it lasted for two years, but the condition for enrolling was to  
21 be an undergraduate eligible for degree finals at one of the departments  
22 of the Faculty of Philosophy, and that's why I started studying philosophy  
23 and sociology in order to be able to continue at the Drama Academy.

24 I went on to study electrical engineering. That was only when I  
25 realised what is -- that was that I actually wanted. When that was out

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1 of the way, I could complete any school so I went on to study electrical  
2 engineering. However, in Yugoslavia there were ongoing school reforms,  
3 and when I almost completed my studies at the school of sociology and  
4 philosophy, the film academy became a four-year school, and that's how I  
5 enrolled as a full-time student at the school, at the film academy, and I  
6 completed all the other studies at the same time.

7 What I'm saying is I never wanted to give up. Once I enrolled at  
8 a school I wanted to finish. I wanted to go through the bitter end no  
9 matter how long it would take. I didn't want to give up.

10 THE INTERPRETER: Microphone, Your Honour, please.

11 JUDGE ANTONETTI: [Interpretation] I'm sorry.

12 I would like to talk about the time you met your wife. What year  
13 did you get married in?

14 A. Your Honour, the first time I got married was in 1969. My first  
15 wife could not find a job in Yugoslavia. She graduated from the school

16 of psychology. I already had a work permit in Germany, because I had  
17 worked in Stockholm at the Akla company from 1965, and then I went on  
18 working in Titisee in Hochschwarzwald every year for three months as  
19 waiter, and that's how I funded my studies in Croatia and my life.

20 My first wife found a good job in Germany as a psychologist in an  
21 institution for "behinderte kinder" or children for development  
22 disorders, and my choices were to start working in Germany as a film  
23 director. I had had some contacts with Bavaria Film or alternatively to  
24 go back to Yugoslavia. And then the year 1971 came. A lot of my friends  
25 ended up in gaol at that time because they had expressed their wish for

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1 democratisation which has now -- which has gone down in history as the  
2 Croatian nationalist movement, which is a notorious lie. People just  
3 wanted democracy and an independent state of Croatia, and I was among  
4 those people.

5 JUDGE ANTONETTI: [Interpretation] I'm still discussing your first  
6 wife who was a psychologist who worked in a school that specialised in  
7 disabled children.

8 What year did you divorce in?

9 A. Your Honour, first of all, we were separated. I said I didn't  
10 want to live in Germany, and then we got divorced a bit later. She found  
11 it convenient for tax reasons to be married, and I also found it  
12 convenient because it gave me an opportunity to extend my work permit and  
13 residence permit in Germany. However, we were divorced in 1972 or 1973.

14 We had agreed that we would no longer live together, and that's when I  
15 met my second wife. Everything is known about her, of course. However,  
16 there is a lot of gossip that is accompanying this trial. Therefore, I  
17 would like to ask permission to say everything, all the facts about this  
18 marriage in private session, because I don't want to expose my wife to  
19 more gossip.

20 JUDGE ANTONETTI: [Interpretation] Let's move into private  
21 session.

22 [Private session]

23 (redacted)

24 (redacted)

25 (redacted)

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11 Pages 41372-41375 redacted. Private session.

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1 (redacted)

2 [Open session]

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

4 JUDGE ANTONETTI: [Interpretation] We know now that you studied in  
5 Zagreb. I understood you to say that you were opposed to the Communist  
6 regime. What was the date when you actually became a political activist?  
7 What was the year when this happened, when you felt that alongside your  
8 job as a director you were going to go into politics? In what year did  
9 this happen?

10 A. Your Honour, let's put it this way: As my views opened -- and  
11 it's very difficult to say when exactly, at what moment I became aware of  
12 things as I was developing intellectually. In 1968 I was one of the  
13 leaders of the students' rebellion in Zagreb.

14 Everybody says that this spilled over from France, Bendit, and  
15 from Ducka [phoen], which is not true.

16 In 1968, I raised a rebellion which split into two things in  
17 Croatia. On the one hand we had a leftist rebellion of those who  
18 rebelled against Communism, and I was on the right wing of that  
19 rebellion, and one can say that in 1968 I became a -- perceived publicly  
20 as somebody who rebelled. And if you want me to give you the year that  
21 would be it, although I was an activist even before that. However, I  
22 started speaking publicly and openly in 1968, and I was rebelling against  
23 many things but the list would be just too long for me to go over it.

24 JUDGE TRECHSEL: I think, Mr. Praljak, ladies and gentlemen, I  
25 think there has been a linguistic misunderstanding when the President

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1 asked you about privilege in your family. I have the feeling you  
2 understood this in a sort of foul way, abuse, like all totalitarian  
3 regimes have people they privileged just because of this or that reason.  
4 In fact, I understood Judge Antonetti stating that your family belonged,  
5 let's say, to upper middle class, something like that. Would you agree  
6 to the latter? Or lower upper class, or even -- whatever you want. I'm  
7 not going to squeeze you into any label, but maybe you will tell us

8 yourself.

9 A. Yes, Your Honour, Judge Trechsel. In our language the word  
10 "privileged" had only one meaning, and that was that you became a member  
11 of the League of Communists, and then, along the party lines, you were  
12 proposed regardless of your capabilities, work, brains. That's how I  
13 understood the word "privileged."

14 As for the second part of your question, it is true that my  
15 brother and my sister had it a little bit better than the average person.  
16 We were intellectuals -- or rather, not -- not let me say intellectuals  
17 because I don't like the word. I like to say that we were the educated  
18 part of the Croatian society.

19 JUDGE TRECHSEL: [Overlapping speakers] [Previous translation  
20 continues] ... to clarify.

21 JUDGE ANTONETTI: [Interpretation] Thank you, Mr. Praljak, for  
22 having detailed this for us. Let me get back to the students' movement.  
23 You have just told us -- and this is something I knew nothing about, so  
24 it's good you put questions because you learn a lot of things.

25 You have just told us that you headed the students' movement.

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1 You know that in Europe the students' movement in the years 1968, 1969,  
2 started in Germany and spread to France, and gave rise to the same  
3 movement in other countries also.

4 From what I understood, you are telling us that the students'  
5 movement, according to you, developed first in Croatia. There was a

6 leftist Communist wing and then a more liberal and right-wing branch to  
7 it. From what I understand, you were one of the people who headed this  
8 movement.

9 A. Yes.

10 JUDGE ANTONETTI: [Interpretation] When you headed the students'  
11 movement, how did the authorities react to this? Did they let you get on  
12 with it? Was there a laissez-faire policy or were there reactions  
13 against this movement?

14 A. Well, what surprised me was that the authorities were terrified  
15 all of a sudden. And at the time I was 73 -- I weighed 73 kilos. I was  
16 thin and tall, and when we went for talks in those various central  
17 committees you could feel this fear. It was tangible, and I couldn't  
18 understand why such a powerful organisation would feel this fear from  
19 these young people who were thin and not well dressed, and they kept  
20 promising and promising.

21 Well, in other words, afterwards, part of that party structure  
22 joined the students who were seeking for a better face to Communism and  
23 socialism, the better image. And the other portion of the party  
24 structures were opposed to all this because, of course, it all went to  
25 topple security and safety, and security is the basis of every Communist

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1 system. And then Tito delivered a speech in Belgrade and took the side  
2 of the students, and then he said, "You see, I'm in favour of you. I'm  
3 all for students but there are a lot of agents provocateurs in your

4 midst," and so on and so forth, and so the student movement sort of died  
5 out very quickly after that.

6 Now, in Zagreb in the executive committee of the League of  
7 Communists I had two or three meetings with a high-ranking Communist of  
8 the day. His name was Miko Tripalo. He was one of the two or three  
9 Communist leaders of the day, and of course later on, as a Croatian  
10 nationalist, in 1971 they did away with him, and he joined the movement  
11 in the 1970s. But anyway, I -- or, rather, I tried to initiate -- or I,  
12 rather, tried to put on the table the problems that were facing Croatia,  
13 what Croatia felt is the problems and how Belgrade took money from all  
14 the other parts of Yugoslavia. It would be very complex for me to go  
15 into all that, for -- the construction of the Belgrade to Bar railway  
16 line which was an enormous investment and that railway line is not  
17 transporting anything really, and then the construction of the steelworks  
18 and -- in Smederevo, and how these joint loans were raised.

19 I would spend it on my suit, for example, and then we would all  
20 have to give it back. You, Judge Trechsel and Judge Prandler, and then I  
21 would take out another loan to buy myself a house, and then all of us  
22 together would pay back the money, so that was the sort of situation on a  
23 State level. Then there was the enormous money and resources given to  
24 the JNA. There was just one airport in Bihac, for example, up in the  
25 hills, it cost \$4 billion at the time. And then all the underground

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1 shelters around Sarajevo, they were very expensive. They cost billions

2 and billions. And then that famous Konjic shelter where the ammunition  
3 was produced. That cost \$3 or \$4 billion. So all this money going out.  
4 And then at least -- Tito had at least 20 residences, from the Brioni  
5 islands and across the country, he had large villas in all parts of the  
6 country that were always ready and waiting for him to spend a night  
7 there. In every town and city, even in Mostar, if you notice the Neretva  
8 Hotel, the hotel that was burnt down, the house to the left was a villa  
9 built exclusively for Tito, and it was empty all the time. Some party  
10 official might have spent the night there if he was allowed to do so, but  
11 anyway, these were all the topics and problems that existed and which  
12 followed on over the decades.

13 JUDGE ANTONETTI: [Interpretation] Did the authorities sort of  
14 catalogue you as an anti-Communist?

15 A. Well, in part, yes, although the authorities thought that the  
16 students' movement was still following along the lines of the ideals, but  
17 in 1971 I was clearly designated as somebody being a Croatian  
18 nationalist, to make things clear. I belonged to the group that was  
19 called Croatian nationalists, regardless of what you heard in the closed  
20 session of how a classical nationalist in Croatia lives. But anyway,  
21 that would be the phrase.

22 JUDGE ANTONETTI: [Interpretation] [Previous translation  
23 continues] ... words, define what you just said. What is a Croatian  
24 nationalist?

25 A. Well, Your Honour, I can define how -- what the Communists

1 thought and considered. If you were to sing a little song from the  
2 19th century, for example, from Croatian history, for example, then you  
3 would go to prison for three months. If you just happened by chance, for  
4 example, to bring in Djilas's book from Germany, then you would go to  
5 prison for a year. Any resistance and opposition to the system was  
6 either called Croatian nationalism or Serbian nationalism, Muslim  
7 nationalism, or some other form of nationalism, Albanian or whatever.  
8 Any opposition, any questioning of the system, any public activity about  
9 the conduct and rule of that system, exercising control over the  
10 citizens. From the hundreds of thousands of dossiers that existed for  
11 every individual, the word applied there would be "nationalist" or  
12 "extreme nationalist." So that is the definition of a nationalist.

13 JUDGE ANTONETTI: [Interpretation] So if I understand you well,  
14 the fact of being an opponent to the political system which was  
15 prevailing made people say that you were a Croatian nationalist. If you  
16 had been Serbian, they would have said you were a Serbian nationalist.  
17 Very well. I understand what you've just said.

18 A. Correct. Correct.

19 JUDGE ANTONETTI: [Interpretation] So after your studies you  
20 become a -- you -- you are going to the -- have some stages. You're  
21 going to stage some plays, and I would like to know if this was  
22 considered favourably by the authorities of the Republic or the federal  
23 Republic of the ex-Yugoslavia, or did you appear to them as dangerous  
24 people? What was the point of view of the authorities about the fact

25 that you were staging -- putting on stage foreign authors for

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1 theatricals?

2 A. Well, Your Honour, it wasn't the problem of foreign authors.  
3 Grumberg [phoen], Breth [phoen], Shakespeare, none of that --  
4 Shakespeare, none of that interested them. You could do that freely.  
5 But what they were interested in, in seeing that some domestic author  
6 would present a problem picture of the Yugoslav society. That's what  
7 they were interested in.

8 And secondly, you would get a lot of jobs if you were a member of  
9 the party, especially jobs to do with television or to make a film, to be  
10 given money and the resources to produce a film. For example, I had to  
11 bring in ten scenarios for a documentary or short film, whereas I  
12 directed only one out of those ten.

13 So whether I was useful or not in the technical sense -- well, my  
14 usefulness was 5 to 10 per cent. I would write ten dramatisations and  
15 was allowed to go ahead with just one project. That was the way in which  
16 they exerted pressure upon you.

17 JUDGE ANTONETTI: [Interpretation] How can you explain that,  
18 finally, you never were sent to prison for revisionism or deviationism in  
19 comparison with the prevailing ideology? What do you think helped you to  
20 get through?

21 A. Most of the people were imprisoned in 1971 -- or, rather, 1972,  
22 because that's when the student incidents took part in the -- took place,

23 in the summer of 1971.

24 Now, as luck would have it, or not, I had to go to work in  
25 Germany that summer. So I wasn't in the very focus of attention and in

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1 the centre of the demonstrations and negotiations. By the time I  
2 returned, things had moved on.

3 And afterwards, I did not wish to be stupid enough to get myself  
4 imprisoned just for throwing some pamphlets somewhere. That had no  
5 sense. And we knew, Judge Antonetti -- or, rather, I knew in my group of  
6 friends that the system could not survive and that it would be toppled.  
7 That is to say, it wouldn't be destroyed because of the famous sentences  
8 about the human desire for freedom. Many people don't want freedom.  
9 It's just the very few individuals who cannot live without freedom. So  
10 the system toppled because it was ineffective economically speaking. The  
11 Soviet Union and all that fell through and was toppled because of  
12 economic reasons, whereas some people lived too well. So that led to the  
13 breakdown. And the people at the head of this breakdown were people who  
14 desired freedom, but let me say when in a Communist system some people  
15 provided money from outside so that they could live well, live equally --  
16 live as well as people lived in the West where you had to work for your  
17 living, that system would never have changed, would never have toppled.

18 JUDGE ANTONETTI: [Interpretation] While listening to you I get  
19 the impression that during all this period when you were in Zagreb, the  
20 Bosnia-Herzegovina republic, Mostar, and its whereabouts, was a bit far

21 from your own concerns. What could you tell us about this?

22 A. Both my parents lived in Mostar, and I had a lot of friends  
23 there, too, from the so-called underdeveloped areas, because it's a karst  
24 landscape. Lots of stone. No factories were being -- were built there.  
25 So it was a developing area -- or underdeveloped area, and people knew

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1 what the situation was like. People knew what the situation was like  
2 very well. And we knew each other very well. We needed each other's  
3 help and assistance, and we were linked to that karst over there, the  
4 karst landscape, so that I was relatively well acquainted with the  
5 situation in Herzegovina.

6 Now, as far as the situation in Yugoslavia is concerned, I knew  
7 everything. All the papers wrote about it. All the books discussed  
8 this, and it was a scientific, if you will, research into the system. So  
9 I think that I saw where all that was leading, and I don't think I made a  
10 mistake.

11 JUDGE ANTONETTI: [Interpretation] So you went back to see your  
12 parents, I suppose, during vacation. Did you see them regularly during  
13 vacation period?

14 A. Yes.

15 JUDGE ANTONETTI: [Interpretation] When you went to see your  
16 parents, at the borders, were there -- was there any control or didn't  
17 you quite know where you were? Were you passing from an area to another  
18 without any control? As one moment [indiscernible] the Republic of

19 Croatia and a hundred yards further in the Republic of Bosnia-Herzegovina  
20 without any customs officer or policeman? Was it like that?

21 A. Correct, Your Honour. Just as it does in France. There were no  
22 internal controls in the former Yugoslavia. It was a uniform,  
23 centralised country, state.

24 JUDGE ANTONETTI: [Interpretation] Right. So let's get into  
25 details now. Sometimes when one passes a border, one gets the impression

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1 of changing country, of getting into another country. For instance,  
2 while I will not quote any specific case but when you pass a border, you  
3 say, "Ah, we're in other -- in another country." For instance, Canada  
4 and the United States. When you're in the United States, you feel that  
5 you're in the United States, and then you -- when you get into Canada,  
6 say, "Ah, I'm in Canada."

7 Now, when you passed from Croatia to Bosnia-Herzegovina, did you  
8 have a feeling of such a difference, for instance, or not?

9 A. Well, that difference, Your Honour, did partially exist in  
10 Yugoslavia. Well, in Belgrade I had some people -- well, I met Karadzic,  
11 for example, as a poet in 1968 and 1969, while he was a poet in Zagreb,  
12 and at festivals in Belgrade. Whether they were theatre festivals, film  
13 festivals, or whatever. I knew lots of people. And the late  
14 Shakespearologist from Sarajevo, and the various journalists and so on.

15 Now, I went to Belgrade knowing that it was in a way another  
16 state. I went to see my friends and acquaintances, but -- well, in

17 Western Herzegovina, I would go there as if it were my own country,  
18 because there the border was imposed by some peace agreement of the  
19 Berlin Congress or whatever as the big powers saw fit to impose. For  
20 example, that famous place Imotski, which is in Croatia, the borders  
21 around that were drawn in the following way: An old gun, cannon, was  
22 placed in Imotski, and it was fired from, and then a circle around that  
23 was drawn and they said, "This is the Croatian border now, because now on  
24 the opposite side where it was the Turkish empire, you can no longer  
25 shoot at the town, target the town." So that's how borders were traced

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1 in those areas.

2 And when I crossed the border at Imotski, I did not feel any  
3 difference, because on both sides the same people, same nation, lived.  
4 The same culturological civilisation were there. There is no nationalism  
5 or chauvinism there, of course. It's just this feeling of communality,  
6 culturally speaking and so.

7 Now, when you went to Herzegovina, because of the karst [Realtime  
8 transcript read in error "cast"], I felt far happier than going somewhere  
9 where there was plains, where it was flatland. And when I went to the  
10 coast I would like it because my mother was from there, from Dalmatia,  
11 and I would feel like a plant breathing fresh air.

12 JUDGE ANTONETTI: [Interpretation] [Previous translation  
13 continues] ... home, you were at home and there wasn't any difference, no  
14 fundamental difference, but now I think that my colleague wishes to

15 ask --

16 JUDGE TRECHSEL: I would like to make an observation regarding  
17 the transcript. I'm referring now to page 32, line 21. For the second  
18 time here at least, we find the word "cast," c-a-s-t, and I wonder  
19 whether what is meant is not "karst," k-a-r-s-t, which describes the  
20 specific geological function. Am I correct, Mr. Praljak?

21 THE INTERPRETER: The interpreters note that the word is karst,  
22 k-a-r-s-t.

23 THE WITNESS: [Interpretation] Correct, Judge Trechsel.

24 JUDGE ANTONETTI: [Interpretation] Thank you, Mr. Praljak, for  
25 specifying this. Now we will go more and more into the merits. You told

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1 us a few days ago that you had joined the movement, people who were  
2 dealing with cultural matters, who gathered in order to have a political  
3 action. Could you tell us at which moment you had finally gone into  
4 politics in a political action, because up to now one understands your  
5 motives, but political commitment is something. One has to go to  
6 meetings. There are political projects, plans. So at what moment did  
7 you actually adhere to a political project, and which project?

8 A. Just one sentence, if I may, before I answer that question. I  
9 agree. Let's call it a political project. Let's refer to it that way.  
10 But what I'm telling you is that it's something that was a moral project  
11 and create statehood -- of statehood creation. It was never my ambition  
12 to delve in politics, either before or afterwards, and in that respect,

13 my involvement was not in the sense of joining a party and becoming  
14 something in politics within the party. I had no ambitions like that.  
15 However, it was clear to me, and I've already said this before, I  
16 realised in 1975, at least 15 years ago, I kept explaining to everybody  
17 around me that, unfortunately, Yugoslavia was going to disintegrate in a  
18 war, that there would be war, and I even calculated the number of dead in  
19 that war.

20 Now to answer your question, here's my answer: In February 1989,  
21 we gathered together publicly, we were in a society of Croatian writers,  
22 on Ban Jelacic square, which is the central square in Zagreb. There were  
23 about 180 of us present, all rallied together. Franjo Tudjman was there,  
24 so from his level downwards, and we signed our names to a document and we  
25 stated for the first time, The time has come, we said, when we need to

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1 start organising ourselves and to realise those ideas and ideals which we  
2 had always advocated in smaller groups, and I think that was the 14th of  
3 February, 1989.

4 Well, there might have been a smaller group, because -- there  
5 was -- the group was actually smaller because there were many informers  
6 there and police, plain clothes, infiltrating us. But it was called HDZ,  
7 the Croatian Democratic Community as a party in the process of being  
8 founded, because political parties were banned at that time.

9 JUDGE ANTONETTI: [Interpretation] You were roughly 170? This  
10 took place in the cultural centre, the writers of Zagreb, and there was

11 Mr. Tudjman. He was then in which capacity, as an historian? What was  
12 his title which meant he would come there with other intellectuals.

13 A. He was the main organiser of that rally or meeting. He wrote the  
14 basic declaration and set out all the viewpoints and positions which we  
15 wanted to act upon politically. If truth be told, the declaration was  
16 not completely finished yet, and he didn't want to go public with it yet  
17 because he was afraid that the police would round us all up and put us  
18 into Black Marias and take us off to prison. Not because we were afraid  
19 of going to prison but because we didn't want to take any steps that  
20 weren't well thought out and thereby lose the opportunity of creating the  
21 Croatian state after 800 or 900 years.

22 JUDGE ANTONETTI: [Interpretation] I was going to ask you a few  
23 questions about Mr. Tudjman, but I will have the opportunity to do so  
24 when we will talk about the question of the participations to the joint  
25 criminal enterprise.

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1 On the 14th of February, 1989, Mr. Tudjman, did you already know  
2 him? When did you actually meet him for the first time?

3 A. A little before that. I knew his son, actually, but I met  
4 Dr. Tudjman personally a little while before that at another meeting of  
5 university professors, at a club. We had a meeting and that's when I  
6 first met him. Personally met him, I mean, but I knew about him. I knew  
7 everything about him before that.

8 JUDGE ANTONETTI: [Interpretation] In 1989, Mr. Tudjman was

9 occupying what post? Was he university professor? What was he exactly?

10 A. No. Mr. Tudjman had no post. He was a pensioner. He was  
11 retired. He had been a pensioner for quite some time. He was in prison  
12 twice, so everything had to be done -- well, he had to tread carefully.

13 His younger son was a -- rather, older son was Miro. His older  
14 son Miro was a university professor.

15 JUDGE ANTONETTI: [Interpretation] This statement or declaration  
16 which I think we don't have, we've never seen it, what was the political  
17 platform it contained, in a few words?

18 A. A maximumly broad and democratic one in all respects. Although I  
19 prepared a declaration of the Croatian Community, and I took part in  
20 shaping it personally, and the programme declaration of the Croatian  
21 democratic party, I was the main secretary there, and I also prepared  
22 some proclamations that we wrote, urbi et orbi, and since I didn't have  
23 enough time for all this, I ask Ms. -- Ms. Alaburic will be asking me  
24 about that so you're going to gain an insight -- well --

25 JUDGE ANTONETTI: [Interpretation] So if I understand you, the

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1 central theme of this statement was about democracy. That's it?

2 A. Correct, Your Honour.

3 JUDGE ANTONETTI: [Interpretation] And democracy as opposed to the  
4 regime in which at the time in the year, '90s, you were living; is that  
5 so?

6 A. Correct. Democracy, human rights, a market economy, Yugoslavia's

7 decentralisation. No mention was still made of the establishment of  
8 states, but democratisation -- or, rather, the decentralisation of  
9 Yugoslavia, greater economic independence and autonomy for the republics,  
10 and so on and so forth.

11 JUDGE ANTONETTI: [Interpretation] So, there were four main  
12 themes, democracy, human rights, decentralisation, and market economy to  
13 have a link with this platform. Do you have a newspaper, leaflets or --  
14 because 170 people who gather, it's very well, but from the point of view  
15 of the media, what is the relay? Did you have relays in the media?

16 A. No. No newspaper was allowed to publish that, and we were not  
17 allowed to publish a newspaper. The number was even lower, because there  
18 were a number of spies amongst us.

19 JUDGE ANTONETTI: [Interpretation] Right. So if you withdraw the  
20 number of spies, you were not very many. But in this small group of  
21 leaders there was Mr. Tudjman. Were you yourself one of the important  
22 people or did you have a secondary role?

23 A. I was not among the leaders, but I was not among the -- the last.  
24 I was in the first third and later on I was even higher up.

25 JUDGE ANTONETTI: [Interpretation] In the higher third.

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1 We shall now break, and we will continue just after the break.

2 --- Recess taken at 3.44 p.m.

3 --- On resuming at 4.07 p.m.

4 JUDGE ANTONETTI: [Interpretation] Very well. Let's resume.

5 I would now like to address the following -- I'm trying to move  
6 on quickly, but it is difficult sometimes. Once you prepared this  
7 platform but you were unable to communicate it because you didn't have  
8 the right channels to do so, according to you, at what time did your  
9 movement emerge as something operational? At what particular moment did  
10 this happen?

11 A. We obviously met in different places. It could not be kept a  
12 secret. The authorities knew that we were meeting. However, already at  
13 the time the repression subsided, and in operative terms, our meetings  
14 became public. At the moment when the League of Communists of Croatia  
15 issued a decision for parties to be allowed to be registered, I showed  
16 you a film depicting me delivering a short speech and thanking on behalf  
17 of all the Croatian parties, and before that, one party was allowed to  
18 register within the Socialist Alliance of Yugoslavia.

19 In Yugoslavia, part of -- from the League of Communists there was  
20 something that was known as the Social Alliance. It was an organisation  
21 that was broader than the League of Communists, and it comprised in a  
22 certain way everybody. Of course it was under the control of the League  
23 of Communists.

24 The Croatian Social and Liberal Party managed to be the first one  
25 to obtain the right to be organised as an element of the Socialist

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1 Alliance of Croatia, but that was not yet a proper party. It had to  
2 operate within the framework of the principles of the Socialist Alliance.

3 And then if you will remember when there was a discord within the League  
4 of Communists of Yugoslavia, the Congress when Milosevic demanded a  
5 renewed unitarisation of Yugoslavia, the first ones to leave the Congress  
6 were the Slovenian Communists and then the Croatian Communists led by  
7 Racan also left, and that's how the League of Communists of Yugoslavia  
8 did not manage to complete that Congress and that's how it disintegrated.  
9 And after that, parties were allowed to get organised in Croatia, and  
10 after that date, people started registering as members of various  
11 parties. Before that it was all illegal. The number of people in the  
12 parties were very low. They were mostly friends and acquaintances who  
13 knew each other.

14 JUDGE ANTONETTI: [Interpretation] The HDZ must have registered,  
15 but from what I understood, you were not part of the HDZ. For what  
16 reason?

17 A. I was among the seventeen individuals who prepared the registration  
18 of the Croatian Democratic Union within the framework of the Socialist  
19 Alliance, and then a ban was issued to ban the work of that organisation.

20 Dr. Tudjman at the time took a group of people to a shed, and  
21 that group of people secretly formed the Croatian Democratic Union. And  
22 although I was in a certain way the organiser of that gathering that  
23 should have been a public gathering within the framework of the Social  
24 Alliance, I and another group were not informed that they were headed for  
25 what shed for this secret meeting, and that's how this rift happened

1 between --

2 JUDGE ANTONETTI: [Interpretation] Please allow me to stop you,  
3 because we are addressing an important issue. It is important that there  
4 is no mistake in the translation.

5 So you organised -- within the Socialist Alliance you organised  
6 this meeting, and then if I understand properly, Mr. Tudjman brings along  
7 a small group of individuals, which you were not part of, in order to set  
8 up in secret the HDZ, and you are not part of this group. Why were you  
9 sidelined?

10 A. That gathering that I was in charge of, and it was supposed to  
11 take place in a hotel, was banned by the police. Well, there was no  
12 special intent behind all that. In all that commotion, one group just  
13 was taken aside. I don't know whether there was any intent behind that.  
14 In any case, they went to that shed. We -- we went to another place.  
15 Then he asked us to join us. However, there was a major rivalry between  
16 Dr. Franjo Tudjman, on the one side, and Dr. Marko Veselica on the other  
17 side.

18 JUDGE ANTONETTI: [Interpretation] Could you spell out the name of  
19 the doctor? I didn't hear the name properly. You said there was a  
20 rivalry between Tudjman and the name of this person. Could you give us  
21 his name again, please.

22 A. Dr. Marko Veselica.

23 JUDGE ANTONETTI: [Interpretation] Marko Veselica. What was the  
24 reason?

25 A. Dr. Franjo Tudjman felt and wished that he, that he would... that

1 he was in a certain way called upon to lead the changes in the Croatian  
2 people and in Croatia, and some other people felt the same. Among them  
3 was Marko Veselica who was on the other side because Marko Veselica had  
4 spent 11 years in prison, although he himself was a member of the League  
5 of Communists before that. So he simply felt that he was the one who  
6 should be leader or at the forefront of that movement to institute  
7 democracy in Croatia. There was also Dr. Savka Dabcevic-Kucar who was  
8 removed in 1972, and she was the leader of the League of Communists in  
9 Croatia. You know, there were some personal ambitions there and a lot  
10 more.

11 JUDGE ANTONETTI: [Interpretation] Were these personal rivalries  
12 and not rivalries due to the fact that the political platforms were  
13 different? These -- these were ego trips?

14 A. Correct. Your Honours, the programmes were absolutely the same,  
15 the programme of the Social Liberal Party of the HDZ. They were like two  
16 peas in a pod.

17 JUDGE ANTONETTI: [Interpretation] I apologise for interrupting  
18 you. I would like you to provide us with short answers. This means that  
19 I can ask a greater number of questions to get as close as possible to  
20 the truth which I hope to do. We live in hope.

21 You yourself, in what direction were your leanings? What was  
22 your personal choice or didn't you have one?

23 A. I remained in the party that was led by Dr. Marko Veselica's

24 brother, a professor of economics, Vlado, and Marko was also professor of  
25 economics. And why was that? Because Marko Veselica was still not

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1 allowed to appear publicly. He was released from prison, but he still  
2 was not allowed to appear publicly. He was not allowed to speak or  
3 publish, and that's why his brother and the rest of us did. It was more  
4 on the friendly line. I had more friends on that side, and I stayed with  
5 them, although there were no political differences there at all. There  
6 were no significant political differences at all.

7 If you will allow me, I can tell you what was the only -- perhaps  
8 the only major political difference.

9 JUDGE ANTONETTI: [Interpretation] So what was the sole  
10 significant political difference?

11 A. The only significant political difference was the attitude  
12 towards the document that were created during the Partisan movements.  
13 And I'm talking about two documents, one that was originated from AVNOJ,  
14 A-V-N-O-J, which was the main political body or meeting in Jajce that  
15 defined the future relationships in Yugoslavia, and after that the ZAVNOH  
16 Assembly which was at the Assembly of Croats in Topusko in Croatia, which  
17 defined the interests of the Croatian people in the Socialist Federative  
18 Republic of Yugoslavia.

19 There lay the main difference in the way the documents would be  
20 treated in political sense. Franjo Tudjman and some others were in  
21 favour of those documents to become part of the declaration, and the

22 party that I belonged to consisted of a number of people who suffered  
23 under that old regime, and they wanted -- or they were relatively more  
24 intolerant towards anything that came from the Communist movement.

25 JUDGE ANTONETTI: [Interpretation] It is easy to understand these various

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1 movements and the fact that some of these movements were on the side.

2 Now I'd like to address the indictment. At the time, did people  
3 start discussing the Croatian issue already? What I mean is, in  
4 territorial terms, the idea of a Greater Croatia, was it present in  
5 people's minds or not, whether it be Tudjman or Marko Veselica, his  
6 brother Vlado, and you yourself and other people? Was not the subject of  
7 your movement? You were interested in democracy, fundamental human  
8 rights and a free market economy. At the time already, the -- was the  
9 territorial issue of a Greater Croatia on the agenda or not? In other  
10 words, with your comrades, with Tudjman, had you addressed these topics,  
11 or, like this happens oftentimes in -- on the political stage, was this  
12 set against the backdrop of the economy?

13 A. No reference ever about any kind of a Greater Croatia. There was  
14 not even a reference to Croatia outside of Yugoslavia. We were talking  
15 about the reorganisation of Yugoslavia. There was not even a slightest  
16 indication as to what would happen later. On the contrary. Everybody,  
17 save for the few of us, were convinced that everything would be evolved  
18 peacefully.

19 JUDGE ANTONETTI: [Interpretation] General Praljak, you yourself

20 said that you discussed the issue of the reorganisation of the former  
21 Yugoslavia, so I'm understanding this literally. According to what you  
22 have said, could this mean a Greater Serbia, a Greater Croatia, a Greater  
23 Slovenia, and so on? Were these notions addressed or not, these notions?

24 A. No, he was not.

25 Q. And why?

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1 A. The feeling, the prevalent feeling was -- I don't know how to say  
2 this. It never occurred to anybody. We just wanted to see Yugoslavia  
3 decentralised. We wanted Yugoslavia to become a confederation. Of  
4 course that we all wanted what the Greater Serbian aspirations were, and  
5 the main problem was how to counter the Greater Serbian aspirations. So  
6 if you feel a certain weakness and if you don't know how to achieve a  
7 goal, if you're hungry and if you're just looking for a meal, then it  
8 doesn't occur to you to look for more than that. I don't know how better  
9 to explain this.

10 It never occurred to anybody to think of an idea of a  
11 Greater Croatia, not then, not ever, at least not to the people that I  
12 have spoken to, and I've spoken to everybody.

13 JUDGE ANTONETTI: [Interpretation] You said that the main topic  
14 was decentralisation. This is what you have said. This topic, i.e.,  
15 decentralisation, was this opposed to centralisation which you deemed to  
16 be excessive in the former Yugoslavia under Tito? As far as you were  
17 concerned, was centralisation so great that one needed to put an end to

18 that and that decentralisation should be operated in each republic? Was  
19 this one of the -- your major topics?

20 A. Yes, Your Honour. Decentralisation, the free use of language,  
21 the freedom of thought, the freedom of speech, the freedom of  
22 organisation, of organising parties, the freedom of putting forth  
23 candidacy, the freedom of election, a free market, and we wanted the  
24 money to stay in the state or the republic where it was generated. For  
25 example, the money or the proceeds of tourism should not be channeled to

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1 the Central Bank at the rate of exchange determined by them. The  
2 investment should not be funded by everybody but just the republic that  
3 is undertaking the investment.

4 JUDGE TRECHSEL: [Overlapping speakers] [Previous translation  
5 continues] ... on line 25 of page 24. It has disappeared now. You have  
6 spoken of "a few of us." "All but a few of us thought that things would  
7 evolve peacefully." I would be interested in knowing who the others were  
8 and what the ideas of the others were, if you remember.

9 A. I remember, Your Honour. I was one of them. In a certain way,  
10 as much as this could be known in a political sense, based on my long  
11 analysis I was the one who claimed that however much we worked hard,  
12 Yugoslavia would not break out without bloodshed. On the basis of all my  
13 estimates, I was clear that the Serbs, because of their Greater Serbian  
14 ideas, because of the large concentration of people in federal  
15 institutions who would lose their positions if Yugoslavia was

16 decentralised, they would not take things peacefully.

17 We wanted to be similar to a Western state like France or  
18 Switzerland. We wanted to copy that model, but I and my -- some of my  
19 friends, for example, my late friend Djerek, who analysed all that, I  
20 drew everybody's attention to the fact that all of our efforts would be  
21 to no avail, and I knew what was going on in Serbia for decades. I knew  
22 the way that they were thinking, and I knew that the Serbs would not  
23 agree to seeing Yugoslavia break up in the way the former Czechoslovakia  
24 or the former Soviet Union broke up.

25 JUDGE ANTONETTI: [Interpretation] This great idea of

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1 decentralisation, well, there was an obstacle to this which was that  
2 Serbia would not accept this. This is what you're telling us. And why  
3 would they not accept it? Well, because if we follow your train of  
4 thought, decentralisation would bring about a relative independence of  
5 each of the republics which could not be amenable to the Serbs. Is that  
6 what you're telling us?

7 A. Correct.

8 JUDGE ANTONETTI: [Interpretation] Therefore, you were confronted  
9 with a major problem. How did you intend to confront the problem or  
10 solve it?

11 A. At the time there were two things on the agenda. First of all,  
12 Serbia had already derogated and made null and void the constitution of  
13 the Socialist Federative Republic of Yugoslavia when it abolished

14 autonomous provinces Kosovo and Vojvodina by a unilateral act.

15 In the constitution of the Socialist Federative Republic of  
16 Yugoslavia, it says that that could only be done with the approval of all  
17 the components of the former Yugoslavia which means Croatia, Slovenia and  
18 so on and so forth. I believe you have the constitution, Your Honour.

19 At the time I advocated the opinion --

20 JUDGE ANTONETTI: [Interpretation] Yes, I have the text of the  
21 constitution and I will address some of the articles with you.

22 A. You will see that it says there that the constitution could be  
23 changed following a very strict procedure, and it could not be changed by  
24 a unilateral decision of the Serbian leadership. Such a decision had to  
25 have the approval of everybody, and you have a list of those who had to

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1 approve.

2 It was then clear, or it, rather, became clear, and the  
3 memorandum of the Serbian Academy of Sciences and Arts was written, we  
4 knew about the changes or plan of the Yugoslav People's Army and their  
5 organisation and so on and so forth. I advocated the following opinion:  
6 Firstly, that we had to internationalise the problem Yugoslavia and the  
7 problem of Croatia in the world as much as we possibly could. That  
8 problem had to be internationalised.

9 And second of all, we had to start preparing for a war, because I  
10 claimed then, unfortunately, there would be a war. A majority shared my  
11 opinion that the problem had to be internationalised, and we did that as

12 much as we could. We talked to the journalists in Germany, to some  
13 delegations from France. Various people came to ask questions about all  
14 that.

15 And as for the second idea about a war that would happen, a  
16 majority of the people simply didn't want to accept that for  
17 psychological reasons. They did not base that on any scientific  
18 research. They did not want to accept that the Serbs would want such a  
19 Yugoslavia that existed in their thoughts for 120 or 150 years. What  
20 does that mean? That means that they wanted Serbia to exist wherever  
21 there were Serbs, be it even ten of them living there.

22 JUDGE ANTONETTI: [Interpretation] Very well. You're telling us  
23 this, but this was mentioned in your submissions already.

24 You were partial to the internationalisation of the movement  
25 because you wanted Croatia to prosper; but on the other hand, you were

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1 saying that the war was inevitable. Does this mean that, as far as you  
2 were concerned the Serbs, via the JNA, were going to attacked you or  
3 invade the republics of the former Yugoslavia? Was that the consequence?

4 A. Correct. That was a consequence. They were thinking about that,  
5 and they were preparing for that.

6 I personally, within the framework of our party activities, I  
7 toured many Serbian villages in Banija and so on and so forth. I spoke  
8 to the people there, asking them to join parties, saying to them that  
9 they're living in Croatia, that that was their homeland. But it was very

10 obvious. It was very clear that a block of the Serbian political thought  
11 was being created and it was very precisely programmed based on the  
12 memorandum of the Serbian Academy of Sciences and Arts, on -- in  
13 Milosevic's speeches and rallies, and on the operative development of the  
14 Yugoslav People's Army.

15 JUDGE ANTONETTI: [Interpretation] The elections of  
16 President Tudjman, the presidential elections of this man, did you take  
17 part in this?

18 A. I was a counter-candidate. He was not the president of state at  
19 the time because the constitution had not been amended. There was the  
20 Presidency of the Socialist Federative Republic of Croatia, and the  
21 Presidency elected its president, the first among the equals.

22 In the constituency where Dr. Tudjman was a candidate, I was also  
23 a candidate on the part of the coalition of the national agreement that  
24 consisted of several parties. Truth be told, this was only because the  
25 candidate who was on the list there, a lawyer, said that he would not run

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1 against Franjo Tudjman, because he would certainly lose. And then the  
2 leading names of the coalition appealed to me to put up my candidacy, and  
3 I put it up against my own better judgement and will. However, when I  
4 received 11.5 per cent of votes --

5 JUDGE ANTONETTI: [Interpretation] I'll interrupt you here. We  
6 are learning a lot of things.

7 You were a candidate in the presidential campaign, and Tudjman

8 was one of your opponents. During the election process you obtained  
9 11.50 per cent of the vote.

10 Had you won the election, you could have become president of the  
11 Republic of Croatia; is that right? Theoretically.

12 A. [Previous translation continues] ... theory, yes. The president  
13 of the Presidency, rather.

14 JUDGE ANTONETTI: [Interpretation] You could have become president  
15 of the Presidency, which clearly indicates that you have some political  
16 acumen which cannot be denied.

17 A. No, well, that can't be denied, no.

18 JUDGE ANTONETTI: [Interpretation] Nobody can deny this in light  
19 of what you have just told us.

20 So you were a candidate in the election to appoint a president to  
21 the Presidency, and Tudjman was elected and became the president of the  
22 Presidency. You were defeated, but what did you become then?

23 A. I remained the general secretary of the party which was known as  
24 the Croatian Democratic Party. It had its deputies in the parliament of  
25 the Republic of Croatia, and I was involved in the party work.

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1 JUDGE ANTONETTI: [Interpretation] In the party which you belonged  
2 to, did the territorial issue, the issue of the Croats in Herzegovina,  
3 was this a major subject of concern or not?

4 A. No, Your Honour. Of course we did have a Croatian Democratic  
5 Party in Bosnia-Herzegovina. However, never ever did we discuss

6 territories. We discussed about the way to organise our party. We never  
7 discussed territories. No territories outside of the Republic of Croatia  
8 were ever mentioned, not in a letter, not in a word.

9 JUDGE ANTONETTI: [Interpretation] Very well. The Republic of  
10 Croatia was recognised by the international community. There is an  
11 election, and Tudjman becomes the president of the Croatian republic,  
12 which is recognised by the international community. So we are going to  
13 move on.

14 In this context, President Tudjman, as you told us a few days  
15 ago, formed a national unity government. Whilst forming his cabinet, the  
16 prime minister, if I remember correctly, is Greguric. Are you going to  
17 play a part in this new government?

18 A. No. Your Honours, in 1991, in the spring of that year, I left  
19 the Croatian Democratic Party for two reasons.

20 The first reason was the fact that I was no longer interested in  
21 working in a party or in the benefits of working in a party, I'm talking  
22 about possible -- possible engagement or being an MP.

23 Second of all, I had certain disagreements with Dr. Marko  
24 Veselica. I left the party in 1991, in March.

25 JUDGE ANTONETTI: [Interpretation] So you leave the party in

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1 March 1991. What did you do then?

2 A. I was shooting some documentaries. One of them was the one for  
3 which I went to Sandzak, and I shot footage of the large rallies

4 organised by Vuk Draskovic. I also spoke to Rasim Jajic, who is now in  
5 Serbia, on the topic of the cooperation with The Hague Tribunal. I also  
6 talked to his colleague Sulejman Ugljanin. And after that I worked for a  
7 German television. I was hired to help them in Slovenia when the  
8 Yugoslav People's Army clashed with the Slovenian Territorial Defence.  
9 My cameraman and myself actually followed the entire war in Slovenia at  
10 the time.

11 JUDGE ANTONETTI: [Interpretation] I would like to go into this in  
12 greater detail.

13 So you were shooting documentaries and reports. In light of the  
14 names you quote, Draskovic may not ring a bell to some but it does ring a  
15 bell as far as I'm concerned. You focus, in fact, on part of the Serbian  
16 political life, then, don't you? Why'd you do this?

17 A. I wanted fully to verify my opinions that I had built up to the  
18 effect that the Serbs would attack all the nations standing in their way  
19 towards the realisation of their ideas.

20 JUDGE ANTONETTI: [Interpretation] In other words, you were in  
21 "contact," and I put this in inverted commas, you were in "contact" with  
22 the enemy to be. So you met a number of prominent political figures from  
23 Serbia.

24 A. Well, from Serbian political life, and when we say "Serbian"  
25 meaning people from Serbia, no, I did not. But I had a lot of contact

1 with Serbs from Croatia, and in our party, the party where I was the

2 secretary, there were Serbs, and one of the main posts were held by  
3 Dr. Djordje Pribicevic, who was a Serb, who was a professor at the  
4 faculty of economics, and some others as well. And I also had contact  
5 with --

6 JUDGE ANTONETTI: [Interpretation] General Praljak, the problem I  
7 have, I don't know what the case is for my colleagues, but my problem is  
8 very clear. The Prosecutor, in the indictment, outlines the life in the  
9 former Yugoslavia and tells us what the Croatians were doing and gives us  
10 a broad picture. This is a problem we have when you come from outside  
11 like I do, and I'm not so familiar with political life in the former  
12 Yugoslavia, so this is something which we get to know better over time.  
13 This is when we come to realise that the situation is an extremely  
14 complex one.

15 You have just said now, you have just mentioned the Serbs from  
16 Croatia. Right. We know that Serbs lived in Croatia, and we know that  
17 there was quite a number of them. As part of this decentralisation of  
18 this new era that was to emerge, how did you intend -- at your level, how  
19 did you intend to settle the situation of the Serbs in Croatia? How was  
20 this going to occur? Were things going to develop favourably or not?  
21 How did you see things?

22 A. In all the talks and documents, the Serbs in Croatia were to be  
23 given all possible rights, guaranteed according to the highest standards  
24 of the United Nations and the civilised world; and in that respect,  
25 Your Honours, the Serbs, many of them lived in Istria, for example,

1 around Rijeka, over 40.000 of them remained living there throughout the  
2 war as completely equal citizens, or in the city of Zagreb, for example,  
3 where there were 70 to 80.000 Serbs. Some of my actor friends and writer  
4 friends, they were Serbs, and throughout the war they lived normally as  
5 citizens of Croatia without any dilemmas. So here we're talking about  
6 organisation of the Serbs in areas which were supposed to be annexed to  
7 Greater Serbia. That is to say, the rural areas, Kordun, Glina, Knin,  
8 which is where there were just a small number of Serbs, albeit on a large  
9 territory, and that's where Serbian propaganda focussed on.

10 They accepted weapons, and if you want me to, I can tell you  
11 about this at length.

12 But anyway, the Serb question in Croatia, from the very outset,  
13 from the resolutions passed, from the constitution of the Republic of  
14 Croatia that was passed, was resolved in the manner in which the  
15 civilised world does it at the highest level. So when I say "civilised  
16 world," I mean from the United Nations and everybody else, they wrote  
17 down how it should be, and that is how it is today.

18 JUDGE ANTONETTI: [Interpretation] [Previous translation  
19 continues]... telling us, and this is under oath, and when I say "under  
20 oath," I mean that because it's very important, and this is why I'm using  
21 this expression. You're telling us under oath that the Serbs in Croatia  
22 took weapons, took to weapons, and since they took weapons, they took  
23 them by themselves or were they teleguided from outside?

24 A. I'm not going to say all Serbs, and that's what I've been saying.

25 It was a relatively smaller number of Serbs, but in areas that were

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1 rather large and not densely populated, they received weapons from the  
2 Yugoslav People's Army. And in some places they took control of the  
3 police stations, such as Martić in Knin, and they simply armed themselves  
4 and said they were not going to obey the Croatian state -- or, rather,  
5 the Croatian republic any more.

6 JUDGE ANTONETTI: [Interpretation] Right. You explain what  
7 happened, but I must also tell you that if we had a Serb in front of us,  
8 Serbian person, we would ask him and he would say the opposite. He would  
9 say that they took to arms because they felt an aggression, they felt  
10 attacked by Croatians. Where is the truth?

11 A. Your Honour, when you say jeopardised or under threat, then the  
12 next question should be where, when, and by what law? Where, when, and  
13 under what law? Nowhere, never, and under no law. Where were the Serbs  
14 under threat, the 40.000 Serbs living in Istria and so on? Where were  
15 the 80.000 Serbs in the city of Zagreb being put under threat, in  
16 Varazdin? Let them give me a shred of evidence. Among my colleagues,  
17 actors, for example, one of them -- one of whom led a group, which was  
18 called the Cultural Battalion, walking around and that was led by a Serb.  
19 They were members of the party, they were in the government, and they  
20 were members of parliament.

21 And Mr. Tudjman, and I know that myself because I took part in  
22 all this, he would call them up and talk to the leaders. He called -- he

23 talked to Milan Babic. He told him to come to Zagreb to hear what he had  
24 to say. And in the Glina and Knin districts, full autonomy was proposed  
25 which means the right to their language. Well, all this is written down

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1 in the constitution of the Republic of Croatia, Judge Antonetti.

2 There were always stories put out by the Serbs. They always said  
3 they felt threatened, they fell under threat, without providing any  
4 evidence. Of course they felt threatened because they were going to lose  
5 the privileges that they enjoyed for 40 years. That is true, privilege  
6 to -- the privilege to take my money, that I wasn't allowed to speak in  
7 my own language and that somebody could throw me in prison whenever they  
8 felt like it and to have their own army. That, yes, so if that's being  
9 under threat, and jeopardy --

10 JUDGE ANTONETTI: [Interpretation] You therefore go to Slovenia in  
11 the framework of the reporting you were doing -- you were making. What  
12 did you see with your own eyes in Slovenia concerning the Serbs? How  
13 will things develop according to you?

14 A. The Yugoslav People's Army quite simply wanted to come out to the  
15 borders, because Slovenia had previously said that they were independent  
16 and that they would take up their positions along the borders which meant  
17 to deny Yugoslavia. And then the Serbs in Yugoslavia felt in jeopardy,  
18 and then they acted there with arms, with weapons, but it was clear to  
19 everyone that in actual fact, although there were some people dead,  
20 people dead on both sides, there was shooting and planes were flying, but

21 anyway, it was all done in such a way as to allow Slovenia to secede  
22 from -- allow Slovenia to secede from Yugoslavia. And once the Slovenes  
23 had a bit of a fight with them, the war was stopped and the  
24 Yugoslav People's Army withdrew from Slovenia and transferred its troops  
25 and tanks and weapons to the territory of Croatia and in part to

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1 Bosnia-Herzegovina. And I showed you the film, unfortunately another  
2 version, when the Croats stood in front of tanks in Zagreb, and I  
3 happened to be there myself, and we prevented them from going from the  
4 barracks towards Slovenia. I was against that.

5 JUDGE ANTONETTI: [Interpretation] General Praljak, you say that  
6 the war stopped. The war was stopped by the international community? My  
7 question may be a bit leading, but --

8 A. The international community did not stop the war. Unfortunately,  
9 the international community stopped nothing, and the war did not stop of  
10 its own accord. It stopped by a previous decision on the part of  
11 Serbia -- or, rather, the Serb leadership saying that they weren't  
12 interested in Slovenia. And their territorial claims did not go towards  
13 Slovenia but only towards Croatia and Bosnia-Herzegovina if we look to  
14 the west.

15 JUDGE ANTONETTI: [Interpretation] Right. So thanks to you we are  
16 making progress. We are making some headway. Now we know that after the  
17 conflict with Slovenia the JNA redeployed its troops in Croatia and in  
18 Bosnia-Herzegovina.

19           When you saw this, what was your reaction, and what were you  
20 going to do at your level?

21           A.    I did what I intended to do.  When in 1991 the aggression against  
22 the Republic of Croatia opened -- started openly by setting up barricades  
23 along the roads and taking control of the police stations and the  
24 complete arming of the Serb population in the areas to which I'm  
25 referring, I wanted to join the National Guards Corps, but they rejected

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1           me because I was too old.  There were people who were far younger than  
2 me, some younger guys.  And then on the 3rd of September, 1991, I  
3 happened to meet a friend who was going to Sunja, leading some reserve  
4 police force, and I said, "Can I go with you?"  And he said, "Yes, you  
5 can."  And that's how I came to go and fight as a volunteer, fully  
6 convinced that the situation would resolve itself only by us not losing  
7 the war, only if we didn't lose the war.  And I was fully conscious of  
8 the fact, and we've discussed this with many people from the  
9 international community, that the international community and all the  
10 main protagonists wanted to retain Yugoslavia and allowed the Serbs to do  
11 everything they wanted from toppling the constitution and other things.

12           JUDGE ANTONETTI: [Interpretation] Personally, I'm looking at  
13 paragraph 15 of the indictment.  I will read to you the beginning:

14           "Between the 18 November 1991 and April 1994, several people  
15 started a joint criminal enterprise."

16           We'll come back to this.

17           If I understand rightly all this, in September 1991 you left of  
18 your own accord in the region of Sunja to fight. This is a choice you  
19 made personally. It's not Mr. Tudjman who told you to go there and even  
20 less [indiscernible] or Susak. It's, say, yourself who went as a  
21 voluntary without taking part, maybe, in any form of enterprise. It was  
22 an individual personal act which was based on the fact that you were a  
23 voluntary. That's what you're telling us.

24           A. Yes. I belonged to the undertaking of Croatian volunteers and  
25 Serbs and Muslims, because in Sunja there were considerable numbers of

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1 all three. Mostly Croats, that's true. Anyway, I belonged to the  
2 movement of volunteers defending their country. Neither Tudjman, Susak  
3 wasn't the minister, Bobetko hadn't become a part of it yet. So I,  
4 through my own free will went to fight as a combatant, as a fighter. I  
5 had no rank. I just had my own weapons that I had procured earlier on.  
6 I had a Schmeisser dating back to World War II which was a present from a  
7 friend from Germany. That was before, because I talked to him several  
8 times and we socialised and discussed what was going to happen, and he  
9 said, "Here's a weapon for you." And I managed to bring that weapon in  
10 in the car --

11           JUDGE ANTONETTI: [Interpretation] [Overlapping speakers]  
12 [Previous translation continues] ... the fight at Sunja, you are going to  
13 stay how much time?

14           A. [Overlapping speakers] [Previous translation continues] ... in.

15 JUDGE ANTONETTI: [Interpretation] Excuse me, I was too fast. I  
16 repeat. You were going to fight at Sunja? For how long are you going to  
17 stay in Sunja?

18 A. Six months and perhaps seven or eight days.

19 JUDGE ANTONETTI: [Interpretation] Right. So you will stay there  
20 until February -- February or March 1992.

21 A. That's right. I stayed until the 10th, I think it was.

22 JUDGE ANTONETTI: [Interpretation] All right.

23 A. 10th of March, 1992.

24 JUDGE ANTONETTI: [Interpretation] Right. Therefore, under oath  
25 you're telling me that you were in Sunja until March 1992 without having

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1 met any of those who are mentioned in the indictment as being members of  
2 a joint criminal enterprise. That is to say, Tudjman, Bobetko, Susak,  
3 all those you did not meet. At Sunja, what you actually are doing? You  
4 are a private, a commander? What are you doing in Sunja actually?

5 A. You've expanded my answer somewhat, Judge Antonetti. When I  
6 left, I just told my wife -- I said, "Darling, I'm off. I won't be  
7 subjugated." And in the first -- I was a soldier for the first five or  
8 six days, and then because of my involvement and because they assessed  
9 probably my capabilities, they appointed me commander. So up until the  
10 10th of March, 1992, I was the commander of the defence of Sunja. And  
11 this extended towards Jasenovac later on.

12 May I be allowed to state that I met Dr. Franjo Tudjman --

13 JUDGE ANTONETTI: [Interpretation] -- commanding? You were  
14 designated as commander by whom? Who appointed you?

15 A. I was appointed to that post by the commander of the entire area  
16 from Sisak --

17 JUDGE PRANDLER: You are again and again overlapping each other.  
18 Thank you.

19 JUDGE ANTONETTI: [Interpretation] Yes. Judge Prandler is right.  
20 Sorry. I interrupted you. You said you met Franjo Tujman and then I  
21 started speaking. I'll tell you why, actually, because I didn't want to  
22 start this question of Franjo Tujman. What I wanted to know was who  
23 appointed you as a commander, and this is the answer I want. You were  
24 elected as a commander?

25 A. I was appointed commander by Bozo Budimir, the commander of the

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1 operation zone to which Sunja belonged.

2 JUDGE ANTONETTI: [Interpretation] Bozo Budimir.

3 A. That's right.

4 JUDGE ANTONETTI: [Interpretation] Under whose authority was he?

5 A. At that time his superior officer was General Tus, the Chief of  
6 the Main Staff of the Croatian army.

7 JUDGE ANTONETTI: [Interpretation] So General Tus, you knew him?

8 A. Yes. I met General Tus later on. Not then but later.

9 JUDGE ANTONETTI: [Interpretation] Now, let's go back when I  
10 interrupted you. When you were in Sunja, did you meet Tujman, yes or

11 no?

12 A. Yes.

13 JUDGE ANTONETTI: [Interpretation] When?

14 A. A little before Christmas, the Christmas of 1991. Gojko Susak  
15 called me up and said -- and asked me whether I could come to Zagreb. I  
16 went to Zagreb, and then he said to me -- well, there was a problem of  
17 weapons, and he happened to procure some 30 rifles for me somewhere. And  
18 I said, "All right, Gojko. I don't suppose you just called me up to take  
19 over 30 rifles. What else is there?" And he said, "Well, you should --  
20 you ought to go and see the president. You ought to go and have lunch  
21 with the president." I said, "Well, the president is my commander. He  
22 can only order me. He can order me to do what he wants and I will obey."

23 Now, since our relations were somewhat different because of our  
24 party activity, I went to have lunch with Dr. Tudjman, and we discussed  
25 the situation, and he said that we had to take on ranks because people

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1 were coming in from outside. I wasn't very favourable to that idea of  
2 getting a rank, I and colleague Medimorac, but his arguments prevailed.  
3 And he said, "All right. It doesn't mean anything to you, but once  
4 foreign officers turn up," and there was preparation for the cessation of  
5 hostilities and recognition of Croatia, "These foreigners aren't going to  
6 talk to anybody without a rank." So I was given the rank of colonel, and  
7 that was my first rank. I mildly objected because I thought the war  
8 would end and then I wouldn't be able to be a film director anymore,

9 because it wouldn't be Praljak directing, it would be Colonel Praljak or  
10 whatever. So those were the reasons.

11 JUDGE ANTONETTI: [Interpretation] So this dinner you had with  
12 Mr. Tudjman before Christmas 1991. According to you was this to give you  
13 a rank, or was Mr. Tudjman trying to use you as a trump for the future  
14 since you had been a candidate against him? Was it a manoeuvre to try  
15 and recuperate you, to lure you, telling you you will be colonel or  
16 general in order to flatter you, because he certainly had other fish to  
17 fry than to look after you while you were in Sunja. You were not even  
18 number -- you were known, of course, but he certainly had other generals  
19 at hand, or other colonels.

20 Now, with hindsight, how did you -- how do you remember this  
21 dinner? Was it a way of trying to make you join his political orbit?

22 A. Judge Antonetti, Your Honour, I did belong to the political  
23 circle around Franjo Tudjman. So I shared all his basic ideas in that  
24 respect. There were some minor differences, perhaps, because he asked  
25 me, "What do you now think about some of your political moves and so on,"

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1 and I said, "You were quite right and I was wrong," on some particular  
2 matter. And Dr. Franjo Tudjman and all the people who worked with me  
3 knew that you couldn't persuade me to do anything I didn't want to do,  
4 and in that respect, well, that was it.

5 And thirdly, Dr. Franjo Tudjman respected me as far as I know as  
6 an individual and also because of my success on the battle-field, because

7 Sunja was a very difficult theatre of war, and in the organisational  
8 sense, and in every other sense it was a very difficult battlefield. The  
9 most difficult perhaps on all of Croatia. And this was on television.  
10 There was broadcasting about it. Papers wrote about it. And in that  
11 respect I gained quite considerable authority. And it was an open  
12 discussion, and I was a Croatian soldier, a Croatian volunteer.

13 JUDGE ANTONETTI: [Interpretation] You just said that all these  
14 questions were touched upon. Did he touch upon with you the question of  
15 the Republic of Bosnia-Herzegovina and the situation of Croats in  
16 Herzegovina? Did he touch upon this subject or not?

17 A. I spoke more about Bosnia-Herzegovina myself than Dr. Tudjman  
18 did, because I claimed, and I said this to my commanders in Sunja, you  
19 have the statement, I said that Croatia -- that what happened in Croatia,  
20 that is to say, the BH Army attack and what we called -- well, the  
21 Yugoslav People's Army against Croatia and what we referred to as the  
22 Chetniks or rebel Serbs, that that would be very weak compared to what  
23 was going to happen in Bosnia-Herzegovina, not a patch on what was going  
24 to happen in Bosnia-Herzegovina. And I say with full scientific  
25 certainty that I knew what was going to happen in Bosnia-Herzegovina. I

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1 knew exactly what was going to happen as soon as the Serbs saw that they  
2 had not achieved their plans in Croatia. And there was a thesis that I  
3 support that if an aggressor does not achieve his goals --

4 JUDGE ANTONETTI: [Interpretation] I have to go into the heart of

5 matters, because if we go on like that we can be here for weeks, and  
6 Judge Prandler, of course, is looking at the timing. So I would like to  
7 go directly to the matter in hand.

8 For my part I'm trying to determine exactly at what date there  
9 was the constitution of an enterprise. I'm not saying a criminal  
10 enterprise but an enterprise which could have consisted in what  
11 Mr. Tudjman and others may have had territorial views on some parts of  
12 the territory of the Republic of Bosnia-Herzegovina, in particular on  
13 Herzegovina, on the Posavina, or the Banovina. So I'm trying to identify  
14 in order to have a precise date of the beginning of the project, a  
15 precise date.

16 Now, you're telling me that this -- at this dinner you spoke  
17 about Herzegovina, but did Mr. Tudjman tell you, "Slobodan Praljak, we  
18 must send troops in Republic of Bosnia-Herzegovina. We must -- well, the  
19 Croats who are in Mostar, Stolac, and Capljina or other places have to  
20 take political control of their own area, their own region. For this I  
21 need you"? Did he say anything like that to you or not?

22 I repeat that my question is always asked because you are talking  
23 under oath, answering under oath.

24 A. Your Honour Judge Antonetti, I know that I'm talking under an  
25 oath. In a certain way, I'm very -- I'm finding it very hard to answer

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1 these questions, because this is the ultimate absurd. It was just the  
2 other way round.

3 Dr. Franjo Tudjman, in all of his appearances, showed optimism,  
4 and he believed much more into the institutions of the international  
5 community. He believed that the international community would realise  
6 what was going on and that in one way or another they would stop  
7 something that was as clear as daylight, and that was that the Serbs were  
8 armed and that they had a plan, and that was the plan. That was the only  
9 plan.

10 Your Honour Judge Antonetti, please --

11 JUDGE ANTONETTI: [Interpretation] Therefore, during this dinner  
12 he did not talk to you about this. He did not tell you, "I have a plan,  
13 and this is what we're going to do." He never told you anything like  
14 that, did he?

15 A. Not for a moment. I claimed and I said, "President, they will  
16 attack Bosnia and Herzegovina. They are fully braced for that. They  
17 will break us apart, and then they will carve the whole area down to  
18 Split. They have deployed forces." We knew everything, for crying out  
19 loud. All the documents are at your disposal to that effect. And what  
20 is going to happen there --

21 JUDGE ANTONETTI: [Interpretation] When you told him this, what  
22 did he answer?

23 A. "They will not, Praljak. France, America, they understand. They  
24 have seen what was going on. We will be recognised. Once we are  
25 recognised, then this and that and the other," and so on and so forth.

1 On the one hand, he was a very realistic person and he knew things, more  
2 or less; and on the other hand, he expressed his expectations. He wanted  
3 somebody to say to the Serbs in office, "Enough." Although he realised  
4 that they had been allowed to attack Croatia and that they would equally  
5 be allowed to attack Bosnia-Herzegovina, because nobody in the world paid  
6 anything but lip-service against that. Zimmermann, America, French  
7 diplomacy, Mitterrand, everybody was in favour of Yugoslavia. They  
8 wanted to resolve the problem not with constituting five or six more  
9 states but to give the Serbs a carte blanche for what they wanted to do.  
10 And this was not a joint criminal enterprise. It was a joint political  
11 enterprise to preserve Yugoslavia by allowing the Serbs to do what they  
12 were doing at the time.

13 JUDGE ANTONETTI: [Interpretation] Right. So if I understand you  
14 properly, in Mr. Tudjman's mind he was hoping -- he had all hopes in the  
15 international community, and he thought that when the Republic of Croatia  
16 would be recognised the problems would disappear just like magic. That  
17 was his point of view.

18 Your own point of view was more foreseeing a catastrophe, war to  
19 come because the Serbs were going to attack. That is the way you saw  
20 things, may I summarise the situation in this way, at the end of 1991?

21 A. Precisely so. As I say, I claimed that the Serbs would attack and  
22 that the recognition of Croatia within its boundaries was just paying lip-  
23 service to the whole thing and that it would drag on for years after that.

24 JUDGE ANTONETTI: [Interpretation] I would like to understand  
25 better, and this may be useful for other people. If I summarise what you

1 have said and if I make a mistake, don't hesitate to tell me.

2 So you go back to Sunja, and you're going to stay there until  
3 March 1992. What do you do after that?

4 A. You know that a document that was signed in January, and that was  
5 some sort of a cease-fire. On the 15th of January, the European  
6 Community recognised Croatia, and then at the time we all thought that  
7 war was more or less over. There was some sporadic shooting on the front  
8 lines, but in one way or another Sunja became calm and I returned to  
9 Zagreb. And I accepted the offer to become the assistant minister of  
10 Defence Minister Gojko Susak for information and psychological  
11 activities, or information and political activities, as you will, and  
12 immediately upon that, maybe a day or two after, I became the assistant  
13 minister of defence of the Republic of Croatia for IPD and I assumed the  
14 duties.

15 JUDGE ANTONETTI: [Interpretation] General Praljak, you are  
16 assistant minister of defence in charge of IPD. You take up this  
17 position.

18 If I understand correctly, at this point in time you become part  
19 of the Croatian military apparatus.

20 A. Correct.

21 JUDGE ANTONETTI: [Interpretation] What prompts you to belong to  
22 the apparatus? Is it the alarming situation? Is it the fact that you  
23 would like to please your friend Susak? Is it because you would like to

24 experience something new in your life? What is the decisive factor that  
25 triggers this commitment?

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1 A. The job was still not finished. The job in question was the  
2 organisation of the Croatian state. The Croatian state was recognised on  
3 paper, but nobody really cared what was happening in the occupied  
4 territories, how and when the occupied territories would be liberated,  
5 and what was happening with the killings of Croats in the occupied  
6 territories, what was happening with the refugees in Croatia. All of  
7 that was of no concern -- or, rather, not of -- of not much concern to  
8 the international community. There were just hundreds of reports,  
9 hundreds of meetings involving ministers, ambassadors, but those were all  
10 in vain. Those were futile meetings where everybody just spoke their  
11 minds, but nobody wanted to really think about how to resolve the  
12 problem. And the only way the problem could be solved was by respecting  
13 the basic principles of the United Nations.

14 JUDGE ANTONETTI: [Interpretation] I must address the structure of  
15 the enterprise which in the eyes of the Prosecution is criminal because  
16 crimes were committed. So we shall discuss all the people that I  
17 mentioned and whom you know one way or another.

18 Let me get to the first person, Franjo Tudjman. You discussed  
19 him already at length, but there are also other aspects that need to be  
20 highlighted.

21 You're assistant minister of defence in charge of IPD. Did you

22 have the opportunity to meet Mr. Tudjman on several occasions?

23 A. Yes. On several occasions I met with him in the VONS, in the  
24 Council for National Defence to which I was appointed.

25 JUDGE ANTONETTI: [Interpretation] So you meet him on several

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1 occasions as well as member of the National Defence Council. You meet  
2 him because he headed the army or because he is the president of the  
3 republic or because he's both of these?

4 A. Well, Your Honour Judge Antonetti, the two were so mixed in the  
5 war it was really difficult to draw a line between the military commander  
6 and the president of state, because all things were rather intertwined.  
7 So I wouldn't be able to -- obviously we met more because of some  
8 military issues. However --

9 JUDGE ANTONETTI: [Interpretation] From April 1992 onwards, in  
10 your position as a military you meet Mr. Tudjman. In the conversations  
11 you have with him, well, one of the important issues be addressed, i.e.,  
12 the situation of the Republic of Bosnia and Herzegovina.

13 A. Yes. We discussed that issue. I was the one who imposed them on  
14 Dr. Tudjman rather than the other way round. Especially I did that  
15 through Mr. Gojko Susak, because I kept on claiming what I was claiming  
16 from the very outset and which eventually be -- came true. What I  
17 claimed was there would be a complete bloodshed in that territory and  
18 that all the forces, all the thoughts were already in position, and what  
19 ensued was just the implementation of all that. All the negative

20 energies were already at play, and one could do nothing but watch how  
21 they will be materialised.

22 JUDGE ANTONETTI: [Interpretation] Over the next few days I will  
23 have the opportunity to address the documents that relate, on the one  
24 hand, to the meetings of the National Defence Council, which you took  
25 part in, and on the other hand, the presidential transcripts in which you

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1 are mentioned, and other meetings which you attend. I will be able to  
2 get back to these documents afterwards. I will not address them now,  
3 because at this stage I had not intended addressing these documents. I'm  
4 trying to qualify the participants in this enterprise.

5 As far as you are concerned, you have told us that this person  
6 was an historian. Do you think he had a good understanding of the  
7 international situation, of the situation of the Republic of Croatia, of  
8 the situation of Bosnia-Herzegovina, and of the ambitions of the Serb  
9 leaders in the future? Was he an enlightened person, or with hindsight,  
10 could you say that he had a few shortcomings?

11 A. President Tudjman was a very well-educated man, a very realistic  
12 person. He was completely devoted to democratisation. His idea was for  
13 the territory of the Balkans to be organised similarly to Scandinavia.  
14 He wanted Bosnia and Herzegovina to look like Switzerland. He had a  
15 complete overview. He was well informed. He was a reasonable person, a  
16 realistic person. His only shortcoming, which arose from his desire,  
17 wish, or strive, was that he placed too much hope in the politicians of

18 the West. France, America, and all these politicians and states had  
19 different projections, views. There was jealousy among themselves, and  
20 they did not engage in our war in the way they could have. And if they  
21 had been engaged from the very outset as they could have, if they so  
22 wanted to, they could have stop the war entirely.

23 JUDGE ANTONETTI: [Interpretation] General Praljak, what I'm  
24 getting at is this presidential system in which President Tudjman was at  
25 the head of the army and president of the republic. Was he a very

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1 powerful man in political terms, or like any parliamentary system, was he  
2 at the mercy of the political majority?

3 You have told us that all the parties had the same vision. Was  
4 he dependent on his political allies, or did he embody, like any system,  
5 was he the personification of absolute power?

6 A. Your Honour Judge Antonetti, he was not omnipotent [Realtime  
7 transcript read in error "not only omnipotent"] in political terms and he  
8 did not want to be omnipotent in human terms. There was a parliament  
9 which comprised other parties as well. There was a constitution that he  
10 had to abide by as well as everybody else. There was a government at the  
11 time, the government of national unity, and the ministry and that  
12 government came from all the parties save for the HSP.

13 Franjo Tudjman wanted to rally people, all Croatian forces, the  
14 forces of civil society of Croatia. During the times of war you  
15 shouldn't forget that in the Croatian army there were people from

16 Hungary, Slovakia, Serbia, Muslims. Everybody who wanted and who  
17 recognised the constitution of the Republic of Croatia, the constitution,  
18 I'm saying, and everybody who understood what this country was to become,  
19 he -- Dr. Franjo Tudjman wanted to rally all those people around a very  
20 broad political platform. In other words, all the things that in normal  
21 democracies, the arguments around tax systems and stuff like that, were  
22 not important at the time. We first had to lay the foundations of the  
23 state so the topics of war, armament, embargo, the nonfunctioning of the  
24 institutions, who to choose or appoint as ambassador, those were all new  
25 issues on the agenda, and it took time for those issues to be resolved.

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1 There were a lot of such problems, the functioning of the police, the  
2 health system. All the institutions were new. They were weak. They  
3 were underdeveloped. And a positive selection that normally takes years  
4 had not been implemented, and so on and so forth.

5 JUDGE TRECHSEL: I would like to hear a little clarification.

6 Mr. Praljak, you have said, and that is on line 60 -- page 68, line 23:

7 "He was, Mr. Tudjman, not only omnipotent in political terms," and so on.

8 Did you really want to say that he was omnipotent in political terms,

9 because what you explained afterwards rather suggests that you wanted to

10 say something else.

11 THE WITNESS: [Interpretation] The other way round. He was not.

12 I said that not only was he not omnipotent in political terms, he did not

13 want to be omnipotent. He talked to everybody on all topics.

14 JUDGE TRECHSEL: I guessed so, but I wanted to clarify.

15 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, I shall fine tune  
16 my question. If we assume that Mr. Tadjman wanted to form a  
17 Greater Croatia either by annexing territories or by joining up with  
18 other territories, I'm not going to go into the detail of this, if this  
19 was a personal ambition of his, was he able -- from a political  
20 standpoint and given the state of the constitution, was he able to impose  
21 his vision on others?

22 A. No. Not in constitutional terms, not in political terms. If we  
23 start from that assumption, Franjo Tadjman could not implement that  
24 without the consent of the parliament. There should have been a  
25 66 per cent vote in the parliament. He could not have done that without

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1 the consent of the government even if he had the power to do so, which he  
2 didn't.

3 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, before we move on  
4 with our question, I would like to ascertain something. Have you read  
5 the indictment in your own language? Have you read the Prosecution's  
6 pre-trial brief in your own language? Have you read all of the  
7 presidential transcripts chaired by Mr. Tadjman? Have you read all the  
8 documents which mention your attendance? Is this something which you are  
9 familiar with?

10 A. I read the presidential transcripts. I know about the opinion  
11 and the presidential transcripts first-hand.

12 MR. KOVACIC: [Interpretation] For your information, the  
13 Prosecutor's pre-trial brief was not translated into Croatian. The  
14 Prosecution doesn't have to translate it and it didn't. The general  
15 himself could not read it. He could read the indictment.

16 THE WITNESS: [Interpretation] Your Honour, I did not read the  
17 indictment.

18 JUDGE ANTONETTI: [Interpretation] Mr. Kovacic, this is a question  
19 for you. You know that the pre-trial brief is an extremely important  
20 document. Mr. Kovacic, you didn't feel it was necessary to have this  
21 document translated so that your client was familiar from A to Z with the  
22 Prosecution's case?

23 MR. KOVACIC: [Interpretation] That it should be translated we  
24 hoped that we would have it received, because there were discussions  
25 about that, but that was some five years ago, but I'm sure that we

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1 discussed the topic with our client. We discussed the positions of the  
2 Prosecution not only in the pre-trial brief but in other documents. You  
3 know that Mr. Praljak was actively involved, and he came to the two  
4 Status Conferences himself, and he was well informed. However, my  
5 objection went to the fact that he himself could not read that.

6 JUDGE ANTONETTI: [Interpretation] General Praljak, I will share  
7 with you some passages of the pre-trial brief because I want to know what  
8 your position is, but I must tell you that I'm somewhat surprised by the  
9 fact that you did not get this document in your own language. This may

10 be a shortcoming in our rules if one feels that the pre-trial brief,  
11 which is also part of the indictment, is not translated for an accused  
12 into his own language. This is a shame. It's a shame that no one has  
13 thought of that. But you have told us that you have not read it in your  
14 own language. We can't do much about it.

15 Let me get back to Mr. Tudjman. You told us a while ago that he  
16 was unable to promote a personal action without addressing the  
17 intricacies of the Croatian constitution, which I'm sure you're more  
18 familiar with than I am.

19 Could he, if he had the majority in parliament and if the  
20 Croatian people did not agree with him, could he have been out-voted?  
21 According to the Croatian constitution at the time, was it possible for  
22 an elected president to step down if his political project did not meet  
23 the approval of his people and his electorate?

24 A. Of course, Your Honour Judge Antonetti. The Croatian  
25 constitution is very precise. I subscribed to it to its every part. At

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1 that time, Franjo Tudjman on three or four occasions ran for office. He  
2 expressed very clear political views and positions. He won in the  
3 elections. His removal is prescribed by the constitution by way of  
4 referendum, by a vote in the parliament. The Croatian constitution  
5 guarantees a very high and precise system of democratic decision-making  
6 similar to the one that exists in your country, I believe.

7 And let me now answer your question. Your Honour

8 Judge Antonetti, I never read the indictment to the despair of my Defence  
9 counsel, especially Mrs. Pinter, for a very simple reason, because I have  
10 nothing whatsoever to do with the indictment, and I revolt after the  
11 third or the fourth page. I become nauseous and my blood pressure rises  
12 to the extent that my health becomes -- becomes jeopardised, and I refute  
13 the indictment in its entirety because it has nothing whatsoever to do  
14 with the reality.

15 JUDGE ANTONETTI: [Interpretation] Very well. This is  
16 understandable. And this is what you are telling us, for a number of  
17 reasons you did not want to scrutinise the indictment. Had you done it,  
18 however, Mr. Praljak, you would have been able to better state your case,  
19 because this is an extremely important document.

20 A. Your Honour, I answer questions, I know what I did, and to be  
21 honest with you, I would not accept for my guilt to be proven beyond any  
22 reasonable doubt. I would rather subscribe to the following: If there  
23 is an iota of a reasonable doubt that I belong to a joint criminal  
24 enterprise or personally committed a crime, please try me, convict me,  
25 and I will subscribe to that. Find an iota of doubt, but don't say

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1 everybody set fire, and when Praljak could not pull out everybody who was  
2 on fire out of that fire, then it's a different story. That's not  
3 something I would subscribe to. I would not subscribe to the guilt  
4 because you didn't do what we think you should have done or you could  
5 have done.

6 JUDGE ANTONETTI: [Interpretation] General Praljak, this is not  
7 what we are discussing. The Trial Chamber has not deliberated on this  
8 matter. I can't say that we are light years away from this, but I'm  
9 trying to understand gradually what you are charged with, and I'm trying  
10 to better understand what you are telling us. This is why I'm putting  
11 questions to you.

12 Unfortunately, time flies and I have to make a break. We shall  
13 now have a 20-minute break unless my colleague would like to add  
14 something.

15 JUDGE TRECHSEL: I don't think we can leave without response.  
16 Your request, Mr. Praljak, to be convicted if there's the slightest doubt  
17 of your innocence, things do not work like that. You are only convicted  
18 if there is no doubt about your guilt. So you will not change the law,  
19 and you have to put up with it. Thank you.

20 A. I know, Your Honour, but what I was saying was that I was  
21 prepared even to subscribe to that.

22 JUDGE ANTONETTI: [Interpretation] We're now having a 20-minute  
23 break.

24 --- Recess taken at 5.42 p.m.

25 --- On resuming at 6.04 p.m.

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1 JUDGE ANTONETTI: [Interpretation] So we resume our hearing.

2 Mr. Praljak, during the break I perused again the memorial, and I  
3 will read you something and you'll tell me. It's paragraph 24, pre-trial

4 brief. I will read it very slowly.

5 "During a meeting in Zagreb on the 27th of December, 1991," that  
6 is to say, two days after Christmas. You told me you had met Tudjman  
7 before Christmas. So this is a specific period. This is very close for  
8 the date, "Franjo Tudjman summarised the objective of the common -- joint  
9 criminal enterprise, and he stated," I quote what Mr. Tudjman is supposed  
10 to have said, but I will specify that there is no footnote, so nobody  
11 knows where the Prosecution got this quotation for. They will certainly  
12 research it and will let us know later where they found this, but I'm  
13 going to quote what is written here. This is what Tudjman would have  
14 said. Listen:

15 "It is time for us to take the opportunity, to seize the  
16 opportunity, to unite the Croatian people inside borders as wide as  
17 possible."

18 This is what Mr. Tudjman would have said in December 1991.  
19 Therefore, Mr. Tudjman would have said, and I'm using the conditional  
20 tense, that from his point of view it was necessary to seize the occasion  
21 to unite the Croatian people in borders as wide as possible.

22 What do you have to say to this?

23 A. Your Honours, I read all this and I know what was discussed. The  
24 matter in hand was this, it was very simple: Franjo Tudjman isn't  
25 speaking about borders here but about the nation, the people, a united

1 people. And only one thing was clear, and that was that the borders of

2 the republics are inviolable, signed by the United Nations, repeated a  
3 hundred times.

4           However, if the Muslims, the leadership led by Alija Izetbegovic,  
5 which was reaching agreements with the Serbs and negotiating with the  
6 Serbs, wanted to annex Bosnia and Herzegovina to Yugoslavia, to conjoin  
7 it with Yugoslavia, then and only then would the Croats of  
8 Bosnia-Herzegovina wish and desire and have the right not to go to  
9 Yugoslavia within as broad as borders as possible. We do not want to go  
10 to Yugoslavia. Only under that condition, mathematically speaking, a  
11 necessary condition, a necessary condition, a historical agreement, and I  
12 presented it to you here, about the fact that Mr. Izetbegovic wanted to  
13 unite the Muslims of whom there were 2.300.000 in Bosnia, 2 million in  
14 Kosovo, in Sandzak so many, in Macedonia so many. So because of his  
15 nation, his people to want to conjoin with Serbia, we would not agree to  
16 that. That was the sole fact within that whole story and nothing more  
17 than that.

18           I claim that today, too, that a sovereign nation, a  
19 constitutive -- a constituent nation has the right to decide not to join  
20 a state it doesn't want to join if it is a constituent nation and a  
21 sovereign nation and not a national minority under the constitution.

22           JUDGE ANTONETTI: [Interpretation] So you knew about this  
23 sentence, and you have explained to us what the interpretation is to be  
24 given to this sentence from your point of view.

25           Now, going back to Mr. Tudjman -- excuse me. My colleague --

1 JUDGE TRECHSEL: I would like to elaborate a little bit.

2 Mr. Praljak, we have a quotation in English. I don't know exactly what  
3 the translation was.

4 Are you saying -- are you doubting that Tudjman ever said  
5 something like that, or do you accept that this is or may be a correct  
6 rendering of a sentence said by him?

7 A. Judge Trechsel, that's a good question. I simply don't know  
8 whether Tudjman said it that way, but I do know, and I've read through  
9 all those documents again, he repeated it a hundred times, thousands of  
10 times. Anybody who wanted to listen, from Cutileiro. Bosnia-Herzegovina  
11 from Cutileiro was defined, and we said yes. And then Vance-Owen, we  
12 said yes; and Stoltenberg, said yes; and the recognition of  
13 Bosnia-Herzegovina, yes; borders, yes. The demand that UN forces be  
14 placed at the border, that was asked, called for umpteen times. So  
15 always one and the same thing. Bosnia-Herzegovina, yes. The Croats in  
16 Bosnia-Herzegovina need to get their right to self-government,  
17 self-administration either within a confederation or federation or canton  
18 or whatever. Mostly there was the example of Switzerland quoted. For  
19 goodness sake, there's Switzerland. Let's follow the example of  
20 Switzerland.

21 But I don't know whether this quotation is correct, because  
22 sometimes a word is lost and it needn't always reflect the exact  
23 political position taken. That is why it is necessary -- yes, I  
24 apologise. Yes, yes.

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1 find the place where it's quoted from perhaps. I think we leave it at  
2 that.

3 MR. KOVACIC: Your Honour.

4 JUDGE ANTONETTI: [Interpretation] Yes, Mr. Kovacic.

5 MR. KOVACIC: Maybe just for reference, this is a citation from  
6 presidential transcript which is already in evidence. Okay. Thank you.

7 JUDGE ANTONETTI: [Interpretation] Thank you.

8 Mr. Praljak, let's go back to Mr. Tudjman. We know, because you  
9 told us today, and you also told us a few days ago, that you knew the son  
10 of Mr. Tudjman very well. Did you continue to have relations with him  
11 after you were indicted here?

12 A. A friendly relationship, yes.

13 JUDGE ANTONETTI: [Interpretation] When the indictment was  
14 published, revealed with the name of Tudjman, what was the reaction of  
15 the Croatian political class in general?

16 A. All those who, with the exclusion, that is, of a number, a small  
17 number of those who -- a negligible number, negligible number of people  
18 who -- who in that respect, just like the international community, took  
19 for granted the very bad information and speedy -- speedily disseminated  
20 information. Everybody else was absolutely astounded by the accusations  
21 and indictment and -- because of all the facts that I've said. You arm,  
22 you receive refugees and the wounded, and you help and assist in every

23 way possible. You recognise Bosnia, et cetera, et cetera, and then  
24 somebody comes up and say, "You did all that to trick America," whereas  
25 in all the transcripts the basic problem -- our basic problem was to see

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1 what it is the international community wishes and how to adapt to their  
2 wishes.

3 THE INTERPRETER: Microphone, please.

4 JUDGE ANTONETTI: [Interpretation] Excuse me. General Praljak, I  
5 read, just as you did, transcripts. You have all the documents. You  
6 have all the papers. Clearly, but we'll come back to this in detail  
7 later, now I want to speak about the generalities, Mr. Tudjman discovered  
8 this Stupni Dol business, and the question of the destruction of the Old  
9 Bridge on Mostar, the transcript of Stupni Dol, not torpedo, which is the  
10 village. Stupni Dol, excuse me. Right. Everybody understood, I think.  
11 He discovered this and you can read this in the transcript. He didn't  
12 know about it. He discovered this later on, and all the questions he  
13 asks show this.

14 Is it possible, according to you, that Mr. Tudjman might not have  
15 had a complete vision of the events which were unfolding in  
16 Bosnia-Herzegovina, in the republic? Did his inner circle, his  
17 councillors, did they give -- tell him everything? Did he have  
18 first-hand information, or were they not well informed?

19 A. In certain aspects he received the wrong information. Otherwise,  
20 generally speaking, with umpteen talks with Izetbegovic people came to

21 tell him what was going on, so in general terms, yes, he did -- he was  
22 informed. But neither him nor anybody from outside, nor you,  
23 Your Honours, nor the Prosecution, can fully understand what the  
24 situation was given that chaotic war situation. That is just not  
25 possible. So that everybody summarises this, reduces it, adapts it, and

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1 so on and so forth, and then you enter into the higher realms of thought,  
2 what ought to be done should have been done, and so on. However, the  
3 despair on the ground, death and so on, you can't understand that.  
4 Nobody can understand that unless they were there. Nobody can fully  
5 understand the situation unless they were there.

6 JUDGE ANTONETTI: [Interpretation] After the 8th of November, when  
7 you went back to Zagreb, was -- did Mr. Tudjman receive you immediately?

8 A. No, no, not -- not straight away. Not immediately. We had some  
9 meetings later on. I think I attended some meeting of the VONS or  
10 whatever before I was relieved of my duties. So not immediately, no.

11 JUDGE ANTONETTI: [Interpretation] He received you how many weeks  
12 or months later?

13 A. I really can't be sure, Judge Antonetti. I really can't answer  
14 that question. My memory doesn't serve me that well.

15 JUDGE ANTONETTI: [Interpretation] How did you live through this  
16 period? You were the commander of the HVO under the authority of  
17 Mr. Mate Boban, but you were a Croatian, important person. When you went  
18 back to your country, Croatia, where you had responsibilities previously,

19 Mr. Tudjman does not receive you immediately? How did you take this, or  
20 was it a way of disavowing you?

21 A. Well, in that respect, Judge Antonetti, I'm not vain. Somebody  
22 would look at it as an insult, but afterwards I was given the duty of  
23 -- I think this was afterwards. Was I? Was that afterwards, that I was  
24 a chief of his military cabinet, that I was his military advisor for a  
25 short time. I organised the archive of the Croatian army. And as you

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1 were able to see in one of my articles in the "Hrvatski Vojnik," Croatian  
2 soldier, I didn't mind what I did. But the fact is that as they were  
3 accusing me more and more of destroying -- having destroyed the Old  
4 Bridge and how this propaganda was disseminated, and the Old Bridge was  
5 destroyed precisely because of that propaganda, but as this propaganda  
6 was burgeoning, I became a persona non grata more and more, and I was,  
7 well, let's say less important, which I didn't mind privately speaking,  
8 but I did begin to mind because of the lies that were being put out.

9 Now, as far as my departure down there is concerned, I wouldn't  
10 have looked for my replacement until the Muslim offensive in our area  
11 resulted in a downfall, that is to say, against the HVO.

12 I was a good warrior. I was a good commander as far as was  
13 possible, so I wouldn't have given in there.

14 JUDGE ANTONETTI: [Interpretation] You heard just as I did the  
15 American ambassador who came to bear witness just where you're seated  
16 now, and we understood that practically every day he was in contact with

17 Mr. Tadjman either by telephone or directly. Therefore, the United  
18 States of America were scrutinising what was going on in the field. The  
19 same ambassador told us, I quote this from memory because I don't have  
20 the transcript here, he told us that the United States of America,  
21 through this ambassador, had asked for your departure as well as the  
22 departure of Boban, which had been the case. This is what he told us.

23 According to your own knowledge of this matter of politics in  
24 Zagreb at the time, of the possible links or relationships between the  
25 states and Mr. Tadjman, was it possible that a country may ask that you

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1 be set aside as well as Mr. Boban, and that Mr. Tadjman couldn't do  
2 anything else than to give satisfaction to this great power?

3 A. In answer to your second question, let me give my answer using a  
4 transcript. Franjo Tadjman says: "If America decides to provide a  
5 corridor to Neum, to the Muslim side, then we can do nothing." And that  
6 is true.

7 So the power and might that certain countries had in the area was  
8 such that they shaped the war, and I can say this six times under oath,  
9 how it was going to develop and so on. And so this war in  
10 Bosnia-Herzegovina was waged, among other things, as a propaganda  
11 campaign or a campaign for advertising detergent, for example. You pick  
12 an event that took place or didn't take place. The journalists inform  
13 about this event, and then you say you have to do that because we have  
14 this information.

15           There is no information, Your Honour, in the world public arena  
16           about Doljani, Uzdol, and so on. There was no information about the  
17           offensive launched by the Muslim forces against the HVO for three months.  
18           And it is constantly being repeated that we are doing the attacking.

19           I state that we never attacked. We defended ourselves.

20           Now, as far as Mr. Galbraith is concerned, I don't know what he  
21           said about Franjo Tudjman or what he said to Franjo Tudjman, but I asked  
22           to be replaced before Stupni Do, and I have nothing to do with Stupni Do.  
23           That's number one.

24           And the second point is this: I think that the animosity on the  
25           part of Mr. Galbraith towards me was of subsequent development because I

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1           spoke up publicly when he held a public rally, when he spoke in  
2           Slavonski Brod in the main square there as if it was a local region in  
3           America. Well, we're not a banana state for a statesman, foreign  
4           statesman, to make public speeches. And then he said, "Why are we  
5           hearing from this destroyer of the Old Bridge?"

6           So it's enough to be an American and of course backed up by the  
7           most powerful country in the world. I'm not interested in those powers.  
8           What -- it can be whatever power and might they like.

9           It's not true that I was replaced down there --

10           JUDGE ANTONETTI: [Interpretation] Mr. Praljak, another question  
11           which I could have asked before but I ask you now. You told us a while  
12           ago you were in charge of the IPD. So you're somebody who knows the

13 media. You know the power of the media, the role of information,  
14 especially during wartime. Therefore, if -- you were chosen for this  
15 post, certainly because of your personal qualities at the time in this  
16 field.

17 Now, how is it that you, on the 8th of November, you hear about  
18 what happened in this village, how is it that at that specific moment you  
19 didn't make a communique as a commander of the HVO that you heard that  
20 these events happened and that you immediately ordered an inquiry? Why  
21 didn't you do this?

22 A. I did, Your Honour Judge Antonetti. However, the problem of  
23 advertising, or as we say in modern times propaganda, is the problem of  
24 quantity. It's not just one -- or PR. It's not one piece of news. When  
25 you advertise Coca-Cola, you send out these advertisements 500 times a

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1 day over all the television channels.

2 After the Old Bridge I came to the television station and said,  
3 "For the finger of one of my soldiers I would have destroy the bridge,"  
4 because a commander has to say that. But I did not destroy the Old  
5 Bridge. You know what this is like? It's like throwing a few grains of  
6 salt into the sea. They broadcast it over 30 television channels and  
7 keep repeating it umpteen times, but I say things just once and it's as  
8 if I never said it at all.

9 JUDGE ANTONETTI: [Interpretation] You're telling me you did that  
10 and it was lost. You know better than anybody else, since you're a

11 specialist and methods of reporting, you know that when there are  
12 pictures on CNN or Sky, you see the impact it may have. And Mr. Tudjman,  
13 we'll talk about it -- in several transcripts you'll see he speaks about  
14 this.

15 When these dramatic events take place, maybe at your level it was  
16 necessary -- it would have been necessary to set the record straight, in  
17 particular for the international media who are going to hurry on this.

18 Now, for the Old Bridge you said you did this. Okay. I'm taking  
19 your word for it. But for this village, what did you exactly do?

20 A. The same thing, Your Honour. I don't know. In some interview I  
21 said no. Nor did I have any communication, nor did I issue orders, and  
22 after that we undertook everything prescribed by law, an investigation.  
23 We included the international community. We handed it over to the  
24 investigating judge. We said, "For God's sake, launch an inquiry." But  
25 stories are stories. Today wars are shaped through CNN. That is what we

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1 can read in any book on communications and PR. If CNN wants to wage war,  
2 you're going to have a war. They come in first, and then you just wait  
3 for the war to break out, from Baghdad onwards. So it's a question of  
4 power and might. And everything that you asked me I said and denied for  
5 as long as people wanted to listen to me, until I said I'm going to  
6 investigate into the matter.

7 JUDGE ANTONETTI: [Interpretation] Right. Now, we'll leave  
8 Mr. Tudjman for a moment, and we will now speak about Mr. Susak, who is

9 mentioned in the indictment.

10 You told us Mr. Susak was one of your classmates. How could you  
11 define Mr. Susak, who was once defence minister? According to you, what  
12 were his qualities?

13 A. Mr. Susak was sabotaged by the services of the former state. In  
14 one occasion he was incarcerated in Mostar. He was detained there. My  
15 father found him there, took him out of the prison, gave him money to go  
16 home.

17 Just like many others, he went to study in Rijeka, and when he  
18 could not stick it out anymore he emigrated to Canada, and that was in  
19 the 1960s, maybe in the 1968 or 1967. And when he returned, he was  
20 already shaped up by a democratic society. For 30 years he had been  
21 abroad. He left as a young lad, and he returned as a man of 46, and he  
22 had very clear democratic ideas in every possible sense of the word. And  
23 in that sense, our private and our official communication remained at a  
24 very enviable level. We talked about everything. I don't know that we  
25 had any disparaging opinions about anything. None whatsoever that I can

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1 think of.

2 JUDGE ANTONETTI: [Interpretation] What was he doing in Canada?

3 A. In Canada he established, together with a group of people, the  
4 Croatian language department in Ottawa or in Toronto. I don't know  
5 exactly where. And he was the owner of a company and then a very big  
6 pizza parlor. That's how he made a living. But in addition to that he

7 held demonstrations in front of the Yugoslav embassy with regard to some  
8 events in Yugoslavia. He expressed his positions democratically based on  
9 what he knew about Yugoslavia. And he also established the department of  
10 Croatian language in either Ottawa or Toronto. I can't tell you exactly  
11 where.

12 JUDGE ANTONETTI: [Interpretation] I'm asking you these questions,  
13 because in the indictment and in the pre-trial brief we don't have all  
14 this information.

15 How can you, if you make pizzas and/or deliver them, how  
16 can become --

17 A. It was possible for a very simple reason. The quality of his  
18 education was much higher than would be required by a pizza parlor owner.  
19 He did not make pizzas. He just owned the pizza place, and we're talking  
20 about two different things here, of course.

21 I was a waiter, Your Honour, with three university degrees, and I  
22 did not become a general as a former waiter but as somebody who was  
23 familiar with 30 international wars in much better terms than many  
24 generals who have completed very high education in America, for example.

25 JUDGE ANTONETTI: [Interpretation] When he returns from Canada to

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1 play a part on the military and political stage in Croatia, the Croatians  
2 who were in Zagreb or elsewhere who were there, did they accept the fact  
3 that expatriates came back and the fact that these people were very close  
4 to Franjo Tudjman and played or held prominent positions?

5           A.    He did not become defence minister straight away.  First he was a  
6 party member, and then he became the minister of immigration in the  
7 Government of the Republic of Croatia.  Croatia has a huge number of  
8 emigrants.  In addition to Poland and Ireland, Croatia is a country which  
9 experienced huge waves of emigration.  In America there are over  
10 2 million Croats of the first, second, and third generation, and that's  
11 only in America.  That's what Mr. Susak became.  And since the two of his  
12 predecessor -- predecessors did not go -- do a good job, Tudjman chose  
13 Susak.

14                 There were some shows of resistance against Gojko Susak because  
15 there was a structure in the HDZ which was a hard -- an element of  
16 hard-liners, Communists hard-liners like Mr. Manolic and some others did  
17 not gladly accept him, and those were the same people that had prosecuted  
18 him.  He did not have anything against them.  However, he would not be  
19 ill-treated by the people and the views that they upheld about Croatia.

20                 The soldiers, however, liked Gojko Susak because he was a simple  
21 person, because he was a normal person, because he perceived his job as a  
22 job that he dedicated his life to without any political ambitions, any  
23 ambitions to achieve a political career.

24                 JUDGE ANTONETTI: [Interpretation] It is always difficult to  
25 extract information from the dead.

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1                 You met him on several occasions.  What were his views on  
2 Herceg-Bosna, on Bosnia and Herzegovina, on the Croats in Bosnia and

3 Herzegovina? Did he have any personal views or was that not a problem in  
4 his eyes?

5 A. For him and for me it was a problem, as it was for  
6 Franjo Tudjman, and all of us shared an identical position which is  
7 testified and documented by all sorts of documents.

8 A, the recommendation of Bosnia-Herzegovina as an integral state  
9 and the boundaries of Bosnia-Herzegovina as they existed in the time of  
10 Communism. However, within Bosnia and Herzegovina, the three peoples had  
11 to agree as to how they would arrange their relations. And Muslims would  
12 not be the first, or Croats or Serbs. They had to agree as equals,  
13 because those peoples were equal under the constitution, and nobody was  
14 in a position to impose their unitaristic ideas as the Muslims wanted in  
15 order to achieve their Muslim state. The Serbs wanted the whole country  
16 to be integrated with Yugoslavia and that was also out of the question.

17 We wanted a Bosnia-Herzegovina, as you could have seen from my  
18 statements given to the French, with our own kind of self-government.  
19 And if the two people could agree, and I'm talking about the Serbs and  
20 Muslims, and do differently, it was only then that we would request for  
21 the parts where Croats were a majority would not go where they wanted to  
22 go. That was our right. That was my position, his position, and that  
23 was the position of the Croatian state policy, the position of  
24 Franjo Tudjman as well.

25 JUDGE ANTONETTI: [Interpretation] Mr. Susak's deputy, since you

1 were in charge of this IPD department, you knew him well, professionally  
2 speaking. The mere fact that you were his deputy and you were familiar  
3 with the workings of the Ministry of Defence.

4 I'm trying to draw a parallel with Bruno Stojic and the Defence  
5 Department of Herceg-Bosna and the MOD of Herceg-Bosna. I'm trying to  
6 see whether this functioned in the same way or operated differently.

7 As far as Mr. Susak is concerned, when a military operation was  
8 carried out, was it Mr. Tudjman who directed the operation personally,  
9 together with his Chief of Staff, or was it the minister of defence who  
10 said to Mr. Tudjman, "That battalion will go there. That unit will go  
11 there. This and that needs to be done"? What part does -- or did the  
12 minister of defence of the Republic of Croatia play at the time?

13 A. The minister of defence of the Republic of Croatia -- or, rather,  
14 the ministry was modelled after Western states. In other words, the  
15 minister of defence looked after the armament, the procurement, the IPD,  
16 the personnel issues, and so on and so forth. But the staff or the army,  
17 to the extent that they needed -- with regard the salaries on  
18 mobilisation relied on the minister of defence. However, the minister of  
19 defence did not deploy the troops, did not plan operations, did not  
20 control operations. He was not in charge of any of that.

21 This was the same thing between Mr. Stojic and myself.  
22 Mr. Stojic was in charge, as far as he could be, of the remuneration for  
23 the troops, the procurement of food and clothes, to put pressure on  
24 municipalities with regard to mobilisation when there was a shortage of  
25 men. He was also looking after health care, IPD assistance, and so on

1 and so forth. And I was subordinated to Mate Boban when it came to the  
2 operations, when, how, with whom, and I did it with my associates, of  
3 course.

4 JUDGE ANTONETTI: [Interpretation] To sum up what you've just  
5 said, I stand to be corrected, and I stress this, the Minister of  
6 Defence, Mr. Susak, was not competent in the field of military  
7 operations. He was there to provide equipment, to make sure that the IPD  
8 was operating properly, pay out salaries. If I understand correctly,  
9 these were administrative tasks. These were not operational tasks.

10 A. Correct, Your Honour. Minister Susak could -- I apologise.

11 JUDGE ANTONETTI: [Interpretation] Since you drew a parallel with  
12 the ministers of defence in Western countries, I shall put a technical  
13 question to you.

14 In Zagreb the minister of defence, I assume, was located in a  
15 building. In the building in which the Ministry of Defence was housed  
16 was there an operations room in which officers on duty plotted the units  
17 on the map in realtime? Was this something which was done or wasn't it?

18 A. Yes, Your Honour. The ministry building had two floors occupied  
19 by the Main Staff of the army, and that's where they had everything that  
20 a body of that kind might need.

21 That building did not contain the command of the Croatian Air Force. It  
22 was in a different building, and the command of the Navy was in Split.

23 JUDGE ANTONETTI: [Interpretation] There was an operations room,

24 but according to what you're saying, it was on line 22, page 89, it was  
25 in fact the Main Staff that managed this operations room.

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1 A. Correct.

2 JUDGE ANTONETTI: [Interpretation] As far as you know, did the  
3 minister of defence, you even sometimes when you were deputy minister in  
4 charge of IPD, did you ever go into the operations room to see what was  
5 happening on the map or did you never do this?

6 A. Your Honour, we're talking about the organisation as it should  
7 be. The minister of defence obviously had to be informed about any  
8 operation. You could talk about that with the minister of defence. You  
9 could not plan an operation without being aware of the number of troops  
10 available to you, whether you will -- will be able to replenish, whether  
11 there was enough ammunition, and so on and so forth.

12 When it comes to the planning of any operation, the minister or  
13 his assistants were involved. Any minister -- any minister's assistant,  
14 the assistant for Medical Corps, for IPD, or SIS. The involvement is one  
15 thing, and the implementation is an entirely different thing. Once the  
16 operation is under way, it is military commanders who are in charge. The  
17 minister can also follow any operation because he receives requests from  
18 the commanders when they need things, and it depends on how the operation  
19 develops.

20 JUDGE ANTONETTI: [Interpretation] When you yourself were  
21 commander of the HVO from July 1993 to the 8th of November, 1993, did it

22 happen sometimes that you received a phone call from Mr. Susak, asking  
23 you what the situation was like, "Can I help you?" Did you receive phone  
24 calls providing you with the information or providing you with the way  
25 forward?

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1 A. Not in the nature you describe, but there were talks, of course.  
2 I would call Minister Susak about certain issues and problems.

3 On the 24th, I sent him a letter requesting two battalions of the  
4 Croatian army. I did not receive them, because our military situation  
5 was on the brink of disaster at that time. Then I had problems with the  
6 training of helicopter pilots, with one general of the Croatian army, and  
7 then I asked from Susak to intervene in that matter because that person  
8 was just unreasonable, and at the end of the day he did not have the  
9 right to do what he was doing.

10 So on my side there were some requests upon Minister Susak for  
11 him to approve some men for the Main Staff, some volunteers, to let them  
12 go from the Croatian army. But you have all the documents to that  
13 effect, Your Honours.

14 JUDGE ANTONETTI: [Interpretation] We have a presidential  
15 transcript. We shall get back to this because I don't have it before me  
16 right now, but after you left after November 1993, there is a meeting  
17 between Mr. Tudjman, Mr. Susak, and Mr. Bobetko during which clearly maps  
18 are laid out, and Mr. Tudjman is discussing where the various people are,  
19 and it's quite surprising to discover that Mr. Tudjman was very well

20 informed on -- with what was happening on the ground since he gives the  
21 name of commanders on the ground, which means, according to this  
22 document, that Mr. Tadjman could be very well informed. And on seeing  
23 this document, I wondered how he could be made aware of all of this.  
24 This is why I put this question to you and asked you if you received a  
25 telephone call from Mr. Susak saying -- or informing you about what was

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1 happening in realtime, and you then answered by saying that sometimes you  
2 phoned him up because you needed reinforcements, and this is something  
3 which is mentioned in a number of transcripts.

4 So what I'm interested in is a question set against the backdrop  
5 of the joint criminal enterprise. I wanted to know whether at Susak's  
6 level, Tadjman and Bobetko, of course, there was a follow-up in realtime  
7 of the military situation in Herceg-Bosna. That's what I'm interested  
8 in. What do you have to say to that?

9 A. No, there was nothing realtime, Your Honour. Probably every now  
10 and then they would receive information from somebody else. The  
11 information -- I'm familiar with the transcript and the talks. We  
12 provided this information at a meeting in early November in Split. The  
13 information was very clear and precise. Irrespective of the fact that  
14 the offensive had already been crushed, there was still a clear and  
15 present intent of the Army of Bosnia and Herzegovina to come to the  
16 borders of Bosnia and Herzegovina and -- and those in the direction of  
17 the sea, in the direction of Ploce.

18 I am saying that at -- if they had succeeded at the time, the  
19 international community would have given the area from Neum to Prevlaka  
20 to Serbs. They would have given the area from Neum to Ploce to Bosnia,  
21 and nobody would have blinked an eyelid.

22 I wanted for the offensive to be stopped -- put a stop to because  
23 it was against the Croatian people, and I asked for assistance from  
24 Croatia. Unfortunately, I did not receive that on the 24th. I  
25 received -- I repeated my request on the 5th of November, and you can see

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1 it in the transcript. What I'm saying is for them to give me at least  
2 two battalions. This is all I was asking for in light of the fact that  
3 we were dealing with aggression, with an intent to occupy territories  
4 after the agreement was reached with Serbs in the month of September.

5 One cannot be viewed without the other. If the Muslims and the  
6 Serbs had agreed in the month of September 1993 that they would create  
7 two states in Bosnia and Herzegovina, the Serbian state and the so-called  
8 Muslim and Croatian state without Croats, mind you, and that the right  
9 would be given to the Serbs to go to a referendum and leave that state,  
10 then, Your Honours, we are talking about aggression against the Croatian  
11 people in the Neretva valley and further down towards the sea.

12 JUDGE ANTONETTI: [Interpretation] Since you are familiar with all  
13 the presidential transcript, these questions are easy for you. You don't  
14 have to do any research work.

15 We have a presidential transcript where clearly there's quite a

16 heated discussion between Mr. Tudjman, Mr. Susak, and Mr. Bobetko on the  
17 subject of volunteers and the fact that the minister of defence was  
18 issuing decrees on the mobilisation of volunteers. Mr. Tudjman says that  
19 the international community and CNN, once they heard about this, would be  
20 in a political conundrum. So clearly Tudjman reproaches Susak for this,  
21 which means that I can now address the question of the volunteers.

22 Was it Mr. Susak who had the idea of sending "volunteers" to  
23 Bosnia and Herzegovina, or did he only manage them from an administrative  
24 point of view?

25 A. Well, Your Honour Judge Antonetti, it was not Gojko Susak. I

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1 believe that it was my idea originally. I believe so.

2 In its ranks, Croatia had between 12 and 15.000 volunteers from  
3 Bosnia-Herzegovina, and when war stopped in Croatia and those who had  
4 fled from Bosnia-Herzegovina, there were tens of thousands of those, and  
5 those people didn't want to defend their homes. Under the constitution  
6 of the Republic of Croatia, and because of the fact that Mr. Izetbegovic  
7 did not want to sign a military agreement with the Republic of Croatia,  
8 one could not send the regular army to Bosnia and Herzegovina, and the  
9 only way you could do it was to send volunteers. You could offer them  
10 salaries, and that was offered to both Muslims and Croats who went to  
11 wage war in Bosnia-Herzegovina. You could offer them a rank, for  
12 example. You could offer them some other benefits and perks.

13 Despite all of that, and in that transcript you can see that

14 volunteers for the operation in Uskoplje which failed were only 400.  
15 Four hundred volunteers, not more than that, and that's how things fell  
16 through up there after my departure. And then in January 1994, I  
17 returned there again because the whole situation was poorly managed up  
18 there, and there was an imminent danger that the Army of  
19 Bosnia-Herzegovina would break through towards Rama. And the lads called  
20 me, "Come back," and I did, because we defended ourselves. All I did was  
21 throughout -- throughout the war was to defend myself. We did not attack  
22 Serbs in Serbia, anywhere. We did not attack their villages. You can  
23 see it in the transcript. We defended Bosnia-Herzegovina and the Muslim  
24 and Croat people in the areas that we managed to defend, and we never  
25 made a difference between the two.

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1 JUDGE ANTONETTI: [Interpretation] It is just about time to stop.  
2 We have a few seconds left.

3 As work planned for tomorrow, I shall resume my questions and  
4 address the issue of Mr. Bobetko. Then I shall review the other  
5 co-accused, Mr. Prlic, Mr. Stojic, Mr. Pusic, Mr. Petkovic, to see what  
6 connections there were between these people, and Mr. Coric also, whom I  
7 had forgotten, what contacts you had with these people and how you got to  
8 know them.

9 I shall address three cases which are mentioned in the pre-trial  
10 brief, Blaskic, Kordic, and Naletilic, who according to the Prosecutor  
11 are members of a joint criminal enterprise since they are, all three of

12 them, quoted in the pre-trial brief. We shall spend quite a lot of time  
13 on each individual case, and after that I shall start reviewing the  
14 documents, and I shall start with the contested documents which,  
15 according to you, are forged documents.

16 I hope my questions have not tired you too much. If you are  
17 tired, please let us know, but you have all night to recover, and we  
18 shall meet again tomorrow afternoon, since we will be sitting at a  
19 quarter past 2.00.

20 That said, I have another hearing in another case in the morning.

21 Mr. Karnavas, I believe you would like to say something.

22 MR. KARNAVAS: Good afternoon --

23 THE WITNESS: [Interpretation] Thank you very much. I'm not  
24 tired. I will answer any question even if it takes months. I would like  
25 this to take months.

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1 MR. KARNAVAS: Well, speaking of -- speaking of months,  
2 Mr. President, Your Honours, in light of -- in light of what you just  
3 told us, it would appear that you -- your questioning will continue for  
4 the rest of the week, just for scheduling purposes. That's number one.

5 And number two, earlier when you mentioned a transcript when you  
6 spoke of volunteers, I assume that that was from memory, but when you get  
7 to the documents you will be referring to it for our purposes, for the  
8 record, just so we know exactly, you know, where to look for.

9 JUDGE ANTONETTI: [Interpretation] Very much so. Yes indeed. I

10 said "volunteers."

11 Yes, Mr. Stringer, you wanted to say something?

12 MR. STRINGER: Well, not about this particular issue. It has to  
13 do with the IC documents that the President inquired earlier today what  
14 the Prosecution position might be on filing its response to the  
15 IC document of the Praljak Defence, and we've conferred and they have  
16 filed their final IC list today relating to the documents that were used  
17 last week, and our proposal would be for the Prosecution to file its  
18 response to -- to all of those documents one week from today, next  
19 Monday. And if I could --

20 JUDGE ANTONETTI: [Interpretation] Right. We'll talk about this  
21 between ourselves, and we'll let you know tomorrow if we agree. I don't  
22 know yet. We'll discuss it between ourselves.

23 MR. KOVACIC: I would like to say that this is very reasonable  
24 and seven days would be really appropriate. Thank you.

25 JUDGE ANTONETTI: [Interpretation] Very well. I will consult my

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1 colleagues, see if we can go fairly fast and then we could perhaps give  
2 our decision immediately.

3 [Trial Chamber confers]

4 JUDGE ANTONETTI: [Interpretation] Right. I consulted my  
5 colleagues, as you've seen. We have taken note of the fact that you  
6 asked for seven days. Defence thinks it is reasonable, the Judges also.  
7 So you are given seven days for this. There's no problem about it.

8                   Therefore, Mr. Praljak, no other questions.   Therefore, good  
9   evening, and we will meet tomorrow afternoon.   The Chamber is adjourned.  
10                   --- Whereupon the hearing adjourned at 7.03 p.m.,  
11                   to be reconvened on Tuesday, the 16th day  
12                   of June, 2009, at 2.15 p.m.

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