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1 Thursday, 18 June 2009

2 [Open session]

3 [The accused entered court]

4 [The accused Prlic and Coric and Pusic not present]

5 [The witness entered court]

6 --- On resuming at 2.17 p.m.

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

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

12 JUDGE ANTONETTI: [Interpretation] Thank you, registrar. Today is  
13 Thursday. I would like to wish Mr. Praljak a good afternoon,  
14 Mr. Petkovic, Mr. Stojic, as well as the accused who are not here for  
15 various reasons, Mr. Coric, Pusic, and Mr. Prlic more specifically.

16 I would like to greet Defence counsel, Mr. Stringer, and all the  
17 people assisting us.

18 Ms. Nozica, on behalf of the Trial Chamber and on my own behalf,  
19 I wish to express my condolences since your sister passed away. You have  
20 all our sympathy for this ordeal that you are going through.

21 MS. NOZICA: [Interpretation] Thank you, Your Honour. Thank you,  
22 and I'd like to take this opportunity to thank you and everybody else in

23 the courtroom. Things like that, unfortunately, happen to us all, but  
24 it's always very important at times like that that the people that work  
25 with you have every sympathy and express their condolences and extend

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1 their assistance. I thank you all, Your Honours, and all my colleagues  
2 during these very difficult times for me.

3 WITNESS: SLOBODAN PRALJAK [Resumed]

4 [Witness answered through interpreter]

5 Questioned by the Court: [Continued]

6 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, we're going to  
7 resume.

8 I would therefore like to ask the registrar to kindly display  
9 P06831. In the English version this is page 9.

10 A. While we're waiting for that to come up, Your Honours, may I just  
11 give you a piece of information? Yesterday, Judge Antonetti, you said  
12 that on your web page there was a piece of information about the flu.  
13 Let me just tell you and everybody else in the courtroom that the  
14 detention unit administration informed us some ten days ago that in the  
15 hot water throughout the building they found Legionnaires' disease, so  
16 spent two days impurifying the water and the pipes, but we still have the  
17 air-conditioning to be seen to. That has to be purified. So who knows.  
18 We might bring in that disease. So far we don't have any symptoms, but  
19 we have been told of the symptoms which are similar to flu symptoms. So  
20 that's what I wanted to tell you.

21 JUDGE ANTONETTI: [Interpretation] Very well. If you ever have  
22 any symptoms, please let us know and we will adjourn the hearing in that  
23 case because we will all be contaminated in this room otherwise, and  
24 everybody would have to be cured.

25 I also heard from another accused that there was a case of

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1 Legionnaires' Disease. Let's make sure that everybody is taking the  
2 appropriate measures.

3 Mr. Praljak, you have page 9 on your screen. You have  
4 Mr. Tudjman's statement here. This is in the last paragraph on this  
5 page. On this page, Mr. Tudjman talks about the Croatian armed forces  
6 and so on, the armed forces of Croatia. I will not review the entire  
7 document, because there are a number of things in this document, but on  
8 the face of it Mr. Skender is mentioned, a number of other personalities  
9 are mentioned who were involved in the HVO. This is something you've  
10 told us already, but we wanted to be quite clear for the record.

11 You are still saying that the officers in the army of Croatia who  
12 were part of the HVO were only officers who had volunteered but who still  
13 remained, from a military standpoint, part of Croatia.

14 A. Yes. That's what I claim, Your Honour. And I know for sure that  
15 Mr. Skender, after -- well, he's a French national and lives in Corsica,  
16 and I contacted him and he expressly asked to go to the battlefield and  
17 into the HVO as a volunteer to Bosnia-Herzegovina.

18 I know about the others too. The names that are mentioned here,

19 Roso, Kapular, and so on, they're all people who were born in

20 Herzegovina -- or, rather, in Bosnia-Herzegovina.

21 JUDGE ANTONETTI: [Interpretation] If I'm not mistaken, you had  
22 intended to call Mr. Skender as a witness. I don't know if you still  
23 wish to call him as a witness.

24 A. Yes.

25 JUDGE ANTONETTI: [Interpretation] He'll come.

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1 A. Yes.

2 JUDGE ANTONETTI: [Interpretation] All right. We will then be  
3 able to put questions of a technical nature to him. I'm sure his  
4 testimony will be very interesting.

5 I would now like to ask the registrar to -- to display P06006.  
6 Could you display page 2, please.

7 The registrar is telling me that there's only one page in the  
8 e-court system. In my transcript documents, I have several pages. So  
9 there's a problem.

10 What I wanted to ask you, Mr. Praljak, is this, even if we don't  
11 have all the pages of this document -- just one moment. This is  
12 Exhibit -- this is why there's a mistake. It's P06012.

13 A. Now, with respect to the previous document, Judge Antonetti, Your  
14 Honour, I know that Mr. Tudjman was very angry because of the mistake  
15 that General Bobetko had obviously made with respect to the way in which  
16 he issued an order, and he was extremely angry. And then he asked Susak

17 and Bobetko to explain to him how that could have happened in the first  
18 place.

19 JUDGE ANTONETTI: [Interpretation] I had in fact already addressed  
20 this issue. I would like to have page 2, registrar, please, in the  
21 English.

22 We have a problem for the following reason: P06012 also has a  
23 number which is P06006. So there are two exhibit numbers for the same  
24 document. If we don't see the exhibit, it doesn't matter.

25 At some point Mr. Tadjman discusses the fact that secret

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1 agreements had been signed with the Muslims and Izetbegovic. This is on  
2 page 2 of the document. As a result, the cooperation between Muslims and  
3 Croats should be maintained. Notwithstanding the fact, Mr. Praljak, that  
4 there was a conflict between the Muslims and the HVO, Mr. Tadjman claims  
5 in this document, before the people attending the meeting on the 22nd of  
6 October, 1993, i.e., a few days before your departure, that agreements  
7 have been reached with Mr. Izetbegovic. Cooperation is therefore  
8 important when a series of events are going to take place.

9 You yourself, did you know that secret agreements had been  
10 reached that tied Mr. Izetbegovic to Mr. Tadjman?

11 A. Yes. Both public and secret. There was a secret agreement and  
12 another one at the -- well, Izetbegovic wanted to sign a secret one  
13 between the parties, and in those circles the stories going round was  
14 that the Serbs would be allowed to take their part off towards

15 Yugoslavia, and then Izetbegovic asked that a Muslim-Croatian state be  
16 formed on the territory of Bosnia-Herzegovina and that it have close ties  
17 with Croatia. And then a public agreement was signed, and a secret  
18 agreement was signed in September 1993. And Mr. Tudjman on the following  
19 page there says, But in the Muslim leadership, he says, there are those  
20 who would like to continue --

21 JUDGE PRANDLER: I'm sorry, you are reading from a document, and  
22 let me again ask you umpteenth time to slow down. Thank you.

23 A. Thank you, Your Honour Judge Prandler. I always have this clock  
24 ticking in my head, but I will slow down.

25 There was a public agreement and a secret agreement, and we have

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1 here a statement, and I quote Dr. Tudjman. He said as follows:

2 "Therefore, we should bear that in mind. However, on the other  
3 hand, we must also bear in mind the fact that the Muslim leadership --  
4 that among the Muslim leadership there are those who would like to  
5 continue offensive operations against us in Herceg-Bosna and that should  
6 be thwarted."

7 JUDGE ANTONETTI: [Interpretation] General Praljak, the  
8 Prosecution in its submissions, in paragraph 232.18, states as follows --  
9 it's very short and I'm going to ask you to comment this. He says as  
10 follows:

11 "The president of Croatia, Tudjman, has taken a military and  
12 strategic -- strategic and tactical military decision regarding the use

13 of aircraft in Herceg-Bosna, the disposition of both HVO and HVO troops  
14 and the awarding of pay and ranks for officers who had served in both  
15 armies while telling his own generals at the end of 1993 to make sure  
16 that they kept control of key areas in Central Bosnia."

17 And Tudjman adds, this is on page 39 of the document and I'm  
18 reading this:

19 "In this respect, gentlemen, we did not act well enough, and  
20 that is what I have to say as the president and supreme commander."

21 What was said at this meeting of the 22nd of October, 1993, may  
22 testify to the fact that President Tudjman is scrutinising the military  
23 developments in the Republic of Bosnia-Herzegovina and says to the people  
24 attending the meeting that: "We have not been efficient enough."

25 How do you interpret Mr. Tudjman's words? How are we to

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1 understand them?

2 A. Under the Constitution, the Croatian president and Croatian state  
3 is duty-bound to take care of Croats outside the Republic of Croatia, and  
4 also the destiny and fate of the Croats in Bosnia-Herzegovina. That's  
5 the first point.

6 The second point is this: We never -- I -- we haven't had any  
7 examples in history of somebody giving way to the other side so much on  
8 enemy territory as Franjo Tudjman gave way and gave in to Alija  
9 Izetbegovic and the Muslim leadership even while they were attacking us.

10 Thirdly, we didn't have any planes. There were no flights, no

11 sorties towards Bosnia-Herzegovina. That was not possible.

12 Fourthly, the southern borders of Croatia were under threat and  
13 depended on the development of the situation in Bosnia-Herzegovina. They  
14 depended on the situation. And the president of the state must be  
15 interested in knowing what was happening in the neighbouring state after  
16 what had happened in Dubrovnik and after the plans of the Yugoslav  
17 People's Army and all the political games that were being played all the  
18 time. Regardless of the fact that Croatia had already been recognised  
19 and Bosnia-Herzegovina had already been recognised, there were other  
20 plots being made to resolve the whole situation, and the CSCE -- KES  
21 agreement that had been signed wasn't functioning properly. But as a  
22 normal statesman and a wise statesman, he took care of all this.

23 JUDGE ANTONETTI: [Interpretation] I'm going to ask the registrar  
24 to display document P -- I will give the floor to my colleague. In the  
25 meantime, I will ask the registrar to display P06485.

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1 JUDGE TRECHSEL: Mr. Praljak, if one goes back to the previous  
2 page where -- we have had, namely page 2 of this document, if you look at  
3 page 3, the next page, they speak about agreements with Izetbegovic, and  
4 in the agreement here mentioned, Mr. Tudjman says it has been provided  
5 that there be this close association, a Muslim-Croatian state strongly  
6 tied to Croatia. And if that were to resolve -- dissolve, then the  
7 western part of Bosnia should be integrated into Croatia.

8 I seem to read this as evidence of the fact that there was some



9 interest of Croatia in having Herceg-Bosna, to put it in one word,  
10 integrated into Croatia if the friendly solution were not to work out.

11 What is your interpretation of this sentence?

12 A. What you've just said, Western Bosnia, Your Honour  
13 Judge Trechsel, has nothing to do with Herceg-Bosna. It's Abdic's part,  
14 and he was a man, Abdic, a Muslim who gained most of the votes at the  
15 elections in Bosnia-Herzegovina, and he didn't agree with the policy  
16 pursued by Izetbegovic. So that area, that portion that President  
17 Tudjman refers to was almost 100 percent purely Muslim. The population  
18 was almost 100 percent Muslim in the area of Kladusa, and that area was  
19 under Mr. Fikret Abdic's control. Fikret Abdic at the time talked to  
20 President Tudjman and discussed the problem of what should be done if  
21 Bosnia-Herzegovina were to disintegrate.

22 And secondly, Judge Trechsel, Your Honour, at this same point in  
23 time, that is to say where Mr. Izetbegovic had signed this secret  
24 agreement with Tudjman about the creation of a Muslim-Croatian state on  
25 the territory of Bosnia-Herzegovina, two days after that or one day after

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1 that he also signed an agreement with the Serbs, the one that we  
2 discussed earlier on, and now you see the situation. That's why we  
3 always look at other variants.

4 In this agreement with the Serbs, Your Honour, Izetbegovic says,  
5 "We're going to set up two states. The Serbs will form one state," and  
6 that's why they're taking the offensive, and he says take Stolac and

7 reach Neum in order to make two states to have complete Croatian majority  
8 under him, and then you'll be given the opportunity of a referendum in  
9 two years' time and you can go wherever you like.

10 And of course Franjo Tudjman had to take that into account,  
11 because these were double games being played and triple games being  
12 played.

13 JUDGE TRECHSEL: Mr. Praljak, let's not talk about an agreement  
14 with the Serbs of which we have no text before us. And you seem to have  
15 said that this occurred soon after the present transcript, so it's  
16 difficult that Tudjman would have taken that into account at that time.

17 How can you explain the, for me at least, quite surprising idea  
18 that a predominantly Muslim part of Bosnia should be joined to Croatia,  
19 integral part?

20 A. That was a proposal put forward by Mr. Fikret Abdic. Fikret  
21 Abdic and the people around him did not want to go into a Muslim state  
22 with Izetbegovic. It wasn't President Tudjman's proposal to take over  
23 that, nor did he have any military contacts with the territory. Fikret  
24 Abdic came to Zagreb and put a solution of that type on the table in  
25 front of President Tudjman should Bosnia-Herzegovina fall apart. And

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1 Franjo Tudjman quite simply would have had to go through all the  
2 parliamentary procedure and the whole of the Croatian people would have  
3 had to state their views.

4 So this is Fikret Abdic coming to Tudjman, saying, "I don't want

5 to join up with a Muslim state. I would rather merge with a Croatian  
6 state." I mean as an idea, of course.

7 JUDGE TRECHSEL: Of course. Mr. Tudjman speaks of an agreement,  
8 "We have an agreement with Mr. Abdic." So he must also have agreed to  
9 it, "tocno"?

10 A. Just a moment. Well, I don't know. If you have three cantons in  
11 Switzerland, Unterwalden, Shwyz, and the third one, they also have an  
12 agreement to unite. It's a proposal like any other.

13 JUDGE TRECHSEL: You missed my point. You missed my point. You  
14 said it was Abdic. Abdic wanted, Abdic wanted, but Tudjman seems also to  
15 have wanted because otherwise there would not have been an agreement.  
16 That's all I'm saying. It's rather obvious, isn't it?

17 A. Tudjman did agree, but --

18 JUDGE TRECHSEL: Thank you. That's all, thank you.

19 A. And just one more sentence if I may. They were supposed to be  
20 separate. It wasn't a fact that they would come in to the state of  
21 Croatia. They asked to be autonomous and a canton which in one way or  
22 another would be conjoined. There was a lot of discussion about this.  
23 It's not very -- it's not a simple matter taking over territory or  
24 whatever.

25 JUDGE TRECHSEL: It says here an integral part and whatever that

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1 may be or mean, I don't think it's useful to discuss that further.

2 Mr. Kovacic?

3 MR. KOVACIC: [Interpretation] I think there was a certain amount  
4 of misunderstanding perhaps due to the transcript or perhaps due to a  
5 different understanding on the word "agreement," "sporazum," because  
6 Mr. Praljak clearly said that this was a hypothetical, Abdic's  
7 hypothetical proposal, what if, or if, and the word that was used,  
8 "sporazum," in colloquial Croatian, and we're dealing with colloquial  
9 Croatian, does not mean a legally binding document with a signature. It  
10 means just agreement or consent. So it's not agreement in a legally  
11 binding document sense, not even proposed and not signed. That's not it.  
12 It's just sort of in the spirit of the language consent, thinking the  
13 same thing.

14 JUDGE TRECHSEL: Thank you. Thank you, Mr. Kovacic. Actually, I  
15 had understood it in this sense.

16 JUDGE ANTONETTI: [Interpretation] General Praljak, we will have  
17 opportunity to review Mr. Abdic's position when we see the presidential  
18 transcripts.

19 Mr. Praljak, I'm asking you to be very concise when you answer,  
20 because otherwise -- well, let me tell you what's going to happen. I  
21 hope I will finish my questions on Monday, and one will say that  
22 Judge Antonetti has spent five days with General Praljak and 20 hours. I  
23 won't, in fact, have had 20 hours. I may have put two hours questions  
24 worth of time, but you would have had 18 hours, and those 20 hours will  
25 be my hours. Try and be as concise as you possibly can, because

1 otherwise those will be counted on my time. I know that you are making a  
2 lot of effort, but, General Praljak, let's look at page 29 of the  
3 document.

4 Registrar, please, page 29 of this document. We're waiting for  
5 the page to be displayed.

6 The Prosecutor says in 232.19 of its brief that Mr. Tudjman gave  
7 orders to the HV HVO and that in July 1993 he told Bobetko and Roso to  
8 send Croatian troops to Bosnia and Herzegovina, and in doing so to reward  
9 the units and officers with higher-level designations and ranks. And  
10 this is on page 29 of the document. Let me quote. I don't know whether  
11 this is now visible on our screens. Tudjman said this:

12 "For psychological reasons, you'll give them ranks. Politically  
13 this is needed, as well as capable military commanders and political  
14 people."

15 In saying so -- or he said this to Bobetko and Roso. Now, I'm  
16 interested in this: Apart from the military aspect, he seems to give  
17 instructions for politicians or political people to be put into places.  
18 He wants competent political people. This is written in black and white.  
19 You can see that yourself. So how do you read this?

20 A. There were no politicians here. He says for political reasons.  
21 He mentions military commanders and political people. I don't know.  
22 I've never seen political people anywhere else. But let me tell you  
23 this: There were a lot of people in Herzegovina, in the Croatian  
24 leadership, including Skegro, Ramljak, Dr., who occasionally had to go  
25 there to assist, and he and President Tudjman is talking about

1 volunteers, and volunteers would not want to go into war if you did not  
2 reward them. Those were volunteers from the Croatian army. And after  
3 all this talk, they managed to gather 400 of them, volunteers, and I  
4 sell -- I say that with a lot of reliability. I know what I'm saying.

5 And he says here a -- form companies. A Croatian company was  
6 always less than a hundred men, and then you call it a battalion. And  
7 then you call your brigade -- battalions brigades, which creates a lot of  
8 confusion. A company's called a battalion, a battalion is called a  
9 brigade, and when you put all of them together, you can count less than  
10 400 people in all of them.

11 JUDGE ANTONETTI: [Interpretation] Well, let's look at document  
12 P6675.

13 THE INTERPRETER: Interpreter's correction: 6575.

14 JUDGE ANTONETTI: [Interpretation] Page 18. Paragraph 232.20.  
15 This is what the Prosecutor said:

16 "Tudjman ordered the military to transfer what remains of the  
17 troops from Vares to Kiseljak and to push through to Busovaca."

18 Tudjman continues and says this, this is to be seen on page 18:

19 "You know that I sent a new commander, and I ordered that new  
20 volunteers be sent in order to defend the Vitez line."

21 So, General Praljak, Mr. Tudjman is very interested in the  
22 military situation in Bosnia and Herzegovina since he himself says that  
23 he sent a new commander and has ordered that new volunteers be sent. How

24 do you interpret this sentence? Can we draw the conclusion that  
25 Mr. Tudjman is the one that directs and controls everything, or is it

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1 that he's trying to be a little -- he adds on to what is really  
2 happening?

3 A. Mr. -- if Mr. Tudjman had been in control of -- over everything,  
4 then as the supreme commander he would have issued an order to the 1st,  
5 2nd, or the 3rd Guards Brigade, and he would have ordered them go there.  
6 He did not do that because he was not allowed to do that. He was  
7 prohibited from doing so by the Constitution. He -- 400 volunteers were  
8 gathered on a promise of somewhat higher salary and promotion, and  
9 with -- after all the promises he managed to gather only 400 of them.

10 Tudjman was aware, based on the agreement that I spoke about,  
11 that if the Army of Bosnia-Herzegovina defeated the HVO, then Croats in  
12 Bosnia-Herzegovina would no longer be able to exercise any of their  
13 rights because there would be no rights to speak of.

14 So he is not talking about taking over territories but joining up the line  
15 that was lost between Kiseljak and Busovaca where the Croats represent the  
16 majority, and joining up the two enclaves that remained isolated was a  
17 task that was given to General Petkovic while I was still the commander  
18 down there. He was going to try to do that but he did not have enough  
19 strength to do so. We never had enough troops to do so and this was  
20 never accomplished.

21 JUDGE ANTONETTI: [Interpretation] I had planned now to show you

22 documents, but we have addressed the documents already, but my fellow  
23 Judge wants to say something. Let me finish this sentence.

24 I wanted to submit four documents. I'm going to give you the  
25 numbers: P00136. It is your appointment by Mr. Susak to the position of

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1 vice-minister or assistant minister for defence. I suppose you're not  
2 going to challenge this document. Then P00465 in which President Tudjman  
3 appointed you to the council for defence. P03683. This is your  
4 appointment to the position of HVO commander. And P05796, in which  
5 Mr. Petkovic is appointed commander -- deputy commander of the HVO.

6 We've seen these documents already, so I guess you will not have  
7 any remarks. I just have a minor question, and it is this one: When you  
8 joined the Council for National Defence, which was a very important  
9 council, why were you appointed to it? Was it because you were friends  
10 with Susak, or was it the fact that you applied against -- were a  
11 candidate against Tudjman, or was it because you were very competent?  
12 Why were you chosen and appointed, because we know that there were 14  
13 members in this council. It was really the very best among the best.

14 A. I was competent, educated. I was intelligent, handsome, young,  
15 charming. That's why. Your Honour Judge Antonetti, it was not Susak who  
16 appointed me as assistant. It was Franjo Tudjman. It was not Susak who  
17 appointed assistant ministers, it was Franjo Tudjman himself. And we're  
18 talking about document P00136.

19 JUDGE ANTONETTI: [Interpretation] You are right. I can see



20 Mr. Tudjman's signature, indeed. But I believe that Judge Trechsel had a  
21 question for you.

22 JUDGE TRECHSEL: Yes. Mr. Petkovic also wants to say something.

23 THE ACCUSED PETKOVIC: [Interpretation] Your Honours, I would like  
24 to check whether you mentioned P05796 as the document in which Petkovic  
25 was appointed as deputy. That's the way I understood what you said.

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1 JUDGE ANTONETTI: [Interpretation] No. P05796 is a document that  
2 shows that Mr. Petkovic is the assistant to the HR HB OS commander. We  
3 can call up the document.

4 Please, Mr. Registrar, call up P05796.

5 THE ACCUSED PETKOVIC: [Interpretation] Your Honours, I can see  
6 the document. However, the interpretation I received implied that this  
7 is the document on my appointment, whereas it is not. There is another  
8 document to that effect.

9 JUDGE ANTONETTI: [Interpretation] Everybody can see this document  
10 now, and you are the deputy.

11 Yes, Judge Trechsel.

12 JUDGE TRECHSEL: I would like to go back to the passage we had a  
13 moment ago at page 18 of 59 where Tudjman says to Mr. Prlic and the other  
14 attendants:

15 "You know that I sent a new commander and ordered that new  
16 volunteers be sent to defend the Vitez line."

17 And your reaction, Mr. Praljak, was to say that is not possible

18 because the Constitution does not allow this, if I have understood  
19 correctly. Have I understood you correctly?

20 A. No, Your Honour Judge Trechsel. I said the following: This is  
21 precisely about the -- Dr. Franjo Tudjman's limitations. If it was true  
22 that Franjo Tudjman was omnipotent and that he could violate the  
23 Constitution, he would have issued an order and sent Croatian brigades to  
24 fight down there. He would not have implored people to go there as  
25 volunteers. He would not have issued them promises if they decided to go

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1 and fight. People didn't gladly go to war, not even soldiers. In  
2 Croatia he was in a position to issue orders that had to be obeyed.  
3 However, under the Constitution of Croatia, he could not send the regular  
4 Croatian army to fight in Bosnia-Herzegovina, and indeed he never did  
5 that. That's why all the time we're talking about volunteers and  
6 defence. To defend the line in Vitez meant that the BH Army wanted to  
7 take that line. There's no reference to attacks or taking territories.  
8 The only reference that's made ever is to defend.

9 JUDGE TRECHSEL: I don't -- I'm sorry, I'm not through with this.  
10 I don't know where you take attack. Who spoke about attack? Have I  
11 spoken about attack? I have not. You're not answering the question.  
12 Please hold it. Hold it.

13 Did Mr. Tudjman send a new commander as he says? He says, "I,"  
14 he says to the attendants, "You know that I sent a new commander." Is he  
15 lying?

16           A.    Nobody lies. This is not the truth. He's using the word in the  
17 colloquial terms. Roso volunteered. Mate Boban appointed Roso and  
18 Tudjman, of course, and all of that tried to find somebody from the  
19 Croatian army to would down there so Tudjman is not lying, but it is not  
20 that he sent him. He it's just a turn of the phrase. I found somebody  
21 and I've sent him there.

22           JUDGE TRECHSEL: Yesterday or the day before you have told us  
23 that the war was mainly defined by lies in writing. So if you say nobody  
24 lies today, there's a rather gross contradiction in that, but I think  
25 it's more a matter of speech.

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1           To order volunteers, that's what he says. How logical is it to  
2 order volunteers? Are people who you ordered to go somewhere volunteers  
3 who do not want to go, as you told us?

4           A.    Judge Trechsel, Your Honour, I can't understand your logic.  
5 It's -- it's totally alien to me. I apologise. Hold on a moment. Let  
6 me answer your question, sir.

7           I'm talking about a war, about erroneous reports. When it comes  
8 to the number of dead on the other side in terms of what had been done  
9 and so on and so forth. Here Franjo Tadjman is talking to his team of  
10 his most intimate associates, and he's very open when he speaks to them.  
11 And when you're looking for volunteers, Your Honour Judge Trechsel, then  
12 you raise the level of incentive, as it were. And if you can't find  
13 somebody who wants to go and do -- and swim, then you tell them, "Okay.

14 I'm offering a thousand euros for somebody to go swimming, or 2.000  
15 euros." So you are narrowing down the problem to a certain measure in  
16 order to resolve the problem. So Franjo Tudjman wants to help. He says  
17 yes, volunteers, but there will be no force, and it will be -- it will  
18 not be the Croatian army. And he raises the level of incentive, and once  
19 the level of incentive was raised enough, 400 people gathered as  
20 volunteers to go down there.

21 JUDGE TRECHSEL: Okay. I have the answer that you have given in  
22 the transcript. Thank you.

23 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, before we move on  
24 to the so-called presidential transcripts which I will break down into  
25 two parts, there will be 11 transcripts that I will address before I move

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1 on to other transcripts. I hope your answers will be brief so that I can  
2 ask you many questions.

3 Let me finish with one final question, because Ms. Nozica  
4 mentioned this. It is about the fact that you knew -- or what you knew  
5 of Mr. Stojic as part of the joint criminal enterprise, because together  
6 with you we looked at all the names in the indictment, and we postponed  
7 the issue of Mr. Stojic until Ms. Nozica was back, and now that she's  
8 back I can revisit the issue regarding Mr. Stojic, but I'll do it along  
9 the same plan as the one I used for all the other people.

10 You knew Mr. Stojic, and more exactly, when did you get to know  
11 him?

12 A. In April 1992, in Grude.

13 JUDGE ANTONETTI: [Interpretation] Prior to April 1992, had you  
14 heard of him or not?

15 A. No.

16 JUDGE ANTONETTI: [Interpretation] Very well. What were the  
17 circumstances of you meeting him in Grude in April of 1992?

18 A. I went down there to be -- to be a commander. We know that. And  
19 on that day, the Serbs were attacking Kupres in order to take it. The  
20 situation was bad, the circumstances were bad. I met him under very  
21 adverse circumstances for the HVO and the Croatian people, and it was in  
22 1992.

23 JUDGE ANTONETTI: [Interpretation] What was his position when you  
24 met him precisely?

25 A. I don't know, Your Honours.

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1 JUDGE ANTONETTI: [Interpretation] When did you discuss with him?

2 A. After that, I know that he did something in the HVO logistics,  
3 and then I got to know him through the documents that we've seen during  
4 the talks with the Tuzla Corps as regards the weapons, some joint orders  
5 to the effect of spending New Years Eve with the men on the front line,  
6 with regard to the setting up military police check-points. So before  
7 the day when I arrived as commander, we met, but I don't know how many  
8 times. Five, six. You can see it in the documents. There are documents  
9 that -- that show that. And we would always meet to discuss a problem.

10 JUDGE ANTONETTI: [Interpretation] When you met him and discussed  
11 with him, how did he come across? What was your impression of him? How  
12 did you see and feel him at the time?

13 A. I perceived him as a diligent, passionate man who simply pursued  
14 the same policy as everybody else, and that was the policy which is  
15 demonstrated by the documents and exactly the one that I claim that it  
16 was with regard to the position of the Croatian people in Bosnia and  
17 Herzegovina. He was a normal, passionate, hard-working person.

18 JUDGE ANTONETTI: [Interpretation] Was he someone who had sort of  
19 very specific political views or was he part of the general frame of mind  
20 of Croats living in the Republic of Bosnia and Herzegovina, or did he  
21 insist on specific topics that may have struck you?

22 A. No, Your Honour, nothing. He simply advocated the same thing all  
23 of us did, and that was how to avoid a conflict with the Army of  
24 Bosnia-Herzegovina. He armed that army together with the rest of us, as  
25 you could have already seen. He tried to get along with everybody, and

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1 his big problem was the supply of all the units and how to provide them  
2 with everything that they should have had. The biggest problem that I  
3 knew and that I discussed with him -- actually, there were two problems.  
4 The first one was how to raise the level of the HVO supplies so that they  
5 could fight and also the problem of mobilisation, which did not function  
6 at all. And those two problems were enough, and I know that from our  
7 conversations. Those two problems were really taking a toll on him and

8 on me. On two occasions he fainted in front of my very eyes, and I know  
9 that once this was on 15th of August, 1993. I know that for a fact. He  
10 was exhausted, it was hot, and he was faced with a problem which was that  
11 the BiH army near Blagaj almost had broken the line towards the southern  
12 parts -- part of Herzegovina.

13 JUDGE ANTONETTI: [Interpretation] Let me get into the details.  
14 You know that Mr. Stojic was the chief of the defence department and  
15 later on minister for defence. From July to November what were your  
16 relations to the minister for defence? Were you in a situation of  
17 subordination to him, or was it another type of relation, but he was not  
18 your chief, your chief being Mate Boban? Could you define the nature and  
19 type of relations between you, HVO commander, and the minister for  
20 defence?

21 A. From the 24th of July until the 9th of November Bruno Stojic was  
22 the head of the defence department. And in that part, in that segment,  
23 due to the war operations we did not meet on too many occasions. Towards  
24 the end of my tour of duty we met a few more times. I would go to his  
25 house to take a bath. His mother was my hostess. And second of all, he

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1 was not my superior. My superior was Mate Boban. And thirdly, in part  
2 the army was part of the defence department. And let me not go over the  
3 same grounds again. We've already spoken about that a dozen of times.  
4 The defence department was to take care of boots, hats, ammunition,  
5 everything that a military needs to be efficient. He was not in charge

6 of mobilisation, but that was our common problem. I'm talking about  
7 municipal bodies that should have been in charge of that. Then we also  
8 have the problem of how to supply Central Bosnia.

9 Those were the problems that he was faced with all the time, and  
10 I obviously would come to him with my requests which he could not meet.  
11 For example, I would come and go and ask for the money for the troops.  
12 Money was always a problem, and all the other problems stemmed from that  
13 problem, the problem of money. Let me not go on.

14 JUDGE ANTONETTI: [Interpretation] Yesterday you said something  
15 that struck me as very important and very interesting. When you were  
16 speaking about the way the Republic of Croatia functioned. Speaking  
17 about Mr. Bobetko, you said of him that he was an elderly man who  
18 defended this idea that as a senior officer of the former JNA it was the  
19 Main Staff that had to control and direct and not the Ministry for  
20 Defence, whilst in the Republic of Croatia there were some people who  
21 thought that it was the Ministry for Defence that had to direct the Main  
22 Staff as it does happen in many democratic countries. So it was a major  
23 political debate inside the country.

24 Did you have this discussion inside the HVO? Did Mr. Stojic as  
25 minister for defence have any ambitions or claims to direct the Main

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1 Staff or did he just stay on the sideline, and did he let the Main Staff,  
2 you in this case, did he let them do whatever they had to do?

3 A. Mr. Stojic did not show any desire to in operative terms to head



4 the army vis-a-vis me, and nobody in Croatia wanted the defence to be  
5 above the Main Staff, but the Main Staff should not be above the defence  
6 ministry. So there's a difference there, how far the army leans on the  
7 Ministry of Defence and all its departments, but command goes, Mate  
8 Boban, Slobodan Praljak, Milivoj Petkovic from the president downwards.  
9 Now, whether it's Tus or Bobetko or whoever, but Gojko Susak was in  
10 charge of seeing that the SIS was doing its job, that the military police  
11 was doing its job, that the services for care and welfare should do their  
12 job and so on and so forth.

13 JUDGE ANTONETTI: [Interpretation] In November you left your  
14 position, and you told us why. We know that a few days later  
15 Mr. Stojic --

16 MS. TOMASEGOVIC TOMIC: [Interpretation] Your Honour, I apologise  
17 for interrupting but I see that something very important was not  
18 recorded. On page 23, lines 2 and 3. Mr. Praljak, before he started  
19 enumerating the names, Mr. Tudjman, Susak, said "in Croatia." He  
20 compared Croatia. So the keyword is "in Croatia." Otherwise, we don't  
21 know who, what, and where Mr. Susak had to exert control. So I think he  
22 explained what happened first and then said "in Croatia." That has been  
23 omitted from the transcript, and Mr. Praljak could put me right.

24 A. I said in the -- in Croatia operative command went from Tudjman,  
25 then the Chief of the Main Staff, Tus or Bobetko or some third person,

1 and then horizontally to the side you have the Ministry of Defence led by

2 Gojko Susak, and that provided support, if I can use just that one word,  
3 to the HVO in Herceg-Bosna. And then you have Mate Boban, in operative  
4 terms Slobodan Praljak, Petkovic, Tole and so on, whereas Bruno Stojic --

5 JUDGE TRECHSEL: I think we know all this.

6 A. That's fine then.

7 JUDGE TRECHSEL: A correction to the transcript. I think it was  
8 Ms. Tomasegovic Tomic who had taken the floor, not Ms. Tomanovic. This  
9 is no value judgement.

10 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, on the 13th  
11 [as interpreted] of December, 1993, Mr. Stojic is appointed head of the  
12 office in charge of production and selling of weapons and military  
13 equipment. This is on the 16th of December to be precise. A few weeks  
14 before that, he was minister of defence, and now all of a sudden he heads  
15 this office or bureau. How do you interpret this?

16 A. Well, normal. It's normal. In those times that was quite  
17 normal, Judge Antonetti. Those times didn't mean that you would develop  
18 in your career. That's what happened. A new team turned up, and you  
19 would go to quite a different place. If he was an economist and good  
20 organiser, why wouldn't he take over that position?

21 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, you have read a  
22 lot and studied a lot of things. I believe -- I think you also did an  
23 internship in the Netherlands. I think you spent a short time in the  
24 army in the Netherlands. I seem to remember reading something about  
25 this. I may be mistaken. I don't know. As far as your knowledge of

1 ministers of defence is concerned worldwide, I mean, is it normal for  
2 someone in that position to find himself or herself demoted, or was this  
3 specific to the Republic of Herceg-Bosna?

4 A. Your Honour, that is customary. I can quote the example of the  
5 great General Schwarzkopf, for example, who went through the Desert Storm  
6 and then no longer wanted to work for the salary that he was given in the  
7 army and then decided to join a private company, or McNamara, the famous  
8 McNamara, if you will. I'm sure that people of our age will remember  
9 that. He was an excellent US minister of defence and then joined up with  
10 a private company. For a far higher salary, of course, but a far lower  
11 position. So I don't know whether Mr. Stojic profited in terms of money,  
12 but that is customary that you go to the economy or commerce when you  
13 conclude your work in that position and I can quote other examples.

14 JUDGE ANTONETTI: [Interpretation] This office in charge of  
15 production and selling of weapons, did this operate like a private  
16 company?

17 A. I don't suppose so, no. Certainly not. But the selling -- well,  
18 it wasn't a private company because everything had been mobilised. He  
19 has to have the army pay, because he has to buy the semi-manufacturers  
20 and the production materials.

21 JUDGE ANTONETTI: [Interpretation] We will now turn to a series of  
22 documents. The first one is P00147. I would like us to turn to pages 23  
23 and 24.

24 This is a meeting which takes place on the 6th of April, 1992.

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1 Kikari [phoen] are present, and other people also. Lucic.

2 General Praljak, you're going to take the floor. As you can see  
3 on the screen, this is what you said, and you said that the success or  
4 failure of military actions entails the responsibility of the commanders.  
5 This is on page 23. And you suggest conducting an investigation into  
6 those actions that failed. This is on page 24. Do you remember having  
7 said this.

8 A. Yes.

9 JUDGE ANTONETTI: [Interpretation] You seem to be saying that the  
10 commanders are responsible for military operations.

11 A. For the most part, yes. There are military operations. Well,  
12 it's difficult without going into specifics. Yes. Once we perform an  
13 analysis, we can say whether a military commander led the operation well  
14 but still lost because of the supremacy of the enemy and so on and so  
15 forth, but in this particular case there were two actions under way taken  
16 by General Gorinsek who had completed the greatest military schools  
17 within the Yugoslav People's Army. And let me just say that I took part  
18 in the commission that investigated this, together with Generals Tus and  
19 Bobetko, and I asked that he be replaced and he was indeed replaced.

20 And then there was another action across the Sava River near  
21 where I was, whereas the commanders of the companies stayed on one side  
22 and allowed the troops to go ahead on the other, and that is why -- that

23 is untenable, and that's why I ask that an inquiry be undertaken and that  
24 there be a selection in the Croatian army. Those are my positions and I  
25 stand by them today, quite literally word-for-word.

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1 JUDGE ANTONETTI: [Interpretation] Let's have a look at the next  
2 document which is P00353. Page 24.

3 General Praljak, before the attendees at this meeting, you were  
4 going to say that you spent seven days in Bosnia-Herzegovina, that the  
5 military situation was extremely chaotic, that there were a number of  
6 casualties, and the units were laying the blame at each other's door.  
7 You are describing this in a rather worrying way. This is a military  
8 situation in July and August of 1998.

9 A. However, Your Honour Judge Antonetti, we're dealing with Posavina  
10 here. I was in Posavina. Perhaps two days more than seven days, but  
11 anyway, this is Posavina. The situation was indeed catastrophic. The  
12 commanders did not have or hardly had any information. They were poorly  
13 informed about what was happening on the ground precisely because they  
14 were conveying this basic idea, because they were mostly from the JNA,  
15 that they were 100 kilometres from the front line, and then they should  
16 draw on maps where the brigades were, the position of the brigades. And  
17 when you went to the spot, you would see that there were no battalions,  
18 no brigades, and that the whole situation was very bad and that's why  
19 Posavina ultimately fell. It was lost.

20 JUDGE ANTONETTI: [Interpretation] Thank you for this detail.

21 Let's have a look at page 31 which I would like to say is a page that has  
22 not been admitted so far.

23 THE ACCUSED PETKOVIC: [Interpretation] Mr. President, could you  
24 ask General Praljak an additional question, say whether the Main Staff of  
25 the HVO was in command of Posavina at that time or whether somebody

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1 else was in command, because that's very important. Who commanded that  
2 army in Posavina?

3 THE WITNESS: [Interpretation] The Main Staff of the HVO was not  
4 in command at that time, not in command of Posavina. Posavina had a  
5 separate command in Bosanski Brod, and then in Slavonski Brod, and then  
6 for that whole area of the defence of Croatia and Posavina, the command  
7 was in Djakovo led by General Stipetic.

8 JUDGE ANTONETTI: [Interpretation] So it was General Stipetic --

9 A. Who was supposed to coordinate all the efforts of the HVO and  
10 Croatian assistance and the assistance of the Croatian army, and then  
11 underneath him the command that was in Slavonski Brod and then Bosanski  
12 Brod, but they all did their job very badly.

13 JUDGE ANTONETTI: [Interpretation] On page 31 it's at the top --  
14 yes?

15 JUDGE TRECHSEL: On the latter -- on the latter point,  
16 Mr. Praljak. Would that mean that General Stipetic was immediately under  
17 the command of Mr. Boban?

18 A. No. No.

19 JUDGE TRECHSEL: So who -- who did he have to answer to?

20 A. Your Honours, he answered to the forces of Bosanska Posavina of  
21 the HVO and coordination. Well, quite simply Boban was at a different  
22 end all together and he had no communication. It's a ten-hour drive. No  
23 telephones, no communication whatsoever. It was a completely separate  
24 battlefield in which part of Bosanska Posavina was defending itself, that  
25 is to say the Serbs -- or, rather, the Croats and the Muslims, but

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1 Croatia was under threat, and that's why Stipetic was supposed to  
2 coordinate the overall effort, logistically and to help the HVO to defend  
3 themselves and the volunteers there, too, and this didn't function, and  
4 that's why everything fell through in October.

5 JUDGE TRECHSEL: Did he ever file, to your knowledge, a report on  
6 his work there and to whom?

7 A. After the fall of Posavina -- well, now, once again I have to  
8 expand my answer. The fall of Posavina coincided with the withdrawal of  
9 the Serb and Montenegrin forces from Prevlaka, and Franjo Tudjman then  
10 launched -- or, rather, it was said that Franjo Tudjman had made an  
11 agreement to give -- cede Posavina for the Prevlaka, and then Dr. Tudjman  
12 ordered an investigation to be carried out, a military inquiry, and to  
13 investigate the service within the police to see how the fall of Bosanska  
14 Posavina came about. I was a member of the commission representing the  
15 military which investigated, and there were two reports written about  
16 that, and if you would like, I can supply them here. And I even

17 published some of those findings in the form of a book. So anybody who  
18 is interested in reading about this, about the investigation and inquiry,  
19 I can provide them with that.

20 JUDGE TRECHSEL: Could you -- could you tell us when that was?

21 A. You mean when the investigation was carried out? Immediately  
22 after the fall of Bosanska Posavina. Instructions were given that this  
23 should be investigated at the end of 1992.

24 JUDGE TRECHSEL: Thank you.

25 MR. KOVACIC: [Interpretation] Your Honour, I just wanted to help

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1 out with the record. On page 28, lines 15, 16, where the general started  
2 to explain the events in Posavina and it says here that it was the Croats  
3 and Muslims defending themselves against the Serbs, but the sentence was  
4 left in the air. I don't think the general formulated it properly.  
5 Perhaps this was not reflected in the interpretation, so it's not quite  
6 clear although we can interpret it properly, but perhaps the general  
7 could tell us who was fighting in Posavina, which sides were fighting  
8 against each other.

9 THE WITNESS: [Interpretation] The 101st, 2nd, 3rd, 4th, 5th, 6th,  
10 7th. These were all brigades of the HVO, and they were composed of  
11 Croats and Muslims. HVO brigades in Posavina. They were doing the  
12 fighting. And everything else was coordination.

13 And interpreters, please refrain from any comments. I have had  
14 enough of your comments. You should do your work and not talk about the



15 poor Defence counsel or whatever words and phrases you use. You should  
16 be ashamed of yourselves.

17 JUDGE ANTONETTI: [Interpretation] What is the problem,  
18 Mr. Praljak? What did you hear in your headphones?

19 A. What I heard, Your Honour, was this: There was a comment made to  
20 what the Defence counsel said, or, rather, a comment from the booth,  
21 because they weren't attentive enough and their microphone was left on,  
22 and they uttered the following sentence, and I quote: "Well, this  
23 Defence counsel is one sorry man."

24 So as far as the interpreters are concerned, Mr. Kovacic, you are  
25 one sorry man.

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1 Now, that -- those interpreters should be replaced.

2 Now, you see Judge Trechsel, you see what this looks like when  
3 friends are working amongst themselves and you're asking questions? The  
4 army works that way too. Everybody covers everybody else. Well, they  
5 did it so that -- now, they say well, never mind, don't go on. Well,  
6 that was the same situation in the HVO. Some commanders that committed  
7 evil deeds covered each other. They covered each other, and everybody  
8 ends up covering each other, whereas I'm sitting here in this seat.

9 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, I'm not covering  
10 anyone.

11 A. Yes, I understand. I wasn't referring to you, Your Honours.  
12 Don't misunderstand me. I just said what the situation was like in

13 society generally speaking.

14 JUDGE ANTONETTI: [Interpretation] The registrar of this Tribunal  
15 is always very attentive and checks the transcript. Management will know  
16 what has happened. There will be an in-house inquiry, and I will let you  
17 know what the outcome of it is.

18 Let me get back to the document. I have displayed page 31, and  
19 before that we should see page 30, but we're not going to waste any time.

20 Mr. Tadjman is talking about a thousand Mujahedin, and he says  
21 that, "They are against us, and this situation is chaotic." And at that  
22 point you step in and you say: "Mr. President, I've given a clear ethnic  
23 card to Mr. Cermak." Do you remember this?

24 A. Yes.

25 JUDGE ANTONETTI: [Interpretation] What is this ethnic card you

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1 gave Colonel Cermak at the time?

2 A. I provided him with the ethnic map of Bosanska Posavina; that is  
3 to say, the region we're discussing, and I said to him, Look you have the  
4 Croats and the Muslims who are in the majority there, not to take it  
5 municipality by municipality, and that can be defended with good  
6 fortification, good artillery support and so on. Unfortunately, there  
7 were no fortifications nor did they cooperate amongst themselves and  
8 there was a domino effect and everything toppled, the whole area toppled,  
9 and I was putting proposals here as to how the situation could be dealt  
10 with but you're not interested in that.

11 THE INTERPRETER: Interpreter's correction ethnic map.

12 MR. STRINGER: Okay. That's what I was going to say, I think the  
13 word "carte" in French came into the transcript as "card" in English, but  
14 I think the reference in the transcript is to map instead of card.

15 JUDGE ANTONETTI: [Interpretation] This had to do with the ethnic  
16 composition in the Posavina. Mr. Cermak at the time, well, what position  
17 did he hold?

18 A. Correct. It says they went too far. I say they went too far  
19 where the Serbs have the majority. So it's not -- the object is not to  
20 take control but it is defence, and Mr. Cermak was the main logistics man  
21 of the HV, yes, the main logistics man of the Croatian army at that time.

22 JUDGE ANTONETTI: [Interpretation] Very well. Let's look document  
23 P466, page 17. This is a document we've seen already. There we have it.

24 You have already told us that you'd had a lot of talks with  
25 Mr. Tadjman and other people, and you told us that as far as you were

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1 concerned, the conflict would be inevitable. This is what I read here,  
2 and these are your own words. You say: "It will be difficult to prevent  
3 a war between the Croats and the Muslims. It is on the brink of  
4 starting, if you like." Do you remember this?

5 A. Yes.

6 JUDGE ANTONETTI: [Interpretation] This is something you say on  
7 the 11th of September, 1992.

8 A. Yes.

9 JUDGE ANTONETTI: [Interpretation] At that time, the Prozor events  
10 had not taken place yet.

11 A. On the 11th? What was the date? On the 11th of September? The  
12 answer is no.

13 JUDGE ANTONETTI: [Interpretation] No. As far as you know, before  
14 Prozor - but I believe I've put the question to other witnesses already -  
15 had there been any skirmishes or problems between the various factions  
16 which bore no serious consequences. As far as you no, where there any  
17 tensions, any shots, any fights, anything?

18 A. Only minor ones, not -- not too much. But let me say very loud  
19 and clear, and we'll see who understands me.

20 Your Honours, I'm a good, an excellent analyst of the current  
21 situation, and I have this ability to forecast, to see how things will  
22 develop in the near future. A conflict doesn't arise from skirmishes or  
23 tensions but from the foundations of a war. It is born in the minds of  
24 the sides that would eventually be involved. The way the Muslims thought  
25 about themselves, about the state they would have, had to lead into

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1 conflict. I knew that, and I repeated that on the 13th of January to the  
2 French delegation and so on and so forth. In those terms, I am good.  
3 I'm among the best if not the best in Croatia.

4 JUDGE ANTONETTI: [Interpretation] You can't help noticing, I'm  
5 sure, General Praljak, that -- that you say that it will be very  
6 difficult to prevent this war, and President Tudjman seemingly interrupts

7 you and says to you: "Let us continue." And then he discusses another  
8 topic.

9 How can you explain the fact that Mr. Tadjman avoided this  
10 question by wanting to move on to another topic? Did he not want to  
11 listen to the analysis you were making? Was he ill at ease? How can you  
12 explain the fact that he did not want to discuss this matter with you,  
13 because in a number of other documents he listened carefully to you.  
14 This is something which is mentioned in another -- in a number of  
15 documents. Why did he not want to listen to you in this case? Was this  
16 due to the situation?

17 A. Yes. In that respect, I was pessimistic, although I thought I  
18 was only realistic, and Mr. Tadjman, on the other hand, was also  
19 realistic but optimistic at the same time. Up to the month of May, I  
20 employed all my strength to prevent the war, but then I saw that -- this  
21 before as I told to Clausewitz or as Clausewitz said, originated from the  
22 very depth of the thoughts that prevailed in the territory. Tadjman said  
23 the Muslims cannot attack us. They are being attacked by the Serbs. How  
24 can they do that? And my realistic thought leaned on pessimistic and his  
25 leaned on optimistic. In my experience the situation on the ground

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1 develops even in a more adverse way than you ever envisaged.

2 JUDGE ANTONETTI: [Interpretation] Let's now look at document  
3 P00524. Page 17. This is a meeting held on the 26th of September, 1992.  
4 Several attendees are there. There's Mr. Mesic, Mr. Lucic, Mr. Sarinic,

5 you yourself, and Mr. Susak, and as well as, of course, the president.

6 You say this on page 17: You say that refugees from Bosnia and  
7 Herzegovina should be accepted in Croatia and then sent to the borders  
8 and then, seemingly, it doesn't matter. What did you mean to say  
9 regarding the refugees?

10 A. Your Honour, I wanted to say this: First of all, I start by  
11 saying -- and if I can just read one sentence to you. Muslim refugees in  
12 the territory of the Republic of Croatia, and I had reliable information  
13 about all that along private and any other lines. In Croatia they talk  
14 about Bosnia and Herzegovina as the only country they had. They --  
15 nobody even mentioned the HZ HB. That was the foundation that would lead  
16 to all the problems that appeared later on.

17 I would also like to say that this could also be  
18 internationalised as a problem and say that we are at a war. According  
19 to the rules of the International Red Cross, any refugees are sent to the  
20 neighbouring peaceful state. In Croatia there was still war around  
21 Sisak. Sisak was being bombed. And I said why don't we send refugees to  
22 France, for example, and show the scope of the problem to France?

23 I once had an argument about -- about that with Prime Minister  
24 Greguric about Croatian refugees. Nobody cared about our problems. Our  
25 population was 4 million, and we had 800.000 refugees. My view was that

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1 we should let the world know how big a problem we were facing. The way I  
2 saw it was let's send them to the border to show the world what kind of a

3 problem we had at the time.

4 JUDGE ANTONETTI: [Interpretation] General, let me ask you a very  
5 important question. You have just said that there were about 4 million  
6 inhabitants in our country, you said in the Republic of Croatia. You  
7 said there were 800.000 refugees. Approximately how many -- among this  
8 figure of 800.000 refugees, how many Muslims?

9 A. One-half.

10 JUDGE ANTONETTI: [Interpretation] Four hundred thousand, you say.  
11 Let's say that there were about 10 percent of Muslims compared to the  
12 overall Croatian population. The fact that 10 percent of Muslims are  
13 going to settle down in the Republic of Croatia, is that a fact that may  
14 cause -- or a shift in the ethnic balance in some municipalities?

15 A. Well, no, it could not have.

16 JUDGE ANTONETTI: [Interpretation] This is not a tricky question.  
17 There's no trap, no pitfall. I never ask tricky questions. I just want  
18 to ascertain whether the fact that 10 percent of people come into the  
19 country may change some ethnic balance.

20 A. No. This could not happen in Croatia because they did not become  
21 Croatian citizens. They knew that they could not remain living in  
22 Croatia. But there were other problems, a number of other problems.  
23 They behaved as if they were not refugees. They had all sorts of  
24 requests. For example, they wanted to have a ferry between the mainland  
25 and the island that had never had a ferry. They saw themselves as the

1 citizens of Yugoslavia and that they should have whatever they wanted.

2 That was the first problem.

3 JUDGE ANTONETTI: [Interpretation] General Praljak, I'm asking you  
4 this question as part of the joint criminal enterprise. If we take the  
5 Prosecution case that ethnic balance had to be changed in Herzegovina so  
6 that Croats would be in a majority situation, therefore that through  
7 ethnic cleansing Muslims have to be expelled, but then the Muslims would  
8 go to Croatia. Are they not going to cause problems in Croatia? So one  
9 believes one has solved a problem in Herzegovina, but another problem is  
10 being created in the Republic of Croatia. I'm seeking some logical links  
11 here.

12 A. There's no logic there at all. If I'm in Mostar and if I expel  
13 Muslims from there to my weekend cottage and I pay their bills for  
14 them, what kind of an ethnic cleansing can this be.

15 Your Honour, in -- in Herzegovina there were 90 percent Croats  
16 before the war. There's no way you can change the ethnic composition  
17 there. They were all Croats.

18 And let me just tell you this: If Muslims in 1993 had won a  
19 military victory, do you know what was happening in Dalmatian hotels in  
20 Croatia? Muslim refugees celebrated the victories of their army over the  
21 Croatian army [as interpreted], and it happened all the time.

22 JUDGE ANTONETTI: [Interpretation] You told us that there were  
23 around 400.000 Muslim refugees. What about the dates? When did these  
24 400.000 refugees arrive? Was it in 1992, 1993, or 1991? Did they come  
25 at specific days or did their -- was their arrival spread over several



1 years?

2 MS. PINTER: [Interpretation] [Microphone not activated]. Page  
3 37, line 12, the general said victories over the HVO. In the transcript  
4 I read the Croatian army. It should read the HVO.

5 JUDGE ANTONETTI: [Interpretation] General, sir, out of the  
6 400.000 refugees, did they arrive continuously or in spurts? Did they  
7 arrive at one point in time and then not? We have documents, but I'm not  
8 here to testify in your stead, so please answer this question.

9 A. They were arriving all the time in waves. There was a constant  
10 influx with some peaks in 1992 after a very strong attack by the Serbs,  
11 then another one in 1993. Gradually some left to live in third  
12 countries, but they were replaced by new ones.

13 JUDGE ANTONETTI: [Interpretation] Very well. Let's look at  
14 P01622. Page 36 first.

15 We have Tadjman speaking here towards the middle. Can you see  
16 the middle of this page? He says that they're going to send Praljak  
17 again -- Praljak again to Bosnia and Herzegovina. Susak will then speak  
18 in order to say that Praljak will return to Bosnia and Herzegovina on  
19 Thursday where he stayed permanently, and Susak said that he was not  
20 withdrawn from Bosnia-Herzegovina but that he returned voluntarily to  
21 Croatia in order to attend a seminar in the Netherlands.

22 This is the reason why I mentioned this time you spent in the  
23 Netherlands earlier on.

24 All this is to be found only pages 36 to 42.

25 Do you remember attending a seminar in the Netherlands?

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1 A. There was a seminar in the Netherlands. I was supposed to attend  
2 it, but I was replaced by somebody else. I was somewhere else. In  
3 Germany, in a NATO military exercise, I believe. I'm a bit confused  
4 about the dates, and without appropriate documents I can't remember the  
5 events, the travel. There was so much, and it is very difficult for me  
6 to list all those chronologically without the documents.

7 JUDGE ANTONETTI: [Interpretation] So if I understand well, you  
8 went abroad every now and then. You said that there was a NATO exercise  
9 in Germany?

10 A. Yes.

11 JUDGE ANTONETTI: [Interpretation] Therefore, you knew how the  
12 armies of the European Union or the NATO armies would operate.

13 A. I -- I -- yes, very well. From the moment when Charles de Gaulle  
14 left NATO, I know quite a lot about that.

15 JUDGE ANTONETTI: [Interpretation] Very well. You were a waiter  
16 in Germany. Did you learn German? Do you speak German?

17 A. Yes.

18 JUDGE ANTONETTI: [Interpretation] Very well. It's close to time  
19 for a break, close to 4.00. You know we have only have one break today.

20 Let us look at P01739. Pages 26 and 27, please. We can see here  
21 that Mr. Susak and Mr. Izetbegovic speak about you.

22           On page 26, Susak says that you are in Bosnia and Herzegovina.  
23           Tudjman is going to say that Praljak thought that the Croats in Bosnia  
24           and Herzegovina - this is on page 27 - more -- were -- or that the  
25           Muslims were being wrung a little by Croats, and then somebody says that

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1           he is going to try and speak to Praljak on the next day.

2           Do you remember having had a meeting following this meeting on  
3           the next day?

4           A.    No.  It says here that I said to President Tudjman not that they  
5           ill-treated Muslims but that Croats did some things wrong vis-a-vis  
6           Muslims.  There were minor wrong-doings.  And President Izetbegovic did  
7           not call me, but although I -- but never mind.  Forget that.

8           JUDGE ANTONETTI: [Interpretation] Had he called you to speak  
9           about this, what would you have done?

10          A.    Your Honour, at that time I was doing my utmost to prevent any  
11          conflicts.  In the month of March I went to Central Bosnia.  I spoke to  
12          Izetbegovic.  I'd spoken to Jaganjac before that, and I asked Izetbegovic  
13          to assign two prominent politicians to work with me, and I say here under  
14          the oath that Izetbegovic was playing a double game.  He deceived  
15          Tudjman, the Croats, everybody.  Everybody -- everything indicated that  
16          he would attack us.  We were pissing blood to prevent conflict and he,  
17          all the while together with Halilovic, did everything he could to make  
18          this conflict happen.

19          JUDGE ANTONETTI: [Interpretation] This meeting between Tudjman

20 and Izetbegovic took place on the 27th of March, 1993. So on that day  
21 you were not yet the HVO commander, but apparently Mr. Izetbegovic knew  
22 that you had a part to play because he spoke about you.

23 A. Correct. I was not commander. And as for Mr. Izetbegovic, from  
24 the month of June or maybe May 1992, he knew everything about my policy,  
25 my role and the efforts that I was investing. He was well informed about

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1 everything, and I had a long conversation with him in Mostar. He was  
2 aware of all of my views and positions. There's no doubt whatsoever  
3 about that. He knew about the significance, the role, everything.

4 JUDGE ANTONETTI: [Interpretation] Very well. We're going to  
5 break for 20 minutes.

6 --- Recess taken at 4.00 p.m.

7 --- On resuming at 4.23 p.m.

8 JUDGE ANTONETTI: [Interpretation] Let's first move to private  
9 session for a few moments. We have a decision to hand down.

10 [Private session]

11 (redacted)

12 (redacted)

13 (redacted)

14 (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

23 (redacted)

24 (redacted)

25 (redacted)

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1 (redacted)

2 (redacted)

3 [Open session]

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

5 JUDGE ANTONETTI: [Interpretation] Very well. We're back in open

6 session, and we're now going to look at document -- at Exhibit P03112,

7 page 54.

8 As you can see on page 54, Mr. Tudjman had a long speech. He

9 told Bobetko and Susak to go and meet with the leaders -- with the

10 Herceg-Bosna leaders. Among the leaders we find General Praljak,

11 Mr. Petkovic, Ambassador Sancevic, Boban, and Prlic. In order to speak

12 about the involvement of Croatia in Bosnia and Herzegovina. Very well.

13 Mr. Praljak, I'm trying to see whether you attended the meeting

14 that took place on the 2nd of July, 1993, from 9.00 until 10.50 in the

15 evening. There is Mesic, Manolic, Radic, and other attendees, but you

16 didn't seem -- you don't seem to have been there. We can't see your  
17 name. We see Mr. Sanader was there, and unless I'm mistaken he's  
18 currently a prime minister of the country.

19 You didn't attend the meeting, did you?

20 A. No, I didn't.

21 JUDGE ANTONETTI: [Interpretation] There was this request made by  
22 Mr. Tadjman who had invited Bobetko and Susak to go and meet with you.  
23 Was there any follow-up to that? Did you meet with them?

24 A. I don't think so. I did not meet with them with this regard. I  
25 don't think so, no. I'm sure that I did not meet with Bobetko, and I'm

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1 not sure whether I had a meeting with Susak.

2 JUDGE ANTONETTI: [Interpretation] Why did President Tadjman, in  
3 early July, think it was necessary to send his minister, Susak, and  
4 General Bobetko to meet with the Herceg-Bosna leaders? Was it such a  
5 critical situation that you had to have a meeting straight away?

6 A. Yes. That was after the 30th when there was an all-out attack by  
7 the BH Army in Mostar and elsewhere. And Mr. Tadjman was simply  
8 concerned. He was worried and said that steps should be taken for us to  
9 protect ourselves in the territorial sense and with respect to the  
10 economy. But he says that the people over there should not be left to  
11 their own devices, which means he's taking care of them. And when he  
12 says "those people," the people in another state, that they should be  
13 helped out so that they don't feel alone, left to their own devices.

14 JUDGE ANTONETTI: [Interpretation] So it is directly connected to  
15 the consequences of the BH Army attack end of June; is that right?

16 A. Yes. And with the continuation of the operations in Central  
17 Bosnia and Bugojno. I don't know what date this is. What's the date of  
18 this? 3rd of July. So then that's after Mostar, and there were attacks  
19 in Central Bosnia directly linked to the attack launched by the BH Army,  
20 an all-out open attack.

21 JUDGE ANTONETTI: [Interpretation] Let's look at the next  
22 document, P3467. Page -- pages 11, 16, and 17.

23 This meeting was held on the 15th of July, 1993, at 8.25 p.m.,  
24 Granic, Susak, Bobetko, Sarinic, Sacic, and Zounzak [phoen] are  
25 attending. You were not attending the meeting, and Valentic reminded

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1 Tudjman that officially speaking, Praljak was still his assistant, and he  
2 suggested that the situation should be changed. This is to be found on  
3 page 16. You can see this on page 16.

4 A. No. I'm looking at a different page, not the one you're  
5 referring to, Your Honour.

6 JUDGE ANTONETTI: [Interpretation] Yes. Now we've got page 16 on  
7 the screen. Look at what Nikica Valentic said. Who is this man, Nikica  
8 Valentic?

9 A. The president of the government of Republic of Croatia at that  
10 time. And I wasn't his assistant. He had his ministers, and I don't  
11 know how he came to know that, but probably he was wrongly informed. I

12 had already been relieved of my duties. Now, who provided him with this  
13 information, how he knew whether I was assistant defence minister,  
14 whatever, I don't know, because as the prime minister, I don't know how  
15 he came to hear of this.

16 JUDGE ANTONETTI: [Interpretation] On page 17 -- let's have page  
17 17. The next page.

18 Apparently it's difficult to understand why Mr. Valentic would  
19 like Mr. Tudjman to relieve you of your duties only to appoint you -- or  
20 reappoint you. What was the problem?

21 A. Well, the problem was that Mr. Valentic quite obviously did not  
22 know. Well, he thought that I was on the territory of  
23 Bosnia-Herzegovina. That's the information he received, and that's true.  
24 And since there were objections all the time based on poor information  
25 about meddling and interference, he did not know that I had been replaced

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1 and relieved of my duties. He says, "Relieve him if he's down there,"  
2 and probably somebody said to him, "Well, Praljak is at the same time --"

3 JUDGE ANTONETTI: [Interpretation] Very well. Let's now have  
4 P05080. Pages 18 to 20.

5 This meeting was held on the 15th of September, 1993. It was  
6 presided over by Mr. Tudjman and Mr. Boban was present, too, together  
7 with other people.

8 A. Yes.

9 JUDGE ANTONETTI: [Interpretation] Page -- on pages 18 to 20 --



10 well, page 20, more exactly, you spoke, Mr. Praljak, and you claim that  
11 although Croatian units depended on cooperation with the Serbs.

12 A. Where is that, Your Honour? I can't find it. And the  
13 interpretation that I received, then that isn't correct, because on the  
14 previous page I was speaking about --

15 JUDGE ANTONETTI: [Interpretation] On page 19.

16 A. I'm speaking about the situation and the Muslim offensive, and  
17 I'm saying that it won't bear fruit. We already knew that at the time,  
18 that it would not. And I go on to say that relations between the Serbs  
19 and the Croats have advanced, progressed, and I say that whole units  
20 depend on cooperation with the Serbs, in Zepce and Kiseljak specifically.  
21 So Zepce and Kiseljak, as far as we were concerned, were under a total  
22 siege, under a total encirclement, and go on to say that it will -- we'll  
23 find it difficult to supply Vares given the situation because that was  
24 under an encirclement too. Vitez was also under siege as was Busovaca  
25 or, rather, Kiseljak, and Vares and Zepce, and it is correct, Your

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1 Honour, that as far as Zepce's concerned, and Kiseljak, we supplied them  
2 both across the territory held by the Army of Republika Srpska, because  
3 that was the only way of avoiding having the Muslims do there what they  
4 did in Vares.

5 JUDGE ANTONETTI: [Interpretation] I don't know what it is in your  
6 language, because in English we have "relations." What did you say in  
7 your language? Did you speak about relations or cooperation? What is

8 the exact word that you used in your own language?

9 A. "Odnosi," economic relations. We would pay them in -- by way of  
10 fuel in order for them to allow us to cross their territory taking MTS to  
11 the army.

12 JUDGE ANTONETTI: [Interpretation] One moment, General. We're now  
13 looking at the English version, and we see more specifically at a  
14 military level. So we're not talking about economic relations here, are  
15 we?

16 A. Well, I don't know about a military level. I don't think we  
17 should attach anything to this sentence, because I don't know what the  
18 political attitude was. Whether Prlic did anything with them, I really  
19 don't know. What I'm saying is that we had relations with them, and they  
20 were precisely defined. We never had a joint operation or action with  
21 the Serbs. We paid -- yes, we've already said all that.

22 JUDGE ANTONETTI: [Interpretation] Mr. Praljak, look now at what  
23 Mr. -- President Tudjman said. He seemed to say that the fighting  
24 against the Muslims must stop.

25 A. Yes, correct.

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1 JUDGE ANTONETTI: [Interpretation] Why did he say so?

2 A. Well, because Alija Izetbegovic keeps -- well, of course you  
3 would have to read all of it, because only if you read the whole will you  
4 see the truth, but because of the time constraints we're breaking this  
5 down, but one should read all the transcripts from A to Z.

6 He hopes that the Muslims will stop, and I say that they will  
7 stop once their offensive is routed, because for as long as they thought  
8 that they would beat us, they did not stop, and I state that loud and  
9 clear in this courtroom.

10 JUDGE ANTONETTI: [Interpretation] Does this mean that Mr. Tudjman  
11 did not assess the situation on the ground properly?

12 A. Well, the situation on the ground was what it was, but he  
13 believed Mr. Izetbegovic at his word, although in these transcripts he  
14 says again and again that Mr. Izetbegovic says one thing and does  
15 another. And despite all that, he had agreements with him and believed  
16 him, and Izetbegovic just sold him a lot of lies.

17 There was talk about the harbour, giving the port over to them  
18 for a hundred years and so on, but he wants it to stop and makes  
19 concessions to have that stop, and the more concessions he makes, the  
20 more aggressive they become.

21 JUDGE ANTONETTI: [Interpretation] On page 20 you seem to say that  
22 in order to appease tensions with the Muslims, they should start a war  
23 against the Serbs. Do you remember saying that?

24 A. What page is that on? Is it the same page, Your Honour?

25 JUDGE ANTONETTI: [Interpretation] No, look. It's on page 20.

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1 Mention is made of -- well, Susak spoke and said that it might be  
2 necessary to fight against the Serbs.

3 A. No, that's not what Susak says, Your Honour. He says quite the

4 opposite, in fact, that we can't forget about the Serbs and that the  
5 spirit of the agreement signed with Alija Izetbegovic is such, and that  
6 it didn't mean any kind of unification, and that it didn't mean that we  
7 were now going to go to war against the Serbs. So quite the reverse. It  
8 didn't mean that we were going to go to war against the Serbs, and that  
9 the union with the Muslims was not established in order to --

10 JUDGE ANTONETTI: [Interpretation] Before Susak said that, you  
11 mentioned the fact that it might be the right time to start a war against  
12 the Serbs to ease tensions with the Muslims. Look at what the text says  
13 before.

14 A. This is the conditional tense here used. You have to bear in  
15 mind, Your Honour, that this is the transcription of a speech. But  
16 anyway, the conditional is used here.

17 A year ago I said that we thought we couldn't talk to the Serbs  
18 at all, no common ground with the Serbs at all. Now we have reached some  
19 sort of negotiation level with the Serbs. And then it's the conditional  
20 tense. "I suppose we should now begin a war with the Serbs to alleviate  
21 the situation with the Muslims." And we're -- in order to turn things  
22 round, you need time. You can't say to your troops, "We're going against  
23 the Serbs now, and then we're going to go against the Muslims now. "  
24 That's impossible. You need time, that the agreement signed with Alija  
25 to sink in. Alija asked us to attack the Serbs straight away. Well,

1 that's not how you do things.

2 JUDGE ANTONETTI: [Interpretation] If we are to understand this  
3 correctly, there was a form of "cooperation" with the Serbs, but as  
4 regarded certain combat areas, you fought the Serbs. So this was a  
5 rather complex situation.

6 A. Yes.

7 JUDGE ANTONETTI: [Interpretation] And were you able to work your  
8 way round this?

9 A. Well, it's like this, Your Honour: We had dead and wounded in  
10 Kiseljak and Vares. We say we'll treat -- they'll say, "We'll treat them  
11 at the hospital in Ilidza, and we'll make out the bill as if they were  
12 being treated in Switzerland, and you pay for that." And then it says --  
13 we say we need three trucks of ammunition, and then the price for that  
14 was so much fuel. So you provide the quantity of fuel they needed. They  
15 needed fuel, we need what we needed. So that's what I asked for. And if  
16 I'm to blame, then I take the blame on me, because the Serbs weren't  
17 defined as enemies as far as I was concerned. The enemy was the side  
18 attacking us, and we were there defending ourselves.

19 So neither this Tribunal nor anybody else proclaimed the Serbs to  
20 be the aggressors. The Serbs are a people, an ethnic group, and somebody  
21 is attacking there, but it's not the HVO. The HVO is not doing the  
22 attacking.

23 JUDGE ANTONETTI: [Interpretation] In this last series of  
24 documents we will look at P06454. Pages 49, 50, and 51. And then we  
25 would look at page 55.

1           A.    As to the previous document, we should -- it should read, I  
2           suppose that now the war against the Serbs ought to start, or something  
3           along those lines to go back to the previous document.  But, yes, I am  
4           aware of this document.  I have it on my screen.  I'm know about it.

5                    JUDGE ANTONETTI: [Interpretation] [Previous translation  
6           continues]... familiar with this document.  It seems that you are  
7           criticising the equipment and the staff of the HVO and Herceg-Bosna and  
8           you are going to discuss the military situation in certain areas of the  
9           ABiH, and you seem to conclude on page 55 that it is impossible to  
10          contend with two enemies at once.  Do you remember having said this.

11          A.    Yes, that's correct.  I remember it all, from the beginning, that  
12          the structures should have been centralised, that the operationalisation  
13          was weak, and so on and so forth.  I can sign my name to everything it  
14          says, that they attacked us in Konjic and all the rest of it.  So I  
15          subscribe to all that.  It's everything that I did indeed say.  And then  
16          I go on to say that the international public did not accept the fact that  
17          the Muslims can be criminals.  Of course, at the time everybody was in  
18          favour of the Muslims, and now books are appearing saying something quite  
19          different.

20                   But anyway, here it says that the Muslims were expelled by the  
21          Serbs and created ethnic occupation and that the ratio of the population  
22          changed from 1:3 to 1:10 to their advantage, and you can find this in any  
23          books written internationally.  This is a very good analysis on my part.

24                   JUDGE ANTONETTI: [Interpretation] General Praljak, look at page

25 55. You call into question UNPROFOR, and you are saying that UNPROFOR is

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1 helping the Muslims to take territories. This is a serious allegation.

2 What did you rely on to say this at the time?

3 A. On knowledge, Your Honour. Whether this is a serious accusation  
4 or serious allegation or whatever, it's true. Not all UNPROFOR units,  
5 but many did help the Muslims, both the English and -- as to the units  
6 who were from -- which were from the Islamic countries, that was more or  
7 less quite overt, and I know, although the Germans didn't have their  
8 units, I do know that they smuggled weapons. In addition to us smuggling  
9 weapons to the Muslims through humanitarian. Well, it's very  
10 complicated, but I stand by my position here. And they were especially  
11 helped by false information, by disseminating false information about  
12 what was happening on the ground.

13 JUDGE ANTONETTI: [Interpretation] General Praljak, you were  
14 talking about arms trafficking. There are in all institutions bad eggs,  
15 without these individuals discrediting the entire organisation. There is  
16 a difference, of course. Do you understand?

17 A. No, not everyone engaged in that. There were individuals, but  
18 there were also whole structures, entire structures. The Ukrainian,  
19 Russians to the Serbs, the Islamic countries to the Muslims, the English,  
20 and so on and so forth. And then after that the Americans allowed  
21 Iranian planes to land, Turkish planes. Let's not be led astray here.  
22 The fact that they want to show that they didn't do what they did and

23 that we are a group of criminals that engendered the war, I state here  
24 and now that that is not true.

25 JUDGE ANTONETTI: [Interpretation] I thought that this would be

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1 the last document, but I would like to show another one. P08066. Page  
2 20.

3 It's a long time after that. The date is the 14th of March,  
4 1994. This is a meeting which was organised seemingly as part of a  
5 conference in Vienna. There are prominent figures, Mr. Tudjman,  
6 Mr. Granic, Mr. Zubak, Mr. Sanader, and other elected officials and you.  
7 This is on page 20. And crucial political issues are being addressed.  
8 Questions about international organisations and the European Union.

9 I have two questions. Maybe you had been pardoned at the time,  
10 because you attend a very high-level meeting in this case. So if you had  
11 been rehabilitated and if you belonged again to the political apparatus,  
12 so we know that you left on the 8th of November. You were sidelined for  
13 a while, and when did you -- were you appointed to a high-level position  
14 again?

15 A. Ah. I don't know. For a time they asked me upon my return to  
16 put the archive in order so that the documents should be saved, and then  
17 I tried to do my best to put the papers in order, three dimensional ones,  
18 and to save them, safeguard them. And then Dr. Tudjman called me and  
19 asked me to be his military advisor. So that's what I did for a time.

20 Then again he asked me, since we were losing the information



21 battle, he asked me to set up an agency which would unite propaganda and  
22 the truth about our positions on Bosnia-Herzegovina and so on. But that  
23 didn't succeed. That wasn't successful because --

24 JUDGE ANTONETTI: [Interpretation] I'm not going to address the  
25 contents of this document. This would take us too far. It seems that

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1 there were discussions involving politics, and you took part in these  
2 discussions. This enables me to understand how competent you were. You  
3 seemed to be -- you seem to have a very good understanding of political  
4 matters. Is that the case?

5 A. Yes.

6 JUDGE ANTONETTI: [Interpretation] That's all I wish to know. We  
7 shall now move on to other documents which are the presidential  
8 transcripts. These were on my list number 7. To display the document,  
9 I'm going to ask the registrar to show it to us on the screen and give  
10 him the page number. The first document is P00037. What I'm interested  
11 in is page 5.

12 You did not attend this meeting. Since you seem to have a good  
13 knowledge of political affairs, I feel entitled to put you this question.  
14 On page 5 President Tudjman takes the floor. He states that with a view  
15 to seeing Croatia being totally independent or independent as part of an  
16 alliance, the current borders of Croatia as they were set after World War  
17 II were absurd from administrative, commercial, and for a security  
18 standpoint. He seems to be saying that according to him, the solution

19 would be to have Bosnia-Herzegovina partitioned. This would serve the  
20 interests of Serbia as well as the interests of Croatia. And he adds the  
21 Muslim component would have to accept this solution.

22 If we read Mr. Tudjman's statement, it seems that in 1991, on the  
23 8th of June, he is in favour of a partition which would suit Serbia and  
24 Croatia. What do you have to say to this?

25 A. I wouldn't agree. I wouldn't agree. I think that this document

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1 should be read to the end of it. As I was reading it, I made some notes  
2 on the margin. He's talking about Yugoslavia as an alliance of sovereign  
3 states. He speaks about the meetings of the six presidents of republics.  
4 He says that Bosnia-Herzegovina will be the key, and he says if they  
5 go -- goes in a democratic direction, then it's okay for  
6 Bosnia-Herzegovina. However, is -- if Serbia takes one part of big then  
7 it's a different thing.

8 And now 150947, which is the next page I would like us to look  
9 at.

10 JUDGE ANTONETTI: [Interpretation] To be very precise, look at  
11 page -- pages 38 and 39. 39 because it's the bottom of page 38 and the  
12 top of page 39 that we need to look at. Let me check whether this is on  
13 the screen.

14 The words he uses are quite precise.

15 MS. PINTER: [Interpretation] Let me just help the general. The  
16 ERN number is 01509447.

17 THE WITNESS: [Interpretation] Very well.

18 JUDGE ANTONETTI: [Interpretation] Mr. Tudjman says that there  
19 should be equal -- it should be equally interesting for Serbia and  
20 Croatia, and the Muslims will have no other solution than to accept this.  
21 This is what he says: "This solution is not an easy one to come to, but  
22 it is essential."

23 In June of 1991, at any rate, he settles the Muslim question  
24 according to what he says here.

25 A. Well, according to what he says here, yes, but look, and let me

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1 quote. First he starts by talking about -- well, no. You can't,  
2 unfortunately. Your Honours, we can't proceed like this. We can't  
3 interpret a speech by a president in this way.

4 He says that there was a joint proposal by Izetbegovic and  
5 Gligorov on the table. According to that proposal, they were to create  
6 an asymmetric federation -- or a confederation, rather. And in that,  
7 Bosnia-Herzegovina and Macedonia and Serbia and Montenegro would  
8 constitute a federation, and on the other hand Slovenia and Croatia would  
9 constitute a confederation with the four states in that federation.

10 And then he goes on to say -- the president says: "I'm sure that  
11 in that sense that they're not going to change their viewpoint. If  
12 they're not going to change their viewpoint and if they want to lead  
13 Bosnia and Herzegovina to Yugoslavia, then he goes on to say then the  
14 solution is in the delineation of Bosnia and Herzegovina, which means the

15 internal organisation of Bosnia and Herzegovina. And if we achieve this,  
16 then we can look for a potential basis for an alliance of sovereign  
17 republics and states.

18 What is being put forth here are various options tabled by  
19 certain people at different meetings, how to organise Yugoslavia in order  
20 to avoid a war, and what is referred to here is the internal organisation  
21 of Bosnia-Herzegovina.

22 JUDGE ANTONETTI: [Interpretation] So as far as you are concerned,  
23 Mr. Tudjman did not have any idea of partition in mind as a solution.

24 A. No. And let me tell you what he says further on, and I quote:  
25 "In any case, or after all, in our statements we said that we are in

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1 favour of an association with those republics that accept the  
2 principles -- all principles ranging from human rights and economic  
3 relations and so on which may be the starting point of such an  
4 association or a community."

5 Your Honour, we're still speaking of a confederal Yugoslavia  
6 here, not about the disintegration. We are still in a confederal  
7 Yugoslavia. And what Franjo Tudjman is offering is this: If we reach an  
8 agreement on human rights of minorities and on economic relations,  
9 there's no reason for us not to stay in that confederal Yugoslavia.

10 JUDGE ANTONETTI: [Interpretation] We'll see whether what you are  
11 saying is corroborated by the next document, P00108.

12 I would like page 48 to be displayed, please.

13           A.    While we are waiting for that, I'm sorry that we don't have the  
14 rest of that speech to see that Franjo Tudjman quotes the European Union  
15 that supported Yugoslavia, and he quotes Markovic, and he says that  
16 America is also trying as hard as they can to support Yugoslavia. It is  
17 not possible to draw conclusions on sentences which have been singled out  
18 from the context. I know this document by heart. I know what happened  
19 then and there.

20           JUDGE ANTONETTI: [Interpretation] Very well. Since you know all  
21 this back to front and since I have spent a lot of time on these  
22 presidential transcripts, this will make everybody's task easier.

23           Let me see whether page 48 is on the screen.

24           On page 48, Mr. Tudjman -- well, this is a meeting dated the 8th  
25 of January, 1992, and Mr. Tudjman says that Europe, like the rest of the

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1 world, would be -- seemed to be in favour of a division of Bosnia and  
2 Herzegovina between Croatia and Serbia to avoid the creation of an  
3 Islamic state in Europe. For -- the problem which Mr. Tudjman seems to  
4 be highlighting is the creation of an Islamic state. The solution would  
5 then be to divide or partition the country.

6           This is what he says.

7           A.    He quotes F. I don't know what F told him. And he also relates  
8 what we would hear all the time from western emissaries, and that was  
9 their fear from Izetbegovic and his possible Muslim state, but Franjo  
10 Tudjman says I believe that we are facing a problem here.

11           Your Honour, you cannot begin to understand how many people were  
12 out there trying to impose different solutions on us. Yugoslavia, no  
13 Yugoslavia; federation, confederation; Muslim states, no Muslim states.  
14 All of these people purported to be representatives of different  
15 governments, and Tadjman says: No, this is a problem for us. What is  
16 the reality vis-a-vis both of these nations, both nations, the Serbs and  
17 the Muslims and where do we stand? What are we supposed to do?

18           All the transcripts here talk about the pain we all suffered to  
19 see the light at the end of the tunnel of that chaos, and that's why he  
20 kept on repeating and hammering on. Our principles, our politics, did  
21 not allow us to opt for anything but what we put our signatures on, and  
22 that was for a Bosnia and Herzegovina with the three constituents --  
23 constituent peoples in it.

24           JUDGE ANTONETTI: [Interpretation] As part of the talks in which  
25 Zvonko Lerotic will take part on page 53, Lerotic will say at some point

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1           that it was possible to envisage the recognition of Bosnia-Herzegovina as  
2 a recognition de facto of a Serbian state and a Croatian state in  
3 Bosnia-Herzegovina that had sovereignly decided to unite. So one of the  
4 attendees at the meeting throws this out and puts this forward as an idea  
5 of his. What do you have to say to this?

6           A.    What can I say or think? Lerotic says here that Muslim has to  
7 make decisions in the part where they are, that things should be prepared  
8 in political and legal terms. These are simply various and possible

9 options. However, the essence of the matter here again is how to avoid  
10 war. What would be the best political solution that would be accepted by  
11 the three sides, and no such solution was ever found, and it was never  
12 found because the other two peoples wanted different things for  
13 themselves and favoured different political options. Only the Croats  
14 advocated the right political solution. There were three peoples living  
15 there, they were constituent peoples, and that's the kind of documents we  
16 signed. And you can't even begin to imagine how many do-gooders from all  
17 over the world came to try and impose things on us.

18 JUDGE ANTONETTI: [Interpretation] Let's look at our next  
19 document, P00130. I would like page 73 to be displayed.

20 This is a meeting which was held on the 3rd of March, 1992.  
21 Susak is there, Milas, Cermak, Bobetko, Perkovic, Karlovic, Adanic, Numi  
22 Vranje [phoen], Mijatovic [phoen], Tudjman, Zuzul.

23 On page 73 Susak takes the floor and he says that Herzegovina  
24 included the area of Herceg-Bosna and Bosanska Posavina. What do you  
25 have to say to this?

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1 MS. PINTER: [Interpretation] ERN number is 0186-4040.

2 THE WITNESS: [Interpretation] Could you repeat?

3 MS. PINTER: [Interpretation] 0186-4040.

4 THE WITNESS: [Interpretation] I haven't got it. Repeat, please?  
5 6400.

6 MS. PINTER: [Interpretation] 64040. The last three digits, 040.

7 THE WITNESS: [Interpretation] Very well. 040.

8 JUDGE ANTONETTI: [Interpretation] If you can't find the document,  
9 it's on the screen.

10 A. Yes, I've got it now, thank you. Nothing. He's talking about a  
11 region. Somebody mentioned Herzegovina -- Herzegovina, and then he says,  
12 "I believe that they believe," and I don't know who he's referring to. I  
13 should check. He's talking about Herceg-Bosna and Bosnian Posavina.  
14 These are just terms, and he's talking about the defence of Bosnian  
15 Posavina and Herceg-Bosna. I don't see anything that I should  
16 actually -- he's basically focusing on the problems that he is having  
17 with the Croatian army officers, because they are preventing him from  
18 arming the people down there for the war that had already started. He's  
19 talking about a region. All the Bosnian Posavina at that time was still  
20 not part of Herceg-Bosna.

21 JUDGE ANTONETTI: [Interpretation] So this is the way you  
22 interpret what Mr. Susak said.

23 A. I know exactly, Your Honour, what was happening at the time and why I  
24 had to be sent down there. The Serb attack was under way. They were killing,  
25 destroying Mostar, and Gojko Susak had -- we had a problem with arming the

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1 few people who wanted to fight down there, with defending ourselves. At that  
2 moment it was just a matter of life and death. There was no talk about  
3 Herceg-Bosna or any other regions, no names were mentioned or if they  
4 were, they were not important at all. The essence of the matter was the



5 rest of the issue, how to create a command of sorts that would help the  
6 population to defend themselves at least on the Neretva River and then  
7 further afield.

8 JUDGE ANTONETTI: [Interpretation] Let's have the next document,  
9 P00134. Page 115.

10 This meeting was held on the 10th of March, 1992. The attendees  
11 were Mr. Tudjman, Mr. Boban, Mr. Krpina, but Mr. Mesic was not at the  
12 meeting.

13 Tudjman said this: He said that he spoke to Mr. Izetbegovic, and  
14 he says that according to him, a Muslim-Croat Bosnia and Herzegovina  
15 should emerge. So this gives the impression that he is in favour of a  
16 Muslim Croatian entity in Bosnia and Herzegovina, and as you can see,  
17 Boban speaks straight after him, and he seems to endorse the idea. What  
18 do you have to say to this?

19 A. Correct, Your Honour. I've been telling this all the time. We  
20 made offers to the Muslims. We told them -- here Mate Boban says, for  
21 example, Europe has accepted our principles for establishing peace in  
22 Bosnia-Herzegovina. Our principles and our policies. That's what was  
23 said from the outset, because we signed, Mate and the others, a principal  
24 position on the organisation of Bosnia-Herzegovina when we were with  
25 Cutileiro, but then the situation changed when Serbs took 70 percent, and

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1 then Mr. Izetbegovic said, okay, let's allow the Serbs go to their own  
2 ghetto and let us create a Croat-Muslim state. And everybody agrees to

3 that. And then we give to the army everything the army needs, the Army  
4 of Bosnia-Herzegovina. It becomes stronger, and then they pay us the  
5 good favour back by hitting us on the head. And Mate Boban went berserk  
6 with that situation that changed day in and day out. What person  
7 wouldn't go crazy with that, with the time and time again that the  
8 international community and Alija Izetbegovic changed their positions?  
9 But those were the starting points. This was what was drafted from the  
10 outset, the principles that would apply to our policy vis-a-vis Bosnia  
11 and Herzegovina and then the internal organisation that became part of  
12 Cutileiro's plan with one kilometre here, one kilometre there, plus or  
13 minus, but that really didn't matter.

14 JUDGE ANTONETTI: [Interpretation] You make me see what Tudjman  
15 said just at the top of the screen. He said, "But these groups are  
16 against such policies, and I think that is absurd." When Boban said  
17 this, which group was he thinking of?

18 A. I don't know exactly. I believe that you're talking about that  
19 group which was a group of renegades. I believe that among them -- I  
20 don't know. I wouldn't be able to tell you precisely, but there was, in  
21 any case, a group of Croats, the intellectuals in Sarajevo which  
22 advocated -- because in that situation could not -- they didn't dare say  
23 anything else. They advocated a unitarian Bosnia-Herzegovina that we  
24 were against, but --

25 JUDGE ANTONETTI: [Interpretation] General Praljak, as to this

1 theory of the double discourse as alleged by the Prosecution in their  
2 submissions, we have this in March 1992, a meeting, a select committee of  
3 people who know each other, and there is Tudjman and Boban. When these  
4 men are speaking together, do they have this double game? Are they  
5 two-faced, knowing that 15 years down the lane there are going to be  
6 Judges scrutinising all this or is what they said true to form, true to  
7 reality, that is that Europe was accepting the principles that peace had  
8 to be made and it was to be made through this Muslim-Croatian state in  
9 Bosnia and Herzegovina? What do you say to this?

10 A. I believe that this is an absurd dilemma to have people in a  
11 closed meeting producing documents that should never see day of light in  
12 our state or even in yours. Could you imagine such people saying once we  
13 die these people would be provided to the world against the law, and we  
14 hear or are envisaging that this will happen, that there will be a  
15 tribunal, that we will die, we will be outlawed, and let's prevent all  
16 that by lying. Please. This is a speculation. This is absurd. And  
17 besides, Your Honours, you cannot play a double game with somebody who  
18 you keep on arming all that time. It's impossible, impossible,  
19 impossible. If you are trying to defeat an enemy, you cannot keep on  
20 arming that enemy throughout the entire war. It just doesn't make sense.

21 JUDGE ANTONETTI: [Interpretation] Let's have another document in  
22 which we can see the same problem from two sides. P00167. First let's  
23 have page 6, and then let's have page 7.

24 A. It's not here.

25 JUDGE ANTONETTI: [Interpretation] Here's page 6. This meeting

1 was held on the 20th of April, 1992, with Ambassador Warren Zimmerman and  
2 other foreign representatives, and people such as Mr. Greguric.

3 On page 6, Tudjman recalled that Croatia had recognised the  
4 independence and sovereignty of Bosnia and Herzegovina. He says, "We  
5 recognise the independence ..." et cetera. So this is what he said to  
6 the ambassador; is that right? Good. Let's go to page 7.

7 A. Here -- I apologise, Your Honour, but here he says again the  
8 viewpoints of Croatia are very clear and based on principles, and so on  
9 and so forth, but you are the one who are asking questions and I am  
10 supposed to answer them.

11 JUDGE ANTONETTI: [Interpretation] Very well. So Mr. Tudjman  
12 claims before the American ambassador that they have recognised its  
13 independence. Fine. Now let's move to page 7. At the very top of it.  
14 And this is what he said: He said that the Croats of Bosnia and  
15 Herzegovina had asked him not to give up the territory that belonged to  
16 Croatia prior to the Second World War.

17 A. [Previous translation continues]... uncertain --

18 JUDGE ANTONETTI: [Interpretation] So isn't there a problem here  
19 in relation to what he's just said before?

20 A. No. Prior to that he said that Croatia maintains principles and  
21 views. It had recognised Bosnia and Herzegovina, and of course that  
22 people who had been tortured and beaten up by the Serbs came to Franjo  
23 Tudjman and told him let's secede from Bosnia-Herzegovina if we are going

24 to defend that part, and he told them you can't do that. He told them we  
25 have to strive for a political solution. We cannot -- the Serbs want to

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1 secede is what he's saying. We cannot copy them. We can't do the same  
2 as they do. We have to look for a political solution. I'm talking about  
3 a certain number of people. He says that there are such people. And  
4 second of all, he says that he told them that this would amount to  
5 nothing. Thirdly, he says that he recognises Bosnia and Herzegovina.  
6 And his -- he pursued that same policy based principles until the very  
7 end. There were a lot of pressures by the international community  
8 talking about three states, cantons, federation, confederation, and so on  
9 and so forth.

10 But, for example, on P00167, page -- he says the same thing, and  
11 I quote:

12 "Here I would only say that the conditions -- or preconditions,"  
13 if you will, "which we present in a letter sent to Secretary Baker, are  
14 very important for us, very significant for us, because we're talking  
15 about the OSC [as interpreted] principles and the principles which we  
16 hope will govern us -- by which we will be governed in our behaviour not  
17 only in our mutual relations but in our multilateral relations."

18 In other words, Franjo Tudjman recognises the OSCE, which implies  
19 that no borders could be changed by force. And I'm repeating this: We  
20 should read the whole document.

21 JUDGE ANTONETTI: [Interpretation] Let's have P00336 now. We'll

22 first have a look at page 42 and then move to page 49, where there may be  
23 a variation.

24 MS. PINTER: [Interpretation] General, the last four digits is  
25 32 -- 3251.

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1 JUDGE ANTONETTI: [Interpretation] For everybody to follow, this  
2 was held on the 21st of July, 1992. It was a very long meeting. It  
3 started at midday and ended at 10.15 in the evening. Ten-hour long  
4 meeting. Izetbegovic, Pelivan, Zuzul, Greguric, Granic attended among  
5 others.

6 On page 42, Tudjman speaks to Izetbegovic and says this:  
7 "Mr. Izetbegovic, the borders of Bosnia and Herzegovina and Croatia are  
8 not in danger," et cetera. So this sentence seems to show that Tudjman  
9 reassures Izetbegovic in saying that there's not going to be any shift in  
10 borders. What do you think.

11 A. Of course, Your Honour. And not only that. I don't know why you  
12 skipped the beginning where he says that Croatia is under threat from the  
13 Republic of Bosnia-Herzegovina and so on.

14 Throughout this text, in the whole of it, reference is made  
15 exclusively to Bosnia-Herzegovina and how -- well, it says deal with the  
16 position of the Croatian people in Bosnia-Herzegovina -- the Croatian  
17 people in Bosnia-Herzegovina. Bosnia-Herzegovina was never questioned or  
18 challenged either in the policy of Herceg-Bosna or Croatia.

19 JUDGE ANTONETTI: [Interpretation] Let's move to the -- to page

20 43. We see Tudjman who keeps on speaking, and I think that the words he  
21 then utters are very important. Here they are on page 43.

22 At the very beginning he said this: "We have recognised and the  
23 international community stands by it. So this is one of the reasons why  
24 we have fully supported the Croatian people when they voted in the  
25 referendum ..."

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1 So Tudjman tells Izetbegovic that when the Croats voted for the  
2 referendum, they voted for the recognition of the Republic of Bosnia and  
3 Herzegovina. Is this a correct analysis by Tudjman, and did you have the  
4 same analysis at the time?

5 A. Yes, both. And that's precisely what I'm saying here. The  
6 Republic of Croatia was recognised, and now he's trying to persuade and  
7 intensively advocate a referendum for the Croats and enable, through the  
8 Badinter Commission, for -- enable Bosnia-Herzegovina to become an  
9 independent state. Had we not gone out to a referendum it wouldn't have  
10 become an independent state, and so not only the speeches but everything  
11 else has been conceived to take a portion of -- out of  
12 Bosnia-Herzegovina. Oh, come on, I don't think even anthropoid monkeys  
13 would do that.

14 JUDGE ANTONETTI: [Interpretation] You're too fast.

15 A. Yes, yes that's right, I'll slow down. But that's something that  
16 one can just cannot understand.

17 JUDGE ANTONETTI: [Interpretation] We'll see what Izetbegovic will

18 say later, because we realise that this is a much more complex problem.

19 Let's have a look at page 49.

20 The last line of the page. Can the usher show it to us? Thank  
21 you.

22 The last four words are by Mr. Izetbegovic, and they seem to be  
23 important. He says: "One individual, one vote." He recalls this  
24 principle.

25 And let's move straight away to page 50, then I'll ask my

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1 question. But first let's go to page 50.

2 Izetbegovic is still speaking. Look at the second line. He  
3 speaks about Central Bosnia. Remember what he said, one individual, one  
4 vote. And now he said this: "For example, the HVO in Central Bosnia is  
5 now trying to take over the power in the areas where 20 to 30 percent of  
6 the inhabitants are Croats while 60 to 70 percent are Muslims."

7 So first he started with this principle of one individual, one  
8 vote. Then he said that there were areas where Croats are -- were in a  
9 minority and wanted to take power. So is this not the substantial  
10 problem?

11 A. No. Mr. Izetbegovic here is presenting a basic problem, the  
12 basic problem for his war option -- or of his war option. That's what  
13 this situation is.

14 Now, Your Honours, to be quite clear, in all these negotiations,  
15 talks, transcripts, well, I don't know where they used it, but it was



16 recorded in one of the transcripts where I say "expel," but I'll speak  
17 slowly. The word that I used there was the only word for which I claim  
18 that it was written outside my -- beyond my style, beyond my gestures,  
19 just that one word.

20 Now, this is ethnic occupation. This is not information based on  
21 a population census, Your Honours. These figures and -- these facts and  
22 figures --

23 JUDGE PRANDLER: I'm sorry to interrupt you, Mr. Praljak, but I  
24 would like to -- to draw your attention to the continuation of that  
25 transcript which our President has asked us to look at, and after words

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1 where there is a reference to Central Bosnia, then Izetbegovic continues  
2 and I quote:

3 "Let us say that they can achieve that -- I mean the, trying to  
4 take over the power in the areas where 20 to 30 percent of inhabitants  
5 are Croats, and 60 to 70 percent are Muslims."

6 And then he continues that:

7 "They can achieve that," he means the Croats, I believe, "because  
8 they are armed or got an assistance from Croatia, and we already have  
9 rifles and they actually have machine-guns, mortars, et cetera. So let  
10 it say that it can be done."

11 Let me then end the quotation. And so my question is that do you  
12 think that Izetbegovic, to put it very bluntly, lied when he said this or  
13 he had something really substantial to say on which he was able to state

14 this position of his? Thank you.

15 A. He's lying. Izetbegovic is lying here. First he received  
16 cannons in the joint distribution from the Bratstvo factory. At that  
17 time he had tanks, and he had helicopters. He also received weapons from  
18 Croatia.

19 Second, in the population census of 1991, the area of Novi  
20 Travnik, Busovaca, Kiseljak, the majority population was Croatian or  
21 mostly. Now, what Mr. Izetbegovic here says was the result of the fact  
22 that the Serbs had expelled the Muslims and because they occupied the  
23 territory in ethnic terms. And now he says, "Here we are. This is how  
24 things stand. There are 60 or 70 percent of us. One man, one vote, and  
25 you can take yourself off and I won't tell you where." And it would have

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1 a lovely -- it would resound beautifully in Hungarian if I could use the  
2 Hungarian terms of where to send someone.

3 JUDGE PRANDLER: Okay. Thank you. I know what you mean. Thank  
4 you very much.

5 A. And precisely this one man, one vote, from the Islamic  
6 declaration onwards, is what caused the war between the Croats and the  
7 Muslims, precisely that. And I would go to war tomorrow for that thesis.  
8 It's my land, my territory, and nobody's going to occupy me ethnically.

9 JUDGE ANTONETTI: [Interpretation] Let's move to page 51.  
10 Izetbegovic gave the example of Travnik. At the very beginning of the  
11 page he said that the Muslims were the majority in Travnik, and in spite

12 of that they're trying to impose on them a new authority. So this is  
13 what Izetbegovic said. What do you think of that? And you know very  
14 well what the situation was like in Travnik.

15 A. Well, Mr. Izetbegovic his -- is lying before everybody's eyes.  
16 Well, you had a trial here. What Croatian authority in Travnik? They  
17 killed us like -- slaughtered us like kittens. They expelled us,  
18 captured us, mistreated us. The 7th and 17th Muslim did all kinds of  
19 things there. But let me tell you, 0186-3253 is the page I'd like to  
20 refer to, and it's Franjo Tudjman speaking. No, it's 3254, the page  
21 number. Mr. Izetbegovic -- he says to Mr. Izetbegovic, and I quote:

22 "Croatia was the side which had a principled relationship towards  
23 the territorial whole and entity of Bosnia-Herzegovina. However, Croatia  
24 has taken the principled position in the sense of -- in that sense, that  
25 you," and you means Alija Izetbegovic, "you in the leadership of

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1 Bosnia-Herzegovina should also consider and take into consideration the  
2 practical situation of the Croatian people in Bosnia and Herzegovina."

3 But Alija Izetbegovic is not going to take that into  
4 consideration, the situation of the Croatian people. He doesn't want to  
5 do that. He says one man, one vote. And the fact that the Serbs  
6 expelled us and there are 30.000 of us more in Mostar today, well,  
7 there'll be peace and we'll take it and make the state that he said they  
8 would make in the Islamic declaration.

9 Tricks. They're all tricks. Lies, duplicity.

10 JUDGE ANTONETTI: [Interpretation] Let us return to page 51,  
11 because something is said about the Banovina which may be of interest.  
12 Can you see? We can see that Mr. Tudjman in the presence of  
13 Mr. Izetbegovic recalls the Banovina of 1939. And then he seems to be  
14 telling Izetbegovic -- it says the interest of Bosnia and Herzegovina and  
15 Croatia is to have friendly relations.

16 So my impression, and I'd like you to confirm it, Mr. Praljak, my  
17 impression is that Tudjman tries to make Izetbegovic understand that  
18 there is the issue of Banovina but that he actually seeks to -- friendly  
19 relations with the Muslims. Is this the right interpretation or not?

20 A. Precisely in that way, Your Honour. When Franjo Tudjman or we  
21 speak about a Banovina, the Banovina is there because in that area of  
22 Bosnia-Herzegovina at the time the majority population was Croatian. It  
23 wasn't given because there were Frenchmen there or the English. The  
24 Serbs let it go after a lot of effort. So in that sense he's speaking as  
25 an historian. He says, "We're experiencing a fall, but we want to have

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1 friendly relations with Bosnia-Herzegovina, but first settle relations  
2 with the Croats in Bosnia-Herzegovina; you, the authorities in Sarajevo,  
3 that is."

4 JUDGE ANTONETTI: [Interpretation] For Izetbegovic to understand  
5 the problem properly, it seems that he is telling him what can you do  
6 without Ploce and his connections. Does he want Mr. Izetbegovic to  
7 understand that he needs an outlet on the sea, and all of this requires a

8 friendly relationship and cooperation.

9 A. A little differently. First of all, he's offering him something.  
10 Then he says, "Mr. Izetbegovic, it's difficult for you without Croatia."  
11 Then you gave Ploce later on and everything. You have your outlet at  
12 Ploce. What Western Herzegovina? Croatia is your outlet. So he's  
13 trying to instill reason into Izetbegovic, and quite frankly, Your  
14 Honours, I wouldn't have done it that way. I would have done it a little  
15 differently and said it differently. I would say, "Gentlemen, there's a  
16 sovereign nation over there and you're going to behave towards them in  
17 the corresponding way or we're going to switch the taps off."

18 But Tadjman was cooperative. He wanted to be cooperative. He  
19 says, "Here, you have an outlet. Here's the port. Here's Ploce. Here's  
20 recognition. Here's everything." And in return he never received any  
21 guarantees from the man, none at all. Izetbegovic never ever said what  
22 kind of Bosnia and Herzegovina he'd like to see except in the Islamic  
23 declaration. Find me another document, you won't find it. No proposal  
24 in any other document.

25 JUDGE ANTONETTI: [Interpretation] To get back to the Banovina,

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1 let's look at page 61. Here we have it. Look at the top. Tadjman  
2 mentions the Banovina again and discusses it with Mr. Izetbegovic. He  
3 says that there would be 98 to 99 percent of Croats living there. What  
4 do you think of this?

5 A. You didn't interpret that in the right way. Once again, this is

6 full cooperation on Franjo Tudjman's part. He says we're not asking for  
7 everyone, that is to say the Croats, to be in a canton of some kind.  
8 What we're asking for is that those areas, those territories, which have  
9 become constituted and which were in part within the frameworks of the  
10 Croatian Banovina, that that should be a sort of Croatian canton. And he  
11 says, well, there's this awareness and compactness. Western Herzegovina  
12 is ethnically 99 percent Croatian, so why prevent it from having a  
13 cantonal type of organisation, organised according to a canton?

14 And then he says Izetbegovic, what is it in fact that you want?  
15 At the same time, Franjo Tudjman is offering districts and cultural  
16 autonomy to Croatian Serbs, who are a national minority, and here, he is  
17 begging Izetbegovic to give a constituent people, a sovereign people, the  
18 right to their own canton.

19 So you see how he is grovelling before this man. Franjo Tudjman  
20 is grovelling and down on his knees in front of this man.

21 JUDGE ANTONETTI: [Interpretation] [Previous translation  
22 continues]... says after that he seems to agree to the fact that in this  
23 area the Croats are in the majority, around a hundred percent. And then  
24 he reminds him of the situation in Central Bosnia, and he says there it's  
25 all mixed.

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1 A. That's what we've said several times here. Alija Izetbegovic  
2 always offered Franjo Tudjman -- he said take Herzegovina. Take Western  
3 Herzegovina and take it away. Carry it off.

4           So you saw with Okun and Klein generals -- well, Izetbegovic  
5 offered Franjo Western Herzegovina. He said take it to Croatia whereas  
6 where the population was mixed, you leave that to me, he says. So  
7 following on from that principle, Your Honours, if you have a nation  
8 which is 49.9 percent of the population and the other is 51 percent of  
9 the population, then he would have implemented what he wanted. That is  
10 to say, an Islamic republic. They're mixed, the population's mixed he  
11 says. Well, they're mixed everywhere. The population is mixed  
12 everywhere, but not a 50/50 ratio. And apart from that, Franjo Tudjman  
13 said several times, Okay. Well, there'll be equal rights. You can't put  
14 any nation in a subjugated position in terms of national rights, ethnic  
15 rights, but he says we're mixed, we've occupied this ethnically, now  
16 leave it to us, and you can take Western Herzegovina. Well, a little  
17 more than -- that won't be the case.

18           Yes, I'll start from the beginning. I have to go back a bit.

19           I don't know how far you understand this, but it's so clear that  
20 Alija Izetbegovic, with all these offers made from Franjo Tudjman and  
21 understanding that he was a cooperative man, he says here you've got --  
22 Here, take Western Herzegovina and do what you will, but everywhere  
23 elsewhere where we're a mixed population. It will be one man one vote,  
24 there are more of us and then we'll act in the way I described it in the  
25 Islamic declaration. No, that was not what was going to happen, because

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1 before the ethnic occupation there was a relative Croatian majority in

2 Novi Travnik, in Vitez, in Busovaca, Kiseljak. I think in Vares as well.

3 JUDGE ANTONETTI: [Interpretation] One moment, you're going too  
4 fast. Slow down.

5 You quote five places in a split second. Please slow down,  
6 Mr. Praljak. I know that you want to tell us a lot of things.

7 A. Well, I'll check that out by Monday because I have a book with  
8 all the statistical data, but the majority population, not in absolute  
9 terms but in relative terms, as far as I remember that was no Novi  
10 Travnik, Busovaca, Vitez, Kiseljak, Vares, and so on.

11 For the ethnic occupation that the Muslims enforced once they  
12 were expelled by the Serbs. And that's the essential point here. Alija  
13 Izetbegovic realises full well that he won't be able to bring the Muslims  
14 back from the territories they've been expelled from because he's not  
15 going to defeat the Serbs, be able to defeat the Serbs. So the BH Army  
16 did not fight against the Serbs at all.

17 JUDGE ANTONETTI: [Interpretation] I will stop with documents,  
18 because we have just about reached 6.00. On Monday we will have a look  
19 at 15 or so presidential transcripts, and after that I will look at a  
20 document that states that the commander needs to seize the military  
21 prosecutor, and then this will be the end of my questions. I will  
22 address all the documents you have mentioned in your submissions you  
23 filed in April. There are quite a lot of these. I hope I will be able  
24 to finish on Monday. Otherwise, we will finish on Tuesday. I hope we  
25 can finish on Monday. Once I have finished I don't know who will begin



1 on the side of the Defence, and Defence counsel you need to prepare your  
2 cross-examination which will start next week. At this juncture, could  
3 you tell me who is going to start?

4 MS. TOMANOVIC: [Interpretation] Mr. President, for the moment we  
5 haven't got a firm agreement as to which Defence team will kick off, but  
6 we'll certainly know that by Monday.

7 JUDGE ANTONETTI: [Interpretation] You have a few days to reach an  
8 agreement on this. Let me remind you that you have 50 percent of  
9 Praljak's time. Since he has testified for 40 hours, you have 20 hours,  
10 which is a lot of time. I hope you will be able to use your 20 hours.

11 Mr. Praljak, I hope you're not too tired. You will be able to  
12 continue on Monday, will you?

13 THE WITNESS: [Interpretation] No, I'm not too tired. I can carry  
14 on for another year and then we'll see.

15 JUDGE ANTONETTI: [Interpretation] I wish you all a pleasant  
16 evening and we shall resume on Monday.

17 --- Whereupon the hearing adjourned at 5.58 p.m.,  
18 to be reconvened on Monday, the 22nd day  
19 of June, 2009, at 2.15 p.m.

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