



1 Tuesday, 10 June 2008

2 [Open session]

3 --- Upon commencing at 2.56 p.m.

4 [The accused entered court]

5 JUDGE ANTONETTI: [Interpretation] Registrar, can you call the  
6 case, please.

7 THE REGISTRAR: Thank you and good afternoon, Your Honours. This  
8 is case number IT-03-67-T, the Prosecutor versus Vojislav Seselj.

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

10 Today, we are Tuesday. I would like to greet the representatives  
11 of the Prosecution, Mr. Seselj, as well as all the people assisting us.  
12 We have started our hearing somewhat late because two of my colleagues  
13 were involved in another trial this morning, and we could therefore not  
14 start at a quarter to. We started at a quarter to 3.00 today and not at  
15 a quarter past 2.00. Tomorrow, we will also start at a quarter to 3.00.  
16 On Thursday, we shall sit at 9.00 in the morning, since this courtroom  
17 will be available. We shall therefore sit on Thursday morning in this  
18 courtroom. This will be either in Courtroom I or in Courtroom II on  
19 Thursday.

20 The next witness is going to come into the courtroom. From what  
21 I understand, there are no protective measures. The Prosecution has two  
22 hours, Mr. Seselj has two hours.

23 Mr. Seselj, I believe you would like to say something.

24 THE ACCUSED: [Interpretation] Very briefly, I have to inform you  
25 that my legal associates calculated the time that was spent during the

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1 cross-examination of the last witness, and they came to the conclusion  
2 that you took away 35 minutes of my time. One hour and 25 minutes is the  
3 time that I took up, effectively.

4 JUDGE ANTONETTI: [Interpretation] We shall check this. I wasn't  
5 under that impression, but maybe there's been a mistake. We shall have a  
6 close look at this.

7 Registrar, can we have the countdown of last week's hearing,  
8 please, to see whether or not we have taken some of Mr. Seselj's time,  
9 i.e., 25 [as interpreted] minutes.

10 Mr. Seselj, we shall keep you informed. As you know, our  
11 computer system enables us to check the time each party has had. On the  
12 basis of these calculations, the Registrar tells us how much time each  
13 have had. I usually put the question to the Registrar during the hearing  
14 to see how much time each party has had and how much time is left. The  
15 Registrar tells me there are 30 minutes left, 40 minutes left, 5 minutes  
16 left, on a little Post-It. This is how I'm able to keep track of this.

17 There might have been a mistake, I don't know, but this is how we  
18 proceed.

19 Let's bring the witness into the courtroom now, please, unless

20 Mr. Mundis would like to say something.

21 MR. MUNDIS: Thank you, Mr. President.

22 Good afternoon, Your Honours, to Dr. Seselj, and to everyone in

23 and around the courtroom. I do have two points that I would like to  
24 raise at this point, if I may, Your Honours.

25 Before I do that, I would like to take this opportunity to

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1 introduce another member of our trial team to the Chamber.

2 Mr. Francesco Rindi is with us today, who's one of the legal officers on  
3 this case.

4 The first issue I'd like to raise, Your Honours, concerns a  
5 confidential motion that was filed last week. I believe we can deal with  
6 this in open session.

7 On the 6th of June, 2008, the Prosecution filed a motion  
8 requesting to order a variation in protective measures concerning  
9 Witness VS-1057. During a proofing session yesterday, that witness  
10 informed the Prosecution that he had changed his mind and that he is now  
11 prepared to testify in open public session before the Tribunal, without  
12 any protective measures.

13 In view of this position taken by the witness, as informed to us  
14 late yesterday afternoon, the Prosecution withdraws its motion for  
15 protective measures concerning this witness that was filed on the 6th of  
16 June, 2008. At the same time, we would invite the Trial Chamber, if need  
17 be, to explore this issue with the witness immediately prior to his  
18 testimony to ascertain if, in fact, that is still the position that he  
19 takes. But, again, he informed us late yesterday that he does not want  
20 the protective measures set forth in that motion and is prepared to  
21 testify in open session without any protective measures.

22 So we do withdraw that motion, but again we would invite the

23 Trial Chamber, if the Chamber deems it important or necessary, to perhaps  
24 raise the issue with the witness directly, immediately before his  
25 testimony, which we expect to commence late in the day tomorrow.

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1 JUDGE ANTONETTI: [Interpretation] If I have understood you  
2 correctly - Mr. Seselj would like to respond - the Witness 1057 has told  
3 you that he does not wish to have protective measures anymore. You are  
4 saying that the Trial Chamber should record his request. In other words,  
5 before asking the witness to take the solemn declaration, we will have  
6 the blinds dropped and, in private session, say to the witness, "You did  
7 ask to have protective measures. You advised the Prosecution of the fact  
8 that you do not wish to have protective measures anymore. Can you  
9 confirm this?" The witness will then say either "yes" or "no," and if he  
10 says he no longer wants protective measures, then we shall move into open  
11 session.

12 Is that the subject of your request?

13 MR. MUNDIS: Only to the extent, Your Honours, that the  
14 Trial Chamber thinks that that would be an important step to take, in  
15 light of the fact that the witness had requested this and then  
16 subsequently changed his mind. Perhaps out of an abundance of caution,  
17 the Chamber might adopt that approach and use the procedure that the  
18 Presiding Judge has just specified. We are entirely in the  
19 Trial Chamber's hands in that respect. We leave it up to you to make a  
20 decision amongst yourselves as to whether or not you think that would be  
21 a prudent course of action, in light of these developments.

22 JUDGE ANTONETTI: [Interpretation] Very well.

23 Mr. Seselj.

24 THE ACCUSED: [Interpretation] Judges, I was getting ready to  
25 challenge the request of the Prosecutor for protective measures for this

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1 witness, and now it seems that the Prosecutor surprised me pleasantly by  
2 giving up on his own request.

3 However, I want to take this opportunity to draw your attention  
4 to something else. So far, decisions were reached with great ease to  
5 grant protective measures to protect Prosecution witnesses. So far,  
6 there have been 24 witnesses here, many with protective measures, and I  
7 am absolutely convinced that not in a single case were there any reasons  
8 whatsoever for protective measures, not in a single case. That is  
9 something that has become current practice in this Tribunal. It happens  
10 in other trials and cases as well. It is sufficient for a witness to  
11 express that kind of wish, and protective measures are granted straight  
12 away.

13 You had here high-level functionaries of the regime, I'd like to  
14 put it that way, but you had high-level military officials with  
15 protective measures, you had notorious criminals with protective  
16 measures, you had people who agreed to testify in court because they were  
17 granted asylum in a Western country, and means for a proper life, and so  
18 on.

19 Not a single witness who comes from the area of Serbia,  
20 Bosnia-Herzegovina and Croatia is under any threat from me, or my  
21 associates, or my ideological followers and political supporters,  
22 absolutely no one is threatened.

23 Protective measures are always asked for with something else in  
24 mind. It is primarily protection from the shame of false testimony.  
25 They are exclusively protection from shame against false testimony.

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1 JUDGE ANTONETTI: [Interpretation] Mr. Seselj, you are again  
2 talking about false testimonies. You know that the Trial Chamber has  
3 asked you not to say this, because this does have consequences.  
4 The Trial Chamber is currently working on this issue, to the  
5 effect that we have not handed down our decision yet. We are currently  
6 putting the finishing touches on our decision. Every time the words  
7 "false testimony" or "false witnesses" come up on the screen, we shall  
8 redact these terms.

9 I believe Mr. Mundis was on his feet to object to this.

10 Mr. Mundis.

11 MR. MUNDIS: Absolutely, Mr. President, the Prosecution objects  
12 to any and all characterizations of false testimony and false witnesses,  
13 but I also rise to my feet simply to make the point that it is, in our  
14 respectful views, inappropriate for Mr. Seselj to be speaking globally  
15 about protective measures for witnesses. As this Chamber knows,  
16 protective measures are issued on a case-by-case basis, and if necessary  
17 and if the Chamber feels that protective measures are necessary for every  
18 single witness in this case, then so be it. Those decisions are taken on  
19 a case-by-case, witness-by-witness basis, on the basis of information  
20 made available by the witness.

21 And so it really is simply not a productive use of our time to  
22 have a speech about the general nature of protective measures or the fact

23 that a large number of witnesses have protective measures. This is  
24 simply something that is not a productive use of the time that's  
25 available to us, and I would respectfully ask that we move on to more

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1 important topics that need to be addressed today and to get the witness  
2 into the box so that Your Honours can hear the testimony of the witness.

3 JUDGE ANTONETTI: [Interpretation] Mr. Seselj. Two things,

4 Mr. Seselj. You said a while ago that 24 witnesses had been granted  
5 protective measures. I don't know, you might be wrong --

6 THE INTERPRETER: You might be right, interpreter's correction.

7 JUDGE ANTONETTI: [Interpretation] -- but a number of witnesses

8 who have come to testify, well, a lot of these witnesses have testified  
9 without protective measures. I even have the feeling that the majority  
10 of witnesses have testified without protective measures. I don't have  
11 any clear-cut figures to give you, but that is the feeling I have.

12 The second point: As far as protective measures are concerned,  
13 protective measures are part of the Rules of Procedure and Evidence. In  
14 some countries like mine, these do not exist, with the exception of  
15 minors who come to testify in closed session. In a number of countries,  
16 protective measures have been established, including in your own country,  
17 where there are trials ongoing and people who benefit from protective  
18 measures. Protective measures are asked by the witness. The  
19 Trial Chamber only grants the protective measures if the potential risks  
20 at stake are valid. We don't grant protective measures to all and every  
21 one haphazardly. This is why I would like you to turn to the decision  
22 taken by the Trial Chamber.

23 The Prosecutor had filed a consolidated motion. We granted the  
24 Prosecution's motion as regards a number of witnesses and disagreed as  
25 regards a number of other witnesses.

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1 In addition, in our decision we had stated that all of this could  
2 be reassessed, and in the course of these reassessments, these things  
3 happen. For instance, a witness who had been granted protective measures  
4 decided not to testify with protective measures.

5 When a witness comes, we can put the question to the witness, and  
6 I would like to say this again, because one is under the impression  
7 sometimes that protective measures are given to all and everyone.  
8 Protective measures are granted, and in some cases the Trial Chamber has  
9 no latitude, because these protective measures have been granted by  
10 another Trial Chamber. In the Milosevic trial, for instance, the  
11 witnesses that came to testify were granted protective measures. We need  
12 to abide by that.

13 There are some witnesses who come to testify who've already  
14 testified in other trials, who have been granted protective measures, and  
15 we have no latitude to change this. I think this has to be quite clear.  
16 This Trial Chamber can do nothing as far as those witnesses are  
17 concerned.

18 However, we have full discretion to decide what the status of  
19 witnesses who have not testified in other trials is to be. When a  
20 witness asks to be granted protective measures, we listen, after having  
21 heard you. This is how it works, and you know this as well as we do.  
22 So far, we have not run into major difficulties, and this is why

23 I can put the question to the witness every time, ask the witness whether  
24 he or she has testified in another trial, and sometimes we discover that  
25 those witnesses have been granted protective measures in domestic courts,

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1 and this is something we know nothing about. This happened last time,  
2 since like you, you discovered this. So we're extremely careful with  
3 this.

4 As a rule, the witnesses testify in open session, unless of  
5 course protective measures are granted to some witnesses and victims,  
6 which is something all and everyone understands in this courtroom.

7 Now, we have to move on because we have a witness who is going to  
8 come to testify.

9 THE ACCUSED: [Interpretation] Well, this gives rise to a new  
10 problem, the problem of translation that we had earlier on. I never said  
11 that 24 witnesses had protective measures.

12 Secondly, while Serbia was a civilised country, which was until a  
13 short while ago, like France, France did not have protective measures for  
14 witnesses, except for rape victims and serious victims like  
that. (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 In the spirit of the Rules of Procedure and Evidence of the ICTY,  
21 protective measures are an exception. They are possible, but very, very

22 seldom. However, as they are applied here, they have become a rule.  
23 In my case, there are more witnesses with protective measures  
24 than those that will testify without protective measures. We had  
25 witnesses who gave up on that here in the courtroom, like Goran Stoparic

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1 and some others. Perhaps we will have more of them. But at the outset,  
2 we had more protected witnesses than those who testify as one should, in  
3 public.

4 I'm just asking for something that is an exception, according to  
5 the Rules should be applied here in exceptional cases only. Of course,  
6 there can be victims of sex crimes here, too, and that kind of person  
7 should testify in closed session. Perhaps a minor may come to testify,  
8 but that is hard to envisage, since the war happened a long time ago.  
9 Perhaps even something like that will be something that the Prosecution  
10 will come up with. Perhaps somebody who was planned to be born during  
11 the war will come as a witness some day and the Prosecutor will call them  
12 with protective measures.

13 But there is no reason for this. The Prosecution is talking  
14 about some facts that I'm not aware of, that witnesses are being  
15 threatened, intimidated and so on. You know what? The hostile attitude  
16 of the Serbian public towards The Hague Tribunal was created by the  
17 Tribunal itself, and that was additionally supported by Carla Del Ponte  
18 in her book, and then that woman of hers, what was her name, Hartman, and  
19 she published a book, and then Jeffrey Nice, who is giving interviews  
20 left, right and center. As soon as somebody leaves the Tribunal, they  
21 start throwing sticks and stones at the Tribunal.

22 The hostile attitude of the Serbian public toward the Tribunal is  
23 the result of the cumulative effect of different factors, and it cannot  
24 be a reason for closing sessions here.

25 JUDGE LATTANZI: [Interpretation] Mr. Seselj.

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1 JUDGE ANTONETTI: [Interpretation] Mr. Seselj, I'll give the floor  
2 to Mr. Mundis in a minute, but contrary to what you're saying,  
3 Mr. Seselj, out of 24 witnesses who testified, 12 testified without any  
4 protective measures. That's 50 per cent. The figures speak for  
5 themselves. You can ask your associates to check that. Twenty-four  
6 people came here to testify, and twelve testified without any protective  
7 measures whatsoever. Out of the 12 others that were granted protective  
8 measures, I believe that most of them had been granted protective  
9 measures by the other Trial Chambers, and therefore my fellow Judges and  
10 myself had no latitude to do anything.  
11 This is how things stand. I believe that things must be said,  
12 because when hearing you, somebody from the outside could say, "Well,  
13 he's right, after all." Well, you are right to a certain extent.  
14 50 per cent of the witnesses were granted protective measures, but out of  
15 these 50 per cent, this Trial Chamber could do nothing about it because  
16 these protective measures had been granted by other Trial Chambers.  
17 However, I have the number of witnesses for which protective  
18 measures were granted by this Trial Chamber for reasons that were  
19 mentioned at length.  
20 The Trial Chamber is extremely sensitive when it comes to this  
21 problem, and we do our utmost to make sure that we don't run into lengthy

22 discussions on this issue. This is what I had to say.

23 Now, let's bring the witness into the courtroom, please. Could

24 the usher, please, bring the witness in the courtroom.

25 [The witness entered court]

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1 JUDGE ANTONETTI: [Interpretation] Good morning, sir. Let me

2 check first that you hear the translation of what I'm saying in your own

3 language. If so, please tell me.

4 Could you please, sir, give us your name, surname, and date of

5 birth.

6 THE WITNESS: [Interpretation] Perica Koblar, 6th of August, 1959.

7 JUDGE ANTONETTI: [Interpretation] Do you have a job at the

8 moment, and if so, what job do you have?

9 THE WITNESS: [Interpretation] I am unemployed, but I work as a

10 private person.

11 JUDGE ANTONETTI: [Interpretation] What activity do you work in?

12 THE WITNESS: [Interpretation] I'm an instructor.

13 JUDGE ANTONETTI: [Interpretation] Very well. Have you already

14 testified in a tribunal, be it domestic or international on what happened

15 in the former Yugoslavia, or is it the first time that you're testifying?

16 THE WITNESS: [Interpretation] Not officially before a court, but

17 in Sarajevo, before a unit and under investigation when I was taken

18 prisoner.

19 JUDGE ANTONETTI: [Interpretation] Very well. When you were

20 captured, you testified for the investigation; is that it? You were --

21 THE WITNESS: [Interpretation] Correct.

22 JUDGE ANTONETTI: [Interpretation] Very well.

23 Please read the solemn declaration.

24 THE WITNESS: [Interpretation] I solemnly declare that I will

25 speak the truth, the whole truth, and nothing but the truth.

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1 WITNESS: PERICA KOBLAR

2 [The witness answered through interpreter]

3 JUDGE ANTONETTI: [Interpretation] You may sit down. Thank you.

4 Witness, before giving the floor to the Prosecutor, who's going

5 to put some questions to you, let me tell you exactly what is going to

6 happen.

7 You will be asked questions by the Prosecutor. The Prosecutor

8 may also show you some documents. So just answer the questions. If you

9 don't understand the meaning of the question, you can ask the person

10 putting the question to reformulate that question. Please try to be

11 specific in your answers.

12 At the end of the questions put to you by the Prosecutor, the

13 accused, Mr. Seselj, who is on your left, will also be asking questions

14 to you. He will be given the same amount of time for questions as the

15 Prosecutor had. The three Judges on the Bench can also ask questions at

16 any time, and I'm sure that we will do so at one moment or another.

17 Every hour and a half, we break for 20 minutes so you can rest.

18 We might not finish your testimony today. Therefore, we will ask you to

19 come back tomorrow at quarter to 3.00, but normally we should finish your

20 testimony tomorrow.

21 Now, you are now the witness of justice, and therefore you should

22 not have any contact whatsoever with the OTP. You are not supposed to  
23 contact the person you saw recently for the proofing session.  
24 This is what I had to tell you. There are a couple of other  
25 things I need to tell you.

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1 If at any point in time you don't feel very well, feel uneasy,  
2 just raise your hand and ask for a break and for the hearing to be  
3 adjourned for a moment. If you also want to ask a question to the Bench,  
4 you can do so, you can put questions to us.

5 This is all I had to say, and I will now give the floor to the  
6 Prosecutor for the examination-in-chief.

7 MR. FERRARA: Thanks, Your Honour.

8 Examination by Mr. Ferrara:

9 Q. Good afternoon, Mr. Koblar. As you know, your testimony is in  
10 open session. Therefore, if at any time you mention names or a place  
11 that you do not wish to be broadcast to the public, please warn the  
12 Judge, explaining the reason why you do not want this to happen, and the  
13 Judge will decide whether we should continue in closed session or not.

14 Let's start with some basic information on your personal and  
15 professional background.

16 When were you born?

17 A. The 6th of August, 1959.

18 Q. Where?

19 A. Ivangrad.

20 Q. How long did you live there?

21 A. Only for a few years.

22 Q. Did you move to some other town?

23 A. To Sarajevo.

24 Q. When?

25 A. The 1960s. I don't know exactly, 1965, 1966.

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1 Q. How long did you live in Sarajevo?

2 A. I still live there.

3 Q. Are you married; do you have children?

4 A. Divorced.

5 Q. Can you briefly describe your education.

6 A. A technical vocational school, a secondary school for catering.

7 Then I got a degree in political science at the university, and now I'm

8 doing a post-graduate course at the Faculty of Political Sciences at the

9 university there.

10 Q. What is your ethnicity?

11 A. I think this is a personal question. I never asked anyone what

12 their ethnicity or religion were. I will tell you that before, I used to

13 be a Yugoslav, and now I'm a Bosnian.

14 Q. Did you undergo the compulsory military service?

15 A. Yes, in 1981.

16 Q. What was your speciality?

17 A. Radio operator at the command post.

18 Q. When did the conflict in Sarajevo start?

19 A. Well, as soon as the first barricades were set up after the

20 referendum concerning the independence of Bosnia-Herzegovina.

21 Q. Did you get involved in the conflict?

22 A. On the 2nd of March, I returned from Trebevic, and I clashed with  
23 the people who were at the barricades.

24 Q. Did you join the reserve forces of the MUP?

25 A. That was the Municipal Staff of the Territorial Defence of

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1 Novo Sarajevo, in actual fact.

2 Q. When did you join this Municipal Staff of the Territorial  
3 Defence?

4 A. The same day that I reported to MUP that I had been attacked and  
5 beaten up at that barricade.

6 MR. FERRARA: Mr. Registrar, can we have the document bearing the  
7 65 ter number 7234 displayed on the screen, please.

8 Q. Mr. Koblar, do you recognise this document?

9 A. Yes. That is my document.

10 Q. What is it?

11 A. It is the accreditation of the Municipal Staff of the  
12 Territorial Defence of Novo Sarajevo, and it has the number 000087.

13 Q. Who released it to you?

14 A. The Novo Sarajevo municipality.

15 Q. Can you be more specific on the date when did you join the TO?

16 A. Well, a couple of days after the 2nd of March, after the end of  
17 the referendum, in fact.

18 MR. FERRARA: Your Honours, I would like to tender this document  
19 into evidence.

20 JUDGE ANTONETTI: [Interpretation] Registrar, please.

21 THE REGISTRAR: Your Honours, that will be Exhibit number P458.

22 MR. FERRARA:

23 Q. Were you involved in any combat operations in Sarajevo, and when?

24 A. Until the direct attack took place on the 2nd of May, there were

25 no military operations in that part of the town covered by this

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1 particular unit of the Territorial Defence.

2 THE INTERPRETER: Could the witness kindly be asked to approach

3 the microphones and speak up, please. Thank you. We're having trouble

4 hearing.

5 MR. FERRARA:

6 Q. When you say "2nd of May," which year?

7 A. 1992.

8 Q. Have you ever been wounded?

9 A. Officially, twice, and two more times, light wounding.

10 Q. Where and when were you wounded?

11 A. The first time was at Pero Kosoric Square when I was on duty; and

12 the second time, at the beginning of December, 1992 -- or rather that was

13 the first time, and the second time at the end of April, when I was

14 running over the runway of the airport and leaving Sarajevo.

15 Q. Regarding the first time that you were wounded, did you have to

16 undergo any medical treatment?

17 A. Yes.

18 Q. For how long and where did you receive this treatment?

19 A. At the military hospital in Sarajevo, right up until I think it

20 was the 26th of April, when I left Sarajevo at Bjelasnica.

21 Q. What did you do once you recovered?

22 A. When I was running across the runway, I was wounded in my right  
23 leg again, and I was treated at Igman of that wound, and continued  
24 treatment.

25 Q. But when did it happen -- this happen, the second injury?

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1 A. There's a document about it, but I think it was the 26th of  
2 April.

3 MR. FERRARA: Mr. Registrar, can we please have the document  
4 bearing 65 ter number 7236 displayed on the screen. Thanks.

5 Q. Mr. Koblar, can you comment on this document? What does it show?

6 A. The date of the wounding. It says down there: "While in a  
7 combat assignment at Heroj Square." However, in this document, it  
8 doesn't say that I was wounded on the 26th on the runway, in fact.

9 Q. Who released this document?

10 A. The 101st Motorised Brigade.

11 MR. FERRARA: Your Honours, I would like to tender this document  
12 into evidence.

13 THE INTERPRETER: The interpreters note that there is a lot of  
14 interference and noise in the courtroom and they find it very difficult  
15 to hear.

16 JUDGE ANTONETTI: [Interpretation] Number, please, Registrar.

17 THE REGISTRAR: Your Honours, that will be Exhibit number P459.

18 THE ACCUSED: [Interpretation] Objection. On the document, it  
19 says the Command of the Army of Yugoslavia. What does that mean, "VJ"?  
20 So could the Prosecutor explain to us what that abbreviation "VJ" means.  
21 As far as I know, it is Vojska Jugoslavija or Army of Yugoslavia, or

22 perhaps it means something else and I don't know what it means.

23 MR. FERRARA:

24 Q. Mr. Koblar, can you explain us what does it mean, "Command of the

25 VJ"?

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1 A. The military unit 63 -- it's a military unit, short for "military

2 unit," and then the number.

3 Q. So what does it mean in B/C/S, exactly?

4 A. Vojna Jedinica, meaning military unit, and then the number.

5 Q. Thank you, Mr. Koblar.

6 A. 6359 is the number. It's the military unit of Vojna Jedinica of

7 the BH Army.

8 THE ACCUSED: [Interpretation] I have to object again. It doesn't

9 say that it's the BH Army anywhere here. You can't see that from this

10 document.

11 JUDGE ANTONETTI: [Interpretation] Witness, please, Mr. Seselj

12 made a comment and I made myself the same comment, you know. What does

13 "VJ" mean. You said that it's "Vojna Jedinica," that's what it means in

14 your own language. Military unit 6359, that must be the 101 Motorised

15 Brigade. I assume it is.

16 Can you confirm this?

17 THE WITNESS: [Interpretation] On this document, it says

18 "Military unit," but it doesn't say "BH" because the document was issued

19 in 1999 and it was the Army of the Federation. But that's not on the

20 document, either. But the document is an original one, and you can find

21 it in the archive of the 101st Motorised Brigade of the BH Army of the

22 time, as well as in the 1st Corps --

23 JUDGE ANTONETTI: [Interpretation] Very well. In 1999, you

24 requested a certificate, mentioning that you had been injured, and the

25 Army of the Federation delivered this certificate.

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1 I would like to tell Mr. Seselj, but I'm sure he noticed it

2 because he notices everything, that there is a stamp next to the name of

3 the person signing. The photocopy is not clear, but we do see the coat

4 of arms of the Federation. So this is an official document.

5 Notably, and this is something I would like to tell to

6 Mr. Seselj, but I'm sure he noticed it also, but there is a number.

7 There is a number, 312524130303183/99, so this document can be found --

8 the original can be found in the archives of the army of today's

9 Federation of Bosnia-Herzegovina.

10 Mr. Seselj.

11 THE INTERPRETER: Microphone, please.

12 THE ACCUSED: [Interpretation] Mr. President, from the stamp --

13 or, rather, on the stamp all we can see is the coat of arms of the old

14 medieval dynasty Kotromanic, and that's a Serb coat of arms which was

15 used by Izetbegovic's regime when it represented itself as being the

16 supreme power in Bosnia-Herzegovina, and it was then used -- whether it

17 was used in the Federation, I don't know. We can't see that anywhere

18 here.

19 Anyway, this is an old medieval crest of the Serbian Kingdom of

20 Bosnia, whose king was crowned in Mileseva at St. Sava's grave, and it

21 doesn't say anywhere that it has anything to do with Izetbegovic's

22 regime; neither does it say that this is the Bosnia Federation. We have  
23 nothing on this document, so we have to believe the witness at his word  
24 that he's wounded, and I wouldn't doubt that at all. I wouldn't  
25 cross-examine him about that; I do believe that he was wounded. But this

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1 document shows nothing at all. It has no probative value whatsoever  
2 because it hasn't got any of the basic markings that it should have, that  
3 an authentic document should have on it.

4 JUDGE ANTONETTI: [Interpretation] Very well.

5 In a word, Mr. Seselj, are you challenging the reality of this  
6 document or are you saying that this person was indeed wounded, but you  
7 are raising doubts as to the persons who actually drafted this document?

8 THE ACCUSED: [Interpretation] Mr. President, on this document we  
9 have none of the official markings. We can't see which state issued it.  
10 We cannot see a stamp, either. So there is no basic data which such a  
11 document would require.

12 JUDGE ANTONETTI: [Interpretation] Mr. Koblar, could you give us  
13 some information? Where did you get this document, first?

14 THE WITNESS: [Interpretation] May I just make a short comment?

15 Judging by everything, the accused is trying to say I was a  
16 member of the Army of Republika Srpska. This is an official document of  
17 the BH Army which can be found even in the present joint Army of  
18 Bosnia-Herzegovina and in the 101st Motorised Brigade of the BH Army and  
19 also in the documents of the Army of the Federation of  
20 Bosnia-Herzegovina.

21 Now, as far as the stamp is concerned, this is the stamp of

22 medieval Bosnia, as a state, and not a Serb state, not that of a Serb  
23 state.

24 JUDGE ANTONETTI: [Interpretation] Where did you obtain this  
25 document? You must have gone to an office. Where did you go to get this

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1 document?

2 THE WITNESS: [Interpretation] In my unit of the 101st Motorised  
3 Brigade, the Viktor Bubanj barracks or Ramiz Salcin which is where the BH  
4 Court is now located.

5 THE COURT: Very well. So you went over there. You gave your  
6 name. They checked on their lists whether you had been a soldier in the  
7 101st Motorised Brigade. Somebody must have filled the document and  
8 stamped it and then handed it over to you?

9 THE WITNESS: [Interpretation] That's correct. I didn't have to  
10 prove anything, because the military booklet of BH members exists. I  
11 didn't have to prove anything, just asked for a document to be issued so  
12 that I could solve some of my life's questions.

13 JUDGE ANTONETTI: [Interpretation] Very well. A small mystery.  
14 In 1999, there was the Federation of Bosnia-Herzegovina, since  
15 this is after the Dayton Agreements and the Washington Agreements. There  
16 is a high representative over there. Why is it that such a stamp was  
17 affixed, rather than the stamp for the Armed Forces of the Army of Bosnia  
18 and Herzegovina? You and Mr. Seselj do say that this is a stamp with a  
19 reference to the Middle Ages. Why is it that there is no official stamp  
20 of the Federation on this document?

21 THE WITNESS: [Interpretation] On this document, you had the stamp

22 which was used as the emblem of the BH Army, which had still not been  
23 replaced at that time with a new stamp. That was the stamp that was  
24 used.

25 THE ACCUSED: [Interpretation] Mr. President, the stamp of the

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1 Federation has, in one portion, has the old Bosnian medieval coat of arms  
2 and, in part, the Croatian coat of arms, so that cannot be a stamp of the  
3 Federation.

4 MR. FERRARA: I think it is a matter of cross-examination.

5 JUDGE ANTONETTI: [Interpretation] Mr. Ferrara, you're quite  
6 right, but irrespective of this procedural matter, theoretically they  
7 should have stamped it with the stamp of the Federation. Why is another  
8 stamp used in this instance?

9 Before you were interrupted, I think it was because they didn't  
10 have the new stamp?

11 THE WITNESS: [Interpretation] I can't remember exactly when the  
12 joint flag and emblems of the Federation was introduced. Perhaps during  
13 that period, because unless I'm mistaken, it was during that time that  
14 the coat of arms of the cantons were introduced and of the Federation,  
15 too. However, this document, and we have -- the original of this  
16 document exists and you can find it to see what it looks like, it can be  
17 found in Sarajevo --

18 JUDGE ANTONETTI: [Interpretation] I think we'll stop there, as  
19 far as that particular question is concerned.

20 Please proceed, Mr. Ferrara.

21 MR. FERRARA: Thank you, Your Honour.

22 Q. So, Mr. Koblar, you were wounded the first time on the  
23 7th December, 1992. When did you rejoin your unit after you recovered  
24 from this injury?

25 A. We went straight away to Bjelasnica.

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1 Q. When?

2 A. Well, precisely that same day or the previous day, because I had  
3 to run across the runway. There wasn't a tunnel there yet.

4 Q. The same day, or the previous day, or what?

5 A. Before being wounded, before I was wounded.

6 Q. The first time or the second time?

7 A. The second time, on the 26th of April, because I was wounded on  
8 the runway on that day.

9 Q. Now it's clear. So you rejoined your unit, and what happened  
10 after that?

11 A. From my unit, some 50 men went to Bjelasnica for a preparation of  
12 sorts, and not to say for a bit of a rest too.

13 Q. What did you do there, and how long do you stay there in  
14 Bjelasnica?

15 A. Up until the beginning of July, when the military operations of  
16 the Army of Republika Srpska started and the Chetnik units at Bjelasnica  
17 and the surrounding parts of Sarajevo, Rogoj, Igman, Bjelasnica, that  
18 area.

19 JUDGE ANTONETTI: [Interpretation] Witness, you were saying  
20 something which might be unimportant, as far as you're concerned, but we  
21 feel that this is highly important. You have said that the military

22 operations of Republika Srpska and of the Chetnik units. What are these  
23 Chetnik units?

24 THE WITNESS: [Interpretation] Those units who were not under the  
25 command of Ratko Mladic and Radovan Karadzic.

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1 JUDGE ANTONETTI: [Interpretation] They were placed under whose  
2 command?

3 THE WITNESS: [Interpretation] I don't know directly under whose  
4 command they were. All I know is of a man who arrested me, that he led a  
5 unit which was under the command of the accused, Vojislav Seselj.

6 JUDGE ANTONETTI: [Interpretation] We'll address this a little  
7 later on. Please proceed.

8 MR. FERRARA: Thanks, Your Honour.

9 Q. When did the operation unit in this location start?

10 A. I think those operations started at around the 10th of July,  
11 1993.

12 Q. Were you shelled?

13 A. Bjelasnica, completely.

14 Q. Which military formation shelled Bjelasnica?

15 A. No, I think they were the units of the Army of Republika Srpska,  
16 under the direct command of Ratko Mladic.

17 MR. FERRARA: Mr. Registrar, can we please have the document  
18 bearing 65 ter number 7028 on the screen.

19 Q. Mr. Koblar, can you mark in this map where Bjelasnica - I'm sorry  
20 for the spelling - is?

21 A. Unfortunately, you can't see Bjelasnica on this map, but it is

22 located somewhere further down here. [Marks]

23 Q. Were you involved in the Defence of the village, and how?

24 THE ACCUSED: [Interpretation] Objection. The Prosecutor is

25 leading the witness here and suggesting the answers, if Bjelasnica was a

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1 village. Bjelasnica is the highest mountain in Bosnia-Herzegovina.

2 Bjelasnica isn't a village. There's no larger mountain in Bosnia than

3 Bjelasnica.

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

5 MR. FERRARA: Yes. Maybe it is a mistake. I said "in the

6 defence of any village," not "this village, Bjelasnica."

7 A. It's not a village. I directly took part at Igman, and I'm going

8 to mark that in here. [Marks]. It's called Golo Brdo, directly above

9 Ilidza, and I've drawn a circle, so that's the area, the general area,

10 and I went there after the 16th of July, 1993.

11 Q. Can you explain what's Golo Brdo?

12 A. A plateau or, rather, a hill above Ilidza, within Mountain Igman,

13 which is above Ilidza and above Hadzici. Ilidza is down there. [Marks].

14 Hadzici is further down, this way, to the left.

15 Q. So what did you mark in the map with a circle, exactly?

16 A. The place at which I was captured, Golo Brdo, above Ilidza.

17 Q. How was the defence in Golo Brdo organised?

18 A. Unfortunately, not at all.

19 Q. How many soldiers were involved in the defence of this area?

20 A. Twenty-five of us soldiers, members of the BH Army of the

21 101st Motorised Brigade, of which twenty-three were armed with just ten

22 or fifteen bullets, and the rest didn't have any weapons at all.

23 Q. Can you describe how the battle unfolded?

24 A. On the 17th of July, 1993, after noon, or maybe it was noon,  
25 there was heavy shelling that started, and it went on for about an hour

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1 or two hours. You lose a sense of time during moments like that, and  
2 that shelling went on for almost two hours. We were all in bunkers, and  
3 the bunkers were facing Bjelasnica and the Igman road.

4 Q. What's happening later?

5 A. After the shelling, when there was a lull, seven of us had to  
6 flee because the bunkers had been all but destroyed, so we had to take  
7 shelter in the next bunker or, rather, in the next two bunkers; or we had  
8 to move to a third bunker, in actual fact, so that when the shelling  
9 stopped, seven of us returned to our positions to pick up the weapons.

10 Q. What happened later?

11 A. Since we, who were in the bunkers, and there were nine bunkers in  
12 all, I think, on Golo Brdo, we didn't have an overview of the positions,  
13 so we couldn't follow what was going on. We didn't have a view from  
14 Ilidza and Hadzici. And what happened was, quite simply -- well, I can  
15 now speak about myself and the other people who were captured by the  
16 Chetnik unit of Gavrilovic.

17 Q. How many soldiers captured you?

18 A. The Chetnik unit of Brne Gavrilovic, well, there were four, and  
19 the Army of Republika Srpska took three.

20 Q. How were they armed?

21 A. Each of those soldiers had more weapons than all of us put

22 together.

23 Q. What did you do when you understood that you had been captured?

24 A. The man who captured me, Pajkovic, took me to the next bunker,  
25 where three of my fellow -- fellows from my unit were already standing,

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1 their hands bound.

2 JUDGE ANTONETTI: [Interpretation] Witness, you have said that you  
3 were captured. Four people seemingly belonged to Gavrilovic's unit and  
4 three who were from the Republika Srpska. How were you able to make a  
5 difference and distinguish one from the other?

6 THE WITNESS: [Interpretation] I don't think you understood. Four  
7 of us members of the BH Army were captured by a Chetnik unit. The other  
8 three were captured by the Army of Republika Srpska.

9 JUDGE ANTONETTI: [Interpretation] Very well. So four men from  
10 your unit were captured by the Chetniks, and three other men were  
11 captured by the Republika Srpska. Now it's clear.

12 MR. FERRARA:

13 Q. How were the soldiers who captured you dressed?

14 JUDGE ANTONETTI: [Interpretation] Please repeat, Mr. Ferrara. I  
15 don't think he heard your question.

16 MR. FERRARA:

17 Q. How were the soldiers who captured you dressed, these members of  
18 this Chetnik unit?

19 A. Members of Brne's unit were all dressed in camouflage uniforms,  
20 black camouflage uniforms, and most of them had beards, whereas the  
21 Army of Republika Srpska, except for the commander, and I would learn

22 later that he was commander of the -- former commander of the police,  
23 anyway, all but the commander wore the uniforms of the Army of  
24 Republika Srpska with the Serbian emblems.

25 Q. Did they wear any particular patch or insignia?

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1 A. Those emblems that I noticed when they were taking us to Brne  
2 were skulls with bones crossed, black.

3 MR. FERRARA: Mr. Registrar, could you please open the document  
4 bearing the 65 ter number 7222, page 79. Page 79, please.

5 Q. Mr. Koblar, do you recognise this patch?

6 A. Yes, I do, but what's written on them, I really couldn't make  
7 out, because in those moments I couldn't think of reading anything.

8 THE ACCUSED: [Interpretation] The Prosecutor is saying, "Do you  
9 recognise this patch?" This is not a patch. This is a flag, and on this  
10 flag, the only thing is -- that the witness recognises, obviously, is the  
11 skull and bones.

12 JUDGE ANTONETTI: [Interpretation] Mr. Ferrara, we may have a  
13 problem. A flag is a flag, and a badge or an insignia is a badge or  
14 insignia. Could you ask the witness to specify what did he see exactly?

15 MR. FERRARA:

16 Q. Mr. Koblar, can you specify what did you see exactly in the  
17 uniform dressed by this Chetnik unit who captured you?

18 A. This is not an emblem that everybody had. Some had the sign of a  
19 skull with bones crossed over it, over the skull, whereas a couple of  
20 them had cockades on black caps.

21 MR. FERRARA: Mr. Registrar, could you please display, on the

22 same 65 ter number, page 92.

23 Q. Is this the cap are you talking about, or like this, of course?

24 A. Two or three of them had caps exactly like this, with these  
25 cockades. Whether the cockade is exactly identical, I'm not going to go

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1 into that. I was not able to observe details of that kind at that  
2 moment, but that's it, approximately.

3 Q. Did this kind of cap dressed by the Chetnik unit who captured you  
4 or by the other soldiers who captured your other -- your fellow men?

5 THE ACCUSED: [Interpretation] Objection. There was no discussion  
6 about this cap. The only thing the witness recognised is the cap -- in  
7 fact the cockade with the traditional Serbian coat of arms. This is a  
8 Serbian traditional peasant's cap. It's green, as you can see on this  
9 photograph.

10 The Prosecutor should not manipulate these photographs he's  
11 showing.

12 JUDGE ANTONETTI: [Interpretation] Mr. Ferrara, ask the witness to  
13 specify what he saw exactly, and amongst other things, the colour.

14 MR. FERRARA: Your Honours, the Prosecutor did not manipulate  
15 anything, because the witness said at page 29, line 19, "Two or three of  
16 them had caps exactly like that." So maybe the accused should be more  
17 accurate when he makes his objection.

18 Q. So two or three of the Chetniks --

19 THE ACCUSED: [Interpretation] Objection. I listened carefully.

20 The witness recognised the emblem. He didn't even mention the cap. I  
21 don't know what's in your transcript. I know what's heard in the

22 courtroom. The witness did not mention this cap. He only recognised the  
23 emblem.

24 JUDGE ANTONETTI: [Interpretation] Mr. Seselj, I understood it to  
25 be the other way around. Maybe we have a problem with the

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1 interpretation.

2 From what I understood, two had the same cap, but as far as the  
3 insignia is concerned, he can't say anything very precisely. I think the  
4 best would be for the witness to say exactly what he recognised, because  
5 it seems that Mr. Seselj has understood something else.

6 So please tell us again, what did you see when you were arrested  
7 by these fighters? What were they wearing on their heads?

8 THE WITNESS: [Interpretation] I'll repeat. Two or three men wore  
9 these traditional peasant caps with cockades. One of them had a larger  
10 black cap, also with a cockade, and the others who wore any emblems, some  
11 wore a skull with bones crossed beneath the skull, the others had signs  
12 of the skull with bones crossed on top of it, but what was written around  
13 these emblems I really couldn't read.

14 JUDGE ANTONETTI: [Interpretation] Witness, you mentioned two  
15 things in your answer. You talk about the caps and you talk about the  
16 insignia on the clothing. These are two different things. What we are  
17 interested in, for the time being, is to understand what they were  
18 wearing on their heads. That is what we are interested in right now.  
19 Did they have insignia on their caps or what were they wearing on  
20 their heads? And if they were wearing insignia, what kind of insignia  
21 were these?

22 THE WITNESS: [Interpretation] I'll repeat. Two or three out of  
23 that unit that captured me wore these traditional peasant caps with  
24 cockades. I cannot remember the details of the cockades, but two or the  
25 three members of the Brne's unit wore these caps, so this kind of cap,

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1 with these cockades.

2 JUDGE ANTONETTI: [Interpretation] Very well. What was the colour  
3 of these caps?

4 THE WITNESS: [Interpretation] I cannot tell precisely, but they  
5 were not black. I cannot be more precise. I know they were traditional  
6 peasant caps. I know what they look like, with cockades in them. I  
7 cannot be precise about the colour.

8 JUDGE ANTONETTI: [Interpretation] Very well.

9 Mr. Ferrara, please proceed.

10 MR. FERRARA: Mr. Registrar, on the same document can we have on  
11 the screen page 83.

12 Q. Mr. Koblar, do you recognise this patch?

13 A. Yes. But as to the writing around the skull and bones, I  
14 couldn't make it out. I couldn't see it well enough, because I told you  
15 some wore this kind of sign of skull and bones, the skull and bones  
16 behind the -- the bones behind the skull, and in other emblems the bones  
17 were under or above the skull.

18 JUDGE ANTONETTI: [Interpretation] Witness, what we have on our  
19 screen, the feeling I have is that this is an insignia which you stick on  
20 the arm, on the sleeve, or on the jacket, but this is perhaps placed on  
21 the hat or the cap. This insignia, which you recognise, where was it; on

22 the jacket or was it on the cap?

23 THE WITNESS: [Interpretation] On the uniforms of Brne's men.

24 JUDGE ANTONETTI: [Interpretation] Very well. On the uniforms.

25 Mr. Ferrara, I think you need to be very concise. You cannot

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1 make a mistake.

2 MR. FERRARA:

3 Q. Why do you continue to say that these men were a member of the

4 Brne unit?

5 A. Because it was a Chetnik unit of vojvoda, the duke,

6 Branislav Gavrilovic, known as Brne.

7 Q. How did you come to know that they were a member of the Brne

8 unit?

9 A. When the three of us were brought by them to Brne at the foot of

10 Golo Brdo hill, and when one of his men introduced him as a Chetnik

11 vojvoda, Branislav Gavrilovic, known as Brne, the man whom we in Sarajevo

12 had thought, quote/unquote, to be dead.

13 Q. You say that "three of us were brought by them to Brne," and you

14 say, "at the foot of Golo Brdo hill."

15 Mr. Registrar, can we please have --

16 Who did escort during -- from Golo Brdo to Brne camp?

17 A. His men, his soldiers if you wish.

18 Q. Do you know the name or the nickname of this man?

19 A. I know of Pajkovic, the one who wanted to slit my throat. I know

20 one name by the nickname of Major. I know one man's nickname was Copo,

21 and another who came to prison to harass me, mistreat me, maltreat me,

22 and the others as well.

23 MR. FERRARA: Mr. Registrar, can we please have page 93 of the  
24 document.

25 Q. Mr. Koblar, could you please take a look at this photograph.

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1 Were the men who escorted you dressed in the same way?

2 A. Yes, but not all of them had caps and they were better armed.

3 MR. FERRARA: Your Honours, I would like to tender the  
4 document -- this document into evidence.

5 JUDGE ANTONETTI: [Interpretation] Just a minute.

6 Witness, could you please look at me. You are saying they were  
7 not wearing hats and they had better weapons. On this picture here, I  
8 hardly see any weapons. The flag-bearer doesn't seem to have a weapon;  
9 at least it's not apparent. The other one behind him with a beard might  
10 have a rifle across his back or something, but you can't see it. As for  
11 number 3 and 4, you can't see anything. So why are you saying that they  
12 had better weapons?

13 THE WITNESS: [Interpretation] It's just that the people -- the  
14 men who were leading us towards Branislav Gavrilovic were armed that way.  
15 I told you I had seen two or three of them with those caps with cockades,  
16 but as I said earlier, each one of them alone had more weapons than the  
17 seven of us put together.

18 THE ACCUSED: [Interpretation] Objection. Judges, before he  
19 tenders this photograph into evidence, the Prosecutor must identify it.  
20 He must tell us what it means, who is on it, when it was taken and where.

21 JUDGE ANTONETTI: [Interpretation] Mr. Ferrara, where does this

22 photograph come from? When was it taken? We see four guys with a flag  
23 in camouflaged dress, but that's all we see. So where does this  
24 photograph come from? Other than that, it's black and white, it's not a  
25 colour photograph. It might be a colour photograph, but you can't see it

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1 on the screen.

2 MR. FERRARA: Your Honours, of course I'm not able to answer  
3 immediately, but after the break, I'm sure that I give you all the  
4 information you need. And the reason why I would like to tender this  
5 document is regarding the insignia and the patch and the flags and hat  
6 that the witness recognised; not, of course, the men displayed in the  
7 photo.

8 JUDGE HARHOFF: But, Mr. Prosecutor, are we shown anything new  
9 that we have not already seen in the previous exhibits, and if that is  
10 so, can you tell us what new appears on this photo and why it is  
11 relevant?

12 MR. FERRARA: Yes, Your Honours. The witness said that it was  
13 exactly the cap and the patch dressed by the unit of Gavrilovic.  
14 Brne Gavrilovic is one of the Seselj vojvodas, so I think it's new  
15 information.

16 THE ACCUSED: [Interpretation] Objection. This is completely  
17 untrue. The witness saw the caps, and the fur hat, called "subara," I  
18 suppose he didn't remember the exact name, but it's also a traditional  
19 Chetnik fur-lined hat. Here the people in the photograph are wearing  
20 completely different sort of caps. One of them is wearing a ski cap and  
21 the other one something entirely different. Please don't allow this to

22 go on.

23 JUDGE ANTONETTI: [Interpretation] The Trial Chamber will not

24 admit this document.

25 MR. FERRARA: Your Honours, can we continue or it's time to have

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1 the break?

2 JUDGE ANTONETTI: [Interpretation] You can continue for five

3 minutes.

4 MR. FERRARA:

5 Q. Mr. Koblar, you say that there were other members of your unit

6 that were captured. Can you tell us their names, please?

7 A. Krajisnik, Robert Kahrmanovic, and Rusmir -- the fourth was

8 Rusmir. Myself, Rusmir, Robert and Zivko Krajisnik.

9 Q. How did the soldiers who captured you treat you and the other

10 three captives?

11 A. Robert was killed straight away at Golo Brdo, whereas I,

12 Zivko Krajisnik and Rusmir were taken to Brne, because as far as I was

13 able to hear, Brne had ordered us to be brought to him alive.

14 Q. Can you tell us how Robert was killed and who killed him?

15 A. I learned that later, that they had taken -- that they went to

16 Brne, they had no losses, and Brne ordered all four to be brought to him.

17 And that's when he started cursing our balijas mothers, that all of us

18 should be killed immediately, that they must not take us down there

19 alive.

20 And then from that mass, I could distinguish only a barrel with a

21 rifle grenade, and then that person who was shouting that they should

22 kill us all, and then it all started flying at us.

23 It must have been the Major who said he had to take us alive, and  
24 then a gunshot was heard that hit Robert in the back, whereas the Major  
25 just issued the order, "Disarm this sleaze bag, the one who is shooting."

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1 Q. Did this happen before you were brought to Brne camp?

2 A. No, Brne did not take part in that action.

3 JUDGE ANTONETTI: [Interpretation] We'll break now.

4 Mr. Ferrara, one small detail, please. The Registrar made some  
5 research and said that the photograph that we turned down and did not  
6 admit was already admitted through another witness. I don't really know  
7 under what conditions because I don't have this, but it has the number  
8 P455, which means, you know, that when the Prosecution is asking for  
9 documents to be tendered, we would like the Prosecution to make sure that  
10 it hasn't been done already.

11 But we will now break for 20 minutes.

12 --- Recess taken at 4.27 p.m.

13 --- On resuming at 4.53 p.m.

14 JUDGE ANTONETTI: [Interpretation] The hearing is resumed.

15 Mr. Seselj, at the beginning of this hearing you wanted to know  
16 whether last week, 35 minutes of your time hadn't been deducted from what  
17 was earmarked for your cross-examination. The Registrar gave us the  
18 detail for VS-1011. We have the time used for this witness by you.  
19 There's five pages of it. So if you remember, we were here at 8.30. The  
20 hearing started a bit late, and it started late, as I said, because of  
21 problems that had to do with your transfer. According to the documents I

22 have here, we started at 9.17 a.m.

23 The Registrar, regarding the cross-examination, made the  
24 countdown of the hours and minutes used, and according to the Registrar's  
25 log, you used two hours and one minute, and two hours had been given to

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1 you. Between 11.01 a.m. and 11.20, 17 minutes were used following an  
2 objection raised by the Prosecution about a document that you were going  
3 to use with one of your witnesses to come. The Trial Chamber said at  
4 that moment that the time spent was to be on you, but since that day the  
5 Trial Chamber was not pressed for time, we said that you could be allowed  
6 to use the 19 minutes to continue your cross-examination.

7 The hearing ended at 1.05 p.m. It was scheduled to end at 1.15.

8 But let me remind you that everyone was here at 8.30, and I was there at  
9 8.20, actually. And the interpreters were here even earlier, some of  
10 them arrived even before me. We were not able to continue with the  
11 hearing, but when reading these documents, and of course your associates  
12 can take a look at them, during the cross-examination you used up two  
13 hours and one minute.

14 So you cannot say that 35 minutes was deducted from your time.

15 This is wrong.

16 The Registrar will hand you this document. I will ask him to  
17 print out the five pages, and you will see exactly what happened, second  
18 after second. We now have the documents which tell us exactly when  
19 someone took the floor and when they stopped talking.

20 In this document, there is a difference made between  
21 administrative procedures, the examination-in-chief, the

22 cross-examination, procedure questions, and questions from the Bench.  
23 Everything is detailed in this document, and when reading it, you will  
24 see that you used up two hours.  
25 Now, Mr. Ferrara, you may resume.

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1 Mr. Seselj first.

2 THE ACCUSED: [Interpretation] I still insist that I used up only  
3 one hour and 25 minutes. After all, the entire examination of this last  
4 witness, apart from one or two minutes in closed session, is on my  
5 internet site, so whoever wishes to check this can with an ordinary  
6 stopwatch. You can do the math as to how long I actually examined the  
7 witness, effectively.

8 I personally was stunned when you told me that my time was up,  
9 and my associates supported me because they measured the time very  
10 specifically. I don't know what criteria the Registry uses for measuring  
11 time. This doesn't say anything to me, but it is the recording that can  
12 be measured; that is to say, my questions to the witnesses and the  
13 witnesses' answers. My addressing the Trial Chamber cannot be  
14 incorporated, and also when there is a discussion between the Defence and  
15 the Prosecution.

16 For me, this, what you gave me, is not an exact document, because  
17 I don't have your calculations in terms of the effective time before me.  
18 But everyone can see that on my internet site, and everyone can do the  
19 arithmetic.

20 JUDGE ANTONETTI: [Interpretation] Very well. You are asking the  
21 Trial Chamber to go to your web site, the official -- your official site,

22 but my official site is the Registrar's chart, and on this chart I know  
23 exactly when you took the floor, when you stopped talking, and so on, and  
24 it all adds up to two hours and one minute. That's all I can say. What  
25 else could I say?

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1 As an example, you took the floor for six minutes between 10.03  
2 and 10.09, the same for -- there must have been an objection there,  
3 because you took the floor again from 10.14 to 10.20. So it's there.  
4 You know, you can monitor it second by second. Then the machine adds  
5 everything automatically and we end up with two hours and one minute.  
6 I'm not saying that there might not have been mistakes, mistakes  
7 are possible, but when I look at this chart, and as I told you over and  
8 over again, I'm always asking the Registrar to give me how much time you  
9 have left, and the Registrar hands me a document and says that this is  
10 the time left, and I tell you about it as quickly as possible. And when  
11 the Prosecution is asking the same question, I do the same thing so that  
12 everybody can know in realtime exactly what is happening. That's all.  
13 This is exactly what happened.  
14 Now, maybe your associates, if they were following on the  
15 internet, whenever we move into private session, maybe this is where they  
16 lose track of time, because since we're in private session, they can't  
17 follow.  
18 Check this closely. If need be, write submissions, and if it  
19 turns out that you're right - as things stand, I can't see how you could  
20 be - but if you are right, you will be given the time that you say you're  
21 missing for another witness. I'm not cutting time, you know, with

22 scissors or something. We have time pressures and constraints, and we  
23 have to abide by that.

24 Mr. Ferrara, you may resume.

25 MR. FERRARA: Thanks, Your Honour.

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1 Q. Mr. Koblar, before speaking of the killing of Robert, let's move  
2 back when you were captured. You say that you were captured by Brne men.  
3 You discovered later they were Brne men. Do you know what the specific  
4 task or role of this military formation during this battle was?

5 A. I cannot give a specific answer to that, but I know that Brne's  
6 unit was an independent one in this operation of taking Golo Brdo,  
7 because when Brne was taking me to the military police and when he handed  
8 me over to them, quite simply, the Military Police of Republika Srpska  
9 and the soldiers and all of them down there to whom he handed me over  
10 to -- let me use the Bosnian expression. I was terrified.

11 Q. Do you know how did this military formation interact with the  
12 VRS?

13 A. No. As far as I could see, when Brne was handing me over to the  
14 military police, he said, quite simply, that I should not be harmed at  
15 all and that none of the soldiers of the Army of Republika Srpska should  
16 dare lay a hand on me, while the others quite simply accepted that as an  
17 order.

18 Q. Okay. Let's move to the killing of Robert. Can you describe  
19 again, because I checked the transcript and it's not very clear, how did  
20 it happen? Where you were exactly -- where were you, exactly?

21 A. There was this small depression there. Golo Brdo is called that,

22 "the naked hill," because it is pure rock and nothing else. When  
23 Pajkovic threw me there, on my left was Robert, and I really cannot  
24 remember who was on my right. I fell somehow as Pajkovic threw me there  
25 next to Robert. At any rate, Robert was on my left-hand side, and at the

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1 moment when the Major talked to someone, using a Walkie-Talkie or some  
2 kind of radio communication equipment, I just heard him say, "There are  
3 no losses," and also that the boss is supposed to take all four of us,  
4 but alive. That is when this commotion took place.

5 In this commotion, I just heard someone hollering that we should  
6 all be killed, and this person was swearing at us, cursing our balija  
7 mothers, that Serbs were being killed in Sarajevo and they want to take  
8 us alive. I just saw that rifle then, but I don't know who fired it.  
9 After the gunshot, the Major said that that person, that trash,  
10 as he said, should be disarmed. I don't know who it was.

11 JUDGE ANTONETTI: [Interpretation] Witness, the Registrar is  
12 mentioning a mistake. Line 2, page 41, on line 3 it says "I was  
13 terrified," or it says "He was terrified," so maybe you need to ask the  
14 witness who was terrified, whether it was him who was terrified or  
15 someone else.

16 MR. FERRARA:

17 Q. Who was terrified by Brne?

18 A. At that point in time, we didn't know -- or, rather, I didn't  
19 know about Brne, so of course I was terrified, because Pajkovic had  
20 promised to slit my throat.

21 MR. FERRARA: Is it correct, "I was terrified"?

22 JUDGE ANTONETTI: [Interpretation] Thank you.

23 MR. FERRARA:

24 Q. So how old was Robert at the time?

25 A. I think he was just 18.

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1 Q. Could you see the perpetrator from your position?

2 A. No.

3 Q. Why? How were you positioned?

4 A. All four of us were lying down.

5 Q. Was Robert maltreated before he was killed, beaten, or questioned  
6 in some way?

7 A. I don't know. When Pajkovic brought me to those three men,  
8 Robert was still alive. In the meantime, when I fell down between Robert  
9 and I don't know who was to my right, whether Krajisnik or Rusmir, I'm  
10 not sure, the Major informed us that they -- they said that they had had  
11 no losses, and that's when he received an order, I suppose, to take all  
12 four of us alive to the chief, I think he said, or the boss. And this  
13 resulted in a reaction, a revolt. I can't say what I didn't see, but  
14 after the shooting and when it became clear to them that Robert was dead,  
15 the Major ordered the disarming -- that the person who did the shooting  
16 should be disarmed.

17 Q. Who was in charge of this group?

18 A. The Major at Golo Brdo.

19 Q. What happened after the killing of Robert?

20 A. They tied up our hands of all three of us on our backs, and in a  
21 column we went down Igman for about 20 minutes, until we reached a

22 clearing of Golo Brdo. And when we reached the clearing, they ordered us  
23 to sit down.

24 Q. Who was in charge during the escort?

25 A. Behind me was Pajkovic, and he was hitting me with his rifle-butt

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1 and with his hand on my head, until Copo told him not to hit me or the  
2 others. Actually, behind me was Rusmir and in front Zivko, but the  
3 Army of Republika Srpska -- I mean, the soldiers who were passing by - I  
4 couldn't see behind me, I could see them next to me - but every soldier  
5 in an SMB uniform who would try to walk up to us or to hit us would get a  
6 response by way of swearing, "Go to Golo Brdo, catch yourself some  
7 balijas. These are ours," meaning, "our prisoners," their prisoners,  
8 because they had taken us prisoner. So until we got down there to that  
9 clearing, none of these people who were climbing up Golo Brdo in uniform  
10 didn't dare lay a hand on us.

11 Q. What does it mean, "balija"? Can you explain to us?

12 A. It's a Serb derogatory term for Muslims.

13 MR. FERRARA: Mr. Registrar, can we please have again the  
14 document bearing 65 ter number 7028 on the screen. It's the map that we  
15 already showed to the witness, with the marks, the one with the marks.

16 Q. Mr. Koblar, could you please mark in the map the location where  
17 you were taken to after you were captured?

18 A. This is too small. I will try, roughly. [Marks]. It's roughly  
19 around here, although this is too small a map. So it's from  
20 here [indicates], Golo Brdo, where I marked it, above Ilidza, towards  
21 Blazuj.

22 Q. Is this location you marked in blue the Brne camp?

23 A. This is where Brne was waiting, was waiting for them to bring the  
24 three of us.

25 MR. FERRARA: Your Honours, I would like to tender this document

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1 into evidence.

2 JUDGE HARHOFF: Mr. Prosecutor, when we subsequently bring this  
3 map up again, we will have no idea of what it is. So before you save it,  
4 I would suggest you ask the witness to indicate, by numbers or by some  
5 other means, what the points on the map are, because otherwise we'll just  
6 see a red circle and a blue cross and we'll have no idea what it is.

7 MR. FERRARA: Your Honour, you are right.

8 Q. Mr. Koblar, can you -- in the circle, you said before it was  
9 Golo Brdo. Is it correct?

10 A. Yes.

11 Q. Can you put an "A" near the circle?

12 A. [Marks] This is Golo Brdo.

13 Q. Where there is now the blue mark, the blue mark you said was  
14 where Brne was waiting, can you put a "B" near that mark?

15 A. [Marks] This is the place where Brne was waiting for them to  
16 bring us.

17 MR. FERRARA: Your Honours, I would like to tender this document  
18 into evidence now.

19 JUDGE ANTONETTI: [Interpretation] Mr. Registrar, please.

20 THE REGISTRAR: This will be Exhibit number P460.

21 MR. FERRARA:

22 Q. How were you treated during the transfer to Mountain Igman, where  
23 Brne was waiting for you?

24 THE ACCUSED: [Interpretation] Objection. You cannot put  
25 questions this way, "How were you treated during the transfer to

**Page 8008**

1 Mount Igman, where Brne was waiting for you?" He was taken prisoner at  
2 Igman, and now he is descending from Igman. The Prosecutor should really  
3 focus on the subject of this testimony. How can he put this kind of  
4 question, "How were you treated during the transfer to Mount Igman, where  
5 Brne was waiting for you?" I mean, this is so absurd. It cannot be any  
6 more absurd than this. They took them down Igman, where Brne was waiting  
7 for them.

8 JUDGE ANTONETTI: [Interpretation] Mr. Ferrara, when coming down  
9 Mount Igman, at what point was the witness ill-treated? Was it when he  
10 descended Mount Igman or when he got there? Please put your questions in  
11 such a way that we know exactly what happened.

12 MR. FERRARA:

13 Q. How were you treated during the transfer to Brne, where Brne was  
14 waiting for you, from Golo Brdo to where Brne was waiting for you?

15 A. From Golo Brdo to where Brne was waiting for us, I will repeat,  
16 Pajkovic beat me until Copo warned him not to touch me anymore. When  
17 they brought us to Brne, when we sat down, three or four times -- of  
18 course, I didn't feel the pain then. Three or four times, someone hit me  
19 from the back on the head until Brne signaled with his eyes, and then  
20 that person stopped hitting me.

21 Q. Once you arrived at the destination, who was present?

22 A. We were ordered to sit down on the ground, so that's what we did.  
23 Copo, Pajkovic and the Major made a circle around us. We were sitting  
24 down there, and Copo and the Major and Pajkovic went some 20 metres  
25 further away and returned several minutes later with a tall man wearing

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1 black, clean-shaven, hair cut short, and then the Major said, "This is  
2 Branislav Gavrilovic, Brne, a Chetnik vojvoda."

3 Q. Had you ever seen or meet Brne before?

4 A. I had heard of him and I might have seen him one or two times  
5 while he was working, and I think he worked at Bascarsija, in the Hamam  
6 bar, but I was never introduced to him personally.

7 Q. How many individuals were there in total? You say Brne,

8 Pajkovic, Copo, Major. Were there any other people?

9 A. In the circle around us, of course, I didn't count them, but  
10 there were at least some 50 people in the circle around us who, in fact,  
11 didn't say one single word.

12 Q. How were these people dressed?

13 A. Camouflage uniforms, some wearing black uniforms, like the  
14 others, the other ones. I don't know how many there were in the unit,  
15 but they were all armed to the teeth with hand grenades, pistols,  
16 automatic rifles, knives. Each of Brne's men had a number of weapons,  
17 more weapons than, well, half our unit, if I can say that.

18 Q. What happened when you were there?

19 A. They started interrogating us in complete silence. Brne asked  
20 the questions. First he asked Rusmir, then Zivko. Then he asked me, and  
21 then he went back to Rusmir. Afterwards, he went on to Zivko again.

22 Well, I don't know how long that went on for, but at one point when Brne  
23 asked Zivko Krajisnik who -- what Momo Krajisnik was to him, this one  
24 answered that it was a relative of his. And then the next question was,  
25 "Are you a Serb," and Krajisnik said, "Yes, I am." And then Brne kicked

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1 him with his right leg -- foot in his head, and he fell into my lap. And  
2 I was ordered to lift him up, to make him sit up straight, and then the  
3 next question came, and that was, "Are you a Serb?" And once again the  
4 answer was, "Yes, I am," and another blow. And I think that Zivko was  
5 already half -- well, semi-conscious.

6 Then he asked him, "Do you think Momo is going to help you out  
7 now?" And Zivko made a sign with his head. Then Brne swore and cursed  
8 Krajisnik, Mladic, Karadzic and so on, cursing their mothers, and said  
9 that Seselj was the be-all and end-all in Sarajevo, God and the law, and  
10 that Karadzic or Mladic or Krajisnik would not be able to help him.

11 Q. What happened to Zivko Krajisnik and Rusmir later on?

12 A. Nobody touched Rusmir, because as Brne said, he's with his  
13 people, but what Zivko -- he asked us what Zivko and I were doing in the  
14 army, although we claimed at the time that we had been mobilised. He  
15 crouched down next to Zivko and did this with his fingers [indicates].  
16 He began breaking his nose, the cartilage of his nose, with his fingers,  
17 and he said, "Repeat that again. Say you're a Serb again and I'll rip  
18 your head off."

19 Q. What happened later?

20 A. I don't know, but Copo, Pajkovic, the Major and Brne went some  
21 five or six metres away from us and they talked about something. I don't

22 know what. Brne returned and pointed a pistol to Krajisnik and said,  
23 "Kill the Ustasha and you're free, get out of my sight. If you want to  
24 go back to Sarajevo, go. If you want to stay with the Serbs, stay. I'm  
25 not interested in that, but kill the Ustasha and you're free," handing

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1 him a pistol. Krajisnik took the pistol, but he did not -- well, I don't  
2 think he even realised he was holding a pistol in his hand. He held it  
3 at the level of my face, and I moved my head at one point to avoid  
4 Pajkovic's knife, thinking that if there was a bullet, at least the  
5 bullet would save me from the knife. Brne, I assume, noticed that, and  
6 he started shouting at Krajisnik. He swore at him and cursed his Serbian  
7 mother, and then he told him to shoot me. He repeated that. Krajisnik  
8 did not shoot. Then Brne seized the pistol out of his hand, handed it to  
9 me. I took the pistol, pointed it at Krajisnik, and that same second  
10 Brne got hold of my wrist and took the pistol away from me. The pistol,  
11 of course, was empty.

12 He said to me that not a hair on my head would be harmed, and his  
13 own men, he said that had he had ten men like that, he wouldn't look at  
14 Sarajevo from Trebevic.

15 Q. After this part, you're absolute, what happened? What happened  
16 after this particular act, the one that Brne said, "If I had ten such men  
17 with me, I wouldn't be watching Sarajevo from the Trebevic Mountain"?

18 A. He ordered -- well, for Krajisnik directly, not for Rusmir, but  
19 for Krajisnik he ordered, "Take him away." That was the order. He said,  
20 "Take him away. Take the trash away. Kill the trash." That kind of  
21 thing. And then Copo took Krajisnik aside and fired a whole clip from

22 the automatic rifle at him.

23 Q. Did you see Copo shooting at Krajisnik?

24 A. Yes. It was just a few metres away from where I was and where

25 Brne was, three or four metres away.

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1 Q. What happened to Rusmir?

2 A. I did not see them take Rusmir away. However, afterwards, when

3 we set out towards the police administration in Blazuj, from the bushes I

4 saw legs protruding and assumed that that was Rusmir. And the next day,

5 when Pajkovic came to see me and bring me some cigarettes, he said he had

6 killed him and that that was the first time that Brne took someone off

7 his knife.

8 Q. Do you know why were you saved by Brne?

9 A. I don't know. Probably because of the fact that I had taken the

10 pistol that he handed to me and because throughout the questioning I

11 looked him in the eyes. He could have done it the next day, when they

12 found my BH Army identity card, because Copo arrived, and Pajkovic with

13 him, and they even said that -- well, I don't want to say ugly words

14 here, but they said that I was brazen enough to lie him in the eyes and

15 that that helped save my life.

16 Q. Did you identify the body of Rusmir later on?

17 A. Yes. In 1994, in mid-June, I think, 1994, after my escape from

18 the camp and when the investigation was completed in Sarajevo, together

19 with his wife and Amor Masovic, we carried out the identification of

20 Rusmir's body. But Zivko Krajisnik, well, we never managed to identify

21 him because his family members in -- he didn't have any family members in

22 Sarajevo.

23 Q. How did you identify the body of Rusmir; do you remember?

24 A. During the questioning in front of Brne up there, Rusmir and  
25 Zivko had to take off their camouflage uniforms. And as he was taking

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1 off his camouflage uniform, Rusmir took off -- I saw his pants, his  
2 underpants. Well, actually, they were swimming trunks, in which he was  
3 later exchanged dead. And his wife, with his mother -- together with his  
4 mother, helped identify him by some injuries he had sustained previously  
5 which were evident on the body.

6 Q. What happened after the killing of Krajisnik and Rusmir? Where  
7 were you brought?

8 A. Copo and Brne, in a Golf car, drove us down Igman where there's a  
9 turning in Blazuj, where there were three or four trucks. His unit went  
10 off in trucks, whereas the three of us got into a white Golf car, and  
11 Brne drove me to the military police. When we entered the premises, I  
12 knew some people there who were from Ilidza. Brne asked that we be  
13 brought some coffee and ordered them -- and told them that they weren't  
14 to touch me. And then he learnt, and that's when I learnt this, too,  
15 that three more men had been captured, but I didn't know who they were.

16 Q. Did you recognise someone in particular in Blazuj?

17 A. The people that I recognised in Blazuj were members of the  
18 Army of Republika Srpska and the Military Police of Republika Srpska.

19 Q. How did these people treat Brne?

20 A. Servants.

21 Q. What did Brne do and what did he say at the compound to these

22 people, when they were delivered there?

23 A. Well, they said something along the lines that he didn't have any  
24 losses at Golo Brdo. He said that we should be brought some coffee and  
25 that we could smoke a cigarette, and he wanted to see the other three men

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1 who had been captured.

2 JUDGE ANTONETTI: [Interpretation] Witness, I am listening very  
3 carefully to what you are saying and how you are describing these events.  
4 There are some questions that come automatically to mind.

5 You said that you descended Mount Igman and you reached Blazuj,  
6 where the Military Police of the Republika Srpska took charge. In the  
7 Golf there are three of you, Brne, you and your comrade. In the Golf,  
8 were you tied up, were you handcuffed? How were you sitting in the car,  
9 in the Golf car?

10 THE WITNESS: [Interpretation] I don't know what the  
11 interpretation was. After the killing of Zivko Krajisnik and Rusmir, we  
12 went down to the parking lot, where the trucks were, and Brne, myself and  
13 Copo, Brne's man, got into a Golf car. Brne drove me, together with  
14 Copo, to the military police, to Blazuj. So they weren't my co-fighters.  
15 It was Brne and his man Copo who took me in a white Golf car. They drove  
16 me to Blazuj and handed me over there to the Military Police of Republika  
17 Srpska. So they weren't any fellow combatants.

18 JUDGE ANTONETTI: [Interpretation] Very well, I've understood.

19 MR. FERRARA: Thanks, Your Honour.

20 Q. Do you recall whether Brne had a conversation with anyone at  
21 Blazuj regarding yourself?

22 A. All he said was why did he spare me, and wanted to see the other  
23 three men after we had had our coffee. He asked to see the other three  
24 men who had been captured. I didn't know who else had been captured of  
25 my fellow fighters.

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1 Q. Were you questioned in Blazuj?

2 A. Not in front of Brne. Let me repeat, Brne wanted to see the  
3 other three men who had been captured, so when they took me off to the  
4 room, which was a makeshift prison, actually, Hilmija Numic was there,  
5 Dragan Despotovic was there.

6 Q. What did Brne say to these men?

7 A. Hasib -- the other man's name was Hasib. I can't remember his  
8 surname. But, anyway, when they took me inside, Brne asked for the  
9 names, and he said to Hasib and Hilmija that with their own people --  
10 that they were with their own people, and he said to Dragan Despotovic  
11 that he should thank God for the fact that the military police had  
12 captured him and not him, himself, that he hadn't captured him.  
13 Later on, in the seven months that followed that I spent as a  
14 camp inmate, as a detainee, I learnt -- well, I don't know if it's true  
15 or not, but this is what I heard, that in order to avoid being  
16 mistreated, it was enough for me to say that I was Brne's prisoner and  
17 that nobody would dare touch me then. And he said that to Dragan,  
18 because Dragan Despotovic was a Serb, himself. And everything --  
19 everybody who was in the BH Army who wasn't a Muslim was not worthy of  
20 living at all.

21 And while Brne was there, he did not touch any of those three

22 other men, my co-fighters. There was no interrogation while he was  
23 there. The interrogation started when he left, after he had left the  
24 compound of that military police station.

25 Q. Do you recall if Brne talked to you before leaving?

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1 A. He repeated that not a hair of my head was to be harmed, and he  
2 said that to the soldiers, too, the soldiers of the Army of  
3 Republika Srpska who were nearby. As for the other three men, he said he  
4 wasn't interested in what happened to them.

5 Q. Did you ever see Brne again?

6 A. He came the next day, when they found my military ID papers. He  
7 came with Copo and brought a shirt and some cigarettes, and asked -- he  
8 said that his men would come in in the following days as well to ask  
9 whether anybody had dared touch me, and what he would say to the people.  
10 And for seven days and six nights, every -- we were subjected every  
11 second to beatings and intimidation. We were beaten up.

12 Q. Who perpetrated these beatings?

13 A. The members of the Army of Republika Srpska, the interrogators.

14 Q. Did the Brne men come to visit you in the following days?

15 A. Yes. Whenever -- well, they would come for three or four days  
16 after that, and whenever they came, at least Copo and Pajkovic, they  
17 would bring a couple of boxes of cigarettes, and they said that Brne had  
18 sent them, except for that smaller one, Goran, who would come alone,  
19 probably without Brne's knowledge, and he would mistreat me, especially  
20 me. He would put a hand grenade between my legs. He would intimidate me  
21 in various ways and hoped that he had instilled fear into me. He wanted

22 to make me afraid. I thought that that was -- I think that that was on  
23 day 5. Actually, he stopped coming on day 5, I think.  
24 Now, whether any of the soldiers -- or perhaps this man  
25 Dragan Mircic, who was the commander, might have said to Copo or Pajkovic

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1 that Goran was coming specially to see me. I don't know.

2 Q. Was this Goran a member --

3 JUDGE ANTONETTI: [Interpretation] Just a minute, Prosecutor.

4 I'm watching the clock. Today, we started late, so maybe we  
5 could have only one break, but we have a problem with the tape. That  
6 would mean we would have to stop and break by 20 to 7.00, so there are  
7 two possibilities. Either we continue without any break, and we will  
8 stop at a quarter to 7.00, or we have a break now and resume after 20  
9 minutes.

10 I believe that you have 50 to 55 minutes left, but I'm sure  
11 Mr. Registrar will tell me exactly how much time you still have.  
12 The best would be to finish the examination-in-chief today.

13 How do you want us to proceed? Would you rather that we have a  
14 break now or that we continue until the bitter end? A break?

15 Mr. Mundis asked for a break, so we will have a 15-minute break  
16 and we will resume at 6.00 p.m.

17 --- Recess taken at 5.47 p.m.

18 --- On resuming at 6.03 p.m.

19 JUDGE ANTONETTI: [Interpretation] Very well. The hearing is  
20 resumed.

21 Let me tell the Prosecutor that the Registrar told me you had 44

22 minutes left.

23 MR. FERRARA:

24 Q. So, Mr. Koblar, I was asking you, was this Goran a member of the

25 Brne unit?

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1 A. Yes.

2 Q. Did he force to you to do something in particular or do you

3 remember something?

4 A. Goran was the only one among them who forced us to sing Chetnik

5 songs, to pray to Allah, to bend on our knees -- to go down on our knees.

6 I'm talking about Brne's men.

7 Q. How many days were you detained in Blazuj?

8 A. Six days and six nights, and on the seventh day we had to

9 relocate from Blazuj to Kula because the local inhabitants of Hadzici

10 wanted to come for us; to lynch us, in other words.

11 Q. Where were you transported from Blazuj?

12 A. What is now Kula Prison used to be a wartime prison, and it was

13 used for members of the Army of Bosnia and Herzegovina, especially

14 Muslims, at least those who reached Kula alive.

15 Q. How long were you detained in Kula?

16 A. For us, Kula was just a basis, a place where we were registered

17 by the International Red Cross, but we spent all our time doing labour

18 around Sarajevo, digging trenches, going ahead of the defence lines to do

19 some repair in case of attacks, and that would be usually from 6.00 a.m.

20 going on as late as midnight. Sometimes -- I was in Kula until the 17th

21 of March, 1994.

22 MR. FERRARA: Mr. Registrar, can we please see the documents --  
23 the document 65 ter number 7233 on the screen.

24 Q. Mr. Koblar, do you recognise this document?

25 A. Yes. That's the official certificate from the International

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1 Red Cross, that I'm recorded under the number stated here as a war  
2 prisoner in Kula.

3 Q. When was it signed?

4 A. This document I asked to get subsequently, but I was registered  
5 on the 3rd of August, 1993, as you see in the document. And it says in  
6 the document -- I mean, the date when I escaped from Kula is also  
7 recorded here.

8 MR. FERRARA: Your Honours, I would like to tender the document  
9 into evidence.

10 JUDGE ANTONETTI: [Interpretation] Mr. Registrar.

11 THE REGISTRAR: That will be Exhibit number P461.

12 MR. FERRARA:

13 Q. What were your conditions in Kula; how were you treated?

14 A. I came here to tell the truth. There were no problems in Kula.  
15 We were not mistreated, except some individuals. But also I have to say  
16 that the commander at Kula and his deputy, as well as those who  
17 designated working groups, labour groups, never asked themselves how we  
18 were treated by Serb soldiers at labour sites where we went. They didn't  
19 care whether anyone would get killed, whether somebody would stray into a  
20 minefield, whether anyone would be beaten up or wounded. We were just  
21 slaves.

22 Q. What were these labour groups you're talking about?

23 A. Wherever work force was needed to dig trenches, communicating  
24 trenches, and even some private work for individuals, we were sent to do  
25 it. The only place where I was in those seven months was in Trebevic, at

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1 Radomir Kojic's place.

2 Q. Do you recall the locations where were you forced -- where were  
3 you brought to do this kind of forced labour?

4 A. From Hrasnica, the Famos factory, Lukavica, Dobrinja 1 and 4,  
5 Pale, Mount Trebevic, Crepoljsko, Spicasta Stijena. I cannot remember  
6 anymore, but essentially anywhere where something needed to be done for  
7 the Serb army, we had to do it, even if it was on the frontline itself or  
8 sometimes behind the lines.

9 JUDGE LATTANZI: [Interpretation] I have a question.

10 Witness, I see this certificate of the International Committee of  
11 the Red Cross, that you had visits from time to time. I would like to  
12 know about the staff of the Red Cross. I'd like to know whether the  
13 staff of the Red Cross actually questioned you and obtained information  
14 on forced labour and on the conditions under which you were forced to do  
15 this labour.

16 THE WITNESS: [Interpretation] Yes, they visited once a month to  
17 bring us toiletries. They would distribute a pack or two of cigarettes  
18 to everyone, and they brought some food for a proper meal that we never  
19 got in Kula, but we never received it, actually. It was used by others.  
20 It was pocketed by the Serb Army. However, the Red Cross was helpless to  
21 change anything about that.

22 JUDGE LATTANZI: [Interpretation] My question was the following:  
23 I wanted to know whether they questioned you on what you were doing, what  
24 you had to do. Did you tell the International Red Cross that you were  
25 forced to do labour, and did you tell them about the conditions?

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1 THE WITNESS: [Interpretation] Yes.

2 JUDGE LATTANZI: Thank you.

3 MR. FERRARA:

4 Q. One of the locations that you mentioned was Spicasta Stijena. Do  
5 you remember a man called Vaso Baricanin when you were there?

6 A. Yes. It's a member of the Army of Republika Srpska who  
7 introduced himself as a Chetnik, and I'll certainly never forget him as  
8 long as I live.

9 Q. Why you never forget him?

10 A. When he found out that we were members of the BH Army and that I  
11 was captured by Brne's Chetniks, he made very nasty pranks every day,  
12 like throwing dynamite into my trench, shooting right next to my head or  
13 ears, throwing grenades next to the spot I was working at, and he even  
14 made me dig my own grave.

15 Q. At some time during this period, did you get hill?

16 A. After one BH Army attack, we were going out to Spicasta Stijena.  
17 One bunker was damaged so with two other men, other inmates, I had to go  
18 outside the bunker to repair the damage caused by the attack.

19 Q. Were you ever used as a human shield?

20 A. Not literally, but it was quite enough to be forced to go between  
21 two lines of fire and do some silly work that didn't even need to be

22 done.

23 Q. Were you forced to do working on a minefield?

24 A. At the Famos factory in Hrasnica, Mandic, whose first name I  
25 can't recall now, forced me to go between two lines of fire and cut the

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1 grass, the dry grass that didn't bother anyone because it was the month  
2 of September.

3 THE INTERPRETER: December, interpreter's correction.

4 A. So I almost came up to the bunker where there were members of the  
5 BH Army, and from that point I retraced my steps back, following my own  
6 footprints in the snow.

7 MR. FERRARA:

8 Q. You said, and it is confirmed by the document we tendered -- we  
9 already tendered, your detention in Kula lasted until 17 February 1994.  
10 How did you manage to escape from Kula?

11 A. I had been preparing my escape ever since I started working at  
12 that farm, because that was the only place from which it was safe to  
13 attempt to escape without risking the lives of others who were working  
14 with me, who might be killed, because I was always told -- warned, in  
15 fact, that in case anyone attempts to escape, everybody in that group  
16 would be killed.

17 MR. FERRARA: Mr. Registrar, can we please --

18 JUDGE LATTANZI: [Interpretation] Witness, please, why is it that  
19 you were so sure that the people working in the same group as you would  
20 not be killed? How were you so sure?

21 THE WITNESS: [Interpretation] On that farm, in the second shift

22 there were only two men, Velija Tiro and I. Velija was supposed to  
23 escape with me, but to protect his father, who stayed at Kula, he changed  
24 his mind. And the guard who led us there that night was a man who never  
25 laid a finger on us, so I was sure that when they'd discover I'd escaped,

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1 that guard would not allow anything to happen to Velija.

2 JUDGE LATTANZI: [Interpretation] Thank you.

3 MR. FERRARA: Mr. Registrar, can we please have on the screen the  
4 document bearing 65 ter number 7237.

5 Q. Mr. Koblar, can you comment on this document? What does it show?

6 A. This is a certificate from the state commission searching for  
7 missing persons, signed by its chairman at the time, Mr. Amor Masovic.  
8 It confirms my capture and my detention in the camp from the 17th of  
9 July, 1993, to 17 February 1994, and it is attested by a stamp, the stamp  
10 that the accused also challenges.

11 MR. FERRARA: Your Honours, I would like to tender this document  
12 into evidence.

13 JUDGE ANTONETTI: [Interpretation] Mr. Registrar.

14 THE ACCUSED: [Interpretation] Objection, objection. On this  
15 document, we read "Bosnia-Herzegovina, State Commission Searching for  
16 Missing Persons." The date is 13 April 1999. On the stamp, it also says  
17 "Bosnia and Herzegovina, Ministry of Justice and General Administration,  
18 State Commission Searching for Missing Persons, Sarajevo." This was four  
19 years after the Dayton Accords. This could not have been the official  
20 stamp of the Republic of Bosnia-Herzegovina. It couldn't have been the  
21 state commission of Bosnia and Herzegovina.

22 I do not doubt the veracity of the details in the certificate,  
23 that this witness escaped from Kula without any help from the state  
24 commission, but this cannot be the stamp of the state commission of the  
25 Republic of Bosnia and Herzegovina because that republic had completely

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1 different emblems at the time. These are emblems of the Muslim  
2 authorities. It can't even be the emblems of the Federation. The  
3 Federation is -- has the combination of the coat of arms of the --  
4 something adopted by Muslims and another part is Croatian.

5 MR. FERRARA: [Previous translation continues]...

6 cross-examination. We are not listening, Mr. Seselj testifying on the  
7 stamps of Bosnia and Herzegovina.

8 JUDGE ANTONETTI: [Interpretation] Just a minute. An objection  
9 was raised. He's saying that this is a forged document, just when you're  
10 asking for this document to be tendered.

11 Witness, you heard what Mr. Seselj said. The stamp that we have  
12 here, which comes from the Federation, well, according to Mr. Seselj, the  
13 coat of arm on this stamp is not the one that was used in  
14 Bosnia-Herzegovina, and in 1999, since this document was drafted on  
15 April 13, 1999, there could not be this type of stamp. What do you say  
16 to this?

17 THE WITNESS: [Interpretation] I'll repeat. I don't know when the  
18 High Commissioner adopted the new joint flag, the coat of arms and  
19 emblems of the federation for all cantons. This document is still filed  
20 in the building of the Presidency of Bosnia and Herzegovina under the  
21 same number, with the same commission.

22 Now, why this stamp is here, I don't want to go into what the  
23 accused keeps repeating, that these are some kind of Serbian coat of  
24 arms. It's up to the Court and the Office of the Prosecutor. This,  
25 however, is an official document that is still filed in the building of

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1 the Presidency of Bosnia and Herzegovina.

2 JUDGE ANTONETTI: [Interpretation] Very well. I will consult with  
3 my fellow Judges to see whether we admit this document or not.

4 [Trial Chamber confers]

5 JUDGE ANTONETTI: [Interpretation] The Trial Chamber, after having  
6 deliberated, feels that there are sufficient indicia for liability,  
7 notwithstanding the presence of the stamp, holds that we shall admit this  
8 document.

9 Can we have a number, please, Registrar.

10 THE REGISTRAR: Your Honours, that will be Exhibit number P462.

11 JUDGE ANTONETTI: [Interpretation] Mr. Ferrara, you have the  
12 floor.

13 MR. FERRARA: [Previous translation continues]... I don't have  
14 any further questions.

15 JUDGE ANTONETTI: [Interpretation] Thank you. I have one question  
16 I'd like to put to you, Witness.

17 You've said that you escaped from the farm where you were doing  
18 forced labour. When you were working on this farm, guarded by someone,  
19 were you asked whether you wanted to go and work on the farm or did you  
20 have to go and work on the farm?

21 THE WITNESS: [Interpretation] Going to work on the farm was

22 something that only somebody who knew how to do agricultural labour --  
23 who knew something about agriculture or who was ill. And before I went  
24 to the farm, on two occasions I had pneumonia and a perforation of my  
25 ulcer.

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1 JUDGE ANTONETTI: [Interpretation] What I wanted to know is this:

2 In the prison at Kula, did somebody come 'round and say, "Are there any  
3 volunteers to go and work in the fields? And those who are volunteers,  
4 stand out, and those people will go," or the guards at the prison in Kula  
5 said, "You, you and you, you shall leave and go on the farm"?

6 THE WITNESS: [Interpretation] None of us had any choice. We  
7 couldn't choose where we would go to do labour, never.

8 JUDGE ANTONETTI: [Interpretation] That was my question.

9 We have under half an hour left. Mr. Seselj, you can start your  
10 cross-examination.

11 THE ACCUSED: [Interpretation] Well, I always like not wasting  
12 time in vain, and if there's half an hour, I can deal with an area that I  
13 intend to cover and finish that today.

14 Cross-examination by Mr. Seselj:

15 Q. Mr. Koblar, your father is a Slovene; right?

16 A. Correct.

17 Q. And your mother is a Serb from Berane; right?

18 A. She's not a Serb, she's a Montenegrin.

19 Q. Previously, you had said she was a Serb when you gave your  
20 statement?

21 A. I never represented my mother as being a Serb.

22 Q. I see. And Berane is a town in Montenegro; right?

23 A. I was born in Ivangrad.

24 Q. That's the town of Berane which during the communist period was  
25 called "Ivangrad" following the name of a top-ranking communist official,

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1 am I right? So it is the town of Berane, it's one and the same thing,  
2 and during the communist period it changed its name and took the name of  
3 Ivan Milutinovic and became Ivangrad, is that right, Ivan Milutinovic  
4 being a communist leader?

5 A. I'm not going to comment on your position towards the former  
6 regime, but, yes, that is the same town.

7 Q. Well, it's not up to you to comment. Just answer my questions.  
8 You're not allowed to comment in that sense, just to answer my questions.  
9 You've just said that in the ethnic sense, you declared yourself  
10 as being a Yugoslav; is that right?

11 A. Correct.

12 Q. You had in mind the fact that your parents were of different  
13 ethnicities, and there were many people like that in the former  
14 Yugoslavia, and usually they would declare themselves as Yugoslavs for  
15 that reason; isn't that right?

16 A. Neither my father nor my mother ever forced us to declare  
17 ourselves in any particular way. They left it to us. It was up to us.

18 Q. I'm not saying that you declared yourself as a Yugoslav because  
19 you were from a mixed marriage. There were many people like you who did  
20 the same; isn't that right?

21 A. Probably.

22 Q. Do you remember whether there were any people who were not from  
23 mixed marriages, whose parents were of the same nationality or ethnicity,  
24 and would also declare themselves as being Yugoslav because they wanted  
25 to see a united, uniform Yugoslav state and they were loyal to that

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1 state? Were there people like that too?

2 A. Yes.

3 Q. Now you have declared yourself as being a Bosnian, ethnically  
4 speaking; right?

5 A. I said that that's everybody's private affair, how they choose to  
6 declare themselves, but my answer to your question is "yes".

7 Q. You have to declare -- you have to answer private questions as  
8 well here, of a private nature. If something is an intimate question,  
9 then we can go into private session, if you think that something is  
10 offensive. But this isn't, because you said yourself that you declared  
11 yourself a Bosnian, your answer was "yes." Right.

12 Now you know that there are many people in Bosnia-Herzegovina,  
13 more than a million, who declare themselves as Bosniaks, who declare  
14 their ethnicity as being Bosniak; right? Will you answer my question?

15 A. Correct.

16 Q. Now, you, who declare yourselves as being Bosnians, and those  
17 other people who declare themselves as being Bosniaks, is that the same  
18 nation, the same ethnic group, or are they two different ethnic groups?

19 A. I'm not going to comment.

20 Q. You have to answer my question. I know that you don't like the  
21 question, but you have to answer it.

22 A. There are Bosnians and Serbs and Muslims and Croats, and the fact  
23 that most people declare themselves as being Bosniaks, that's an ethnic  
24 group.

25 Q. When you say there are Serbs, Croats and Muslims who declare

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1 themselves as Bosnians, then that's regional affiliation, territorial  
2 affiliation, and in that sense I'm a Bosnian, too, because I was born in  
3 Sarajevo, although I'm a Serb by ethnicity. Isn't that right, am I right  
4 in saying that? You lived in the same building in Sarajevo in which I  
5 lived before I moved to Belgrade. It's Obala, the 27th of July,  
6 number 61; isn't that right?

7 A. Yes.

8 Q. I lived on the sixth floor in the building, and the family of the  
9 man who moved into my flat when I left during the war was killed. Do you  
10 know anything about that?

11 A. That's directly the unit in which I was from the beginning of the  
12 war, and that particular unit never, ever killed a Serb or a Croat.

13 Q. What happened to the family who lived on the sixth floor of the  
14 building in the 27th of July Street, number 61, in the flat I lived in  
15 until 1986; what happened to that family?

16 A. I don't know what family you mean. I know all the neighbours  
17 from 1984. They're all alive and well except those who died of old age.

18 Q. So you know nothing about that family?

19 A. I don't know what family you're referring to.

20 Q. It is the Bajic family on the sixth floor of that apartment  
21 building, and they had a two-room flat. What happened to them? You

22 provided security for the building during the war, so what happened to  
23 them? Tell us.

24 A. While I was in Kula, most probably they were moved to Grbavica.

25 Q. All trace of them is lost, and they turn up on the list of

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1 missing persons who were Serbs.

2 A. All I can say is that I guarantee that from that particular  
3 address, as it's called now, Aleja Lipa 51, nobody lost their lives or  
4 were killed by members of the BH Army or my unit.

5 Q. How do you know that that didn't happen while you were a prisoner  
6 in detention during those seven months you told us about?

7 A. I don't know about that period of time, but I also do know full  
8 well that all the people from my unit -- I know all the people from my  
9 unit.

10 Q. Well, you confirm that whatever ethnicity for us born in Bosnia,  
11 according to regional affiliation, we're termed "Bosnians," but you said  
12 that you were a Bosnian by ethnicity; is that what you said? Right?

13 A. That's how I declare myself.

14 Q. So the Bosnian nation exists as well. In addition to those of us  
15 whose regional affiliation is declared as Bosnian, we were born there,  
16 but are of different ethnicities, there's a nation that calls itself "the  
17 Bosnian nation," so you are a member of that nation. And we concluded  
18 that the Bosniak nation exists as well. There's a large group of people,  
19 more than a million, in fact, who say of themselves that they are  
20 Bosniaks, and we have to recognise their right to declare themselves in  
21 that way, because everybody has the right to declare themselves in any

22 way they like.

23 Now, the Bosnians, by ethnicity, is it the same as the Bosniaks,  
24 by ethnicity, would you say, or are they two different ethnicities or two  
25 different nations? What would you say?

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1 A. Well, if the Serbs and Croats exist, and the Macedonians and  
2 Slovenians, why shouldn't the Bosnians exist?

3 Q. I'm not asking you why they don't exist. They do exist, because  
4 if you say you're a Bosnian, your nationality is Bosnian, that means they  
5 do exist, a group of people calling themselves "Bosnians."

6 Now, my question to you is this: Are the Bosnians,  
7 nationality-wise, the same as the Bosniaks? Is their ethnicity and  
8 nationality the same, the Bosnians and Bosniaks? That's my question, but  
9 you seem to be avoiding answering it.

10 JUDGE ANTONETTI: [Interpretation] Just a minute. Witness, this  
11 is an important question for the Trial Chamber. Please try and answer  
12 the question which is being put to you. The question is extremely clear.  
13 If you cannot answer the question, say so. But in light of your  
14 education, you are intellectually capable of telling us the difference  
15 between the Bosniak and Bosnian nation. You, yourself, refer to which  
16 nation, irrespective of everything that happened? What can you tell us?

17 THE WITNESS: [Interpretation] Unfortunately, the present  
18 situation is such in Bosnia that the Bosniaks are a nation, an ethnic  
19 group, whereas we Bosnians belong to the category of miscellaneous or  
20 others.

21 MR. SESELJ: [Interpretation]

22 Q. If I've understood your answer correctly, the Bosniaks are one  
23 nation, recognised as such, whereas you Bosnians are not recognised as a  
24 separate nation or ethnic group because there are little of you, so you  
25 are listed under the column of "Other." Have I understood you correctly?

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1 A. Yes.

2 Q. Well, you could have given me that answer straight away and not  
3 waste time.

4 Now, you also told us that you testified while you were in  
5 detention. Does that mean that you gave a statement to the Serbian  
6 military authorities after you'd been captured?

7 A. Yes, when Brne handed me over to the military police in Blazu  
8 the Military Police of the Army of Republika Srpska, conducted an  
9 investigation, but we did not sign any statements, any of us.

10 Q. But you said here that you testified within the frameworks of an  
11 investigation. When you testify within an investigation, you give some  
12 sort of statement; isn't that right?

13 A. Let me repeat. The Military Police of Republika Srpska did not  
14 ask us to make any statement. All they asked was that we tell them about  
15 each other and the positions where our army unit's positions were.

16 Q. Now, why, when you were interviewed by the Military Police of  
17 Republika Srpska, did you never tell them that three of your fellow  
18 combatants, Rusmir Hamalukic -- you forgot his surname, but that's his  
19 surname, isn't it, Hamalukic? You see, I know his surname, you don't.  
20 Then the other man, Rusmir --

21 A. Robert.

22 Q. Yes, Robert Kahrmanovic and Zivko Krajisnik. Why did you not  
23 tell the Military Police of Republika Srpska that they had been captured  
24 first and killed second?

25 A. Dragan Micic, the commander of the police of Republika Srpska, I

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1 told him that Robert -- that we had been captured and that

2 Robert Kahrmanovic, Rusmir and Zivko had been killed.

3 Q. All you told him was that you had been captured, but that they  
4 were killed when your bunker was shelled?

5 A. That's a sheer lie, blatant lie.

6 Q. All right, if it's a lie. You said here also that your unit,  
7 your group numbering 50 men, was sent from Grbavica to Mount Bjelasnica  
8 for preparations and rest; is that right?

9 A. Yes.

10 Q. So what preparations could you have had on Mount Bjelasnica when  
11 you had taken part before that in fighting in town, in the town, and your  
12 intention was to fight for the town, who was going to take what  
13 settlement, who was going to defend which settlement and so on, so what  
14 preparations were you sent to -- from Grbavica, surrounded under Muslim  
15 control, that you went to a mountain, Mount Bjelasnica, outside of town?  
16 What kind of preparations were they, then?

17 A. It was planned that during that year, the deblocking of Sarajevo  
18 was to take place.

19 Q. Well, what kind of rest was it if you went as reinforcements to  
20 the Muslim units who were already on Bjelasnica? Then it's not rest.

21 You were sent as reinforcements to the units who wanted to lift the siege

22 of the Muslim part of Sarajevo; right?

23 A. Well, you know total national defence better than me, but don't  
24 forget that during that period, there was a war on between the Bosniaks  
25 and the Croats.

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1 Q. That's got nothing to do with this. The war between the Muslims  
2 and Croats broke out in other areas. You were sent from Sarajevo to  
3 reinforce the Muslim units on Bjelasnica; right? There's no other  
4 rational explanation, because if -- for somebody to send you to a war  
5 zone for you to have a rest, that's absurd. Am I right?

6 A. It wasn't Muslim units, it was the BH Army. Now, the fact that  
7 you call them that way --

8 Q. Listen, you have to answer my questions. That army could have  
9 called itself what it wanted, the Cerkez army, for instance. It's name  
10 could have been any other, like the Martian army or whatever, but the  
11 vast majority of the people in that army were the Muslims, and they were  
12 fighting the Serb army, on the one side, and the Croatian Army on the  
13 other. And in the Serb army we had Muslims and Croats as well, and in  
14 the Croatian Army there were Muslims -- I haven't heard that there were  
15 any Serbs there, but it wouldn't surprise me if a Serb happened to find  
16 his way there, too.

17 Anyway, answer the question. Did you go as reinforcements, your  
18 group of 50 soldiers, or not? Did you go as reinforcements or did you go  
19 to take a rest in the area of combat operations?

20 A. Nobody was told -- none of us were told that we were going as  
21 reinforcements or had any combat assignments.

22 Q. All right. I'll say I believe you for the time being. Anyway,  
23 you crossed over -- you ran across the runway at Sarajevo Airport to go  
24 to Bjelasnica; right?

25 A. Right.

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1 Q. Now, Sarajevo Airport was under the control of the United Nations  
2 at the time; right?

3 A. Right.

4 Q. You were not able to -- you couldn't have run across the runway  
5 without the UN observers seeing you; right?

6 A. You would run across the runway between midnight and 4.00 or  
7 5.00 a.m., in the period when there was the least frequency, UNPROFOR  
8 frequency there.

9 Q. That's because you were afraid of the Serb snipers or artillery  
10 fire; that's why you had to run across the runway after midnight.  
11 However, the UN forces had the IC devices for night observation, they had  
12 night-sights, UNPROFOR; right?

13 A. I don't know that.

14 Q. You couldn't have run across the Sarajevo runway without UN  
15 forces giving you permission to do that; is that right?

16 A. No, it's not.

17 Q. When you were digging the tunnel underneath the airport, do you  
18 mean to say that the UN forces did not know that you were busy digging a  
19 tunnel?

20 A. I learned about the tunnel only sometime in October 1993, perhaps  
21 even November.

22 Q. It doesn't matter at all when you learned about the tunnel. In  
23 October or December 1993, you were in captivity. Maybe you found out  
24 while you were in captivity. That means the Serb found out about it too.  
25 Do you agree with me that it's impossible for the tunnel to have been dug

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1 under the Sarajevo airfield without the UN forces knowing anything about  
2 it?

3 A. It's quite possible.

4 Q. How?

5 A. If you shut a mouse, he will find a way.

6 Q. I agree you acted as mice when you were digging a hole, but that  
7 hole could not have been dug without the UN forces knowing, if the Serb  
8 forces knew and if they were trying to impede the digging of the tunnel  
9 by targeting the beginning and the end of the tunnel with artillery, is  
10 that correct; they did that?

11 A. We did run across, that's true. I don't know if you had  
12 occasion -- if you allow me, Your Honour, to ask a counter-question.

13 JUDGE ANTONETTI: [Interpretation] Just a minute. It is not your  
14 questions, but it is the witness [as interpreted] who's putting a  
15 question. If you know, answer the question, but if you don't know, don't  
16 answer the question. But please answer. He is entitled to ask you any  
17 question he likes.

18 THE WITNESS: [Interpretation] I will tell you this again. The  
19 tunnel was dug without the knowledge of the UNPROFOR.

20 MR. SESELJ: [Interpretation]

21 Q. Well, we could then draw the inference that all the soldiers of

22 the UNPROFOR were cretins. If they were guarding the airport and the  
23 airfield and the runway while somebody was digging a tunnel underneath  
24 and the Muslim forces were going through the tunnel safely, transporting  
25 ammunition, weaponry and all the supplies, how come the UNPROFOR didn't

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1 know anything about it? What kind of imbeciles did they mobilise into  
2 their forces? The only possible conclusion is that the forces of the  
3 UNPROFOR knew about the tunnel and they allowed it to be dug.

4 A. That's not true.

5 Q. Well, what is true?

6 A. You are making inferences. I'm telling you it's not true.

7 Q. You graduated from the School of Political Science at the  
8 university where I used to teach?

9 A. You were a student.

10 Q. You're not well informed. I was a professor as well later.

11 JUDGE HARHOFF: Can I just ask you, is it your position that the  
12 UN would have been under an obligation to prevent the digging of the  
13 tunnel?

14 THE ACCUSED: [Interpretation] Yes. UN troops were obliged --  
15 were duty-bound to be neutral and to position themselves between the  
16 warring parties. They were securing the airport so that humanitarian aid  
17 could arrive, and they were duty-bound to prevent any misuse of the  
18 airport for war purposes. Instead, they made it possible for Muslim  
19 forces to dig the tunnel.

20 I want to compromise the United Nations, because their forces  
21 provided combat cooperation to Muslim forces against Serb forces, and I

22 have done this successfully. The United Nations have been compromised by  
23 me, because I am their enemy.

24 JUDGE ANTONETTI: [Interpretation] Witness, we listened to your  
25 story at the airport. We could imagine you crossing the runway between

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1 midnight and 4.00 in the morning. This may sound surprising, since,  
2 normally speaking, the UN forces do use binoculars and night-sights, and  
3 they would probably see people running across the airport at that time.  
4 A second reason to be surprised, this tunnel under the airport,  
5 from what I understood, you said to begin with that you were in Kula and  
6 that you knew nothing about this, and in the various answers you  
7 provided, you then said that a tunnel was being built -- was being dug.  
8 Now, when did you hear about it? Was it after the war, when you were in  
9 Sarajevo, when you were at Kula? When did you hear about this tunnel?

10 THE WITNESS: [Interpretation] While I was in the camp.

11 JUDGE ANTONETTI: [Interpretation] While you were in prison in the  
12 camp at Kula; is that right?

13 THE WITNESS: [Interpretation] Correct.

14 JUDGE ANTONETTI: [Interpretation] This is an important question:  
15 When the tunnel was dug, according to you, was it the Muslim Army that  
16 dug this tunnel, with the agreement of the UN forces, or not?

17 THE WITNESS: [Interpretation] The BH Army alone, without anyone's  
18 cooperation or assistance, using the fighting men of the BH Army, and  
19 that is what I learned after I escaped from Kula and rejoined my unit.

20 JUDGE ANTONETTI: [Interpretation] We have a few minutes left.

21 Since it is 18.57, one last question, Mr. Seselj, before we adjourn.

22 THE ACCUSED: [Interpretation] Well, let me then settle the issue  
23 of the airport so I don't have to come back to it tomorrow.

24 Q. You are aware, Mr. Koblar, that the airport, at the beginning of  
25 the war, was held by the Serb forces; right? Do you know that the

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1 United Nations, and Western powers, and Americans, and Brits, and the  
2 French, exerted pressure on Republika Srpska to cede control over the  
3 airport to the United Nations; do you know that?

4 A. That was a decision made by the International Community in view  
5 of all that happened during the war in Sarajevo.

6 Q. Did Republika Srpska hand over the airport?

7 A. In 1992, as far as I know, Republika Srpska did not exist.

8 Q. There was a Serbian Republic of Bosnia and Herzegovina in 1992.

9 That's what the name was; correct?

10 A. Yes, but it was never legally established.

11 Q. That's not what I'm asking you. Do you imagine I don't know what  
12 you would respond? I'm not asking you about your theoretical opinion.

13 I'm asking you: Is it true that the Serbian Republic of Bosnia and  
14 Herzegovina, which did not exist, as you say, hand over the airport to  
15 the United Nations; is that correct?

16 A. Whether it did or didn't, I don't know.

17 Q. Well, you don't know. The Judges do know, and the United Nations  
18 do know.

19 JUDGE ANTONETTI: [Interpretation] Mr. Seselj, we shall stop now.

20 You may, if need be, continue on this topic tomorrow.

21 For your associates in Belgrade who are keeping track of the

22 time, it is 18.57 and 21 -- and 34 seconds. You have 21 minutes left --  
23 you have had 21 minutes so far.

24 THE INTERPRETER: Interpreter's correction.

25 JUDGE ANTONETTI: [Interpretation] And we shall resume again

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1 tomorrow at a quarter to 3.00.

2 --- Whereupon the hearing adjourned at 7.00 p.m.,

3 to be reconvened on Wednesday, the 11th day

4 of June, 2008, at 2.45 p.m.