

1 Tuesday, 25 March 2008

2 [Open session]

3 [The witness entered court]

4 --- Upon commencing at 8.32 a.m.

5 [The accused entered court]

6 JUDGE ANTONETTI: [Interpretation] Mr. Registrar, please call the  
7 case.

8 THE REGISTRAR: Good morning, Your Honours. Good morning  
9 everyone in the courtroom. This is case number IT-03-67-T, the  
10 Prosecutor versus Vojislav Seselj. Thank you, Your Honours.

11 JUDGE ANTONETTI: [Interpretation] Thank you, Mr. Registrar.  
12 Today is Tuesday, the 25th of March, 2008. My greetings to the  
13 Prosecution team. Good morning, Mr. Seselj. And good morning, Witness.

14 Let's first move into closed session.

15 [Closed session]

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Pages 5168-5183 redacted. Closed session

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3 [Open session]

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

5 MR. MARCUSSEN: Your Honour, if I may just as a preliminary  
6 mention one issue about timing. I think the Prosecution had foreseen to  
7 have this witness testify for three hours and the next witness for two  
8 hours. I understand Your Honours have issued a Scheduling Order the  
9 other way around, so you have two hours for this witness and three hours  
10 for the next witness.

11 I will endeavour to complete the testimony of this witness in two  
12 hours, but I might run into problems with this, so I would ask for Your  
13 Honours' indulgence and --

14 JUDGE ANTONETTI: [Interpretation] Mr. Marcussen, we were told  
15 last week, I think Mr. Mundis said this, that the first witness was  
16 supposed to be scheduled for Tuesday and the second witness for Wednesday  
17 and Thursday. So if the witness is to be heard on Wednesday and  
18 Thursday, it would be best to have three hours for the second witness and  
19 two hours for the first witness.

20 However, if you believe that this witness can stay on Tuesday  
21 and Thursday, and the other only one day we'll move around as you like.

22 MR. MARCUSSEN: I'm grateful, Your Honours, and we try to speed  
23 things up as much as possible in any event.

24 Examination by Mr. Marcussen:

25 Q. Mr. Witness, what is your ethnicity? Sorry. I forgot my

1 microphone, I believe.

2 Mr. Witness, what is your ethnicity.

3 A. I'm a Bosniak Muslim.

4 Q. Did you do military service?

5 A. I did.

6 Q. In what part of the armed forces?

7 A. Artillery and rocket units, the anti-aircraft defence. A special  
8 unit.

9 Q. Thank you.

10 MR. MARCUSSEN: And would the usher please call up 65 ter number  
11 2869.

12 Your Honours, this is a map. I'm just waiting for that to come  
13 up. Could we zoom in on sort of the middle where we have -- yeah, let's  
14 try to do that. Thank you.

15 Q. Mr. Witness, do you see the town of Zvornik and the town of  
16 Karakaj on this map?

17 A. Yes.

18 Q. What is the distance between Zvornik and Karakaj approximately?

19 A. I believe it's about three kilometres.

20 Q. And the area of Karakaj, can you describe that? What is in  
21 Karakaj?

22 A. Karakaj was an industrial zone with all the factories there.  
23 Zvornik was a valley and all the factories and manufacturing plants were  
24 in Karakaj.

25 Q. And --

1 MR. MARCUSSEN: Thank you, we're done with this exhibit. I would  
2 like to tender this. We might want to have this in as an exhibit. It's  
3 also included --

4 JUDGE ANTONETTI: [Interpretation] Number, please.

5 THE REGISTRAR: Your Honours, that would be Exhibit number  
6 P00302, Your Honours. Thank you.

7 MR. MARCUSSEN:

8 Q. Mr. Witness, could you tell us what was the relationship like  
9 between Muslims and Serbs when you grew up?

10 A. The relationship was good.

11 Q. And --

12 A. Especially -- I'm sorry. The relationship was good. I don't  
13 know. I grew up in a house in which this was not an -- important at all.  
14 My father was a patriot and 90 per cent of my friends were Serbs, and I  
15 still have contacts to many of them to this very day.

16 Q. And in which town did you grow up? Maybe I should have asked  
17 that first.

18 A. I grew up in Zvornik.

19 Q. Did there come a time when the relationship between Serbs and  
20 Muslims changed?

21 A. The relationship started changing let me say when the Serb  
22 national consciousness started waking up. I don't know how deep or how  
23 far I should go into the matter, but it all started in Gazimestan with  
24 various demonstrations, songs that praised the Serb nationality. It all  
25 started, but I never believed at the time that this could all end up in a

1 war.

2 Q. Approximately what year are we talking about?

3 A. Approximately we're talking about the relationship which started  
4 deteriorating in 1988, albeit slowly. There were first rallies in  
5 Kosovo, and the Serbs started singing their songs. I'm talking about  
6 rock singers who would become members of the academy of sciences and  
7 arts. And this was all part of the plan that had been envisaged by the  
8 Serbian academy of sciences and arts. So it went across the board in the  
9 former Yugoslavia.

10 Q. Thank you. Moving some years ahead to the spring of 1992. Did  
11 you live in Zvornik at that time?

12 A. Yes.

13 Q. What --

14 A. I lived --

15 Q. Were there -- were there -- were there signs at the time that  
16 there would be an armed conflict?

17 A. There were signs. First of all, lorries full of reservists were  
18 passing through Zvornik. There were all sorts of military convoys. They  
19 passed through Zvornik and Mali Zvornik, and those reservists on the way  
20 back from the theatres of war would shoot, would fire in the air. But  
21 the relationship in the town itself did deteriorate, but they were not so  
22 tense as to lead to a conflict because we still socialised amongst  
23 ourselves and we all very often joked promising each other that we would  
24 guard each other's backs. It was very difficult to imagine that people  
25 that you lived with all your life could turn against you, and then on the

1 Karakaj bridge, I don't know, there were political meetings day and night  
2 with showdowns of political parties, and on the eve of the war there were  
3 some lorries full of reservists who were being taken to Celopek and  
4 Rocevic villages for military training.

5 I wanted to see them, and on one occasion I and my neighbour who  
6 wanted to buy something, we went there to see whether that was the truth,  
7 and really when we went down to Celopek there were a lot of troops there.  
8 We stopped for a while. We had a drink, and nobody minded us being  
9 there, but they were involved in heavy military training there.

10 Q. Thank you. And when approximately was this?

11 A. This was approximately at the beginning of March. Actually, I  
12 don't know whether it was at the beginning of March or in mid-March, but  
13 in any case it was at the beginning of March because we could not  
14 understand that this all might lead to -- to a war in the 20th Century.

15 Q. Did you see signs that the Serb population in Zvornik was  
16 preparing or taking steps because of an upcoming conflict?

17 A. As far as measures are concerned, one weekend before the  
18 barricades were put up most of the Serbs were not in Zvornik. They had  
19 left. They -- they loaded their cars full of valuables and they went to  
20 a village near Zvornik. The reservists were there but nobody counted on  
21 a war, on a large-scale war. We thought, okay, even if something  
22 happened they would try to take something. Maybe they would fail. We  
23 would be able to defend ourselves, and that was our line of thinking at  
24 the time.

25 JUDGE ANTONETTI: [Interpretation] Witness, please, I have a

1 follow-up question. You're telling us that the Serbs left Zvornik. Now,  
2 to your knowledge did they leave Zvornik because they were ordered to  
3 leave town or was it a spontaneous move because they were afraid, because  
4 when you're afraid you just flee, or could there be a third reason behind  
5 this?

6 THE WITNESS: [Interpretation] Your Honour, I believe that it was  
7 a dress rehearsal. I believe that they had all received orders, because  
8 it would really be strange or even impossible that so many of them were  
9 not there. And if I may add to that, some of my good friends with whom I  
10 still socialised, because there was no reason for us not to socialise, I  
11 heard comments to the effect, "This is not boding well. We don't know  
12 what's happening."

13 MR. MARCUSSEN:

14 Q. Mr. Witness, did you see any military equipment being stationed  
15 so as to be defending or in a position to defend the bridges over the  
16 Drina River?

17 A. On the Karakaj bridge there was a tank. It was put there.

18 Q. And was that before the takeover?

19 A. Yes.

20 Q. Now, did -- to your knowledge were steps taken on the Muslim side  
21 to somehow prepare for a conflict and, if so, were you yourself involved  
22 in that?

23 A. There were no organised measures in place. People organised  
24 themselves spontaneously. Everybody tried to protect their families and  
25 themselves the best way they could.

1           During the night, for example, in town, because there were  
2           rumours about various incidents, people started keeping guard  
3           spontaneously in the street because they were afraid. And the guards  
4           were mixed until the very last moment. We just tried to protect  
5           ourselves or alert others to possible danger.

6           I personally, when I heard and saw what was going on, I also  
7           undertook some security measures. My house was next to the forest, and  
8           that's why I purchased a Kalashnikov automatic weapon on the black market  
9           in order to protect myself and my family.

10          Q.    Thank you.

11          A.    I lended that automatic weapon to the others who were standing  
12               guard to be able to protect themselves if attacked. As for any other  
13               type of organisation there was nothing in place. People just  
14               spontaneously went out to the street, took up weapons, and tried to  
15               protect themselves and their families.

16               Shall I continue?

17          Q.    No, sorry. I'm just waiting to allow for the translation to come  
18               through. I know it's a bit artificial as a discussion, but we have to do  
19               it this way.

20               Do you remember any media reportings about the situation in  
21               Zvornik prior to the attacks?

22          A.    Yes. There was a order, activity in order to find a measure to  
23               avoid war. Nobody really wanted war, because war means suffering.

24               The day before the first shots were fired in Zvornik, on Belgrade  
25               TV a report was aired according to which there had been sporadic shooting

1 in Zvornik and allegedly there were 11.000 Green Berets on the Kula  
2 tower.

3 Q. Thank you. We'll get back to those Green Berets a bit later, but  
4 where were you when the attack on Zvornik started?

5 A. I was at home asleep.

6 Q. And how did you first learn about the attack?

7 A. My father woke me up. He was obviously scared, and he told me  
8 there's shooting. Still half a sleep I said, "No. It's impossible.  
9 You're imagining things. It's in your head." And he said, "No, no.  
10 There is shooting going on."

11 Then I got up and I really heard from the direction of Karakaj  
12 shots being fired. You know, it's a new feeling, a new thing, and it's a  
13 mixture of fear and curiosity that brought me outdoors. I wanted to see  
14 what was going on.

15 I could hear shots from the direction of Karakaj and Vidakova  
16 Njiva, and then a total of three shells fell. They started falling, and  
17 I believe that there were three altogether. And then cannon fire was  
18 opened.

19 Q. Did the cannon fire hit -- hit the city?

20 A. In the vicinity of my house one shell fell on the house of Pero  
21 the painter who was a Serb. That's what I know about one of them. I  
22 don't know about the other two and whether they did any damage. The rest  
23 were -- was cannon fire, which was open, but they tried to spare the town  
24 because I believe that the intention was to preserve as much of the town  
25 before they took over.

1                   JUDGE ANTONETTI: [Interpretation] Witness, please, you're telling  
2                   about a shell. Does this mean that there was artillery fire before the  
3                   forces entered?

4                   THE WITNESS: [Interpretation] Yes. Yes. That shell fell. I  
5                   don't know where it was fired from. I'm not a military expert. And then  
6                   the artillery fire was opened just to instill fear. There were  
7                   detonations all the time. There were explosions all the time, and the  
8                   feeling we had was that we were really in war, and this created a great  
9                   deal of panic among the population, and people would just grab their  
10                  children, get into their cars, start fleeing. Those who were closer to  
11                  the bridge started fleeing towards Serbia, and those who were a bit  
12                  further away from the bridge started running towards Kula and Divic.

13                  MR. MARCUSSEN:

14                  Q. Mr. Witness, did I understand you correctly that you went  
15                  outside? Just yes or no?

16                  A. Yes.

17                  Q. Did you see any of the attacking forces or could you only hear  
18                  them?

19                  A. At first we could only hear them. A few of us neighbours  
20                  gathered amongst the houses. We were standing there. And at one point  
21                  bullets started flying, and we could see a sniper shooting in our  
22                  direction from one of the high-rise buildings. And then we started  
23                  running. We took shelter behind a different house. We were happy that  
24                  nothing had happened to us. We were also a bit afraid and in order to  
25                  diminish that fear I told a neighbour --

1                   JUDGE ANTONETTI: [Interpretation] Witness, please, in the French  
2 translation you talked about a sniper who had a Z-16, but the -- in the  
3 English version the type of weapon has not been mentioned.

4                   Could you please confirm that there was a sniper using a weapon  
5 that -- for which you gave us the characteristics?

6                   THE WITNESS: [Interpretation] As far as I can recall and as far  
7 as I was able to observe, there were only snipers on the buildings. It  
8 was very hard at that distance, which must have been at least 800 metres  
9 to 1 kilometre, using ordinary military weapons to target with such  
10 precision. I couldn't see that he was a sniper, but because the shots  
11 were fired with such precision we assumed he was.

12                  JUDGE ANTONETTI: [Interpretation] What kind of weapon did the  
13 sniper have?

14                  THE WITNESS: [Interpretation] What kind of weapon this was I  
15 couldn't tell you. All I know is that we saw that from that building a  
16 man holding a rifle fired shots. It didn't look like an automatic rifle  
17 as far as we could tell, and we assumed that he was a sniper.

18                  MR. MARCUSSEN:

19                  Q.    The -- am I understanding your answer correctly? You didn't see  
20 the forces that were approaching from Karakaj?

21                  A.    No, we did not.

22                  Q.    Have you -- have you -- had you heard before the attack what  
23 forces were at Karakaj?

24                  A.    Yes, I had. I hadn't seen them, but I did hear about them.

25                  Q.    From who?

1           A.    Arkan's men, Seselj's men, and the several local adherents were  
2 standing, were manning the barricades.

3           Q.    And who told you that?

4           A.    I heard that from several sides and also my father told me he had  
5 been stopped at the check-point and checked. He recognised them. One  
6 sort had cockades on their heads and wore beards, and the others had  
7 insignia on their uniforms.

8           Q.    Thank you. You -- getting back to the attack. So you were being  
9 targeted by a sniper. You ran away. You were sitting in another  
10 position. Were you then being shot at again?

11          A.    Yes. I joked with that neighbour of mine, and I said to him,  
12 "Have you found time to get married?" "Well, at least I had time to have  
13 a honeymoon, but you don't." He then gave me a little push and he said,  
14 "Do you still care about that?" And as he gave me a little push, at that  
15 point where my head had been a bullet landed. We were sheltering behind  
16 the houses, and we started running.

17          Q.    And where did you --

18                JUDGE ANTONETTI: [Interpretation] Just a minute. This is a  
19 question of a technical nature.

20                You were talking to your neighbour, and at that moment he jolts  
21 you and you realise that there was a bullet impact. How were you dressed  
22 then? Were you in civilian clothes? Were you wearing a camouflage  
23 uniform? How were you dressed?

24                THE WITNESS: [Interpretation] I was wearing my leather jacket,  
25 jeans, and shoes. Civilian clothes.

1 MR. MARCUSSEN:

2 Q. And then you -- you started running. And just because we have  
3 limited time, where did you ultimately go to on that day?

4 A. I began to run. I was first, and I arrived at a fence. A woman  
5 had put up a fence around her vegetable garden. It was a wooden fence.  
6 I couldn't get through, and I was so frightened that I managed to pull  
7 out the planks. I threw myself down on the ground. Bullets kept  
8 whizzing around us. I could feel pebbles and bits of earth flying around  
9 my head, but fortunately they didn't hit us. And then we saw that that  
10 sniper was shooting from the line pit. We crawled along and managed to  
11 get out along the road going to Kula Grad along which everyone was  
12 fleeing.

13 Q. And did you go to Kula Grad yourself?

14 A. Yes, I did.

15 Q. Did you go back to Zvornik after of that?

16 A. Yes. On that night I returned to Zvornik, but I went back to my  
17 house to get some things with some of the neighbours who had forgotten to  
18 take some things with them. We heard shooting from all sides, and that  
19 night we went back to Kula Grad through the woods.

20 Q. And did you -- did you then returning to Kula Grad the next day?

21 A. That night, in the course of the night, we went back to Kula  
22 Grad. We spent the night there.

23 Q. And did you have your rifle when you were in Kula Grad?

24 A. Yes, I did. But that morning my father took me with him, and I  
25 handed the rifle to a friend of mine.

1 Q. When you were in Kula Grad did you see 11.000 Green Berets?

2 A. That's ridiculous. No.

3 Q. Did you see any?

4 A. No, I didn't. There were some people who in one way or another  
5 managed to get weapons. There were a few reserve policemen, and to the  
6 best of my recollection that was all. There may have been as many as 40  
7 armed men that I was able to see.

8 Q. Was Kula Grad defended, so to speak, for -- for a while?

9 A. Yes, Kula Grad was defended. On that first morning I left. I  
10 went with my father to a hamlet to stay with some relatives, and then I  
11 saw that they didn't really have a lot of food. So I went to Divic. I  
12 spent a few days there. Then I went back to that hamlet again, and then  
13 I went back to Kula Grad a day before it fell.

14 Q. And I hope I may be allowed to lead on this point, it should be a  
15 matter of no controversy.

16 Am I correct that Kula Grad has a hill, and on top of that hill  
17 is an old fortress?

18 A. Yes.

19 Q. And was that the position that was defended for a while?

20 A. Yes. There where the old fortress is, and in another part where  
21 there is the village. The whole village, together with the old fortress,  
22 was defended.

23 If I may, I would like to add that on that first day -- or,  
24 rather, that morning when I fled to that hamlet with my father, tanks  
25 from Serbia shot at Kula Grad. There were three tanks located in Mali

1 Zvornik. But as the fortress was very big and strong, not much damage  
2 was done. I don't know how many shots were fired, but I do know that  
3 they fired shots and we were afraid.

4 When I was at Divic, you could see very well where they were and  
5 how they were shooting and how the stones were flying around.

6 Q. Now, when -- when Kula Grad fell, did you try to flee and, if so,  
7 where were you trying to flee to?

8 A. We did try to flee, yes. It was hell. There was firing from all  
9 sides. We had no weapons, so a friend of mine and I started to flee.

10 On the other side of Kula Grad tanks were moving in the direction  
11 of Tuzla, and therefore we started running towards the village of  
12 Kamenica. People were fleeing. It was like a war movie. Everybody took  
13 whatever possessions they could. They put them on a horse or in a car.  
14 They would take their children, and they would all flee.

15 We fled also. We went in the direction of Kamenica. They kept  
16 shelling us constantly.

17 That night we arrived in a big village called Cerska.

18 Q. I'm sorry to interrupt you, but did you ultimately try to reach  
19 Tuzla?

20 A. We intended to, but a group of people who had been at Kula Grad  
21 and had weapons managed to break through to Tuzla, but we didn't dare.  
22 There was shooting coming from that side and we saw tanks on that side  
23 and houses burning there. So we didn't dare go in that direction.

24 Q. Did you -- could you describe the areas you moved through just in  
25 a general way. Did you see any villages in the areas you passed through

1 and, if so, had there been attack on those villages?

2 A. There was a village behind Kula Grad. I didn't know those  
3 villages very well before the war, but I learned later on this village is  
4 called Marchcici, a village or a hamlet or something. I don't know what  
5 it is exactly. And there were houses burning up there and from there a  
6 tank was firing at Kula. This was on higher ground than Kula was. And  
7 we fled down to Josanica and there were several villages there, several  
8 hills. People fled. There were groups of refugees. And we would come  
9 across copses of trees and wooded areas where people were hiding, elderly  
10 people, children.

11 We came across a group of people who were fighting at Kula or had  
12 been fighting at Kula, and they had a wounded man with them who died  
13 later on.

14 Everybody in those villages was packing up. Houses were  
15 beginning to burn. And from the hills we could see all those villages  
16 and everybody packed up and started fleeing in the direction of Cerska.

17 Q. Ultimately were you captured?

18 A. Yes.

19 Q. Were you with anyone when you were captured?

20 A. No. There were five of us.

21 Q. Could you give us the name, the name of the four others?

22 A. Could we move into private session, because I don't want to  
23 reveal my identity.

24 JUDGE ANTONETTI: [Interpretation] Let's move into private  
25 session.

1 [Private session]

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20 [Open session]

21 THE REGISTRAR: I'm sorry, counsel. Your Honours, we're back in  
22 open session.

23 MR. MARCUSSEN:

24 Q. Sir, what will dates approximately were you captured, if you  
25 know?

1 A. The 4th of May. 1992, yes. The day when Tito died.

2 Q. I think we have to skip ahead in the story a bit. And maybe --  
3 were you later in that day taken to a place where you were detained?

4 A. Later we were -- shall I go in chronological order or do you just  
5 want me to tell you where we ended up that day?

6 Q. I think in the interest of time we just have to go to where you  
7 ended up.

8 A. We ended up in Standard, a former footwear factory in Zvornik, in  
9 the building of the management on the second floor.

10 Q. And --

11 JUDGE ANTONETTI: [Interpretation] Witness, could you get closer  
12 to the microphone, please, when you speak, because it's difficult for the  
13 interpreters to hear you properly.

14 MR. MARCUSSEN: I'd like to call up 65 ter number 4052. There we  
15 are.

16 Q. Is this the Standard shoe factory?

17 THE ACCUSED: [Interpretation] Objection. I've been quite  
18 patient, Mr. President, especially when we were dealing with personal  
19 family relations and I didn't want to object when leading questions were  
20 put, but with respect to this photograph, the proper question would be,  
21 "What is this," and not, "Is this this or that." So please tell the  
22 Prosecutor to examine properly.

23 JUDGE ANTONETTI: [Interpretation] Well, Mr. Marcussen, just show  
24 the photograph and ask him what's on the photograph. I know that you  
25 tried to gain time.

1 MR. MARCUSSEN:

2 Q. Yeah. I thought these matters were not disputed by the accused,  
3 but -- do you know what this is?

4 A. The Standard footwear factory, but we were looked up in the  
5 management building.

6 Q. And can that part of the factory be seen on this photograph?

7 A. Yes. No, no. No, you can't really, no.

8 Q. Were you still with your four friends at this time?

9 A. Yes.

10 Q. Where were you placed in the management building or the  
11 administrative building?

12 A. They put us on the second floor. When you stand in front of the  
13 building that's the second floor on the left-hand side. As you go up the  
14 stairs where you enter the building, you go up to the second floor, it's  
15 to the right and then the door of that big room is straight ahead.

16 Q. The room that you were taken into, were there any other people  
17 detained there when you came?

18 A. Yes. First they searched us, then they took us in. Inside the  
19 room there were some people I knew. Some were from Divic and others were  
20 from Zvornik.

21 Q. When your searched, were anything taken from you or were you just  
22 searched?

23 A. In front of the SUP station in Zvornik they confiscated my gold  
24 bracelet and gold chain.

25 Q. Am I correct that this is in the part of the chronology that we

1 jumped over?

2 A. Yes. Yes. Yes.

3 Q. So at the Standard factory they just did another check of you,  
4 but nothing was taken from you; is that correct?

5 A. No, it wasn't.

6 Q. So what -- you were searched and then things were taken away?

7 A. They searched us and then they took us inside that room, and then  
8 a military policeman arrived. I don't remember what his rank was. They  
9 called him Mrki, and first he took away two people to give statements.  
10 After that he came back and took me and a friend of mine to write  
11 statements. When we entered the room there was a piece of paper there  
12 and a pencil. He paced up and down the room and he told us to write down  
13 where and when we were born, why were born, and where we had been from  
14 the time the shooting started until today.

15 Q. When you gave a statement were you in any way mistreated?

16 A. No. He told us that he was a decent man, that he wasn't going to  
17 beat anyone, but if somebody came and asked us if we had been beaten we  
18 should say that we had been kicked in the kidneys or beaten in the  
19 kidneys, and then he rattled the door and we made some noise to make it  
20 sound as if he was beating us, but he didn't actually touch us.

21 Q. But did he say he had received instructions to beat you?

22 A. Yes. Yes, he did. He said he had been issued with orders to  
23 beat everyone who had been brought in while questioning them.

24 Q. The people that were guarding the prisoners at the Standard  
25 factory, how did they look? What kind of -- were they wearing uniforms?

1           A.    They were wearing olive-grey, drab uniforms of the sort worn by  
2    the JNA, and the white straps worn by the police.  The military police,  
3    that is.

4           Q.    Do you know who their chief was at the Standard factory?

5           A.    I can't be a hundred per cent certain, but judging by the way  
6    they behaved in certain situations I would say it was Niski.  I can't be  
7    absolutely certain whether that was actually correct and whether it  
8    related to the entire military police.

9           Q.    This person, Niski, how did you learn his -- his name?

10          A.    Well, that's what everyone called him.  I'm not aware that he  
11    harmed anyone throughout my stay there.  In my opinion -- or, rather, I  
12    heard some people say he was Arkan's man.  Others said he was Seselj's  
13    man.  I believe he was Arkan's man, but he always tried to protect the  
14    prisoners as far as we could tell.  I don't know what happened elsewhere,  
15    in other places, I wasn't there, but he's the only one I can really have  
16    a good opinion of, actually.

17          Q.    Is Niski a real name or is that a nickname?

18          A.    Well, it's a nickname everybody used.

19          Q.    While you were in the Standard factory were you given any work to  
20    do?

21          A.    We cleaned the rooms.  Various units were stationed there.  I  
22    think there was the sabotage units on one side, the reconnaissance men on  
23    another.  When you went up onto the first floor to the right were the --

24                THE INTERPRETER:  Interpreter's note:  Could the witness slow  
25    down, please.  This is too fast for the interpreters.

1 MR. MARCUSSEN:

2 Q. The interpreters ask you to speak a little slower because they  
3 have difficulties keeping up.

4 A. Forgive me.

5 Q. I think -- could you just tell us once again what units were  
6 there, because I think that got lost. If you would repeat that part of  
7 your answer, please.

8 A. There were reconnaissance men and sabotage men on the ground  
9 floor. On the first floor there were people from Loznica because we  
10 brought gets in for them, and the military police. I think it was the  
11 military police, yes. And on the second floor, as you went up the stairs  
12 on the right-hand side were we prisoners, and on the left-hand side were  
13 Seselj's men from Kraljevo.

14 MR. MARCUSSEN: Your Honours, we'll go more into the identity of  
15 these -- a number of these different units and members of them, but I  
16 think the time for the break might be coming up.

17 JUDGE ANTONETTI: [Interpretation] Yes. We shall have a 20-minute  
18 break now.

19 --- Recess taken at 10.00 a.m.

20 --- On resuming at 10.21 a.m.

21 JUDGE ANTONETTI: [Interpretation] Please resume.

22 MR. MARCUSSEN: We're missing a player.

23 JUDGE ANTONETTI: [Interpretation] Absolutely. Very well. So the  
24 hearing is resumed.

25 Mr. Marcussen, if I understood you right, you told us you needed

1 three hours with this witness and two hours with the next one. So the --  
2 of course you're using three hours, which means that Mr. Seselj will also  
3 be given three hours for his cross-examination.

4 MR. MARCUSSEN: Thank you, Your Honours. Before I continue, I  
5 would like to tender the photograph of the Standard factory, that was  
6 4052. I forgot to ask for an exhibit number for that one I'm afraid.

7 JUDGE ANTONETTI: [Interpretation] Mr. Registrar.

8 THE REGISTRAR: Yes, Your Honour. That will be Exhibit number  
9 P00303. Thank you, Your Honours.

10 THE ACCUSED: [Interpretation] Objection. Mr. President, instead  
11 of having the Prosecutor find us the photograph of the administrative  
12 building of Standard so that that can be an exhibit, because the witness  
13 actually said that the prisoners were put up in the administrative  
14 building of the Standard factory and that there were either members of  
15 the army there or whoever, now he's sending us a photograph which is  
16 completely irrelevant. So if they don't have the photograph of the  
17 administrative building they can send somebody to take a photograph.

18 I don't know why this is being tendered at all.

19 JUDGE ANTONETTI: [Interpretation] Apparently you do not have the  
20 photograph of the administrative building. Is that so?

21 MR. MARCUSSEN: Yes, Your Honour.

22 Q. Mr. Witness, in -- did you give a statement to the Office of the  
23 Prosecutor in 1996?

24 A. I did, yes.

25 Q. And when you gave the statement did you make a number of sketches

1 to indicate various locations you had been in?

2 A. Yes, I did.

3 Q. And those sketches, did you sign and date them when you had drawn  
4 them?

5 A. Yes.

6 Q. Now, I'd like to call up Exhibit number 2208.

7 THE ACCUSED: [Interpretation] Objection. Judges, I can see that  
8 several times on several occasions you very pedantically intervened when  
9 the Prosecutor asked the witness to identify something that had been  
10 previously marked on the photograph. You stepped in. Now the Prosecutor  
11 is presenting something which the witness at one time long ago drew. I  
12 think that that is impermissible regardless of the fact that it doesn't  
13 have any effect as far as I'm concerned, maybe it's an authentic  
14 rendition. I have no reason to doubt the fact because what the witness  
15 has said so far is in order, but I think that this is impermissible,  
16 because since 1996 it's been 12 years, and the OTP staff had an  
17 opportunity of photographing everything, drawing up precise sketches and  
18 then putting that to the witness so that the witness could identify them  
19 in precise terms, not to have a sketch which is 12 years old presented  
20 here for the witness to identify it now.

21 So let's hear from the Prosecutor first how this sketch was made  
22 in the first place. Was it an aerial view or where this was sketched  
23 from.

24 JUDGE ANTONETTI: [Interpretation] Mr. Seselj, the witness drew  
25 this sketch on the 29th of September, 1996. I suppose that the

1 investigator who was with him and whose name must be in the statement,  
2 Mazhar Inayat was the name of the investigator, he must have asked the  
3 witness to locate the administrative building as well as the various  
4 individuals and units. They didn't have any photograph. If they had any  
5 photographs, it would have been much easier, and so the witness drew this  
6 himself.

7 We are interested in knowing who was on the right-hand side on  
8 the second floor. That's the most relevant for you.

9 So, Mr. Prosecutor.

10 MR. MARCUSSEN:

11 Q. Mr. Witness, let me first ask you is this something that -- is  
12 this a sketch that you remember making?

13 A. Yes.

14 Q. And I can see there is some handwriting on it in -- in your  
15 language, and there's some handwriting in English. Who made -- who wrote  
16 in -- the things that are written in your language on the sketch?

17 A. I wrote that.

18 Q. And the things that are written in English, who wrote that?

19 A. I think it was the investigator when he asked me subsequent  
20 questions, and then by -- based on the explanations he would add the  
21 floors.

22 Q. Thank you. Now, there is a cross marked in the -- what I believe  
23 is the administrative building. There is a box with a cross in it. What  
24 is that?

25 A. That's where we prisoners were.

1 Q. And what is written next to the cross?

2 A. It says "Prisoners" in abbreviated form.

3 Q. And then where is a number 1, what does it say there?

4 A. They are the Seselj's men and the Kraljevcani.

5 Q. And number 2?

6 A. Rosnica Nidi [phoen], war -- military police.

7 Q. And number 3?

8 A. Number 3 was the military police.

9 Q. Number 4?

10 A. The reconnaissance men and the others were the sabotage people.

11 Q. And when you say the others is that number 5, or what is number  
12 5?

13 A. Yes, yes. Number 5 were sabotage or diversionary forces.

14 JUDGE ANTONETTI: [Interpretation] Witness, how did you know that  
15 all these people were on the ground floor or on the first floor and you  
16 yourself being on the second floor? Well, we can understand where you  
17 were since you were a prisoner, but how did you know that there was this  
18 sabotage unit located on the ground floor? How did you know all that?

19 THE WITNESS: [Interpretation] I was taken to clean up the  
20 premises, the building, a few times, and at every entrance to these  
21 premises or rooms it would say "Diversionary," "Military police," "War  
22 police," "Reconnaissance" and so on up on the doors.

23 JUDGE ANTONETTI: [Interpretation] Seselj's men, was that  
24 mentioned on a piece of paper too?

25 THE WITNESS: [Interpretation] It didn't say that there, but they

1 were their rooms. I know that because they would go there. They would  
2 visit us from time to time. And then they took out one of my friends for  
3 interrogation. So that's where their rooms were, but I didn't go in  
4 there to clean them. But I did go into all the others.

5 MR. MARCUSSEN:

6 Q. Later on during your stay at the Standard factory and locations  
7 that we're going at that talk about later on, did you -- did you have a  
8 chance to learn more about the identity of the group of Seselj's men?

9 A. Could you repeat that question, please? I'm not sure I  
10 understood it. I don't think the lady -- you're interested in the  
11 identities that I learnt then or that I learn about later on, which?

12 Q. No. My question is did you -- apart from knowing about this  
13 particular room when you were in the Standard factory, did you interact  
14 or were you in close contact with men from the -- from Seselj's group at  
15 various times throughout the events we're going to discuss today?

16 A. I see. Okay. Yes. Major Toro came by, and he took video  
17 footage of us. We had to give our first and last names and where we were  
18 from. And later on I heard that that record was broadcast over  
19 television Serbia, and it said that a diversionary group had been  
20 captured which tried to infiltrate itself into Zvornik.

21 THE INTERPRETER: Could the witness kindly speak into the  
22 microphone and speak up, please.

23 THE WITNESS: [Interpretation] They observed us. They would come  
24 by and observe us. They didn't beat us. Vojvoda Cele came by once. I  
25 think that at that point he had one or two knives hitched onto his belt,

1 and he was laughing and kept touching the knife. And then Sasa from the  
2 Kraljevo group came by once, too, and he said, "A special man would come  
3 by. He will talk to you. You mustn't look him in the eyes, and you must  
4 address him with Vojvoda, sir, honourable Vojvoda sir, and if any of you  
5 knew who conducted what machinations in Zvornik and what business that  
6 they should tell him," and one of us stepped forward, and he went to  
7 those rooms, to those premises and stayed there for an hour and a half.

8 Q. When you gave a statement in 1996, that statement, have you had a  
9 chance to review that again before you have given testimony here today?

10 A. Yes, I did have an occasion to review it.

11 Q. And in the statement do you give a description of various members  
12 of the Loznica group and the group of Seselj's men?

13 A. Yes. Of course to the best of my recollection, as I saw them.  
14 And in principle, I always tried to determine their height judging by my  
15 own height give or take 20 centimetres. So it was what I saw with my own  
16 eyes, roughly my assessment.

17 Q. And in preparing for your testimony today, were you shown an  
18 extract from your statement which is a list of these various members of  
19 the two groups that you have identified in your statement?

20 A. Yes.

21 Q. And did you have an opportunity to look at the list to see if  
22 the list was accurate?

23 A. Yes.

24 Q. And did you make some corrections to the list?

25 A. Yes, to the best of my recollections. And as far as I remember

1 after such a long period of time, of course, to the extent that is  
2 possible that's what I did.

3 Q. If I may ask the usher to assist me showing the witness -- you  
4 can show this copy of the document.

5 THE ACCUSED: [Interpretation] Objection. Mr. President, the  
6 witness is now being given a document not that he signed but that was  
7 compiled by the OTP allegedly on the basis of his statement, and now the  
8 witness is being led to repeat what he said about these nicknames. I  
9 think that is absolutely impermissible.

10 JUDGE ANTONETTI: [Interpretation] Yes, Mr. Prosecutor.

11 MR. MARCUSSEN: Actually, this particular list a signed by the  
12 witness. It was -- the list itself has -- is in the system and has been  
13 disclosed to the accused, and it has 65 ter number 7184.

14 During the proofing - and this is what I was going to ask the  
15 witness about - the witness have as he said reviewed the list and has  
16 made certain corrections to the list based on his memory. He has signed  
17 this list and he has signed and dated each of the corrections he has  
18 made, and I was going to ask the witness to confirm his signature and  
19 tender this document into evidence.

20 So that's what I was going to do, and I don't think there's a  
21 basis for the objection.

22 JUDGE ANTONETTI: [Interpretation] Mr. Prosecutor, if I understand  
23 you properly, in his prior statement he described six members of the  
24 Seselj's men, Vojvoda Cele, Major Toro, Pufta, Zoks, Sasa, and Sava, and  
25 you listed all of the descriptions in this document together with some

1 minor corrections; is that right?

2 MR. MARCUSSEN: What we have done is we have, yes, isolated from  
3 the list and the statement what is the description, taken out anything  
4 which is -- and there were just a very few bits which are not mere  
5 descriptions. So we only have descriptions of these persons. And then  
6 the witness has reviewed the list, confirms that this corresponds to his  
7 memory. He has signed the list yesterday, and because he had some  
8 amendments and additions, he have written those additions on the list and  
9 signed it.

10 The list is composed of two parts. It has the so-called Loznica  
11 group, which is also relevant to the case, and then we have the group of  
12 Seselj's -- so-called Seselj's men.

13 This is measure to try to be able to get through their identity  
14 quickly. I'm happy to go through this with the witness as live evidence  
15 before the witness starts looking at the list again.

16 JUDGE ANTONETTI: [Interpretation] This list bear the Exhibit  
17 number 2195. So it is the amended list compared to the initial prior  
18 statement, is that so?

19 MR. MARCUSSEN: I believe the exhibit number in your folder is  
20 7184.

21 JUDGE ANTONETTI: [Interpretation] That's right. Yes. I was  
22 wrong. Yes, 7184.

23 What are the details that he changed?

24 MR. MARCUSSEN: Maybe I should distribute to Your Honours as well  
25 a copy. I wanted to lay a foundation first with the witness, but we can

1       also do it the other way round. If the usher would assist.

2               As all this was done last night, I'm afraid the amendments and  
3 translations are in -- in handwriting. Sorry, I -- we have copies for  
4 everyone, for the Judges and for the accused.

5               So if Your Honours look at the bottom of the first page you will  
6 see there's a signature and a date. And if Your Honours turn to the  
7 second page you will see corrections being made and in the English  
8 version you can see what those corrections are.

9               THE ACCUSED: [Interpretation] Mr. President, I think that this is  
10 scandalous. First I don't seem to have that number --

11              JUDGE ANTONETTI: [Interpretation] Do not say that this is  
12 scandalous or a scandal. There is an investigator. He met with the  
13 witness in 1996, in September 1996, and this investigator asked the  
14 witness to describe the individuals he saw when he was sweeping the  
15 floors or the individuals who were in those premises. Back then the  
16 witness told us the story and gave an exact description, as far as he  
17 could see, of those individuals. For instance, Vojvoda Cele. He was the  
18 leader of the group from Kraljevo. He was 172 centimetres tall, weighed  
19 about 100 kilos, and he had a big stomach, shoulder length black hair, et  
20 cetera. So these are the kind of details provided by the witness. And  
21 during proofing the witness added some corrections, only a few of them,  
22 and these are to be found on page 2 of the English version and on page 2  
23 of the B/C/S version. That's all.

24              So please do not say that this is a scandal. This is merely a  
25 means of eliciting identification information on the individuals who were

1       there. And rather than saying that this is a scandal, I draw your  
2       attention to the paragraph regarding Major Toro. He seemed to have a  
3       military ID, so that could be a clue to the fact that he might have been  
4       JNA member.

5               So before you criticise, listen first to the Prosecution's  
6       questions. You will have the cross-examination in order to crush this if  
7       you want.

8               We are now trying to understand how this presence of these people  
9       was in the administrative building. The witness is saying that there  
10      were some of Seselj's men in that building, and we are trying now to find  
11      out who these people are.

12              So please continue, Mr. Prosecutor.

13              MR. MARCUSSEN:

14              Q. Mr. Witness, am I correct that you have made corrections and you  
15      have signed this document where you made the corrections?

16              THE ACCUSED: Now you're tolerating something amazing, an amazing  
17      leading question. Whether the Prosecutor's right. Well, of course the  
18      Prosecutor is always right in front of this Tribunal and that's not a  
19      scandal I suppose.

20              MR. MARCUSSEN: It has already been stated several times by both  
21      the president, and you yourself brought up the issue, it has already been  
22      said that the document is signed. We are really get into silly  
23      formalities here. There is no problem with a leading question in this  
24      context. And the witness has signed the pseudonym sheet and we can  
25      compare straight away his signature on the pseudonym sheet and the

1 signature on his statement. This is just a waste of time.

2 JUDGE ANTONETTI: [Interpretation] Yes, this is a waste of time  
3 because the witness signed the document thereby authenticating the  
4 changes that he made, and these are really minor changes.

5 Please proceed, Mr. Prosecutor.

6 MR. MARCUSSEN:

7 Q. Mr. Witness, just in terms of the basis for your description,  
8 when you have described these people you have listed, is that based only  
9 on what you saw at the Standard factory or did you subsequently see these  
10 people in places where you were detained?

11 A. This relates to my entire stay there. Well, in different  
12 concentration camps or different places. It was on the basis of  
13 everything that I drew my conclusions. And then if I was able to stand  
14 by them, then I would sort of try and remember how tall they were, how  
15 much they weighed, and so on.

16 Q. And when were you ultimately released from what you refer to as  
17 concentration camps?

18 A. On the 4th of December, 1992.

19 Q. So did I understand your answer correctly to be that from May  
20 until December 1992 you on a number of occasions had opportunity to see  
21 these people maybe, yes?

22 A. Yes, that's right. Until July, the 15th of July. That's when we  
23 were transported to Batkovici.

24 Q. Sorry, July, yes. Now --

25 JUDGE LATTANZI: [Interpretation] Could we first of all ascertain

1       who were the so-called Seselj's men that he saw in the Standard shoe  
2       factory, because otherwise I'm a bit lost. Does this list correspond to  
3       the entire period? We were talking about the shoe factory. Can we stick  
4       to that and see what this witness knows about the so-called Seselj's men  
5       who were there?

6               MR. MARCUSSEN: Indeed, Your Honour. I'm going to just do a few  
7       more questions about the identification, and then as we go through Your  
8       Honours will see a number of these names appearing in different contexts  
9       over the period of time that we have just been discussing, some of them  
10      at the Standard factory, some of them at other locations that we're going  
11      to talk about. But I think it's useful to introduce these people at  
12      this stage so we all know who we're dealing with, and then we will cover  
13      their actions as we move through. So I'll get to this in just a little  
14      bit.

15      Q.     If we -- as we've been talking about the group of Seselj's men,  
16      now you say about Toro that he had a military ID that identified him as  
17      one of Seselj's men, or Seselj's army as it says in the English  
18      translation. Did you see the ID at any point in time?

19      A.     I didn't see the military ID. My friend told me he had seen one.  
20      And later on while I was working -- or looting for them in town,  
21      actually, at one point when Major Toro gave Pufta lots of money, passed  
22      over lots of money by standing beside a truck that was going to Kraljevo  
23      and told him what to do, he gave him a black ID card on which, I think in  
24      silver letters, I'm not sure whether they were silver or gold letters,  
25      but anyway, there was a cockade on it, and it said "Serbian Radical

1 Party." So I assumed that it was some sort of ID card. It was like the  
2 ID cards we had. Whether it was a proper ID card or something else I  
3 can't say with certainty because I was standing on the truck and loading  
4 up, actually, and I saw this wad of notes. You know, you can see when  
5 somebody hands a wad of notes to somebody else. So that's what happened.  
6 He said, "Take this, and you know what you're supposed to do."

7 Q. And with respect to Sasa and Sava, do you know whether they held  
8 any -- did you ever hear about them holding a rank within Seselj's group?

9 A. I don't remember about Sasa, but of Sava I know -- well, I think  
10 this was in June. They talked and said he had been promoted, that Seselj  
11 was in Zvornik and that he had promoted Sava to the rank of major.  
12 That's what Zoks and Pufta said. And Sava said that there was a  
13 celebration and that the other two were promoted to captain. Zoks and  
14 Pufta. Zoks and Pufta. Pufta and Zoks. They were also promoted.

15 Q. And you yourself overheard that conversation?

16 A. Yes. And Zoks is a friend of mine. Because -- he congratulated  
17 him, and the other one thanked him, said thank you -- "I congratulate you  
18 on your promotion." And he said, "Thank you, thank you."

19 THE INTERPRETER: Could the witness kindly speak up. Thank you.

20 JUDGE ANTONETTI: [Interpretation] So you say, "He's a friend of  
21 mine." Did you know him beforehand?

22 THE WITNESS: [Interpretation] No. No. That was a poor  
23 interpretation. I didn't say he was my friend, but my friend  
24 congratulated him on his promotion.

25 THE INTERPRETER: The interpreters note that it's very difficult

1 to hear the witness. Could he please speak up.

2 MR. MARCUSSEN:

3 Q. Mr. Witness, I know it's difficult, but you need to try to speak  
4 a bit louder because there's a difficulty in hearing what you're saying.

5 The -- on your list you have a Loznica group. Did you know  
6 members of this group before the war?

7 A. Yes.

8 Q. How did you know them?

9 A. Well, I knew them because us guys would go to Loznica frequently  
10 and they would come to Zvornik from time to time, and it's a group of  
11 people who were known to the police. They had thick dossiers. So when  
12 you arrive in a town, for instance, then in principle you always try to  
13 learn who -- whom you should avoid, and those were the people. So you  
14 did your best to say hello to them, pay them a round of drinks so that  
15 they wouldn't touch you.

16 So as I say, we knew one another by sight. I actually knew one  
17 of them, if I can put it this way, the leader, Stuka, I knew him a little  
18 better, not very well, but we would even have a drink from time to time.  
19 I knew him through a girl that we knew. I don't want to enter into any  
20 intimate details.

21 Q. This particular group, do you know who their leader was in  
22 Zvornik?

23 A. Stuka would always bring them, but their real leader was Gogic.  
24 That's what they said. That's what we heard. Gogic did not come, but  
25 once when we were loading up he had a red Golf car, he took us with him

1 so that we could load up some things that he took a fancy to for his  
2 flat.

3 Q. Do you -- did you ever overhear a conversation which informed you  
4 about who they reported to outside the Standard factory? Sort of higher  
5 up the chain, if I can put it that way?

6 A. Yes, yes.

7 Q. Who did they report to first?

8 A. If we're coming to the day when they beat us, these people from  
9 Loznica, the Loznicani, then Niski stormed in, he stopped the beating and  
10 argued with them, and then Stuka told him, "If something's not clear to  
11 you, go and see Major Marko Pavlovic because he's the only one I receive  
12 orders from."

13 Q. And do you know what position Marko Pavlovic held in Zvornik?

14 A. As far as I learnt from what the guards said amongst themselves,  
15 he was the chief of the town defence at the time, as far as I understood  
16 it. The Serbian defence of the town.

17 MR. MARCUSSEN: And if we could just go in for one question in  
18 private session, please.

19 JUDGE ANTONETTI: [Interpretation] Private session, please.

20 [Private session]

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Page 5220 redacted. Private session

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13 [Open session]

14 THE REGISTRAR: Your Honours, we're --

15 THE ACCUSED: [Interpretation] Mr. President, before we round this  
16 off, there's into dispute about the name, but there is dispute about the  
17 Prosecutor's precision and his knowledge of the case. The dispute about  
18 the name has been resolved. It has been resolved here before this OTP  
19 and before the court in Belgrade. There's nothing in dispute there.

20 (redacted)  
21 (redacted)

22 JUDGE ANTONETTI: [Interpretation] Very well. It's on the record.  
23 Let's move to open session unless we already are in open session.

24 THE REGISTRAR: Your Honours, for the record we are back in open  
25 session. Thank you, Your Honours.

1 JUDGE ANTONETTI: [Interpretation] I think we need an order in  
2 order to redact line -- the lines that deal with the person tried in  
3 Belgrade.

4 MR. MARCUSSEN: It looks to me that that was said while we were  
5 still in private session. No? No... we can --

6 JUDGE ANTONETTI: [Interpretation] I don't really know. Only the  
7 registrar can tell us.

8 Open session on line 12, page 55.

9 MR. MARCUSSEN: I don't -- I don't think that the mere mention of  
10 the identity of this -- it's not a concern for this case. If Your Honour  
11 is concerned about the identity of the accused before the war crimes  
12 chamber in Belgrade, but this as itself we don't need a redaction.

13 JUDGE ANTONETTI: [Interpretation] Well, the Chamber would rather  
14 redact just to be extra careful.

15 MR. MARCUSSEN:

16 Q. Mr. Witness, I think we have to skip ahead. On the fifth day you  
17 were in the Standard factory were -- were you mistreated on that day?

18 A. Yes, we were. On the fifth day of our stay there the people from  
19 Loznica came. Loznicani as they were known. Stuka brought them in and  
20 asked if anybody knew him. We lowered our heads, although some of us did  
21 know him, and then he said, "Okay. Nobody knows him." Then they lined  
22 themselves, distributed themselves, and they started beating us.

23 One whom I knew as Dejan stood next to me and said, "I'll take  
24 this one." He hit me several times, and obviously there was one with his  
25 pistol out of the holster guarding us if any of us tried to defend

1 ourselves.

2 After I suffered a few blows, although I had never practised any  
3 martial arts, he said, "This one seems to be a hard nut to crack." And  
4 then one of the boxers came. He hit me, and then I flew across the room  
5 like in the movie.

6 They were beating us. They took turns. I would highlight the  
7 especially cruel persons who beat us. His name was Lale, one of the  
8 Loznica guys. He forced me to take off my shoes and socks, and then he  
9 beat me using a very thick electricity cable. He beat me on the soles of  
10 my feet, and he asked me whether it hurt, and I was crying out in pain.  
11 I said that it did hurt a lot, and then he said, "This does not hurt.  
12 This just drives you insane."

13 And then I would also like to highlight another person from the  
14 Loznica group. His name -- rather nickname was Macak. He sported a  
15 mustache. He came to us. He grabbed us by the loins and then -- I'll  
16 try and demonstrate it with my own hands. That's how he grabbed us by  
17 the loins, and then he would twist our loins backwards. And there was  
18 another person standing in front of us hitting us with a boxer all the  
19 time. Stuka was telling them all this time --

20 Q. When this movement was being done to you, were you being hit at  
21 the same time? Is that what you're saying? One would hold you and  
22 another one would hit you?

23 A. Yes, yes. That was it, and it was very painful because you  
24 were -- your body was twisted backwards, and then another person would  
25 run up to you and hit you. And all this time Stuka was ordering them not

1 to hit us in the head. Whoever was crying or screaming, they would throw  
2 him on the ground. They would push them against the ground with their  
3 knees, and then they would hit them with police baton.

4 There was a girl with them. She was barefoot. She had a dark  
5 brown or black hair, long. She sported a pony-tail. And she must have  
6 been into martial arts, and she was using us as -- as sparring partners  
7 or punching bags. She did not hit me.

8 This lasted all the night. The first time they left, let me say  
9 this, they gave us a pencil --

10 Q. Let me stop you. Let me just stop you. You described that Lale  
11 hit you under your feet. Did he also hit you in other places?

12 A. Yes. He also hit me, and I forgot to say that he hit me on the  
13 left knee and the leg above the left knee. So my foot -- my leg went  
14 numb. I stopped feeling my leg. He was beating me on the one and the  
15 same place all the time. So my leg went completely numb. I could not  
16 feel my leg. I tried to protect it with my hand, but I couldn't. I  
17 could just feel tingles passing through my leg, and I can still have --  
18 feel the same sensation sometimes in my left leg.

19 Q. You said you were given -- eventually the beating stopped and you  
20 were given a piece of paper. Now, were you the only one being beaten or  
21 were all of you in the room beaten?

22 A. Everybody, yes, everybody.

23 Q. And how many of you were there in the room at the time?

24 A. Six. I believe that there were eight of us, actually.

25 Q. And how long did the beating last for, the period -- the thing

1       you just have talked about?

2           A.    It lasted until they were worn out.  I can't give you the exact  
3    time.  The first time they gave us pencils to write what we knew about  
4    similar people from Zvornik with criminal records, and then at that  
5    moment when they were worn out Niski would come.  He would interrupt  
6    them.  He would enter into arguments with them.  And he told us that this  
7    would not repeat again, and we told him that we had been given pencils  
8    and papers to write, and he said we did not have to do it.

9           An hour or two hours later they returned and they started beating  
10   us again following the same scenario, and finally when they were tired  
11   Niski came back, argued with them, and then he yelled at the guards.  And  
12   then what -- by that time we had already written on those papers what we  
13   knew and what we didn't know.

14          The third time they came we hoped that they would not beat us  
15   because we had filled those papers, and I would not want to repeat before  
16   the Trial Chamber what they told us.  Stuka tore up the papers, said he  
17   was not interested in that, and the last time we were beaten.  Towards  
18   the morning Niski came and apologised for everything that had been done  
19   and he pleaded with us not to tell about the whole event.  We agreed  
20   hoping that that would stop any further beating.  And then he said that  
21   we would be released, that he had made some inquiries about us in the  
22   meantime and that we would be released.  And then --

23          Q.    Let me stop you.  Let me stop you there.  When you were  
24   repeated -- you were repeatedly beaten, how many times did people come  
25   back and beat you, if you remember?

1           A.    I believe five times but I'm not sure, but this was repeated.  
2           I'm not a hundred per cent sure. I don't know. Three, maybe five or so.  
3           I don't know. I believe it was five times.

4           Q.    And were the beating of the same nature each time?

5           A.    Every time of the same nature. Some of them adopted their own  
6           pets to put it that way, and they would approach that person immediately.  
7           Obviously that's how they functioned.

8           Q.    Was it the -- was it the same group that came back and beat you  
9           each time or were there different groups?

10          A.    That night just that group returned. And Niski even yelled at  
11          the guards, trying to tell them that they should not let that group in,  
12          that they should use their arms, but it failed every time. They all  
13          returned again and again and beat us. And that morning they put us in a  
14          mini van. They took us to in front of the building of the military  
15          department in Zvornik. We were driven by a military police. Mrki was  
16          among them as the person who interviewed us first. He apologised to us,  
17          said he could not do anything about that.

18                 There's something I forgot to tell you. After the last round of  
19          beating, the guys from Loznica told us, "We shall meet you later today at  
20          the Ekonomija.

21          Q.    You had also said that Niski had said that you would be released.  
22          So what happened? Did you actually go to Ekonomija or were you released?

23          A.    They brought us to the building of the military department. They  
24          started handing out passes. The group from Loznica came, took those  
25          passes from us, and they ordered the military police to take us to

1 Ekonomija. While we were at the Standard we heard all the worst things  
2 about Ekonomija. The guards kept telling us that whoever went to  
3 Ekonomija did not come from there alive and that's what we feared the  
4 most.

5 When we arrive at Ekonomija they took our belts, shoelaces,  
6 personal IDs, and whatever jewellery people had on them, and we could  
7 hear guards comment, saying, "Well, you won't need those any more  
8 anyway."

9 And then they took us into the Ekonomija building. Ekonomija is  
10 actually a farm building near Zvornik, and I believe that the room that  
11 we were in had served as a storage. It was rather high. It had a window  
12 high up with bars on it. It had a metal door. It was -- it had a  
13 concrete floor. And on the door, on the metal door, there was a small  
14 opening through which we could be handed food.

15 When they brought us there, there were between 15 and 20 people  
16 there but I can't be exactly sure of the number.

17 Q. Let's just have a look maybe at exhibit number -- 65 ter number  
18 4147.

19 Mr. Witness, are you -- can you tell us if you know what this is?

20 A. These are the building at the Ekonomija in Karakaj. Next to the  
21 large, big building is that smaller building where we were kept. I'm  
22 talking about the small building of which you can only -- see only the  
23 roof.

24 MR. MARCUSSEN: Your Honours, again this is the best picture we  
25 have, so before we get an objection, I should just mention that.

1           Your Honours, before I forget, I would like to tender this  
2     photograph.

3           THE REGISTRAR: Your Honours, that will be Exhibit number P00304.  
4     Thank you, Your Honours.

5           MR. MARCUSSEN: I'd also like to tender because I think I omitted  
6     that 65 ter number 2208. That was the sketch from standard.

7           THE REGISTRAR: Your Honours, that will be Exhibit number P00305.  
8     Thank you, Your Honours.

9           MR. MARCUSSEN: And then, now that we are in this admin business,  
10    I'd like to tender 7184. That is a list of Seselj's men and the Loznica  
11    men. What I propose to do is to keep the 65 ter number but upload into  
12    e-court the amended version that we showed today in court. But if we  
13    have an exhibit number for it already now then we can just do that change  
14    later.

15          THE REGISTRAR: Your Honours, that will be Exhibit number P00306.  
16    Thank you, Your Honours.

17          MR. MARCUSSEN:

18         Q. Mr. Witness, you were taken into the room. There were 15 to 20  
19         other people there at the time. At the time when you came to the room  
20         did you know the name of any of the these people?

21         A. I knew a few people there, and I actually got to know all of them  
22         during my stay there. I learned their names. But before that I already  
23         knew some people.

24         Q. Let's -- maybe I could ask that we go into private session so the  
25         witness can say the identity of the people that he --

1 JUDGE ANTONETTI: [Interpretation] Private session, please.

2 [Private session]

3 (redacted)

4 (redacted)

5 (redacted)

6 (redacted)

7 (redacted)

8 (redacted)

9 (redacted)

10 (redacted)

11 (redacted)

12 (redacted)

13 (redacted)

14 (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

23 (redacted)

24 (redacted)

25 [Open session]

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

2 MR. MARCUSSEN:

3 Q. When you were in Ekonomija were the -- were prisoners being  
4 beaten there?

5 A. Yes. Ekonomija was the hardest period of my incarceration. I  
6 would not wish that experience upon anybody, even the worst enemy as our  
7 people like to say it. Whoever wanted to beat people would come to  
8 Ekonomija. It was a large farm away from the town, a bit away from the  
9 road. So you could spend three days there without anybody knowing that  
10 you were there. It was just the ideal place for anybody to do whatever  
11 they wanted to do to the people there. We were regularly beaten at the  
12 Ekonomija farm.

13 The Loznica group came most frequently, and they beat us every  
14 time. A person that they referred to as Roki started coming with the  
15 Loznica group. I was convinced that in my first statement I mentioned  
16 that he had been in training, because later on during my stay when he  
17 came alone he would inflict so much damage, there would be so much blood  
18 as if there had been five or six of them beating us.  
19 Sometimes people from Kraljevo also came, but it was most often people  
20 from Loznica who came, the Loznicani group. They came at different times,  
21 during the day, during the night. And as for the place where we were  
22 incarcerated, I don't know what to tell you. We did not have anything to  
23 lie on, just a few cardboards. And one night they even poured water on the  
24 floor so that we would not be able to sit or lie down and we... I managed  
25 to sleep on my feet, in a sort of semi-conscious state. And you never

1 knew... they would come at random times, day and night, and beat us up.  
2 And they even forced us to beat each other. On the second day of my stay  
3 at Ekonomija my shoulder was broken. It was done by Roki from Rocevici.  
4 I don't know whether he was actually from there or not.

5 I was beaten by two men, and I could only see him running up to  
6 me with an intention to kick me in the head. I moved, which angered him.  
7 He went outside, took a very wide stake that was prepared for the fence  
8 around Ekonomija. He came back and he started beating me with that stake  
9 on the showed year and he kept on beating me until I no longer felt my  
10 shoulder. I fainted three times. There must have been water in the room  
11 because every time he poured water over my head and every time he cursed  
12 my mother. And let me not repeat those curses. And he kept on telling  
13 me, "You won't die yet, not yet." Finally he asked me, "Do you want me  
14 to start beating you on the right shoulder as well?" And I said yes, do  
15 that. And then he started beating me with that stake on the right  
16 shoulder. He hit me several times, and then he said, "The right shoulder  
17 is somewhat sweeter," and then he continued beating me on the left  
18 shoulder. He said, "The left shoulder is sweeter."

19 I don't know for how long this lasted for. I only know that he  
20 actually broke that thing on my shoulder. He broke my shoulder, and I  
21 still suffer the consequences of that beating. I can't lift my left arm,  
22 and I have only 30 per cent of the strength of the right arm in my left  
23 arm.

24 Q. Let me just -- you say you can't lift your left arm. Can you  
25 show the court how much you can lift your arm. So the witness is showing

1       that he can only lift his arm a little below horizontal level. And  
2       that's the left arm.

3       A.    I can't lift it any further up because this is where it was  
4       broken and it healed incorrectly. The bone healed incorrectly.

5                I don't know how I mustered the strength the following morning,  
6       and I'm skipping a few things here because there was an agreement between  
7       Cele and Niski that we would be taken to work the following morning.  
8       Whoever was able to lift their -- both arms could go to work and if they  
9       couldn't then tough luck, and I mustered the strength to lift both my  
10      arms and that's how I was taken to work.

11      Q.    Let's just stop for one minute. So the person who was beating on  
12      the shoulder, who was that?

13      A.    Roki.

14      Q.    And what -- what group did he belong to?

15      A.    I wouldn't be able to tell you which group he belonged to. He  
16      came with the group from Loznica. Sometimes he would come on his own.  
17      At the beginning when he started arriving, he had a spiral -- a frizzy  
18      mini-wave, long hair. His hair was bleached. It was originally brown.  
19      And then later on when we saw him his hair was short, black, and he also  
20      sporting a black moustache. He was an expert in martial arts, and I know  
21      that because he could beat a person much bigger than him and he could  
22      kick a man much bigger than him with his leg.

23      Q.    You also mentioned that there would be the Kardelj group that  
24      would come. You mentioned them earlier. Is that the group that you  
25      mentioned as being the group of Seselj's men at the Standard factory?

1           A.     Kardelj was a member of the Loznica group.

2           THE ACCUSED: [Interpretation] Objection. Again a leading  
3 question and very much off the point. In the statement there is no  
4 reference to Kardelj's group. Kardelj is mentioned as one of the men  
5 from Loznica, and now the Prosecutor is leading the witness, asking him a  
6 leading question, and if the witness is not concentrated then he might  
7 have answered yes, he was from Kardelj's group, and I don't think this is  
8 admissible.

9           JUDGE ANTONETTI: [Interpretation] Mr. Marcussen.

10          MR. MARCUSSEN: I will have to go up in the transcript but I'm  
11 fairly certain that the witness has already said earlier in the  
12 transcript that they were Seselj's group, and he also referred to that  
13 group as being the group from Kardelj. So I'm not leading the witness.  
14 I'm just confirming to make sure that we have in the same portion of the  
15 transcript the information to make it easier to read later on.

16          JUDGE ANTONETTI: [Interpretation] I didn't hear that. The Trial  
17 Chamber didn't hear that.

18          THE INTERPRETER: Microphone for Mr. Seselj.

19          THE ACCUSED: [Interpretation] Mr. President, I consider you  
20 should sanction the Prosecutor because he is making things up. Evidently  
21 neither Seselj's nor Kardelj's group were mentioned, and I understood  
22 that Seselj and Kardelj were one and the same man called different names  
23 by different people, and it's a well-known percentage in history.

24                 I think the witness should be allowed to tell us what happened to  
25 him on his own without the Prosecutor introducing confusion with leading

1 questions.

2 MR. MARCUSSEN: I will rephrase the question.

3 JUDGE ANTONETTI: [Interpretation] Very well. I don't think it's  
4 Kardelj. It must be Kraljevo.

5 THE WITNESS: [Interpretation] No, no. May I? Kardelj was a  
6 member of the Loznicani group. He may have become confused with the one.  
7 He was a member of the Loznica group. He was a short man. He's the one  
8 who beat me when I got away from that Roki. He had a nickname.

9 JUDGE ANTONETTI: [Interpretation] Very well.

10 THE ACCUSED: [Interpretation] Objection, Mr. President, by your  
11 leave. It's been ten years since this witness VS-1013 made his  
12 statement. In these ten years the Prosecution has had enough time to  
13 identify all these people by first and last name and address, but the OTP  
14 did not investigate at all. The witness gave a statement, and it was all  
15 left aside for ten years.

16 The witness is giving his testimony now, and the OTP has not  
17 conducted any kind of investigation to support this. Where can this be  
18 done now? It was their duty to check the identity of all of these people  
19 if these people exist.

20 MR. MARCUSSEN: The --

21 JUDGE ANTONETTI: [Interpretation] Mr. Marcussen.

22 MR. MARCUSSEN: This is not an objection. It's a comment on the  
23 Prosecution's investigation.

24 Now, I will rephrase the question and -- the question to be the  
25 following:

1 Q. While you were in Ekonomija, did the group that you earlier  
2 identified as Seselj's men, did they also participate in the beating of  
3 prisoners?

4 A. Yes, they did. On the second day we were there they brought in  
5 Bubica, Brahman Mulbasic [phoen], and when they brought him in, it was  
6 the Loznica people who brought him in. He said they could call up Jefto  
7 Subotic, that this was ridiculous, that there must be some mistake. And  
8 we said to him, "Calm down, maybe none of us will leave this place  
9 alive." He started to laugh. I don't know how much time I have.

10 Q. Let me stop you. Before we get into this, could you just briefly  
11 describe who this person with the nickname Bubica was?

12 A. He was the driver of the Zvornik brick factory manager. For  
13 years he was his driver. The two of them went around together, and their  
14 relationship was far more intimate than a merely official relationship.  
15 They knew each other's secrets. Jefto knew Bubica's secrets and vice  
16 versa. Everybody knew Bubica. He was a very good looking man.

17 Q. And what was the name of the manager that he was the driver of?

18 A. Jefto Subotic, the manager of Glinica. He was elected manager in  
19 1991, probably for political reasons, because for gave money for certain  
20 causes, and Bubica evidently knew too much because Bubica was in Germany  
21 and he was in constant contact with Jefto and Jefto said Bubica told us  
22 this. Jefto said to him that everything was all right, that he could  
23 come back. So Bubica came back. As he told us he spent a few days with  
24 Jefto in Belgrade, and then people had to report their property again and  
25 to avoid losing his flat in agreement with Jefto he came back to Zvornik

1 to report his flat, and he was told everything would be all right. But  
2 while he was queueing up, he was captured. The Loznicani beat him up and  
3 then they said we'll go and play a little with your wife.

4 Q. Did they beat Bubica?

5 A. Not in front of us. Later Major Toro turned up, he and Sava, and  
6 Sava had a black pump-action rifle, I think. He took out a sheet of  
7 paper and he said, "Who is this Bubica Buljubasic [phoen]?" And Bubica  
8 said, "It's me," and he said, "What kind of big cheese are you when I  
9 have to interrogate you?" And he said to him that he should write down  
10 on this sheet of paper who his contact person in SDA in Sarajevo was and  
11 from where he was supposed to obtain explosives to blow up Jefto Subotic.  
12 Bubica burst out laughing and said, "Sir, this is misunderstanding. This  
13 is ridiculous, Jefto and I are best friends. Call up Jefto and ask him."  
14 And he said, "Don't interrupt me. If you're guilty, I'll kill you. I  
15 don't torture people, but don't interrupt me. I hate being interrupted.  
16 I don't like beating people up." And he said to him, "You're going to  
17 write down this and this and that."

18 And Bubica thought it was funny. He couldn't understand that he  
19 was being accused of they things. So he kept asking him to call up Jefto  
20 and ask him or to let him talk to Jefto. But at one point Toro started  
21 hitting him, and as far as I was able to see, I was peering out of -- and  
22 it was the first time I saw a beating. He punched him and then kicked  
23 him and when he finally let him go he crumpled up on the floor in the  
24 corner and he said to him, "Didn't I tell you not to interrupt me?" And  
25 at that point Sava saw -- well, we said to Bubica he had a gold chain and

1 a gold watch and a gold bracelet, and we had told him to hide these  
2 things and but didn't believe us, and Sava took off his gold chain and  
3 gold bracelets and he said, "You won't be needing this anymore anyway."

4 And then he realised what time it was and where he was, and he  
5 took off his watch and he said, "If you survive this give this to my  
6 children. And Toro later confiscated that watch from that prisoner, but  
7 I don't want to say what his name now was in open session.

8 Q. We have to move on, so let me ask you, did you see Vojvoda Cele  
9 at Ekonomija?

10 A. Yes, I did. He came on the next day, and Zoks and Pufta came,  
11 I think, but he came for sure because I know that they were laughing about  
12 how the people from Loznica were beating us, and they said,  
13 "It doesn't matter. We'll come back later."

14 And they turned up again at night. It was late at night. Before  
15 that the people from Loznica had beaten us up again, and he came with two  
16 big knives stuck in his belt. He took them both out and started whetting  
17 the knives, one against the other, and he said, don't be afraid it won't  
18 last long. I've brought assistants with me. And they forced us to --

19 Well, before that they started accusing the father of one of the  
20 prisoners, an elderly man who was there, that he had been a Ustasha in World  
21 War II, and they said that he had a U branded under his left armpit. They  
22 stripped him, and they saw that he didn't have any U tattooed or branded  
23 on his skin, and they said he must have had plastic surgery to remove it.

24 And at Ekonomija they kept forcing us to make the sign of the  
25 cross, to bless ourselves. There was a Nedjo, a Serb, and he told us how

1 to say the Our Father.

2 Q. Let me just stop you here. Was the -- was the elder -- elderly  
3 man asked to go -- taken outside the room?

4 A. Yes, but I wanted to come back to that later.

5 Q. I think we have to move to this.

6 A. [In English] Okay.

7 Q. Was there another prisoner that was taken out with the elderly  
8 man? Just yes or no, because I think we'll need to go into private  
9 session to get the identity.

10 A. Yes.

11 MR. MARCUSSEN: And if we can move into private session, please.

12 JUDGE ANTONETTI: [Interpretation] Private session, please.

13 [Private session]

14 (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

23 [Open session]

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

25 MR. MARCUSSEN:

1 Q. Can you describe first what happened to the older man outside?

2 A. The elderly man was taken outside and beaten. They hit him in  
3 front. We heard them hitting him. We were all stripped down to the  
4 waist and kneeling.

5 They took out this other person as well. They brought him back  
6 later, but they beat this elderly man, and finally he crawled back inside  
7 on all fours because he couldn't stand up after the beating. And at one  
8 point when he crawled back into the left-hand corner he said, "Good-bye,  
9 children. I'm leaving," and he died.

10 Q. And the other person that was taken out, do you know what  
11 happened to him?

12 A. They beat him, too, but then they brought him back in.

13 Q. And you said that you were all kneeling. Why were you kneeling?

14 A. Vojvoda Cele made us strip to the waist and pray to God, but he  
15 said that we mustn't pray to Allah. He said we were Serbs and we had to  
16 pray to Jesus and that our fate was being decided. That's why I wanted  
17 to talk about this Nedjo who was locked up together with us, because he  
18 was the one who taught us the text of the Our Father since we didn't know  
19 it. And really, I did say that prayer only so that things would -- that  
20 things would pass -- pass by me. And then this Niski came with his men  
21 and started arguing with Vojvoda Cele outside, and he said, "What are you  
22 doing? I need people to work." And Cele said to him, "Go and look  
23 somewhere else." And Niski said to him, "Where can I find men when  
24 you've killed them all. You've slaughtered them all." And he said,  
25 "What do I care? These ones are mine." And then Vojvoda said, "Now your

1 fate is really at stake. Pray to God." And then they made a deal. They  
2 said that all those who are fit to work, who could lift their arms,  
3 should go and work, and those who couldn't were left to Vojvoda.

4 That morning, I managed somehow to raise my arms, and that  
5 morning we were transferred to the brick factory in Karakaj near Zvornik,  
6 which was not far from that place.

7 Q. How many men from the room went to do work?

8 A. I think there were 23 of us. The number changed later on.  
9 Twenty-four, depending on how many were needed. I think at first there  
10 were 22 of us. I'm not sure, but I know that they made a list of our  
11 names, and it seems to me, although I'm not a hundred per cent certain,  
12 that there were 22 of us. I know later the number increases to 24 or 25,  
13 and then some men were and then some men were brought in subsequently  
14 when there was more work to be done. And when we arrived in the  
15 brickworks, we went to load the bricks, and another group went to put in  
16 order the room where we were going to be, and then Niski came. He  
17 recognised some of us who had been at Standard, and he said he was really  
18 sorry, there wasn't much he could do, and what he could do was the  
19 following: Nobody was to interfere with us. We were to be prisoners  
20 according to the Geneva Conventions. We were to be given five or ten  
21 cigarettes a day and five German marks each; that was what we were  
22 entitled to under the Geneva Conventions he said.

23 Q. Let's stop here and go back a little bit. What was the name of  
24 the place you were taken to, the name of the factory?

25 A. This was the Novi Izvor factory called the brickworks because

1       they produced roof tiles, in fact.

2       Q.     And I'd like to show the witness Exhibit 65 ter 4101.

3             JUDGE ANTONETTI: [Interpretation] So this list and then we'll  
4     have a break.

5             MR. MARCUSSEN:

6       Q.     Mr. Witness, what is on this photograph?

7       A.     That's that Novi Izvor brickworks or Ciglana, or the roof tile  
8     factory.

9             MR. MARCUSSEN: Thank you, Your Honours.

10            JUDGE ANTONETTI: [Interpretation] Let's have a number.

11            MR. MARCUSSEN: Thank you.

12            THE REGISTRAR: Yes, Your Honour. That will be Exhibit number  
13     P00307. Thank you, Your Honours.

14            JUDGE ANTONETTI: [Interpretation] Very well. Let's have a  
15     20-minute break. We'll resume at 10 past 12.00 and we'll work until  
16     1.15. Mr. Prosecutor, I think you've used nearly two hours so far but  
17     the Registrar is going to check that. Thank you.

18                               --- Recess taken at 11.50

19                               --- On resuming at 12.12 p.m.

20            JUDGE ANTONETTI: [Interpretation] Mr. Marcussen.

21            MR. MARCUSSEN: Thank you, Your Honour. It doesn't seem to be my  
22     day for exhibits today. I'd like to ask that P05 and P06 -- no. P305  
23     and P306 be placed under seal. They bear the signature of the witness.

24            JUDGE ANTONETTI: [Interpretation] Very well. Mr. Registrar.

25            THE REGISTRAR: Sorry, counsel. Just for the record, P00305 and

1 P00306 are placed under seal. Thank you, Your Honours.

2 MR. MARCUSSEN: Thank you.

3 Q. Mr. Witness, what kind of work did you initially do at Ciglana or  
4 the brick factory?

5 A. At the beginning we mostly loaded up stuff -- or, rather, the  
6 roof tiles, and then well, we did some cleaning, too, some plastic waste  
7 behind the factory. I think they're the reels that the roof tiles were  
8 baked in. We cleaned that. And then when the people from Kraljevo took  
9 us over, Kraljcani, we started loading up construction material all over  
10 Zvornik and first --

11 Q. Let me stop you. Before we get to that, you who were detained  
12 worked at the factory. Were there also other people working at the  
13 factory?

14 A. Yes, there were, the usual workers, ordinary workers.

15 Q. And were you being guarded by anyone since you say you were  
16 prisoners?

17 A. Yes. At first where we worked there were always guards there,  
18 usually the military police.

19 Q. Did they wear a uniform?

20 A. Yes, they wore the SMB olive-green uniform. Yes, they did, the  
21 kind worn by the JNA, with the white belt.

22 Q. And did they have any insignia on?

23 A. In the beginning I don't think so. It was the regular army,  
24 regular soldiers. They had -- just had the white belts while we were  
25 working within the factory compound.

1 Q. You said that you were then later taken over and then you did  
2 other work. Now, first of all, what do you mean by "taken over"?

3 A. They took us over -- well, according to certain provisions. I  
4 don't know which, but Major Toro took us over and Zoks and Pufta. They  
5 were the three that were mostly there, and they took us off. They took  
6 us to do this loading job, the construction material around Zvornik. At  
7 the beginning it was only Zvornik. At the beginning it was only this  
8 construction material.

9 Q. Sorry, where did you go to load this material?

10 A. There were two hauling companies from Loznica, two haulers, with  
11 their trucks, the large trucks, and we would load this up onto them, onto  
12 their vehicles, and everything that we loaded up went to the Ciglana or  
13 brick factory, and I think the director Miscevic there would issue papers  
14 as if to say that all this was Ciglana in the first place and then it was  
15 driven to the Jadar company, utilities company in Loznica, that was what  
16 we learnt from the driver, and the goods were sold there.

17 Q. And you said that papers were issued as if the materials came  
18 from the Ciglana factory in the first place. Where did it really come  
19 from?

20 A. In fact, the material was stolen, had been stolen, from the  
21 Muslim houses that were abandoned because the people had been expelled or  
22 they had escaped. So all this was loaded up onto the trucks. And once  
23 we'd load up a whole truck full we would go and sit up on the truck  
24 ourselves. Some people would sit with the driver in front. Sometimes  
25 there was an escort. One vehicle would follow the truck, and we were

1 taken to the Ciglana. And quite obviously that's where other papers were  
2 supplied, because how else could you transport the goods to Serbia? So I  
3 think that that's what financed the war, that the war was financed from  
4 there.

5 JUDGE HARHOFF: Mr. Prosecutor, if I may put a question directly  
6 to the witness.

7 Did you yourself take part in the loading of the trucks with this  
8 construction material that you have mentioned?

9 THE WITNESS: [Interpretation] Yes, I did.

10 JUDGE HARHOFF: But I understand that you had a broken shoulder  
11 at this time. So you would have been incapable of carrying anything, or  
12 at least not very much. So how did you manage?

13 THE WITNESS: [Interpretation] I loaded up together with others,  
14 and they covered for me because I had a less weight to carry. And my  
15 shoulder, the bones knitted together but not properly.

16 JUDGE HARHOFF: But this was how long after your shoulder was  
17 broken?

18 THE WITNESS: [Interpretation] The fracture occurred, let's see,  
19 when we were at the Ekonomija on the 11th or 12th of May, and the  
20 Kraljcani took us over towards the end of May. So while we were working  
21 in the Ciglana we would load up the roof tiles, and everybody took larger  
22 loads, and I was given a light load, or they would just pass tiles over  
23 to me, and my friends would cover for me. So the bones knitted, but had  
24 I shown them that I wasn't able to work, I would probably have been sent  
25 back.

1 JUDGE HARHOFF: Thank you.

2 MR. MARCUSSEN:

3 Q. When you went out to get building material, who decided where you  
4 would go?

5 A. Toro did.

6 Q. Did you only go to Muslim houses?

7 A. At the beginning, yes. However, as time went by, well, the Serbs  
8 would write in large letters write up "Serb house," and then they would  
9 ring a few times, and if nobody opened the door then he would say, "Break  
10 in," and we would break into the house. And if he took a liking to any  
11 of the items in the house, we would quickly load them up onto the truck  
12 and move on.

13 Q. Did you only remove building material?

14 A. In the beginning, yes, but later on we would empty whole  
15 workshops, depots belonging to various entrepreneurs, and so on. But at  
16 the beginning it was only construction material. And what happened  
17 fairly frequently was that we would line up the tools from the various  
18 workshops and the machines. We'd make a line of them at the bottom and  
19 then put roof tiles on top to cover them up. And what they did, sold the  
20 material over there, I don't know, but we did what we were told to do.  
21 For example, an entire workshop belonging to Fikret Lovric with all the  
22 barbecue equipment, they were all loaded up and all this was patented  
23 stuff.

24 Q. How often did you go out on those trips?

25 A. Daily. We went every day, on a daily basis. We would load up.

1 We went every day.

2 Q. Did you ever go to your own house?

3 A. Yes, I did, and I loaded up -- well, Zoks and Pufta took us in a  
4 car. The Loznicani were up there with a truck, and then I took out all  
5 the things from my own house and loaded them up for the Loznicani, Lale,  
6 the same one that beat me on my feet and left knee. And Sneza, his wife,  
7 went too. She had a baby in her arms, but she went to select the  
8 furniture she fancied. And they took almost everything from my own  
9 house.

10 And I'd like to give you a detail but only in private session,  
11 because I don't want to disclose my identity by giving you that detail.

12 JUDGE ANTONETTI: [Interpretation] Private session.

13 [Private session]

14 (redacted)

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

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11 (redacted)  
12 (redacted)  
13 (redacted)  
14 (redacted)  
15 (redacted)

16 [Open session]

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

18 MR. MARCUSSEN:

19 Q. How long did you continue to work for the Seselj group doing  
20 these kind of trips?

21 A. Well, almost until the very end of my stay in Zvornik. I can't  
22 give you an exact date, whether it was around the 1st of July or the 7th  
23 when the people from Loznica took us over, but the Loznicani took us off  
24 to load goods in Kozluk, for example, too, although frequently --  
25 although the Loznicani had taken us over, Sava and Sasa would stop by

1 down there too. So -- well, it happened almost on a daily basis. That's  
2 what we did almost every day, but I couldn't tell you whether it was the  
3 1st of July or 7th of July, but I know that we were transferred to  
4 Batkovici on the 15th of July.

5 Q. And could you tell us how Kozluk looked at the time?

6 A. Well, at the time Kozluk had been emptied of its inhabitants, and  
7 the Serbs came to Kozluk who were relocated, resettled there from other  
8 territories, and they would come in, take over the houses. And we tried  
9 with the Loznicani to load up the goods before people came to take up  
10 residence in the empty houses. So if somebody managed to hide a  
11 television, you might find -- come across a TV set, or you would be told  
12 to dig up a yard if they thought some gold or valuables had been hidden  
13 there.

14 But anyway, Kozluk emptied very quickly, and the other people  
15 that had come in and resettled there came in quickly.

16 Q. While you were in Cigлана, were you mistreated in the same way  
17 that you had been mistreated in Standard and Ekonomija?

18 A. Yes. Not for the first few days, but then slowly while Niski was  
19 still there, and then slowly the guards began beating us, and then some  
20 groups began coming in. Well, I don't know, some people from outside.  
21 And then this man Roki started visiting us on a regular basis, the one  
22 that broke my shoulder. Roki made us learn Chetnik songs. We had to  
23 know them off by heart. And whenever he turned up, we had to get up,  
24 stand up, and he would point to some that he called -- some of us who he  
25 called the singers and who had made -- memorised the songs. We had to

1       sing the Chetnik songs out loud and he would hit us. He loved doing  
2       that. Now, do you want me to go back to the soldiers who beat us or him  
3       or what do you want me to refer to?

4       Q.     We have to move on so I go to a specific incident. I think the  
5       Court has sort of understood the sort of general picture of how things  
6       were.

7                 JUDGE HARHOFF: I apologise, Mr. Prosecutor, but not quite.  
8       There is one thing that is unclear to me, and this is the handing over  
9       from -- from the group the Loznica group to the group that you call  
10      Seselj's men, and it is unclear to me who was doing what exactly of these  
11      two groups. Sometimes we are told that they came out with the Loznica  
12      group, and yet it was somebody from the Seselj's men who were controlling  
13      the events, and -- I would like the witness to explain to us just how  
14      this handing over of control was -- was carried out in practice.

15                MR. MARCUSSEN:

16      Q.     Mr. Witness, which group first took you out on trips like the  
17      ones you have described?

18      A.     The Kraljevcani group took us out, although I can't remember the  
19      date. But it was roughly from the end of May until the beginning of July  
20      when we were under their control.

21      Q.     And the next group that took you out, which group was that?

22      A.     We were under the control of the Loznicani. Now, who made the  
23      decisions and how those decisions were made, we did not know  
24      unfortunately. All we knew was that they arrived and that they were in  
25      charge of us from that time on.

1 Q. So if I may summarise your evidence, when you say you were taken  
2 over, you were describing basically that a new group of people started to  
3 be the ones who would take you out with them. Is that how we can  
4 understand it?

5 A. Yes, that's right. That's right.

6 Q. Now, I'd like to ask you whether you know or knew a gentleman  
7 called Ismet Cirak.

8 A. Yes. I met him for the first time when they brought us to  
9 Ekonomija. He was also in the group that was transferred from Ekonomija  
10 to the Ciglana place later on. And at some point, whether it was one of  
11 the guards or a man named Djoko, nicknamed Kobra from Trsic, or one the  
12 guards, I'm not quite sure because he went around with the Kraljevcani  
13 later on, but anyway, he attached a nickname to him. They said that he  
14 had a rifle first, where it stayed "This lady shoots alone," and then  
15 somebody added an adjective, and it said "This lady shoots at Serbs  
16 alone."

17 Q. Can I ask you, did you at some point witness him being mistreated  
18 by anyone?

19 A. Yes. And on one occasion -- well, they came and beat us all.  
20 That was the order of the day. But on one particular occasion Zoks took  
21 us out to wash his white Stojadin car. It was all bloody, and they were  
22 all bloody. And they washed their hands at the tap. And then this man  
23 Djoko left, nicknamed Kobra, and he took Ismet out and he took out a pair  
24 of pliers and tried to pull one of Ismet's teeth out. He started pulling  
25 and pulling but didn't manage to do that. So he tried another tooth but

1 was unsuccessful there too. And then Zoks sent him off. He said  
2 something to him, I don't know what, but he said I'll come back to you  
3 later, something like that.

4 Q. And did somebody come back to Ismet Cirak?

5 A. Yes. One day Pufta came with Savo and Sasa. I don't think that  
6 Toro was there on that day but I'm not sure.

7 In any case, Pufta was behaving very strangely that whole day and  
8 tried to brag before his colleagues about his position and importance,  
9 and then he threatened Fikret first or maybe Cirak first. Then he took  
10 Cirak outside and told him he would slit his throat. We could not  
11 believe our ears when he heard that. We were very close. I was standing  
12 not far from the window, and Savo and Sasa were laughing all the time  
13 saying, "He's not normal," and this and that and the other. "Stop  
14 fooling around," Savo was telling him, I believe. Or Sasa maybe. "Stop  
15 while it's still not too late."

16 And then Sasa entered and sat down amongst us. He brought a  
17 chair to the door and sat down, and he said he would never be able to  
18 torture a person. He could kill a person but not torture him had. And  
19 he said that Pufta was an idiot. And then he -- and then he said, "Well,  
20 look at the fool. He wanted to slit his throat with a blunt knife and I  
21 gave him a sharp knife." At one point Pufta appeared with a bloody knife  
22 and gave it to a prisoner who was there next to the door and I don't want  
23 to mention his name because we're in open session, and then he went  
24 outside, washed the knife, and he came back all pale, and he just rolled  
25 his eyes and whispered to us that he indeed did slit his throat.



1 Q. Mr. Witness, do you know what was -- what was done to the body of  
2 Ismet Cirak?

3 A. It was thrown into a car. I did not see it because I was inside,  
4 but we heard the car leaving. I don't think that they took it very far.  
5 I believe that they took it into a field below Karakaj in the industrial  
6 zone, because they returned within 10 minutes. So it did not take long.  
7 I can't give you the exact timing. It may have been anything between 10  
8 and 20 minutes. That's how long it took them to take the body there and  
9 return. And then --

10 Q. You mentioned a man with a tattoo. What happened to him?

11 A. Pufta told him that he had to remove that, otherwise he would cut  
12 it out. And if he as much as uttered a sound while he was removing his  
13 tattoos he would slaughter him as he did Cirak.

14 Q. And did this person try to remove the tattoo?

15 A. Yes. I believe that he gave him a lighter and we gave him  
16 another.

17 Q. And what did he do with the lighter?

18 A. He burnt his skin with the lighters. At the end Pufta was not  
19 satisfied with the result. He took him outside, into another room,  
20 actually, and actually he encircled the tattoo with a knife. He took it  
21 out with a knife, and the man did not as much as utter a sound. Pufta  
22 brought him back inside, and -- and we could see him sweating profusely,  
23 and then somebody tore a T-shirt or something to put on the wound so that  
24 it could heal.

25 Pufta came up to a prisoner after that whom he referred to as

1 Swiss, because that person was temporarily employed in Switzerland, and  
2 he just came -- had come for a holiday, and he told him, "You are next  
3 tonight."

4 Q. Before we move on, what was on the tattoo that was removed, do  
5 you know?

6 A. A crescent and a star.

7 Q. Was the Swiss killed?

8 A. No, he wasn't. That night they were on the -- on a night-shift,  
9 and the Swiss decided without ever mentioning it to the others, since the  
10 guards never had any problems with that, he attacked the guard and took  
11 his weapon and fled together with three or four other men.

12 This had not been planned, which is corroborated by the fact that  
13 half of the shift remained working in the factory without ever noticing  
14 that something had occurred.

15 Q. Thank you. For how long did you remain at Ciglana?

16 A. We remain at Ciglana, as far as I can remember, up to the 15th of  
17 July. That's the way I remember it. I believe it was the 15th of July.

18 Q. And where -- where did you go from Ciglana?

19 A. From Ciglana we were taken to the Batkovic camp. And could I  
20 please provide a comment about something that happened before we were  
21 transferred just briefly? I would like to provide a comment.

22 Q. We are running out of time, so if you would be very brief,  
23 please.

24 A. I would like to talk about 800 people who went missing from the  
25 villages surrounding Zvornik. One lad was brought one morning because

1 his -- from his village Kaldurani. He said where certain villagers had  
2 buried weapons, and on that morning he was brought in, and on that day  
3 the busloads of people with their heads down and arms on their back were  
4 singing Chetnik songs. One bus was pulled over. This lad was loaded  
5 onto the bus, and we heard him saying, "They're being taken to be  
6 exchanged." And I heard somebody saying, "Well, good for them." And  
7 then Toro said, "They will all be killed. You should feel lucky to all  
8 be here." And the lot of these people is not known to this very day.

9 Q. Thank you. When you came to -- to Batkovic [Realtime transcript  
10 read in error "Petkovic"] were there other people detained there?

11 A. During the transport to Batkovic they loaded onto different buses  
12 all those who were incarcerated in Zvornik. When we arrived in Batkovic  
13 we found prisoners from Vlasnica, Papraca, Brezevo Polje, Bijeljina,  
14 Brcko, there. And later on people from Rogatica were brought in, and  
15 subsequently that winter people from another camp, either Manjaca or camp  
16 around Prijedor, were also brought in.

17 Q. In the transcript at line 10 Petkovic should be with a B. It  
18 should be Batkovic like two lines further down.

19 Did the other prisoners at Batkovic tell you what had happened to  
20 them?

21 A. Yes. People from Divic said the most about what had happened in  
22 Celopek in the culture hall. We already knew some details because a  
23 group had been brought to work together with us, but they did not dare  
24 tell us all because we were guarded by Kraljevo guys. They were telling  
25 us about the things that Repic with his group as well as Pufta and Toro

1 and others had done down there. Together with them we tried to exchange  
2 as much information as possible. Obviously we relied only on trusted  
3 sources, because we didn't know who of us would survive. So we wanted  
4 those who survived to know as much as possible to be able to relate those  
5 stories to others.

6 Q. And what were you told about what had happened at Celopek?

7 A. We were told, for example, that Repic and his team came. Toro,  
8 Zoks, and Pufta also came. They killed people there. They cut off male  
9 sexual organs and forced other men to eat them. They forced a father and  
10 son to perform a sexual act, and they enjoyed every possible humiliation  
11 that they could inflict upon people.

12 They asked a man who was in the company of his 16-year-old son  
13 whether he had any more children. He said, No, that he didn't have any  
14 more, and then they told him, Well, you have none now, and they shot the  
15 boy in the head. The father was also killed because Repic opened a burst  
16 of fire into the group where this man was.

17 Q. How long did you stay at Batkovic?

18 A. I stayed until the 4th of December, 1992. That's when I left  
19 Batkovic camp.

20 MR. MARCUSSEN: Your Honours, that concludes the direct  
21 examination of this witness by the Prosecution.

22 Questioned by the Court:

23 JUDGE ANTONETTI: [Interpretation] Well, I would have a question  
24 for you, Witness. The topic was not dealt with, but this is to be found  
25 in the indictment. You were living in Zvornik. Next to Zvornik there is

1 another place called Mali Zvornik, is that so?

2 A. That's correct. It's across the road.

3 JUDGE ANTONETTI: [Interpretation] In the indictment it is said  
4 that Mr. Seselj allegedly went to Mali Zvornik to make a speech. Were  
5 you aware of that?

6 A. I heard of that. I did not hear or see the speech itself. I  
7 know that there were incidents during the speech, but I personally did  
8 not attend the occasion.

9 JUDGE ANTONETTI: [Interpretation] When this speech was made were  
10 you in Zvornik?

11 A. I wouldn't be able to remember the date when this happened, but I  
12 was in Zvornik constantly for a year leading up to the war.

13 JUDGE ANTONETTI: [Interpretation] What about your neighbours, the  
14 residents of Zvornik? Did they speak about the speech or did nobody  
15 speak about it?

16 A. Well, they spoke about it, but there is one thing. None of us  
17 could actually understand or grasp the possibility of a war. It was just  
18 perceived as a way to win votes. Even today as I sit here when I  
19 remember all these things, I just can't believe what has happened and  
20 what I've been through.

21 JUDGE ANTONETTI: [Interpretation] As to the ethnic distribution  
22 of Zvornik, was it a city, a town with a majority of Serbs or of Muslims?

23 A. Zvornik as a town had a majority Muslim population. There is a  
24 part of Zvornik that used to be called Srpska Varos which was inhabited  
25 by the Serbs who had lived there a long time, but a majority of Serb

1 inhabitants of Zvornik inhabited high-rise blocks of flats. It is to be  
2 assumed that between 60 and 70 per cent of Zvornik were Muslims.

3 Q. One final question. What did you do to load up building material  
4 onto trucks, material that had been removed from Muslim houses, I was  
5 listening to you very carefully.

6 If I understood properly, you would load onto the truck the  
7 building material that was taken here and there. Is that so?

8 A. Your Honour, these materials were just sitting around the houses  
9 from which the Muslims had been expelled, and these materials were just  
10 sitting there and we just came up to those houses and loaded them on the  
11 lorries. The houses in mid-July --

12 JUDGE ANTONETTI: [Interpretation] Sir, you say that you would put  
13 that onto trucks. So there were several of them. And would the trucks  
14 come from Serbia or were they local trucks as it were?

15 A. Most of the vehicles frame -- came from two haulers who had huge,  
16 big trucks, who would transport all the stuff to Serbia. Sometimes --

17 JUDGE ANTONETTI: [Interpretation] One moment, please. So you say  
18 that they belonged to two haulers. These transport companies, were they  
19 local companies or were they transport companies from Belgrade, from  
20 Serbia?

21 A. One was Ljubisa from Loznicka Polje. That was one hauler. His  
22 lorry was blue. And the other one was Dragan, also known as Mrgud, and I  
23 believe that he was a hauler from Loznica.

24 Your Honour, if I may add to that --

25 JUDGE ANTONETTI: [Interpretation] One moment, please. So these

1 two transport companies did not come from Belgrade. They were local  
2 ones. We agree on that, don't we? Very well.

3 So as to the materials, they were on the trucks. Where would the  
4 trucks go to?

5 A. They would go to the Jadar utility company in Loznica.

6 JUDGE ANTONETTI: [Interpretation] So they were going to the  
7 Loznica, the local company, but from there they left to Serbia. Who told  
8 you that?

9 THE INTERPRETER: They left for Serbia, interpreters note.

10 A. I apologise, Your Honours. Loznica is in Serbia on the other  
11 side of the Drina River, and the other bank.

12 JUDGE ANTONETTI: [Interpretation] When I was talking about  
13 Serbia, I meant Belgrade. Were the trucks going towards Loznica or  
14 towards Belgrade?

15 A. As far as I know and as far as I was informed by the drivers,  
16 they took the stuff to Loznica. I know that on one occasion Dragan, also  
17 known as Mrgud, took certain things to Kraljevo. He was angry and he  
18 said, "I will never do it again." I don't know what was on those trucks  
19 that went -- or on that truck that went to Kraljevo.

20 JUDGE ANTONETTI: [Interpretation] This looting, you were a victim  
21 of this also as you told us this story about the umbrella and the CD  
22 player that had been bought in Germany. You were the victim of this  
23 also. When you were there, did you have the feeling that this was  
24 organised looting, or were people profiting from that situation and  
25 amassed some goods? What was your view on this?

1           A.    Your Honour, I believe that the small-scale looting, if I may  
2           call it that way, which involved certain private belongings from the  
3           houses, that those were private enterprises. As for the bigger-scale  
4           looting involving machinery and building materials, that was organised in  
5           nature and I can corroborate that with the fact and tell you that when  
6           the military police control came to see who we were and what we were  
7           doing there, Major Toro would take out a list of paper showing what was  
8           allowed, what was not allowed, and then they would turn on their heels  
9           and leave.

10                    JUDGE ANTONETTI: [Interpretation] So was a blank sheet -- sorry,  
11           was a sheet of paper on which the instruction were is written down?

12           A.    [Previous translation continues] ... of authority. I did not say  
13           the following thing because there was no time for that. On one occasion  
14           when we were loading stuff from a tinsmith shop we found bags with bloody  
15           clothes in them, and those items of clothing were numbered. The highest  
16           number that I saw was either 192 or 198. I'm not sure any more. Then  
17           some Specials came, I don't know, and said that we should not touch those  
18           things because those are the archived items. Then Toro showed him that  
19           piece of paper. We left the bags behind but we loaded everything else,  
20           and then they left.

21                    What I'm saying is that he was a man with a very high authority.

22                    JUDGE ANTONETTI: [Interpretation] Now, this is my last question.  
23           You spoke at length about the Cele Vojvoda, and I was wondering why you  
24           gave him this title, Vojvoda. Why did this Cele have this title? How  
25           did you know about it, who told you? Could you tell us more about this?

1           A.    His fellow fighters called him Vojvoda.  When Sasa came to  
2           Standard, that's what he said.  And he either on that occasion or maybe  
3           later told us that at a rally in Montenegro when somebody through a hand  
4           grenade saved Seselj's life, and that's why Seselj held him in high  
5           esteem.  That's what I heard, and that's the only thing that I can tell  
6           you.  I cannot confirm in any other way.

7                    JUDGE ANTONETTI: [Interpretation] And according to you he was  
8           declared a Vojvoda in what year?

9           A.    I can't tell you this.  From the moment we first met him, they  
10          always referred to him as Vojvoda.  When and how he became a Vojvoda I  
11          couldn't tell you.

12                   JUDGE ANTONETTI: [Interpretation] So in 1992, since it was in the  
13          second half of 1992 that you met Cele, those people who were with him  
14          called him Vojvod; is that right?

15          A.    I apologise, Your Honour.  I am talking about the month of May  
16          1992 while I was incarcerated at Standard.  When Sasa came and said that  
17          this was a very special gentleman, that we have to address him very  
18          politely, that we had to address him as the honourable Mr. Vojvoda  
19          because he was one of the very rare gentlemen.

20                   JUDGE ANTONETTI: [Interpretation] I was asking you this question  
21          because a witness is mentioned in the pre-trial brief of the Prosecution,  
22          I shall not mention his name, and it was declared that he was declared  
23          Vojvod in May 1993.

24                   If this witness is not mistaken, he was not a Vojvod in 1992.

25          A.    I can only tell you what I know and what I heard.  Unfortunately,

1 if Sasa lied to us, then obviously I can only pass on the information  
2 that I received at the time.

3 JUDGE ANTONETTI: [Interpretation] Very well. We have quarter of  
4 an hour left. Mr. Seselj, would you like to start your  
5 cross-examination?

6 THE ACCUSED: [Interpretation] Yes. Let's avoid wasting time.

7 Cross-examination by Seselj

8 Q. [Interpretation] Mr. VS-1013, this is what I'm going to call you  
9 because this is your pseudonym here. I'm not contesting the fact major  
10 crimes were committed in Zvornik and I don't have any reason to say that  
11 you were not a victim of the crimes and that you were fortunate to save  
12 yourself, but I'm going to contest some of your identifications provided  
13 to us here about people, events, and time frames. We will start from  
14 last things first which is the rally in Mali Zvornik.

15 You said that there were some incidents there, or at least that's  
16 what you heard; is that correct?

17 A. Yes, that's what I heard.

18 Q. Do you remember any details of the incidents? A group of people  
19 came from Veliki Zvornik, a large group of people. They threw stones at  
20 us. Are you aware of that?

21 A. To be honest, I know that there were incidents, but I don't know  
22 what the nature of the incident was. I really can't tell you who started  
23 it and what it was.

24 JUDGE ANTONETTI: [Interpretation] Just a minute, Mr. Seselj. The  
25 interpreters are reminding me of the fact that when you put your

1 question, you should then turn off your microphone so that the witness  
2 can answer. And when you take the floor again, you put your microphone  
3 on again. Is that what Mr. Marcussen wanted to say? Fine. Very well.  
4 I was reading his mind.

5 So please proceed, Mr. Seselj.

6 MR. SESELJ: [Interpretation]

7 Q. Do you know where in Mali Zvornik I held that rally?

8 A. I can't recall. I wasn't there.

9 Q. Could it have been in the cultural club or cultural centre right  
10 in the centre of town?

11 A. Well, I really couldn't talk about that rally because I can't  
12 remember. I don't know. It's possible, but I can say neither yes nor  
13 no.

14 Q. Well, what's important to me is that you remember the incident at  
15 the rally. If you can't speak about other details, I won't insist.

16 A. Please forgive me. I'm really sorry. I wasn't there. I did  
17 hear that something happened. I know that there was some kind of fight  
18 there, but really I can't tell you what happened because I wasn't there.

19 Q. Do you know what year that rally was held?

20 A. Well, in 1990 or 1991. I can't say which.

21 Q. Well, what you said, Mr. VS-1013, it was in early August 1990,  
22 not March 1992 as stated in the indictment. Thank you. I'm satisfied  
23 with your response.

24 A. May I say something? In that period 1991, early 1992, a member  
25 of my family was seriously ill so that 90 per cent of my time was devoted

1 to nursing that family member who unfortunately died later on and that's  
2 why I wasn't so interested in what was going on.

3 Q. Well, what matters to me is that you did pinpoint the period in  
4 which this happened. It was early August 1990, not March 1992. I won't  
5 dwell on this point any longer.

6 What were the reasons that prompted you to ask for protection --  
7 or, rather, protective measures in the course of your testimony? That's  
8 what I'd like to know.

9 JUDGE ANTONETTI: [Interpretation] Let's move into private session  
10 certainly, but I would like to get back to the speech.

11 THE ACCUSED: [Interpretation] I withdraw my question. I withdraw  
12 my question, or I will reformulate it.

13 JUDGE ANTONETTI: [Interpretation] I was not taking the floor on  
14 that topic. There's a question here that seems extremely important to  
15 me. It's Mr. Seselj's speech purportedly in August of 1990.

16 The events and serious events which are going to unfold do not  
17 unfold in 1990. You agree with me there.

18 Now, if Mr. Seselj has -- gives his speech in August 1990, this,  
19 normally speaking, should have repercussions. So as far as you remember,  
20 August, September, October, November, 1990, the end of the year 1990, did  
21 this speech have any impact? You mentioned incidents, incidents which  
22 you remember where -- did these incidents follow the speech immediately?  
23 And that would be 1990, but then not in 1991 or 1992. What can you tell  
24 us about this?

25 THE WITNESS: [Interpretation] Could we move into private session

1 so that I can explain my situation at that time?

2 JUDGE ANTONETTI: [Interpretation] Let's move into private  
3 session, please.

4 [Private session]

5 (redacted)

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3 [Open session]

4 MR. SESELJ: [Interpretation]

5 Q. I don't like asking questions in private session. You'll  
6 understand that. Mr. VS-1013, do you consider that you are under some  
7 sort of threat on my part because of your testimony in these proceedings  
8 against me, and could that be the reason for you asking for protective  
9 measures?

10 A. If I may respond. I think that one can never be cautious enough  
11 in everyday life.

12 Q. If I understand you correctly, you don't have any specific  
13 indicia that you are in danger from me. Can you answer that question  
14 more directly now?

15 A. I have not received any direct threats.

16 Q. Thank you.

17 A. You're welcome.

18 Q. You remember the beginning the beginning of the conflict.

19 JUDGE ANTONETTI: [Interpretation] Just a minute. You mentioned  
20 no direct threats, but any logical mind will think of indirect threats.  
21 Was there anything in terms of indirect threats?

22 MR. MARCUSSEN: I --

23 JUDGE ANTONETTI: [Interpretation] We could perhaps move into  
24 private session. Let's move into private session.

25 [Private session]

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Page 5267 redacted. Private session

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13 [Open session]

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

15 JUDGE ANTONETTI: [Interpretation] Just a recommendation I would  
16 like to make. You are a witness of the Chamber. Therefore, you can have  
17 no contact with the Office of the Prosecution, and we shall reconvene  
18 tomorrow morning to resume our cross-examination which has just started.  
19 Mr. Seselj will have approximately three hours tomorrow to cross-examine  
20 you, so we should finish your testimony to all intents and purposes  
21 tomorrow. We shall start our hearing at 8.30 tomorrow, because my  
22 colleagues are also sitting in another case. So we shall start at 8.30  
23 tomorrow morning. Thank you.

24 --- Whereupon the hearing adjourned at 1.16 p.m.,  
25 to be reconvened on Wednesday, the 26th day

1 of March, 2008, at 8.30 a.m.  
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