

Tribunal Criminal Tribunal for the Former Yugoslavia

http://www.icty.org/x/cases/slobodan_milosevic/trans/en/050601IT.htm

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1 Wednesday, 1 June 2005

2 [Open session]

3 [The witness entered court]

4 [The accused entered court]

5 --- Upon commencing at 9.03 a.m.

6 JUDGE ROBINSON: Yes, Mr. Nice.

7 MR. NICE: Although I would hope that production of exhibits can

8 be left to the end of the evidence, it may be helpful if I make a mental

9 note or spoken note as we go along of those that are potential candidates

10 for production, and thus far it would seem to me that the video of the

11 1991 demonstrations and the police response, the video of the Badza

12 funeral, and this map, the marked mapped taken from the Kula wall are the

13 three candidates to date.

14 JUDGE ROBINSON: Thank you, Mr. Nice.

15 WITNESS: OBRAD STEVANOVIC [Resumed]

16 [Witness answered through interpreter]

17 Cross-examined by Mr. Nice: [Continued]

18 Q. Mr. Stevanovic, I want to deal this morning, in order to ensure

19 that I cover in the time I allow myself essential topics, a few Croatian

20 issues. We'll then move through Bosnia and return to Kosovo.

21 MR. NICE: May the witness have this --

22 THE ACCUSED: [Interpretation] Mr. Robinson.

23 JUDGE ROBINSON: Mr. Milosevic, yes.

24 THE ACCUSED: [No interpretation]

25 JUDGE ROBINSON: We are not having the translation.

1 THE INTERPRETER: Yes. Can you hear it now?

2 JUDGE ROBINSON: Yes.

3 THE ACCUSED: [Interpretation] Yesterday at the beginning of his

4 cross-examination, Mr. Nice invoked or referred to some document from a

5 meeting of the Council for the Harmonisation of State Positions, attended

6 by Mr. Cosic and others, and I asked for this document to be supplied to

7 me. You indeed made that order, but I still haven't got it.

8 JUDGE ROBINSON: Mr. Nice, I'd be very disappointed if that hasn't

9 been done; in fact, more than disappointed.

10 MR. NICE: Well, I very much hope not. We -- believe me, we are

11 flooded with material in this case and with this witness, and if by

12 oversight I failed to remember to check that that particular document,

13 which is an existing exhibit, had been provided, it's a matter for which I

14 take complete responsibility. It will be done, and cross-examination --

15 re-examination will not start, in any event, until tomorrow because I

16 shall be all today.

17 JUDGE ROBINSON: Well, please ensure that it is passed to the

18 accused at the earliest opportunity.

19 MR. NICE: Certainly. It's the -- what it is is the minute, so

20 that the accused can remember, it's the minute of one of the Council of

21 Harmonisation meetings which we hadn't been provided with the full

22 transcript.

23 JUDGE ROBINSON: Yes. Ms. Dicklich, who is very reliable, will

24 see to that, I'm sure.

25 MR. NICE:

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1 Q. Mr. Stevanovic, can you have a look, please, at this document

2 coming your way. It's an existing exhibit, 607, tab 13, English on the

3 overhead projector. It's a document of the 1st of October of 1991. It is

4 described as secret. It goes from Colonel Stevan Mitrevski and goes to

5 the federal Secretariat for National Defence and Administration.

6 If you turn over, please, to the third paragraph from the end of

7 this document, which is an existing exhibit which deals with action in

8 Croatia, and if you, Mr. Prendergast, take us to the second page and the

9 bottom of it.

10 "There is a rumour among the JNA members located in that area,

11 that Arkan goes into action only after the JNA units mop up the area and

12 then he ... and that area and commits crimes. They think that Arkan is

13 doing it with a full support of the SDB of Serbia."

14 So this was a complaint in October 1991 that Arkan was committing

15 crimes with SDB of Serbia's support. Was Arkan acting with impunity from

16 Serbia?

17 A. I have no knowledge whatsoever about what is contained in this

18 paragraph. I will remind you that in 1990 and 1991 I was in Kosovo

19 dealing with the problems of Kosovo. I see this information for the first

20 time, and I am hearing for the first time about the substance of this

21 passage.

22 Q. In 1991, throughout those periods, you were in Kosovo, were you?

23 A. For the most part of 1990 and 1991, I was in Kosovo. I cannot

24 tell you exactly how much time during that period, but certainly more than

25 six months.

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1 Q. Before Arkan was assassinated he was well rumoured to be a

2 criminal in many ways, wasn't he?

3 A. Well, such information about him existed, but not in my

4 possession. I did not have such information ex officio.

5 Q. This is just to remind the Judges and for speed, a still from

6 yesterday's video of Badza's funeral in 1997, and we can see that behind

7 the accused and between him and Lilic, who is on our right, the accused's

8 left, there's Arkan.

9 Until his assassination, no attempt was made by your police force

10 to investigate his crimes, to arrest him, to control him in any way.

11 Would that be correct?

12 A. I do not know what crimes you are referring to. I believe that

13 the police of Serbia did not have specific knowledge about any particular

14 crime of that unit. And anyway, according to all I know, he was part of

15 the army of the Republic of Serbian Krajina, and I personally learned all

16 I know about it at the end of 1995 when I spent some time in Vukovar and

17 the surrounding area with my units.

18 Before that period, I was totally unaware of Arkan and his

19 activity except what I could read from the newspaper and hear on the TV.

20 JUDGE KWON: Is Arkan in the picture?

21 MR. NICE: You can see Lilic -- you can see Lilic behind the

22 accused and to his left and our right, the man with the moustache that he

23 wore at that time, and then immediately between the two of them, the head

24 is the head the Arkan.

25 Q. And, Mr. Stevanovic, we can't see you here because -- but you're

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1 presumably one of these heads with a military or, rather, a police hat on;

2 is that right?

3 THE INTERPRETER: We cannot hear the witness. No microphone.

4 JUDGE ROBINSON: Microphone for the witness. Would you repeat

5 that, General. The microphone wasn't on.

6 THE WITNESS: [Interpretation] Thank you. As you saw yesterday, I

7 read a eulogy at this commemorative meeting. I was part of this

8 procession, and I remember Arkan was indeed there.

9 MR. NICE:

10 Q. And we can see that Arkan was allowed to stand as close as he does

11 to the accused and to Lilic.

12 A. As far as I remember, he wasn't close. Maybe this is an optical

13 trick.

14 Q. Very well.

15 A. He is somewhere deep down, and we cannot really see who is next to

16 Lilic.

17 Q. [Previous translation continues] ... The Djeletovci oil fields lie

18 to the south of Vukovar and thus the east of Croatia. Yes?

19 A. I did not understand this place name.

20 Q. Djeletovci.

21 A. I can't remember. I'm not familiar with that place.

22 Q. Are you not? Is it not the case that in the early part of the

23 1990s money from the Djeletovci oil fields was used by those engaged in

24 both war and crime to make profits for themselves and even to fund

25 fighting? Do you not remember that?

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1 A. I know nothing about it.

2 Q. Or is the position that you realise already where I'm aiming,

3 Mr. Stevanovic, and you don't want to remember?

4 A. I absolutely know nothing about it. The place is totally

5 unfamiliar to me.

6 Q. We discussed lightly the Skorpions the other day. Is it the case

7 that one of their early functions, the Skorpions, was to guard the

8 Djeletovci oil fields, thus indeed to enable those who were profiting from

9 them to profit from them?

10 A. As far as Skorpions are concerned, I have told all I know, and

11 that is that they existed as a group. I don't know as part of what, which

12 forces, but I know nothing about the link between Djeletovci and the

13 Skorpions.

14 Q. Very well. Let's look at another existing exhibit very briefly,

15 466, tab 12. A copy for the accused.

16 This is a document dated the 8th of January, 1992, coming from the

17 Serbian district of Slavonia, Baranja, and Western Srem. Two different

18 dates, one in hand and one in type. It comes from Badza, Radovan

19 Stojcic, and it certifies that somebody called Miljkovic has been a

20 volunteer in the units of Slavonia, Baranja, and Western Srem since

21 December 1991.

22 So your boss, Badza, working in Croatia. How come?

23 A. I said yesterday that I knew that Stojcic, as an individual,

24 spent some time in Baranja and Eastern Srem -- or, rather, Eastern Srem

25 while I was in Kosovo. At that time, he was not my superior.

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1 As to the grounds for his stay there and the modality, I know

2 nothing about that.

3 Q. Very well --

4 A. Whether he was a volunteer or in some way cooperating with the

5 authorities of Serbian Krajina, I don't know. I never saw this document

6 before and all I can say is that this is not his signature.

7 Q. He was an assistant minister or the assistant minister?

8 A. I am not sure. At that time, I don't think he was assistant

9 minister. I think he became assistant minister when he returned from

10 there.

11 Q. In which case what was his job before he left?

12 A. To the best of my knowledge, he was an employee in the police

13 administration at the time, but I really can't remember the name of his

14 exact position. I think he was involved in some independent work in the

15 then police administration.

16 Q. [Previous translation continues] ... unless it's to try and defend

17 the obvious position that he was working for the DB and was working in

18 Croatia at the time of the war? Why do you say he was a volunteer? Where

19 do you get that from?

20 A. Mr. Prosecutor, I do not wish to defend anything or anybody. I'm

21 just telling what I know, and I'm sorry if I'm being repetitive. But for

22 those two years, I was involved in completely different work and I was not

23 in Belgrade at all. I was in Pristina. I had a specific job to do.

24 Q. Very well.

25 A. All that I'm telling you is only what I learnt from the media.

1 Q. Let's look at another document which would be a new exhibit, if
2 produced. While that's coming on, isn't it right that Badza was actually
3 the head of the special anti-terrorist unit of the Serbian MUP in 1991?
4 Think back.

5 A. He was a commander of a special anti-terrorist unit, but again, I
6 think that he went to Baranja or Slavonia after he was replaced as
7 commander by Zivko Travkovic. All I'm saying is that it is a strong
8 likelihood. I cannot be absolutely sure, but I think it is almost
9 certainly the way I'm telling it.

10 Q. This document, dated the 30th of June 1994, in a format of
11 intelligence explained to us by General Vasiljevic, I think, purports to
12 come from Djuro Celic, a major, and has been delivered to various
13 destinations. If we look at the content of this document, there's only
14 one place I really want you to turn to at the moment. In the English
15 version it's page 2 of 4. In the original, Mr. Stevanovic, you'll find it

16 on the second page, about a third of the way down, and we see these

17 entries: "The VRSK and the army of Yugoslavia, the VJ, representatives

18 held three meetings with ... Fikret Abdic in Velika Kladusa, with the aim

19 of preparing an offensive attack by the AP ZB forces to regain seized

20 territory and liberate new territories ending at the Cazin area."

21 At these meetings, Abdic accepted a proposal of a decision on the

22 offensive activities which were to start at 3.00 and stated that on the

23 21st of June he had a meeting with the President of Serbia attended by

24 Mikulic, Celeketic, Mladic, and Peric and Stanistic, Abdic stating that

25 Milosevic ordered Abdic had to win.

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13 English transcripts.

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1 Were you aware of Abdic's communications with and support from

2 this accused?

3 A. No. I know nothing about this. You're asking me mostly questions

4 which I cannot answer. I'm seeing this document for the first time and

5 I'm hearing for the first time about this meeting and everything you just

6 quoted.

7 Q. Do you recognise the format of the document?

8 A. No.

9 MR. NICE: I'll withdraw that and we'll look at the next document,

10 please. For Croatia I only have a few more to go. This, similarly, would

11 be a new exhibit. It was seized in June of 2004 from the state archives

12 in Zagreb.

13 JUDGE BONAMY: Mr. Nice, was that last item an existing exhibit?

14 MR. NICE: No. It would have been a new exhibit but in light of

15 the answers, I shan't press it.

16 Q. This document is a communication of the 22nd of July of 1994 from

17 the Republic of Serbian Krajina, and it's an operations report, as we can

18 see on the first page, Mr. Prendergast, on the situation in the autonomous

19 province of Western Bosnia. I'm only interested in the last page now and

20 the second page for you, Mr. Stevanovic.

21 Such reports, we see, were sent to the president of the Republic

22 of Serbia and others, and the Republic of Serbia MUP, Jovica Stanisic. Is

23 it right that reports on progress in the autonomous province of Western

24 Bosnia were circulated to the MUP and indeed to this accused?

25 A. This is the first time I'm hearing about this. I've never seen

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1 this document before, and of course I can see that it was submitted to the

2 MUP of Serbia, Jovica Stanisic, which means the state security sector.

3 But let me remind you that I was in the Republic of Serbian Krajina from

4 late 1995 until August 1996. That is the period about which I know

5 something. About the period that you're asking me, I know absolutely

6 nothing except for what I could learn from the media.

7 Q. Well, you were in charge of special units as from the early 1990s,

8 weren't you?

9 A. I wasn't in charge of special units. I was in charge of what was

10 referred to in our language as Special Purpose Units.

11 Q. And you were very much a trusted senior policeman, or at least a

12 trusted policeman. You rose to the rank of chief inspector. Can you not

13 help us, really, Mr. Stevanovic, with whether relations between what was

14 going on in Western Bosnia and Belgrade were as described in this

15 document, or is the position that you will not help us?

16 A. It is absolutely not the case that I do not wish to assist you,

17 it's just that my opinion about these documents can only be superficial

18 because I was in no way involved until 1990, although I was an inspector,

19 that much is true. But I had a strictly defined purview and competencies.

20 MR. NICE: Next document -- I withdraw that one, then, if that's

21 the witness's answer. I'm not going to trouble us further with that.

22 Q. Look at the next one, which also would be a new document. This is

23 a document dated the 31st of July, 1995, so we're now within your period

24 of time in Eastern Slavonia, I think, or Eastern Croatia, in any event.

25 And it says this: "On the 30th of July of 1995, at 14.50 hours at the

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1 line of defence of the 101st Detachment ..." and then it says this: 1,

2 somebody from the SUP Secretariat of the Interior, 2 and 3 similarly

3 identified, and then 4, Vujica Petrovic, Belgrade SUP from Stari Grad,

4 Vladimir Garic, Belgrade SUP also from Stari Grad, the old city. And this

5 information is being sent to the Republic of Serbia MUP police

6 administration in Belgrade.

7 This document shows, doesn't it, that Serbian SUP or MUP employees

8 were fighting in Croatia. Yes or no.

9 A. This is a document, for a change, that I can tell you something

10 about. It is true that these are members of the public security sector of

11 the Ministry of the Interior of Serbia, and in this connection it is

12 important to tell you that this 101st Detachment indeed existed. These

13 members were policemen of the MUP of Serbia who, to put it approximately,

14 expressed their desire to -- to go to the Republic of Serbian Krajina

15 because they were natives of that area. Before that time, they were

16 employees of the MUP of Serbia. And the decision was made to let them go

17 voluntarily to the Republic of Serbian Krajina, whereas the role of the

18 ministry was to give them permission and approval to do that. And once

19 there, they would be resubordinated to the MUP of the Republic of Serbian

20 Krajina.

21 So these people went voluntarily to the RSK, and this is a

22 completely different story than what we see in other documents.

23 Q. Are you saying that you remember these two applied to go because

24 they came from the area, or are you saying that this is some general

25 policy of which these two may be members?

1 A. I don't remember any of these four individually. I don't know any

2 of them personally. But I do know the circumstances and the manner in

3 which this detachment went to Knin.

4 Q. And where will we find the documents of their subordination or

5 resubordination to the other army?

6 A. Probably in the archives of the Ministry of the Interior of the

7 Republic of Srpska Krajina. This document, as you can see, is a document

8 from the Ministry of the Interior of the Republic of Srpska Krajina.

9 Otherwise, this ministry would not have informed the MUP of Serbia that

10 these people had been wounded.

11 Q. Saying that these people are volunteers and raising as a

12 possibility that Badza was a volunteer without any evidence is necessary

13 to dissociate Serbia from this fighting, isn't it, Mr. Stevanovic, and

14 that's why you're saying these things.

15 A. That is not the reason. I have given you a lengthy explanation.

16 When on the territory of Republika Srpska and Republika Srpska Krajina, I

17 told you when units of the Ministry of the Interior went there. I said

18 quite clearly that they went pursuant to the decision of the appropriate

19 organs of the ministry. In this case, the situation is different. These

20 are all people who are born in those areas and who expressed a wish to go

21 there in this period, and they asked the Ministry of the Interior to give

22 them permission to do this, to go there and to join the MUP of Republika

23 Srpska Krajina, and therein lies the difference.

24 JUDGE ROBINSON: General, how many police officers would have gone

25 as volunteers to the RSK?

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1 THE WITNESS: [Interpretation] I can't recall precisely, but

2 between 2 and 400, several hundred as part of this unit mentioned here.

3 In the ministry of Serbia, they were simply organised, given permission,

4 they took their equipment and weapons with them, and in this way their

5 wish was granted to help the Ministry of the Interior of the Republika

6 Srpska Krajina where all of them to a man originated. Not a single member

7 of this unit had been born outside the Republika Srpska Krajina.

8 JUDGE ROBINSON: While there, who paid them? Who was responsible

9 for their conditions of service?

10 THE WITNESS: [Interpretation] They continued as employees of the

11 Ministry of the Interior. One might say they were on paid leave as for

12 their status in the Ministry of the Interior of Serbia.

13 JUDGE ROBINSON: Thank you.

14 JUDGE BONOMY: Does what you've just said also apply to Badza?

15 THE WITNESS: [Interpretation] I assume it applies to Badza, but

16 I'm not aware of the facts pertaining to Badza. I believe the situation

17 was similar, but of course he was not born in those areas.

18 JUDGE ROBINSON: So you're saying there was no policy to assign

19 them there. They were not assigned there by the Ministry of the Interior.

20 THE WITNESS: [Interpretation] Mr. President, it was initiated by a

21 large number of those men who felt that they had to go and help. The

22 Ministry of the Interior accepted their request, they granted it, and they

23 made it possible for them to go there, as I have explained. But I was

24 never there myself.

25 JUDGE ROBINSON: Yes, Mr. Nice.

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1 MR. NICE:

2 Q. If they were on unpaid leave, what's the purpose of writing to

3 inform the Serbian MUP of their being injured? Why bother?

4 A. Well, this is quite normal for the MUP of Serbia to be informed

5 that their employees had been wounded. This is not a combat report. It's

6 not a report on the result of combat, if they took part in combat at all.

7 So there is no report being submitted to the MUP of Serbia about what they

8 were doing there. They were simply being informed that four men who were

9 their employees had been wounded.

10 Q. We've had evidence via Exhibit 549, tab 26, and a witness that

11 following the Erdut agreement 300 policemen from the Serbian MUP in Srem

12 and Baranja were to be left as long as possible in the territory of

13 Croatia and that you were in charge of that unit. Is that right? And

14 just to help you, the witness -- the witness --

15 A. Yes, that is right. That's right. There's no need for you to

16 assist me. Of course, the need to remain there as long as possible was

17 something that the local police organs in Republika Srpska Krajina

18 requested. It was not initiated from Serbia.

19 MR. NICE: Your Honours, another -- one more document coming the

20 witness's way.

21 Q. Just tell us, please, who is Branislav Vakic?

22 A. I know Branislav Vakic. He was a deputy in the Assembly of the

23 Republic of Serbia. He comes from Nis, and as far as I know, he was a

24 member of the Serbian Radical Party.

25 Q. And he was a leader of or partaker in the paramilitary group of

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1 that party; correct?

2 A. I met that man in Bajina Basta, and he told me that he belonged to

3 a unit of the army of Republika Srpska in the area of Skelani.

4 Q. You fought alongside him?

5 A. No, I didn't fight alongside him. Due to circumstances, my unit

6 and his unit were in the same area -- or, rather, my unit was in the same

7 area where his unit allegedly was, but I have no information about his

8 unit or its members.

9 Q. Then just this for your comment: If you look at the English

10 version, first page, foot of the page, please, and in the newspaper

11 article that you've got, and it's a little hard to read -- I'll just see

12 if I can find the reference. Thank you.

13 Second page, please, Mr. Stevanovic, for you, and you'll see --

14 it's not very clear. It's at the foot of the page, but I'm just going to

15 read what Vakic is reported to have said when asked about cooperation with

16 the MUP of Serbia, he having dealt at great length with the army. He says

17 this: "There is much such cooperation in battles from Skelani to

18 Srebrenica. We fought alongside the special forces of the MUP under the

19 command of Obrad Stevanovic, the third man in the Serbian MUP. I had

20 excellent cooperation with him on the Skelani battlefield. He had his

21 headquarters in Bajina Basta, and I would travel from Skelani to talk to
22 him. I would go to him whenever I needed something, and he would issue
23 orders about where one should go. From the beginning of April until 25
24 May last year, we fought alongside the special forces of the MUP."
25 Over the page, please. "A little later, the MUP of Serbia invited

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1 us to prepare ourselves and, if need be, fight together with them. We
2 responded to the invitation, I gathered the men, and we went to a training
3 centre at the Tara Mountain during July ... At that time, I was in
4 contact with 'Frenki' of the MUP special forces. At the moment I gathered
5 a sufficient number of volunteers he would send an official MUP bus from
6 Belgrade to Nis. From Nis, my volunteers left for Tara to undergo
7 training. At that time, I had about 400 people from Nis, Zajecar, Pirot,
8 and Kragujevac. From there, Chetniks and volunteers, together with MUP

9 special forces, were supposed to set off towards Srebrenica or Gorazde if

10 the Turkish converts launched a major offensive."

11 Vakic said that in an interview when he was, I think, already a

12 member of the legislature or something to that effect. I'll get his

13 position. Is what he says correct? He was an Assembly deputy.

14 A. To put it in a nutshell, these are semi-truths. Some facts are

15 correct and some are totally incorrect. Everything you have quoted

16 requires a detailed explanation if, of course, you allow me.

17 Secondly, I can endeavour to recall the context. I read this

18 article a long time ago, I can say that, and it was written after a

19 political conflict that took place at the time between the Serb Radical

20 Party and the Socialist Party of Yugoslavia. The text is full of emotion

21 in this respect because the position of the Serb Radical Party is

22 contrasted and opposed to the standpoint of the Socialist Party. So it

23 contains many inaccuracies.

24 To explain, it's true I met that person two or three times in my

25 headquarters in Bajina Basta. I never invited him over. I received him

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1 because he asked to be received. He told me that there were positions

2 between Srebrenica and Skelani where he had his unit as part of the army

3 of Republika Srpska. He did not ask me for any kind of cooperation. He

4 did not ask me to participate in any kind of joint operation, and as far

5 as the police is concerned, there were no combat operations there at all.

6 Only one policeman was killed while searching the terrain. The entire

7 operation lasted ten days. After ten days, the last policeman from Serbia

8 withdrew over the River Drina to the Republic of Serbia because there was

9 no need for us to remain there.

10 His unit, and I don't know what their strength was or anything

11 else, they remained part of the army of Republika Srpska. Had they been

12 under our command in any way, they would have been sent there under our

13 command and withdrawn under our command. But they were already there when

14 we arrived and they remained there after we had withdrawn. Everything

15 else, as for training and issuing of orders and so on and so forth, none

16 of this is correct. Not a single man of his was ever part of a unit of

17 mine.

18 Q. You read the article. Did you ever sue over it? You an important

19 man, he a public figure, did you ever litigate over this article?

20 A. Of course I didn't sue him, although I had reason to. I also had

21 reason to sue the person we discussed in private session, but I didn't do

22 that. I am a professional, a high-ranking policeman. It would be silly

23 of me to sue everyone who says something incorrect about me.

24 Q. You were indeed number three in the MUP, as he suggests. That's

25 how important you were; correct?

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1 A. That is absolutely incorrect that I was the number three man in

2 the MUP at the time. There were at least ten men above me at that time.

3 At that time, I was the commander of the PJP.

4 Q. My last question on Croatia, probably altogether or certainly for

5 the moment, are these: We looked at this map yesterday taken from the

6 ceremony, from the wall of the Kula premises. We looked at the names

7 associated with various locations for which there are markers on the map,

8 and you've now had an overnight to think about it. Do you have any reason

9 to doubt that the MUP of Serbia engaged in all the areas marked in Croatia

10 on that map; and, if so, you tell us which ones you say are wrong.

11 A. I will tell you where the MUP was active. And all these places

12 are not even marked here, so there are places missing here where members

13 of the PJP were.

14 Q. [Previous translation continues] ... if you would so good, because

15 time is short. My question is: The ones marked and identified by Frenki,

16 are they correct, to your knowledge?

17 A. I don't know.

18 Q. Which one --

19 A. According to all my knowledge, I can't answer this because I don't

20 know where Frenki was or where his units were later.

21 Q. [Previous translation continues] ... if you can't help us and

22 we'll move on to something else. Can I have the map back, please.

23 Before we turn, as we inevitably must, to Bosnia, I just want to

24 look to one other thing for a general proposition. In 1996, the accused's

25 local elections were challenged, it being suggested that the accused had

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1 rigged the elections, and eventually he succumbed but not until after many

2 demonstrations.

3 MR. NICE: Can we just play this video, please.

4 [Videotape played]

5 THE WITNESS: [Interpretation] There is an interpretation into

6 another language here that bothers me.

7 MR. NICE: I'm not concerned with this passage of it particularly.

8 The problem with Sanction is we can't select passages as easily as

9 with other devices.

10 Q. That's all I wanted you to look at. That's your police dealing

11 with demonstrators who were complaining about rigged elections. Do you

12 remember that?

13 A. Of course I do. Yesterday I said something about it.

14 Q. And that's an indication of the measure of violence that your

15 police were prepared to deliver. Now, I ask you that question for this

16 reason: You have been a very trusted man, Mr. Stevanovic, I'm going to

17 suggest to you, for the following reasons: You were trusted with the

18 takeover of the MUP building in Belgrade, weren't you?

19 A. Yes. I was not trusted with it, I was assigned the task. It

20 probably means the same, but you're using this word purposely.

21 Q. You were trusted with being in charge of the police at a time that

22 was important for the accused's attempted retention of power in 1996,

23 1997.

24 A. I was entrusted with this task at a time when it was assessed that

25 I was the best man to carry it out. Before you put a question to me, if

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1 possible, you always have three or four incorrect statements, but you

2 don't give me a chance to respond to them. When you make a statement,

3 allow me to give you my opinion about it. Otherwise, I cannot say

4 everything I want to say.

5 Q. After the --

6 MR. KAY: That is fair enough on the witness's part. We have been

7 listening to a lot of comment this morning and not questioning, and the

8 witness is right to come to his own defence on that matter so that the

9 Court receives proper evidence.

10 JUDGE ROBINSON: Yes. And the Chamber will, too, when it is

11 appropriate.

12 Mr. Nice, you are to desist from the introductory comments before

13 you put your questions.

14 MR. NICE: If I have been, I will.

15 JUDGE KWON: Mr. Nice, is the interview of Vakic one of the

16 candidate --

17 MR. NICE: It is a candidate.

18 JUDGE KWON: We haven't been offered.

19 MR. NICE: No. You're quite right to remind me, yes.

20 Q. The question to which your last answer was given and Mr. Kay's

21 objection was made read: "You were trusted with being in charge of the

22 police at a time that was important for the accused's attempted retention

23 of power." Did you understand that question?

24 A. I did understand it, but that's not the way I think. I accepted

25 the duty when it was entrusted to me. The person who entrusted me with

Page 40240

1 the task probably knew why he was doing that and why he had selected me to

2 carry it out. I did not make any connection between this and the

3 president of Serbia, the Prime Minister, or the speaker of the Assembly.

4 I was not on friendly relations with any of them privately. I did not

5 have any personal links with them. I'd just been a policeman in uniform

6 for a long time, for 15 years.

7 Q. Very well. Now, let's go back from 1996 to 1995. You told us, I

8 think me, yesterday or the day before in questioning, about how you

9 escorted DutchBat out of Srebrenica. Just tell us again where it was you

10 went.

11 A. It's not correct that I escorted DutchBat out of Srebrenica. I

12 took over DutchBat on the bridge between Bratunac and Ljubovija. I met

13 the battalion commander in a hotel in Bratunac. I only came as far as

14 Bratunac, which is perhaps a kilometre across the Drina from the place in

15 Serbia called Ljubovija.

16 Q. Who instructed you to take the part that you took in seeing

17 DutchBat out of former Yugoslavia?

18 A. The order to undertake measures to secure the battalion on their

19 passage through Serbia was given to me by the deputy minister,

20 Mr. Stojicic, who was then the head of the sector.

21 Q. And the date upon which you were seeing DutchBat out was what

22 date?

23 A. I can't recall that. I think it was July or August. I know it

24 was very hot.

25 Q. Did you give us a date the last time I asked you about this?

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1 A. I don't think so.

2 Q. What -- very well. I'll come back to that, I think.

3 You told us already in answer to the accused that you had a job

4 supervising some part of the border between Bosnia-Herzegovina or RS, as

5 you might call it, and Serbia; is that right?

6 A. Yes.

7 Q. For how long had you had the job of supervising that border?

8 A. The job of supervising the border and the in-depth securing of the

9 border is the daily task of the border police units. This is an ongoing

10 task. However, measures at the border were stepped up as of 1991 and

11 quite certainly as of 1992. And these measures entailed strengthening of

12 the numbers of police in the border area and their intensified activity.

13 Q. How long were you there? What period of time?

14 A. As I said, I was the Chief of Staff in Bajina Basta for several

15 months, perhaps three months, more or less. After this, the headquarters

16 moved to Prijepolje and other people were in charge of the staff there.

17 This was in 1993, from perhaps February or March, April.

18 Q. [Previous translation continues] ... in 1995?

19 A. The presence of police units from Serbia, as I have already

20 explained, in the sector between Visegrad and Bajina Basta, between Rudo

21 and Priboj, lasted until 1996 when 800 combatants of the army of

22 Bosnia-Herzegovina were received after the Srebrenica operation.

23 Q. And were you there in 1995 dealing with that border?

24 A. I was there, including when I went to Visegrad and the positions

25 that I mentioned in responding to your previous questions. I would come

1 there from time to time, spend a brief period of time, until the unit

2 withdrew from that area, that is to say up until 1996.

3 Q. But if we look at the period of the Srebrenica attack, and you

4 understand, Mr. Stevanovic, that that's what I'm interested in, were you

5 the officer with responsibility or some responsibility for that border?

6 A. In the Ministry of the Interior, there is the department for the

7 border police, and it is the department which deals with the border

8 crossing controls and everything else that happens in the border belt. My

9 units or, rather, the general units or the PJP units during that period of

10 time, as I've explained it, were just reinforcing security at the border

11 and the boarder belt, including what the police did in the area behind the

12 border, and we spent quite some time in discussing that previously.

13 Q. And the months that you were there doing this included the months

14 of the Srebrenica massacre.

15 A. They include the whole of 1995, that is to say including the

16 events in Srebrenica. But the events themselves are something that I

17 absolutely did not know about at that period of time.

18 Q. The DutchBat came out before, during, or after the massacre? Tell

19 us.

20 A. I really don't know whether the massacre occurred, when it

21 occurred. I can just believe it or disbelieve it, but I have no actual

22 knowledge of it. I don't know whether it happened and whether it happened

23 before or after the DutchBat withdrew. I simply don't know. And with

24 respect to that battalion, I had a very specific task and assignment.

25 Q. Now, the border that you supervised, or that you and other troops

Page 40243

1 supervised, went down to Priboj; yes?

2 A. Yes, up to Priboj or, rather, the border with Montenegro.

3 Q. And Priboj is sort of to the east of Gorazde, isn't it?

4 A. Yes. I think so, at least, yes.

5 Q. And just north of Priboj there's a little crossing called Raca.

6 A. There is a Raca, but I'm not sure whether it's a crossing. I

7 don't recall whether it is in fact an official border crossing. There is

8 an official border crossing at Uvac and Kotroman. Possibly between the

9 two there is a crossing which is used from time to time, a provisional

10 one, but quite certainly it's not a permanent border crossing.

11 Q. And when somebody or some unit has to pass from or had to pass

12 from Serbia into the RS or Bosnia-Herzegovina, depending on how we

13 describe it, whose leave would they need, whose permission?

14 A. Do you mean other units, other people's units, or what? I'm not

15 sure what you're referring to.

16 Q. You tell us, you were supervising the crossing. Was it basically

17 a closed crossing and people had to have permission to pass? Was it a

18 dangerous crossing that they needed to be escorted to pass? Tell us.

19 A. In one of my answers to a previous question, I said this clearly:

20 Control and supervision of border crossings at official border crossings

21 was something that was done by the sector within the Ministry of the

22 Interior. It is the sector for the border police. So these stepped-up

23 measures do not relate to the official border crossings. And I've just

24 remembered, because I was thinking about another area, the Raca border

25 crossing does indeed exist as an official border crossing but it is quite

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13 English transcripts.

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Page 40245

1 a lot further to the north, the north of Sabac, in fact, and it has

2 nothing to do with the area that we were discussing, and we were

3 discussing the southern reaches of the border with Republika Srpska. Raca

4 is to the extreme north of the border with Republika Srpska on the Drina

5 River.

6 Q. Well, there are two Racas possibly, but there is certainly one in

7 the position I asked you about and which you remembered to the east of

8 Gorazde, and we'll just have a look at that.

9 A. I really can't remember a place like that. Possibly it is there,

10 but I just can't remember anything with that name there.

11 Q. Sorry. I did ask you a question about it. I asked you if it was

12 east of Gorazde and you said it was. Are you now wanting to change your

13 recollection, or --

14 A. No. I stayed that Priboj was east of Gorazde. Perhaps we

15 misunderstood each other.

16 Q. I did. Just have a look at this map so we can orientate the Court

17 to what I'm talking about. Certain points have been highlighted.

18 Just to orientate the Judges and everybody else, Srebrenica to the

19 north with Bratunac very nearby but we haven't marked it yet, Bajina Basta

20 to the right, Gorazde there, and then you'll see marked on the east at a

21 border Raca. Do you see it? No. There it is.

22 A. Yes, I've found it.

23 Q. Since that lies north of Priboj, which we can see below that, this

24 was in the area of your control.

25 Now, tell me, please, if a force of soldiers wished to pass from

Page 40246

1 Serbia into Bosnia-Herzegovina, would it need somebody's permission? This

2 is in the middle of 1995.

3 A. The crossing of the border between the Republic of Serbia and

4 Republika Srpska at that time, when we're talking about citizens from

5 Bosnia-Herzegovina, for example, and also citizens from Serbia, that came

6 under the ID card regime. That is to say they needed ID cards and not

7 travelling documents, other types of travelling documents.

8 Now, when we're talking about this particular place, the name of

9 which is Raca, it is quite illogical that there should be a border

10 crossing there because there's a border crossing anyway at a place called

11 Uvac, and you can see right there, very close by, is Uvac, and that's the

12 official border crossing between the Republic of Serbia and the Republic

13 of Srpska Krajina. So it's quite illogical that this place Raca should be

14 used for that. It's a very small place and I'm hearing it for the first

15 time and I can see that it exists on the map and this is the first time

16 that I realise that, that there's a place by that name so close to Priboj.

17 But Uvac is the official border crossing, and I'm indicating this quite

18 clearly. It is south-west of this place.

19 Q. Thank you. A couple of points I'd like you to dwell on.

20 If I could have the map back, please.

21 You're aware, aren't you, that the RS has conceded within the last

22 year that there was at Srebrenica a massacre of some 7.000 people. You

23 must be aware of that.

24 A. I have been following that from the information media.

25 Q. Because you gave an answer that you didn't know whether the

Page 40247

1 massacre happened. Is that seriously your position, that you don't know

2 if the massacre happened despite the concession that was been made by the

3 RS?

4 A. I said that I did not know at the time, at the time when I

5 provided security for the DutchBat through Serbia. At that point in time,

6 I had no knowledge or intimations of that event. And of course that, of

7 late, I have gained information about that from the information media, but

8 no official information. And of course I do believe it. I have no reason

9 to doubt that something happened there. Of course I can't speak about the

10 details. I read about it in the papers just like any other citizen of

11 Serbia is able to read about it in the papers.

12 Q. DutchBat left after the massacre, or most of it, had happened, on

13 the 21st of July. You were asked to accompany them, as you say, from

14 Bratunac, and I'm going to ask you this: Were you the man asked to escort

15 them because you could be trusted in circumstances where everybody knew

16 that a massacre had happened? Is that why you were chosen?

17 A. I can't know that. Absolutely not. The assignment was a serious

18 assignment because an entire battalion had to pass through the Republic of

19 Serbia and the demand for escort came from them. I don't know through

20 whom, but it wasn't the Ministry of the Interior of Serbia who took the

21 initiative for us to escort them. We met the request of the Dutch

22 Battalion who asked to be provided for security in passing through the

23 Republic of Serbia. The only unusual thing was that there was great

24 insistence on the fact that full escort should be provided through the

25 Republic of Serbia up until the Croatian border, nothing else.

1 JUDGE ROBINSON: How long did that crossing take?

2 THE WITNESS: [Interpretation] The crossing through Serbia took as

3 long as it was necessary to travel those kilometres, perhaps 2 hours,

4 perhaps a little more. From Ljubovija to Batrovac near Sid, and that

5 distance is about 100 to 150 kilometres.

6 MR. NICE:

7 Q. You see, I'm going to suggest to you that, amongst other things

8 that may have come to your knowledge, is this: That earlier in July a

9 detachment of Skorpions had passed into Bosnia-Herzegovina through a

10 border known as Raca. Think back. Did that happen?

11 A. I stated that very clearly, Mr. Prosecutor. There is absolutely

12 no question of any other formation, other unit during this involvement of

13 the PJP across the border was in their composition. I claim that with

14 absolute certainty, and I've said on a number of occasions that I

15 personally controlled the work of those units in the Drina area and the
16 area of Visegrad, Rudo, Priboj, and Bajina Basta. Not a single solitary
17 unit or group ever belonged to that composition. This is the first time
18 that I hear that the Skorpions were in Serbia at all. And if they were
19 moving towards Srebrenica, as you say, then it is highly unlikely that
20 they would have crossed at Priboj, because then they would have crossed at
21 Bajina Basta because Srebrenica is just across the Drina River vis-a-vis
22 Bajina Basta. And it is three or four times longer crossing at Priboj.
23 And if they were under the control of any unit from Serbia, they wouldn't
24 have chosen this particular place, Raca, south of the main Raca. And you
25 can look at that on the map and see for yourselves.

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1 Q. Let's look, before we move on to what that unit did, to a few

2 other documents on which I'd like your assistance, please.

3 This is a document from the Republika Srpska dated the 23rd of
4 June of 1995 to the president of the Republika Srpska in Pale, their seat
5 outside Sarajevo.

6 "Pursuant to your communication ... We hereby wish to advise you
7 that by 1000 hours on 23 June 1995 our Collection Centres in Janja and
8 Zvornik have handed over to the VRS/Republika Srpska army/armed forces a
9 total of 1586 conscripts delivered by the MUP Serbia, and of this, 149
10 conscripts were handed over to the MUP staff on Jahorina." Signed by
11 Deputy Minister Kovac.

12 Do you remember first in this line of questions the process
13 whereby conscripts, as they were described, for the RS found in Serbia
14 were rounded up and handed back?

15 A. First of all, let me say that this document --

16 JUDGE ROBINSON: Mr. Milosevic.

17 THE ACCUSED: [Interpretation] Mr. Nice is asking the wrong

18 question, or perhaps the interpretation is wrong. He said conscripts from

19 Serbia. We're not dealing with conscripts from Serbia here but conscripts

20 from Republika Srpska. That's quite obvious.

21 JUDGE ROBINSON: Yes.

22 MR. NICE:

23 Q. Conscripts from Republika Srpska rounded up in -- from Republika

24 Srpska, rounded up in Serbia and handed back. Do you remember that

25 happening?

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1 A. Well, let me say first of all that this is the first time I see

2 this document. Of course I know what it refers to, and it refers to

3 this: Rounding up conscripts of Republika Srpska who happened to be on

4 the territory of the Republic of Serbia pursuant to requests by the

5 military authorities of Republika Srpska and pursuant to the law on

6 conscripts or defence of the day, I'm not quite sure which law.

7 Q. So to this extent, shortly before Srebrenica, over a thousand

8 conscripts delivered up by Serbia.

9 MR. NICE: These will all be candidates for admission in due

10 course, if I can so indicate.

11 THE WITNESS: [Interpretation] I apologise, but Serbia -- I do

12 apologise, but -- may I be allowed to answer? Serbia didn't hand over

13 these people. It was pursuant to requests from the military authorities

14 of Republika Srpska. They rounded them up pursuant to the law on

15 conscripts and handed them over to Republika Srpska as conscripts of

16 Republika Srpska and not as conscripts of the Republic of Serbia.

17 MR. NICE: If we can look at the next document, please.

18 JUDGE KWON: Could we ask the witness to read the first paragraph

19 to check the accuracy of translation, please.

20 THE WITNESS: [Interpretation] "Pursuant to your communication,

21 confidential No. 01-1118-39/95 of the 22nd of June, 1995, we hereby wish

22 to advise you that by the 23rd of June, 1995 by 1000 hours from our

23 collection centres in Janja and Zvornik a total of 1586 military

24 conscripts were handed over to the VRS, which was handed over by the MUP

25 of Serbia." That's the first sentence. "Of this number, 149 conscripts

Page 40251

1 were handed over to the MUP staff on Jahorina." Of course from this

2 document we can't see who they were, and the term "isporucio" or

3 "delivered" was wrongly used.

4 THE INTERPRETER: "Handed over" or "delivered"; "isporucio" in the

5 B/C/S, interpreter's note.

6 JUDGE ROBINSON: Yes, Mr. Nice.

7 MR. NICE:

8 Q. The next document, please --

9 THE INTERPRETER: Microphone, please, Mr. Nice.

10 MR. NICE:

11 Q. Next document, please. Dated the 26th of June of 1995. The

12 document reads -- it comes from Pale, and it reads: "During the day there

13 were no ... operations on the defence line held by police forces." And

14 then down a little bit further, under "Other events," it says: "The

15 Serbian MUP and the Republika Srpska MUP have sent 350 members of Special

16 Purposes Units. On 27 June ... they will be engaged on the Trnovo front."

17 Now, by all means read the rest of the document, of course. Would

18 you like, please, to explain how the Republika Srpska is setting out with

19 the Serbian MUP, together with the Republika Srpska MUP, has sent 350

20 members of Special Purpose Units to be engaged on the Trnovo front.

21 A. Well, I'm really not clear on what this means. At that time from

22 the MUP of the Republika Serbia [as interpreted], nobody was in this

23 sector, especially not special units in the MUP of Serbia. There aren't

24 that many for this number to be reinforced. There must be a mistake of

25 some kind here. It's not clear to me.

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1 Q. This is a document that was seized in Banja Luka police station in

2 2004, or is it --

3 A. I state that during this period of time from the MUP of the

4 Republic of Serbia on the territory of Republika Srpska there were only

5 units as I explained them, the ones I explained were there, in the eastern

6 part of Republika Srpska, in the Visegrad-Priboj sector.

7 Q. Let's look at the next document, then, please, which is this one.

8 A. Does this document have a signature or a date or anything like

9 that? I apologise, but could you tell me?

10 Q. [Previous translation continues] ... asked the question. I have

11 explained it was seized from the police station in 2004 and it is as it

12 appears.

13 A. I claim and state that during this period of time on the territory

14 of Republika Srpska there was not a single unit except for what I

15 explained about the Visegrad-Rudo area. Now, the second fact that is

16 important here is that the special MUP units in Serbia have existed --

17 that is to say there is the SAJ, which numbers a maximum of 150 men. So

18 Serbia hasn't got more than 150 men manning the special units. And in

19 Visegrad and Rudo or, rather, the area of Visegrad and Rudo there were

20 these special units there, the PJ units.

21 And, of course, in 1995, in the late autumn, and we're talking

22 about spring quite obviously here, we had the PJP units engaged in the

23 Banja Luka-Prijedor-Doboj sector and so on, whereas this period is quite

24 obviously between those two dates.

25 MR. NICE: Would Your Honours just give me a minute.

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1 Q. Let's look at another document. Now, this document was obtained
2 from the MUP building, I think, in Pale in the summer of 2003, and we see
3 what it is. It's Special Police Brigade, dated the 30th of June, coming
4 from the forward command post at Trnovo, and it says this: "On the 29th
5 of June of 1995, a combat police group, comprised of the 4th SOP, special
6 police detachment, and the 7th special police detachment, and the Kajman
7 police detachment of the Serbia MUP along with the VRS offensive forces
8 launched an attack on Lucevik ... which is under the enemy's control and
9 is of extreme importance for the ... Trnovo-Sarajevo road."
10 Further down the page. In fact, at its foot. We've just about
11 got it there. "During the combats of the 29th of June ... two members of
12 the SBP (one from the 4th and the other from the 7th ...) and two from the
13 Serbia MUP were wounded."
14 Now, you told us, of course, a long time ago now that you knew
15 about everything that was done by the Serbian MUP in Bosnia and Croatia,

16 and I'd like you please to explain what this means.

17 A. This is quite unknown to me. I never heard of the name Kajman.

18 That's the first time that I hear of such a name, and I stand by my answer

19 so far. I'm really surprised how come in such documents the MUP of Serbia

20 is mentioned.

21 Q. I'm going to suggest to you the answer is that the MUP of Serbia

22 was indeed involved, and what's more, I'm going to suggest,

23 Mr. Stevanovic, you know about that.

24 A. Please, Mr. Prosecutor. You cannot know better than I know myself

25 what I knew and know. I did not know, and I claim that with full

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1 responsibility. If you prove that I did know, you can arrest me straight

2 away.

3 There is not a single piece of anything to show that I know

4 anything about this document, a single indication. And I claim - let me

5 be more precise - from the composition of the public security sector,

6 quite certainly nobody was on the territory of Republika Srpska at all

7 during this period of time except the units that I explained to you in

8 answering the previous question. That is the only truth. And I really

9 don't know how it is possible that somebody wrote this down. Who was

10 suffering under a delusion I really don't know.

11 JUDGE ROBINSON: Mr. Stevanovic, is it possible that the MUP might

12 have been involved and you would not know?

13 THE WITNESS: [Interpretation] Theoretically, Mr. President,

14 everything is possible, but during this period of time I truly was in my

15 -- I was deeply convinced that I knew about all the activities of the

16 public security sector. Of course the state security sector was something

17 I didn't deal with, so I assume that this was the state -- had it been the

18 state security sector, it would have said so whereas here it is written
19 the MUP of Serbia, and in principle when you say the MUP of Serbia it
20 means the public sector -- security sector, so I say with certainty the
21 units certainly weren't there. I cannot claim whether some individual
22 might have been there while he was on leave or holiday or a group of that
23 kind, but I assume that even in that case, were that the case, I would
24 have had to have some knowledge of that.

25 JUDGE ROBINSON: On the second page there is the signature of the

Page 40256

1 deputy commander. Are you familiar with him?

2 THE WITNESS: [Interpretation] I met this gentleman in Belgrade,
3 that's all, at the faculty. I don't know him personally, nor did I have
4 any meetings with him during this period of time or during the war at all.

5 JUDGE ROBINSON: Yes, Mr. Nice.

6 MR. NICE:

7 Q. Just to follow on from His Honour Judge Robinson's question, even

8 though you were in the state as opposed to this -- you were in the public,

9 as you say, as opposed to the state security part of the MUP, given your

10 seniority and in particular given your role in respect of the border

11 between the Republika Srpska and Serbia, you would have had to know of the

12 movement of troops from one to the other, wouldn't you?

13 A. In the sectors which were covered by these units from the PJP

14 units, it would be logical for us to know. However, the border crossings,

15 official ones, were controlled by another service, the border service and

16 sector. Normal communication between the two republics went on at

17 official border crossings. So -- and I can't speak about that in detail

18 because that was the job of another service. That was the regime, the

19 border crossing regime.

20 Q. Help me, please. If there was any intention from your political

21 leaders or from anybody else to move troops of Serbia in some improper way

22 from Serbia into Republika Srpska, your cooperation would be essential,

23 wouldn't it?

24 A. Do you mean if some unit had to pass across the border?

25 Q. I do.

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1 A. I've already said. Border crossings take place at official border

2 crossings where there is clear-cut and defined procedure under which any

3 citizen in any status can pass in either direction, going to or coming

4 from, and that was the administration of the border police that was in

5 charge of that. So the details about border crossings is something I

6 don't really know about. My units covered an area where in principle you

7 couldn't cross the border. That is to say there was prevention of illegal

8 border crossings.

9 JUDGE ROBINSON: Your evidence earlier was that you were

10 reinforcing those border units, and you were doing that not only during

11 the Srebrenica events but from a period before that. Why was it necessary

12 for that reinforcement to take place?

13 THE WITNESS: [Interpretation] I explained that, too, but let me

14 repeat. But I think it is important to clarify this point: The border

15 crossing police units controlled official border crossings and administer

16 the procedure for proper border crossing. The police units of general

17 purpose, that is to say municipal units, if we can put it that way,

18 control the border in-depth, where border crossings are prohibited or

19 between two official border crossings.

20 The special units, that is to say the PJP units, strengthen

21 control, first and foremost, between border crossings -- between the

22 official border crossings, not the official border crossings themselves

23 because the special services did that. The reason we did this is

24 logical: There were armed conflicts in Republika Srpska that had arisen,

25 and armed conflicts across a certain line, of course, reflect on the

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1 territory of Serbia itself in the following sense: Unlawful border

2 crossings, trafficking across the border, crimes, and so on. And the

3 basic essential reason was to act as a prevention force and prevent the

4 armed conflicts from the territory of Republika Srpska from spreading to

5 the territory of the Republic of Serbia. And this was particularly

6 pertinent after the abductions that took place from the trains and buses

7 that I mentioned earlier on. To prevent storming by paramilitary groups,

8 to prevent communication lines and roads which stretch along the Drina

9 River, along the border belt, to protect the towns who are on the border

10 belt, such as Bajina Basta and so on and so forth, to protect the bridges

11 as well.

12 So there were a number of tasks and assignments. I am trying to

13 recall them all now.

14 JUDGE ROBINSON: Thank you. We will take the adjournment now.

15 Twenty minutes.

16 --- Recess taken at 10.37 a.m.

17 --- On resuming at 10.58 a.m.

18 JUDGE ROBINSON: Yes, Mr. Nice.

19 MR. NICE: Next document is a former -- a previous exhibit, 432,

20 tab 15.

21 Q. By the way, while we're waiting for that, just to confirm

22 something, while we're waiting for that to be distributed, when you said

23 it was an assistant minister, I think, who instructed you to go and

24 collect the DutchBat, would that be Badza who did that?

25 A. I think I said deputy minister, and that, of course, was Radovan

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1 Stojicic.

2 Q. This document, as you can see, is -- comes from or is headed the

3 Republika Srpska, Ministry of the Interior, Pale, 30th of June of 1995.

4 And it says as to the Muslim factor, if we can look at that, it says

5 something the Trnovo front.

6 MR. NICE: Have you got the right document, Mr. Prendergast?

7 THE WITNESS: [Interpretation] I have the impression that this is

8 not the right document. I don't think I spoke about this, about the

9 Trnovo front.

10 MR. NICE: I think I've mixed something up, probably. In which

11 case, I'll move on the document that the witness has at the moment.

12 THE WITNESS: [Interpretation] That is a document dated 30th June,

13 1995.

14 MR. NICE:

15 Q. This is the one we've already looked at, I think, in which case

16 can we --

17 A. I'm not sure. This is document 113/95 of the 30th of June, 1995.

18 Q. Yes.

19 A. The signature is the same.

20 Q. This is the Kajman group of the Serbian MUP. I think what we're

21 looking at is possibly a slightly different --

22 A. Yes.

23 Q. May we have that one back, please. And while we're locating the

24 document that I had hoped to lay before you, I'll move on to the next one,

25 which is this one. Right.

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1 Now, this one is the 1st of July, and it is headed MUP Special

2 Police Brigade, Forward Command Post Trnovo, sent to the MUP, to the

3 deputy minister, to the Vagosca police force, and it says activities

4 commenced the previous day were continued at the Trnovo battlefield on the

5 30th of June. The combat group included "5th Special Police Detachment,

6 two platoons from Kajman detachment, Plavi blue, and Skorpion (Serbian

7 MUP)".

8 And then if you look further down the page, Mr. Stevanovic, you

9 will find towards the bottom: "In yesterday's clashes, four members of

10 the SBP and three members of the Serbian MUP were lightly wounded." And

11 it's signed by Ljubisa Borovcanin. Can you explain that?

12 A. Well, my answer would have to be the same as to the previous

13 questions. It would be much better for you to ask the man who signed

14 this. I really have no explanation for this. It would be of assistance

15 if we had a name here.

16 I assert again that the units of the MUP of Serbia were not at

17 that time in that area unless it can be explained by something possible

18 only in theory. The only person who can really explain this is the person

19 who signed.

20 I am really amazed by this. I simply cannot believe that this

21 document exists. What this man understood by the term "MUP of Serbia," I

22 cannot imagine. It is a matter of his own fantasy.

23 Q. Fantasy. I see. Very well.

24 Now, this document -- this document dated the 8th of July says --

25 it comes from Rade Radovic at the Srbinje CJB, public security centre,

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1 Srbinje being the newer name, I think, for Foca. It says: "... the

2 following injured policemen of the Serbian MUP were brought from the

3 Treskavica front to the Srbinje hospital:

4 "Milija Vujovic ... Serbian MUP ...

5 "Srdjan Stolic ... Serbian MUP ...

6 "There are no changes from the previous day with regard to the

7 situation ..."

8 How do you explain this document, please?

9 A. Well, I can explain it only in the same way.

10 Q. Fantasy?

11 A. But in this case it is possible to check to whom these people

12 belonged. Of course this does not look like fantasy but I suppose that

13 you have already established to whom these people belonged. I continue to

14 assert that it's not possible that these men belonged to the police units

15 of the MUP of Serbia, and I suppose it is simple to check.

16 Q. I'm going to be asking your assistance, as I said I would, in

17 relation to establishing whether people were from the MUP of Serbia a

18 little later.

19 JUDGE ROBINSON: How could this be checked, Mr. Stevanovic?

20 Mr. Stevanovic, you said it would be simple to check this.

21 THE WITNESS: [Interpretation] Well, I assume, Your Honour, that

22 it's possible to ask information from the MUP of Serbia whether these men

23 were ever employed, and we have a unified information system which can

24 tell us where they were employed, when they were born, and all the other

25 personal data. That is no secret. If you allow me, I can make a

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13 English transcripts.

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1 telephone call today and tell you tomorrow who these men are and whether

2 they come from Serbia at all, whether they are employed with the MUP of

3 Serbia or not. I suppose the ministry will grant me that much.

4 JUDGE ROBINSON: That would be helpful if you could do that, yes.

5 THE WITNESS: [Interpretation] I understand this as your

6 permission, and I will try to make that telephone call and check. Thank

7 you.

8 MR. NICE: Your Honours will understand, of course, that the

9 Prosecution looks for, has looked for, and always seeks to find

10 documentary support for such assertions, not always with the cooperation

11 of the authorities.

12 Q. This document is dated the 19th of July from the Republic of

13 Serbia, Ministry of the Interior, unit for anti-terrorist operations.

14 What do you know about that? Mr. Stevanovic, what do you know about the

15 anti -- the unit for anti-terrorist operations?

16 A. I understood that I should read the text first. First of all, I'm

17 not familiar with the unit for anti-terrorist operations. I know about

18 the special anti-terrorist unit.

19 Q. What about Vasilije Mijovic?

20 A. Vasilije Mijovic is somebody I know. For a while, he worked at

21 the training camp for the training of special police units at Mount Tara,

22 and Franko Simatovic found him at my request. Before that, Mr. Stojicic

23 insisted through the state security sector that assistance be given me in

24 finding instructors. I know this man as an instructor who was involved in

25 the training of special police units.

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1 Q. He writes --

2 A. I know him, yes.

3 Q. "We hereby inform you that the ATD unit of the MUP of the Republic

4 of Serbia was ordered to pull back from the zone of combat operations in

5 the Trnovo sector by 1200 hours on the 20th of July ... in order to

6 undertake other assignments."

7 What do you say about that?

8 A. Well, I can only conclude that this is related to the previous

9 documents. But Vasilije Mijovic never belonged to the state security

10 sector, and I don't know at which time he belonged to the state security

11 sector, but he could not write or sign this document according to all I

12 know. And anyway, I see that this document isn't signed at all, although

13 this may be a teletype copy.

14 Q. Next document, dated the 21st of July, signed from the Republika

15 Srpska deputy minister or, rather, for the Deputy Minister Tomislav Kovac.

16 And this refers to the Jahorina training camp of the Special Police

17 Brigade which has informed the writer on the 18th and 19th of July this:

18 "... during the execution of a combat task in the area of

19 Bratunac-Srebrenica-Konjevic Polje, four members of a unit made up of

20 conscripts brought from the Federal Republic of Yugoslavia deserted.

21 Their whereabouts are unknown. They left weapons and equipment in the

22 room in which they were accommodated." And then it sets out their names:

23 Dragan Okiljevic, Zelimir Glogovac, Slavko Djukaric, and Savo Filipovic.

24 Two things: This is, of course, in the period of the Srebrenica

25 massacre and killings, killings that took days to achieve. Do you know

1 what combat task in the area of Bratunac-Srebrenica-Konjevic Polje might

2 have led men from Serbia to desert?

3 A. I really cannot answer this question. I simply don't know. I am

4 seeing this document from the first time. But I remembered something in

5 relation to the previous document.

6 That previous document could have been written by way of

7 misrepresentation. That is my opinion. Vasilije Mijovic allegedly

8 signing something on behalf of the Ministry of the Interior of the

9 Republic of Serbia, that is simply incredible.

10 Now, speaking about this, I don't know this document again, and

11 what I -- I also don't know the reason for these people's desertion.

12 Reasons for that sort of thing may be different. Obviously, the subject

13 here is the Ministry of the Interior of Republika Srpska.

14 JUDGE ROBINSON: Yes, Mr. Milosevic.

15 THE ACCUSED: [Interpretation] With regard to the question asked by

16 Mr. Nice, it was put the wrong way because these conscripts are not from

17 the Federal Republic of Yugoslavia. It says clearly "Members of a unit

18 made up of conscripts brought from the FRY," and they are therefore

19 conscripts of the army of Republika Srpska, because you can see that out

20 of these four, almost all are from Bosnia and Herzegovina. According to

21 the personal information we see against their names, they are conscripts

22 of the army of Republika Srpska. One was born in Sarajevo, another one in

23 Knezevo, another one in a village near Bugojno. So they -- one was born

24 in Miljevina. So they are conscripts from Republika Srpska, not from the

25 FRY, all of them.

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1 JUDGE ROBINSON: So you say Mr. Nice misstated the evidence.

2 Mr. Nice?

3 MR. NICE: If I did, unintentionally. Not sure that I did. The

4 point of the question is to ask the witness whether he knows, and he tells

5 us he doesn't, of an incident or of an event in the course of a combat

6 task which could lead men to desert. I've had his answer on that.

7 THE WITNESS: [Interpretation] I would ask your permission to make

8 one more comment. It is really a problem for me to provide a relevant

9 answer on a document I don't know after only two seconds after the

10 question.

11 And second, after the statement made by the Prosecutor, I simply

12 didn't have time to answer. I didn't have the opportunity to reply to

13 some of the statements made by the Prosecutor. I would not like that to

14 be treated as non-responsiveness.

15 JUDGE ROBINSON: Mr. Stevanovic, you will be allowed time to read

16 the document, and you must satisfy yourself that you understand the

17 document and the information in it before you answer.

18 MR. NICE:

19 Q. Can we --

20 THE WITNESS: [Interpretation] Thank you.

21 MR. NICE:

22 Q. -- another document. This is a document dated the 21st of July,

23 coming from Srbinje public security centre, signed by acting chief Rade

24 Radovic, and it addresses Ministry of the Interior in Pale, gives an

25 account of recent events on the Trnovo-Kalinovik front, and then says:

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1 "In these operations, Andrija Mitrovic, son of Cedomir, a member of Rudo

2 SJB, and two members of the 11th HP were killed..." The following MUP

3 members were injured: Then the first four: Ratko Mitrovic, Simo Gajic,

4 Srdjan Marinkovic, Milovan Neskovic, and the ninth, Nogo Jankovic, are all

5 described as Serbian MUP. Your comment, please.

6 A. That is really what we read here, but I don't know any of these

7 four or five persons and I don't believe they belong to the MUP of Serbia.

8 But as I said previously, I think we can check that.

9 Q. And then finally at this stage, there may be one or two more

10 documents we'll look at later, this one of the 24th of July, three days

11 after you had escorted DutchBat through Serbia.

12 A. I have the impression that when you say I escorted the Dutch

13 Battalion through Serbia you mean that I did it of my own accord and

14 against the will of the Dutch battalion. I would like to believe that

15 it isn't so, though. It's simply the way you put it, it seems to be

16 placed in a negative context.

17 Q. This document reads, to the RS Ministry of the Interior from the

18 police forces staff at Trnovo as follows: "The night on the Trnovo

19 Battlefield went by in peace. The Banja Luka special police unit ...

20 relieved the Serbia MUP unit Skorpions. No problems occurred in the

21 course of the rotation." Signed by, or printed signature, of Savo

22 Cvijetinovic.

23 It could hardly be clearer, Mr. Stevanovic, that a unit of the

24 Serbian MUP by the name of Skorpions had been on the territory of the

25 Trnovo battlefield area right through the period of the Srebrenica

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1 massacre. The documents make it crystal clear.

2 A. What is crystal clear from the documents is that a unit of the

3 Serbian MUP called Skorpions was escorted out of that part of the

4 battlefield, but I'm telling you again that this unit has nothing to do

5 with the police units of the MUP of Serbia. Why this is written in such a

6 way is something that we have to get an explanation on from the person who

7 signed this. I don't know how to explain it. Maybe those units posed as

8 being something they were not, but I can tell you that the Skorpions have

9 nothing to do with the MUP of Serbia or any of its police units.

10 At the time, I was in control of the police units that were

11 engaged across the border, and I can tell you for certain that none of

12 those units went any further than they were taken by the assignments I

13 have already explained.

14 I don't know how to explain this, but I believe it can be checked.

15 You are trying to check it through me, but --

16 Q. Mr. Stevanovic, you were introduced as the person who knew

17 everything about what the MUP did in Bosnia and Croatia and to cover all

18 aspects of this case. That's why I'm putting these matters through you.

19 This is the document which I succeeded in burying, for which I

20 apologise to everyone concerned, that we've now managed to disinter.

21 A. First of all, let me answer. I had not understood my role here as

22 having to provide answers to all questions from all aspects. I understood

23 that I should provide answers to questions I know about. However, most of

24 what you have asked me so far are things I know nothing about. You spent

25 the entire day yesterday dealing with 1991, 1992 --

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1 Q. [Previous translation continues] ...

2 A. -- and today with 1998. I'm sorry for being so lengthy.

3 Q. Here we see a document, The Muslim Factor. It's under cover of

4 the 30th of June of 1995, and it sets out here: "On the 30th of June,

5 1995, activities that began on the Trnovo front the previous day

6 continued. The combat group consisting of 5th special police detachment

7 and two platoons each from Kajman, Plavi and Skorpia detachments attacked

8 the Lucevik feature." No explanation for that document?

9 A. My explanation is the same as about the previous five or six

10 documents. It is obviously a set of documents relating to the same

11 region, the same time, and obviously done at the same command. And as you

12 can see, the Serbian MUP is always in brackets. If the Serbian MUP had

13 been present there, that commander would probably have had a

14 correspondence with his own ministry and we would have seen a document

15 that is part of a correspondence between that unit and the ministry of

16 Serbia.

17 In these papers, obviously there is just a reference to a unit of

18 the MUP of Serbia.

19 Q. [Previous translation continues] ...

20 A. I don't know who Slobodan Medic is.

21 Q. You have no idea who Slobodan Medic is. Is that really your

22 answer? Think a bit.

23 A. Slobodan Medic. I know one Medic at the MUP of Serbia, but I

24 don't know who Slobodan Medic is.

25 Q. I'm concerned with the man who ran the Skorpions. Do you not know

Page 40270

1 him?

2 A. It is possible that I met in Baranja several people from that unit

3 when I was there in 1995, but I don't know who Slobodan Medic is. Let me

4 be precise: That was in Erdut. But I don't know who Slobodan Medic is,

5 and I don't know the names of those people I met.

6 Q. Now, let me explain to you what I suggest is a relevant part of

7 the truth, and that is that a unit of Skorpions passed into the area of

8 Srebrenica before the massacre and took part in the killings of the people

9 from Srebrenica. Do you understand me?

10 A. I understand what you're saying.

11 Q. That you were a necessary component of the passage of that group

12 into Republika Srpska because they had to pass a border that was under --

13 A. That is absolutely not true.

14 Q. Well, perhaps then you'd be good enough to help me with this:

15 When I asked you -- I think you'll find the map helpful. When I asked you

16 on the basis of information --

17 A. Whether --

18 Q. When I asked you on the basis of information available to the

19 Prosecution about the crossing that that unit is said to have used, I said

20 the following, and I'm going to read from the transcript. I said: "The

21 border that you supervised and other troops supervised went down to

22 Priboj," and you said, "Yes, up to Priboj or, rather, the border with

23 Montenegro." I asked you, "Priboj is sort of to the east --"

24 THE ACCUSED: [Interpretation] There's an error here. Not to

25 Prijedor but to Priboj.

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13 English transcripts.

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1 JUDGE ROBINSON: Priboj, yes.

2 MR. NICE:

3 Q. You said -- I said, "Priboj is sort of to the east of Gorazde,

4 isn't it?" "I think so, at least," you said. And I said, "Just north of

5 Priboj there's a little crossing called Raca." And you said, and now

6 please look at the map. You said, "There is a Raca, but I'm not sure

7 whether it's a crossing. I don't recall whether it is in fact an official

8 crossing. There is an official border crossing at Uvac and Kotorman."

9 And so if we look at the map we see that Uvac is exactly where

10 Raca is, and you knew perfectly well what I was speaking about, didn't

11 you?

12 A. No. I absolutely did not know what you were talking about. Uvac

13 is the official border crossing. I am aware that there is a Raca, but I

14 was unable to identify it immediately. I trusted what you were saying.

15 Later on, I recalled that there is an official border crossing called

16 Raca, which is in the northern part of the border between Republika Srpska

17 and the Republic of Serbia. Uvac, however, is an official border crossing

18 and it cannot be linked to Raca. Of course it can if you look at the map,

19 but then that looks leading. I had no idea that Raca was actually close

20 to the border crossing of Uvac.

21 I also explained that it's absolutely illogical to cross the

22 border here in order to go to Srebrenica. It's especially illogical if

23 it's being done by a unit which is part of the MUP of Serbia.

24 Please look at the map and look where Srebrenica is.

25 Q. [Previous translation continues] ... you please listen to me. I

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1 have more questions to ask you.

2 A. I apologise.

3 MR. KAY: [Previous translation continues] ... entitled to answer

4 because it's an issue of cross-examination that has imposed the witness's

5 credibility on the line, the witness wants to give a full explanation.

6 The transcript was read out, the witness pointed out what he knew and he

7 wishes to go on and qualify it and he should --

8 JUDGE ROBINSON: Continue with the explanation and finish it.

9 THE WITNESS: [Interpretation] Thank you. I began to say the

10 following: Were your assumption correct that a group of Skorpions was

11 under the control of the Serbian MUP and that it went to Srebrenica to do

12 something, then the use of the Uvac border crossing, and even more so the

13 alternative, so to speak, Raca border crossing to go to Srebrenica would

14 have been completely illogical because there is an official border

15 crossing in Bajina Basta, which is much closer to Srebrenica, as you can

16 see. And there is another one at Ljubovija near Bratunac.

17 So on the assumption that what you are saying is true, it would be

18 illogical to send that unit to this border crossing.

19 MR. NICE:

20 Q. Two points. First --

21 THE INTERPRETER: Microphone.

22 MR. NICE: My microphone's on, I think.

23 Q. If I said that the unit was going directly to Srebrenica, then

24 that was an error by me and I'm not sure that I said it. You may have

25 inferred it. Because if this unit was going, as it was, to Jahorina and

Page 40274

1 to Trnovo, coming from Djeletovci in Croatia, it would be entirely

2 sensible -- may I offer a guide because we don't have all the places on

3 this single map. This unit was going from, as we can see at the top --

4 perhaps the -- from Djeletovci in Croatia, and if it was going to get down

5 to south of Srebrenica, further down, and to Jahorina, Trnovo for the

6 Treskavica front, it would be entirely sensible for it to go south through

7 Serbia and then to turn west and enter the Republika Srpska through Raca.

8 Do you not agree?

9 A. No. Even with this explanation, the Raca crossing, as you call

10 it, would not have been sensible. Even had the unit gone through Serbia

11 from Srem, it would have been logical to go towards Kotorman and Visegrad

12 because that's a much shorter route, and then go to Gorazde, Jahorina and

13 so on via Visegrad. There is not a single reason for them to go on

14 through Prijepolje and Priboj by a circuitous route in order to reach that

15 destination. However, we are now dealing with hypotheses and assumptions,

16 not facts.

17 Q. You see, the second point I wanted to make from your answer, which

18 I don't think you have answered, is this: When I asked you about Raca,

19 before I had made that atlas available to you, as the transcript reveals,

20 you showed that you knew immediately what I was talking about because you

21 spoke of Uvac and you then subsequently tried to change your position.

22 Isn't that the truth?

23 A. No, that is not the truth. Please, Mr. Prosecutor, that is not

24 the truth. I was at the Uvac border crossing. I've been there hundreds

25 of times, that is. I know that there is a geographical term Raca, but I

Page 40275

1 had no idea it was in the immediate vicinity. You can be sure of that.

2 And let me respond to something you have said. I completely

3 reject any thought that I knew that some paramilitary units had crossed

4 over from Serbia into Republika Srpska in order to perpetrate crimes.

5 This cannot be brought into any kind of connection with myself as a

6 professional. I would not have tolerated any such thing. I would not

7 have turned a blind eye to it.

8 Q. I'm going to show you some extracts from a video. The video lasts

9 about two hours but it will only be a few minutes of it that we will show

10 in order to give its context. It comes in several clips.

11 MR. NICE: While the clips are being played and with the -- the

12 learned Judges might like a copy of this map, I think. It's only -- it

13 doesn't have to become an exhibit. It's just a guide to the general

14 territory.

15 [Videotape played]

16 MR. NICE:

17 Q. What we see here, we see here a ceremony of the Skorpions being

18 blessed by a priest, and this is happening at Djeletovci. And so that you

19 can understand the usefulness of the film, we may get to the point where

20 they come individually to be blessed so that they have full facial views

21 provided for us, many or most of them, if not all of them.

22 A. I cannot see the faces very clearly. I don't know if it's the

23 quality of the image.

24 Q. So far as necessary, I will help you later with freeze-frame

25 pictures to make life easier.

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1 To save time, we'll move to the next clip.

2 [Videotape played]

3 MR. NICE: Now, you can see the date, 25th of June. This is the

4 same unit on its way.

5 [Videotape played]

6 MR. NICE: We saw there, of course, the sign of Pale, it having

7 already entered Republika Srpska via, as I'm suggesting, Raca and now

8 being on the -- to the east of Sarajevo at Pale.

9 Next clip.

10 [Videotape played]

11 MR. NICE:

12 Q. We're now at Jahorina, as we can see from the map we've got. Some

13 with red berets, as you can see.

14 Next clip.

15 A. I cannot see this picture very clearly. If the image can be

16 brought into better focus, that would be much better.

17 Q. [Previous translation continues] ... angle of the screen to make

18 sure the ...

19 [Videotape played]

20 THE WITNESS: [Interpretation] I have a very bad angle here. Can

21 this be rectified?

22 MR. NICE:

23 Q. I'm sorry that you've had that inconvenience.

24 JUDGE ROBINSON: Can it be rectified? If it can, then let that be

25 done.

1 MR. NICE: This is at -- this is at Trnovo at the command post of

2 the Skorpions.

3 [Videotape played]

4 MR. NICE: This is on the front at Treskavica, or was.

5 [Videotape played]

6 MR. NICE:

7 Q. Now, this -- pause there. This video, which is potentially

8 distressing viewing and I'm only going to play very small parts of it,

9 reveals, Mr. Stevanovic, if the evidence is in due course admitted, and

10 that's why I want your assistance, reveals that men were brought from

11 Srebrenica in batches to this group of Skorpions to be executed and they

12 were executed, and what you see here is a lorry load of six young men.

13 This is the same truck with the men in the back. And you can see

14 the red berets.

15 A. Yes, I see that, but I don't see or, rather, I haven't seen any

16 Skorpio insignia so far.

17 Q. You'd recognise the Skorpio insignia, would you, if you saw it?

18 A. Well, I think it would be clear. I don't know exactly what it

19 looks like, but I assume that there's a picture of a scorpion.

20 Q. You just guessed that, did you?

21 A. As I said, in Erdut I had occasion to see several members of this

22 unit. I think they were in uniform and had insignia.

23 MR. NICE: Can we just pause for one minute, please.

24 Your Honours, exceptionally I'm going to make a very rapid phone

25 call, with your leave.

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1 THE INTERPRETER: Microphone is on.

2 MR. NICE: Thank you. Press on.

3 [Videotape played]

4 MR. NICE: The lorry leaves. The men are eventually taken up into

5 the hills. It may be difficult to move it, but I don't need to linger on

6 this. Here they are taken up into the surrounding countryside.

7 Two remaining not shot are untied. I needn't go into the detail,

8 or we needn't view the detail. They're untied, they move the four bodies,

9 and then they are themselves shot, and I'll leave it there.

10 Q. Now, we've reduced for your assistance and for ours -- yes. And

11 in answer to your observation about looking for Skorpio insignia, the --

12 JUDGE ROBINSON: Mr. Nice, can you tell us about that film?

13 MR. NICE: Yes, to a degree I will. But if I can just deal

14 with --

15 MR. KAY: We haven't established any foundation for this. To my

16 mind, this looks like sensationalism. There are no questions directed to

17 the witness on the content of that film in a way that he can deal with it.

18 It's merely been a presentation by the Prosecution of some sort of

19 material they have in their possession that has not been disclosed to us

20 and then it has been shown for the public viewing without any question

21 attached to it. It's entire sensationalism. It's not cross-examination.

22 JUDGE ROBINSON: Mr. Nice, there is some merit in that. That's

23 why I asked what are we going to be told about the film. Who made it, in

24 what circumstances, and what questions are you putting to the witness in

25 relation to it?

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1 MR. NICE: Certainly. I'm coming to that.

2 As to the -- as to the film, my suggestion to the witness is that

3 this is a film showing, as it happens, Skorpions executing prisoners from

4 Srebrenica. And the questions I wanted to ask him and want to ask him are

5 as follows: In light of his --

6 JUDGE ROBINSON: Let him answer that question first.

7 MR. NICE: Certainly, he can answer that question, yes.

8 Q. I'm suggesting this film shows Skorpions executing prisoners from

9 Srebrenica.

10 A. As I am upset, I have to say that this is one of the most

11 monstrous images I have ever seen on a screen. Of course I have never

12 seen anything like this in -- live. I am astonished that you have played

13 this video in connection with my testimony because you know full well that

14 this has nothing to do with me or the units I commanded. I attempted to

15 explain this yesterday, and I have also attempted to explain it today.

16 I'm not saying that you do not have the right to do this, but I have to

17 say that I am really upset --

18 JUDGE ROBINSON: Do you agree with the -- do you agree with the

19 Prosecutor's suggestion or proposition that this is a film that shows

20 Skorpions executing prisoners from Srebrenica?

21 THE WITNESS: [Interpretation] Of course I do not intend to cast

22 doubt on what the Prosecutor is saying, but I have not seen a single

23 person I know here, and I have seen no evidence that this is the unit in

24 question.

25 MR. NICE:

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Page 40281

1 Q. I'm going to -- in answer to your second point, did you not

2 observe --

3 JUDGE ROBINSON: Just a second, Mr. Nice.

4 [Trial Chamber confers]

5 JUDGE ROBINSON: Yes, Mr. Nice.

6 THE INTERPRETER: Microphone, please, Mr. Nice.

7 MR. NICE: I'll come back to two matters of detail later.

8 Q. I want your assistance with the following. If these still

9 pictures from the film, shown for the context for it to be understood, and

10 I want your assistance now or later with my suggestion to you that that

11 film, now available - and it's a film, Your Honour, taken clearly by

12 members of the unit covering the period of time from the end of June until

13 after Srebrenica - I want your assistance, please, now or later, with the

14 identification of and with the function of the people we can identify from

15 this film.

16 The first one, the leader of the --

17 JUDGE ROBINSON: That's on the ELMO?

18 MR. NICE: That's on the ELMO.

19 Q. Is Slobodan Medic, and there are two photographs of him. Do you

20 recognise that man?

21 A. I recall only the nickname. The nickname Boca is familiar, but I

22 cannot recall his face. I think I saw a man with this nickname in Erdut

23 in 1995 on two or three occasions, but he did not come to see me. I saw

24 him, if I recall rightly, at Mr. Milanovic's place.

25 Q. And he was the man who headed the Skorpions from the time when

Page 40282

1 they guarded the oil fields in Djeletovci right through to his engagement

2 of the Skorpions in Kosovo, because we're going to come to Kosovo as soon

3 as we can. Is that the man?

4 A. I don't know that. I explained about Djeletovci, that I don't

5 know, I don't know what he was doing. I saw him on two or three

6 occasions, I told you where, but I had nothing to do with him.

7 JUDGE BONOMY: Well, I'm not clear about that answer. Are you

8 acknowledging, General, that that is Boca?

9 THE WITNESS: [Interpretation] No, I'm not acknowledging that

10 because I can't recall his face. All I recall is the nickname Boca in a

11 group of five or six men whom I saw three times at the most, on three

12 occasions.

13 JUDGE BONOMO: And that's a person you saw as a member of the

14 Skorpions?

15 THE WITNESS: [Interpretation] I think so, yes.

16 JUDGE BONOMO: Thank you.

17 MR. NICE:

18 Q. The next photograph, and again what's been done in order to assist

19 you to help us is to take photographs that we assert are connected. This

20 is Branislav Medic, also known as Cipa, seen killing the fourth person, I

21 think, to be killed, but then seen face on. Are you able to recognise the

22 man at all from that photograph or do you know the name?

23 A. No. I do not remember any other name or nickname. I just

24 happened to recall the nickname of Boca, as I have already said, but I

25 remember no other names or nicknames, nor was I ever told the first or

1 last names. Perhaps they were introduced to me, yes, but I can't recall

2 that.

3 Q. We'll go through the next pictures quickly. They're here for

4 identification of the unit and for examination of to whom the unit was

5 subordinated.

6 The next picture is not shown at the killing site, is Nikola

7 Kovacevic, also known as Nikica. In respect of all of these, I'm going to

8 ask you, if you can, to help us with whether they were indeed members of a

9 force subordinated to the MUP, but we'll go through them quickly because I

10 don't expect you to say that you recognise one, but tell me if you do.

11 A. I said more than once that they were not members of the MUP. This

12 group and this formation or unit was not part of the MUP.

13 Q. Zoran Topic is the next one.

14 The next one is Djuro Meleusic.

15 The next one is Dragisa Zuber.

16 The next one shown in four pictures is Pero Opacic, also known as

17 Coke, and he is the man with the moustache, bottom right of the picture

18 but also seen in other pictures, on the left the truck. Do you recognise

19 that man?

20 A. No, absolutely not.

21 Q. The next one, then, please --

22 JUDGE ROBINSON: Mr. Nice, you showed about three but didn't ask

23 any questions.

24 MR. NICE: No. I said that they were identified as people who

25 were members of the unit, and I was going to ask him to identify if they

Page 40284

1 were members of the unit now or in due course for us.

2 Q. And this one is Slobodan Davidovic, who was seen, it's going to be

3 asserted, at the killing site. It's an older man. Do you recognise him?

4 A. No. I said I don't recognise any of the ones you've shown me so

5 far. And otherwise, I knew nobody within that unit nor could I recognise

6 them at all. I have nothing in common with them, nothing to do with them

7 at all, and I've already said that.

8 Q. Let's look at the next one. Petar Dimitrovic. You see him, both

9 at the bottom and at the top. It's the man on the left this time at the

10 bottom, in red berets. Do you recognise the uniform?

11 A. I cannot see the uniform.

12 Q. And as to patches -- you made an observation about patches. Let

13 me ask you this question: Were you aware that units travelling from

14 Serbia to Republika Srpska to fight there would change their patches,

15 their identifying patches, as they moved from one country to the other?

16 Were you aware of that?

17 A. Changing their patches? That is something that I don't know

18 about, that they changed their patches when crossing the border. Possibly

19 that is true, but I was not aware of it. Border crossings were not under

20 my control in any way.

21 Q. Next picture, please. Slobodan Stojkovic?

22 A. I don't know the man.

23 Q. Then the next one, who it is said is one of those engaged in the

24 killing, is Pero Petrasevic. He can be seen on the top right-hand picture

25 on the right. He can be seen shaving, I think, on the top left.

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1 The next picture --

2 A. Unknown to me.

3 Q. Few more to go through because I want your help. Milorad Momic,

4 the next one, also to be seen at the killing site.

5 A man who's only identified by the nickname Siptar, we can see is

6 the man being blessed, on the left, by the priest and one of those engaged

7 in the killing. Does the name Siptar or the man shown mean anything to

8 you?

9 A. No.

10 Q. The next one is a person whose first name is unknown, but Grubor.

11 And the next one, if you don't know him, and I don't imagine you

12 will, is the -- the next one is Branislav, and he is the man standing with

13 folded arms. For us, the man on the left of the two, standing with folded

14 arms and with a visible moustache.

15 A. I don't know the first man or the other one. I've never seen

16 them.

17 Q. Very well. Then we come to Milko, whose last name is not known.

18 So that I can complete the numbers, there's only about eight to go.

19 The next one is -- first name not known. Next picture, please.

20 Hovan.

21 The next one is first name not known, Djurik.

22 The next one is a person who was indeed a bus driver who was

23 involved, the bus driver from Srebrenica called Braco. Do you know him?

24 A. No.

25 Q. The next picture is a picture of Aleksandar Medic, who is one of

Page 40286

1 those who engaged in killing. We can see him being blessed and in other

2 pictures.

3 Then we come to Sasa, similarly implicated in the killings

4 themselves. Then we have Branislav Medic. This scene is not from a scene

5 on the way to the killing site, it's a scene elsewhere in the video.

6 The next one is Srdjan Manojlovic, who it's said is a VJ captain,

7 or was.

8 The next one is Srecko, last name unknown.

9 The penultimate one is -- ante-penultimate one is first name

10 unknown Miljkovic.

11 The penultimate one is Olujic; and the last one is Branislav.

12 We've provided you -- I have provided you, as a senior member of

13 the police at the time and still engaged by the MUP, with the allegations

14 that we are able to make about this event counter to what you have said

15 about the good behaviour of Serb forces in Republika Srpska.

16 Two things: How can you help us, please - because you said you

17 would help - check on the function of these men in July of 1995?

18 A. But -- but please, allow me to answer the question first. I did

19 not say anything about the conduct and behaviour of the Serb forces in

20 Republika Srpska. You say something like that and then you go on to the

21 question and I'm not given a chance to answer the previous question and

22 then it turns out that I agree with you.

23 I really don't remember having said anything about the good

24 behaviour of Serb forces in Republika Srpska. All I said was this: I

25 said that the police forces whom I led, whom I -- who I was in charge of

Page 40287

1 with respect to Bajina Basta, Priboj, Rudo, and Visegrad, and in

2 connection with the involvement of PJP units in the Banja Luka, Prijedor,

3 and Doboje regions, with respect to those units I said what I said, and I

4 repeat that those units were extremely professional and performed their

5 police duties in the best professional way possible, and they cannot be

6 linked in any way to any crimes whatsoever. Everything else that you have

7 shown me has absolutely nothing to do with me. Of course I'm a witness

8 and I will view what you're showing me and answer what you ask me, answer

9 every question you ask me, but these are not questions that I should be

10 asked because I have nothing to do with this group nor do my units have

11 anything to do with this group whatsoever.

12 Q. Do you allow, then, for the possibility that a unit subordinated

13 to the MUP of Serbia and calling itself the Skorpions was on the territory

14 of Republika Srpska in the area of Jahorina and was involved in killing

15 people from Srebrenica? Do you allow that possibility?

16 A. When it comes to the public security sector, I do not allow the

17 possibility, but as to the state security sector, I have no knowledge

18 about that. I don't believe it either. I assume, I suppose, that I would

19 have to know about something like that had something similar happened,

20 even if it is the state security sector that is involved, although I did

21 say in principle that that didn't come under my purview.

22 JUDGE BONAMY: You were -- you were distracted by the comment that

23 preceded the previous question from actually answering the question. The

24 question was: Is there some assistance you can give in trying to

25 establish the --

1 THE WITNESS: [Interpretation] Possibly.

2 JUDGE BONOMO: -- whether these were personnel involved in a unit

3 called the Skorpions in June 1995.

4 THE WITNESS: [Interpretation] I really can't be of more

5 assistance than I was, having said what I said. If you have a more

6 concrete question which would be of assistance, I'm here and happy to help

7 you.

8 JUDGE BONOMO: I think the question was asked because in relation

9 to some of the earlier documents you made the comment that you could make

10 inquiries. Now, is that not something that can be done in relation to the

11 material that's now been presented to you in this video?

12 THE WITNESS: [Interpretation] Along those lines, of course, I

13 think I can. I don't know what the response will be from the organs

14 involved, but if you give me a list of names at the end of my testimony, I

15 could check it out and see whether they were members of the MUP or not.

16 JUDGE BONOMOY: Thank you.

17 MR. NICE:

18 Q. You see, that's why I've provided you with the context and the

19 setting of the film, taken quite shortly, and with these stills. Now, are

20 you prepared to use your powers to try and confirm or otherwise that these

21 men were indeed members of the Skorpions in July of 1995?

22 A. I can't, of course, check that out, whether somebody was a member

23 of a group that I don't know existed or where it existed and under whose

24 command it was. I know about the group from 1995, because quite simply,

25 in a place there I saw three or four men who introduced themselves as

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1 being those men, and the name seems to ring a bell in my ears, but I

2 really don't know what the group was about, under whose force it came, and

3 where it was. I didn't deal with groups. I don't know where the Serb

4 Volunteer Guard was, for example, or other similar groups. I don't know

5 any of that.

6 JUDGE BONOMOY: Well, Mr. Stevanovic, the reason I asked you, or I

7 followed up on Mr. Nice's question was because you refute any connection

8 between that activity on the video and the public security part or the

9 public part of the MUP.

10 THE WITNESS: [Interpretation] That's right.

11 JUDGE BONOMOY: But you went on to say that you didn't believe it

12 could be part even of the state security section of the MUP. And you also

13 said in that answer that if it had been, you were bound to have known

14 about it. And that's why I followed the question up to see if there were

15 inquiries you could make to establish whether these persons were in some

16 capacity engaged by the MUP in 1995.

17 THE WITNESS: [Interpretation] When I said that I could try to

18 establish the facts, I stem from the supposition that the ministry and

19 sector in the ministry would provide me with that information if I made
20 the request. In the ministry, they should have the overall information of
21 all the employees in the ministry to the present day for given periods of
22 time. The only problem that can exist is if the information system were
23 destroyed by the bombing of the building itself. That's the only problem
24 that could exist. The ministry in its archives does have a list of all
25 its staff, and that would not be too great a problem, shouldn't be a great

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1 problem. The state security sector, in the personnel sense, was
2 relatively separate, but once again, I do believe that documents and
3 records about their staff exist too.

4 JUDGE ROBINSON: Mr. Nice, it's time for the break.

5 MR. NICE: If it would be convenient, I have just one -- two more

6 questions or two more --

7 JUDGE ROBINSON: On this issue.

8 MR. NICE: On this issue, and just so I can make my position plain

9 to the witness, and then I'll turn to another topic.

10 Q. You see, Mr. Stevanovic, I don't want you to be under any

11 illusion, but I want your assistance if you'll give it. But my suggestion

12 to you is this: That that group couldn't have got into Republika Srpska

13 through Raca without the complicity and knowledge of those who had control

14 of the crossings, and thus you must have known that this group was going

15 in. Do you see? That's the suggestion I'm putting to you.

16 A. That is not true. It is not the correct suggestion. I had no

17 reason to know, nor was I in charge of who was crossing a border crossing

18 either way. That is something that the sector of the border police was in

19 charge, and I have said that several times.

20 Apart from that, in addition to that, the stepped-up measures, or

21 especially stepped-up measures, if I can put it that way, were applied

22 from Bajina Basta south of the border with Montenegro and not to the

23 north. Of course, there were stepped-up measures of some kind, but the

24 stepped-up measures that we discussed in this courtroom, they should be

25 linked and related just to Bajina Basta and southward towards the

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1 Montenegrin border, and that is clearly explained in my responses earlier

2 on.

3 Now, whether somebody at some point can cross a border unlawfully

4 at other crossings, it is general common knowledge that they can. On the

5 other hand, some members of the army of Republika Srpska and the army of

6 Republika Srpska Krajina had their domicile and residence in Serbia and

7 normally crossed the border.

8 The regime of border crossings was such that ID cards were used.

9 You needed identification cards and no other travel documents. So anybody
10 could cross the border when they so wished with an ordinary ID card in
11 regular procedure.

12 JUDGE ROBINSON: Mr. Nice, to the extent that your question
13 operates on the basis that the witness had control of the border crossing,
14 my understanding of the evidence, of his evidence, is that border crossing
15 is a matter that falls within the control of a special unit in the
16 Ministry of the Interior. He went there with his forces to assist. It is
17 not his evidence that he had control of the border crossing.

18 MR. NICE: Your Honour's, I think, correct in an analysis of the
19 spoken words of the evidence. My proposition, however, and it doesn't
20 need further answer from the witness, would remain the same, the
21 proposition being that if you have a person of this seniority there to
22 engage in support of the kind he said, you couldn't do something of this
23 nature without running the risk of displeasure from the authorised person

24 if what was being done wasn't authorise. So it's as simple as that.

25 May I put my other point just before the break?

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1 JUDGE ROBINSON: Yes.

2 MR. NICE:

3 Q. The second point I want to put to you is built on the questions I

4 asked you about your being a trusted individual. That's why I asked you

5 about that. And I'm going to suggest to you this: That by the 21st of

6 July, well after a week from the first communications of which we've heard

7 going to your government, you could only be trusted to get that near to

8 Srebrenica and to take the DutchBat out if you were trusted to deal with

9 the knowledge of the massacre, and that's the suggestion. So my question

10 to you, with that background, is this: When you were sent by your deputy

11 minister, assistant minister, were you told that there had been a serious

12 massacre or serious event happening at Srebrenica? Were you?

13 A. First of all, let me say that your previous observations are

14 completely incorrect. And secondly, let me say that none of that was told

15 to me by anybody, absolutely not. Nor was I able to make any conclusions

16 about that from what I saw in Bratunac and from the brief contact I had

17 with the leadership of the DutchBat. So rest assured that I am telling

18 you only the truth --

19 MR. NICE: Your Honours, I will provide the witness --

20 THE WITNESS: [Interpretation] -- and nothing but the truth.

21 MR. NICE: I will provide the witness, if the Court is content

22 with this, with the photographs and names for him to make such inquiries as

23 he can.

24 JUDGE ROBINSON: Yes. Yes. On that note, we will adjourn for 20

25 minutes.

1 --- Recess taken at 12.21 p.m.

2 --- On resuming at 12.45 p.m.

3 JUDGE ROBINSON: Yes, Mr. Nice.

4 MR. NICE:

5 Q. I am going to turn to a much later event, Mr. Stevanovic, today;

6 Dubrava. One of the reasons I'm turning to that is this is something of

7 which you do have some personal knowledge, isn't it?

8 A. I have partially already explained that I have something to do

9 with Dubrava in the sense that I was in charge of talking to the

10 representative of the Ministry of Justice, and the Ministry of Justice had

11 a request whereby the MUP should be included into the evacuation of

12 prisoners from Dubrava prison after the bombing of that prison.

13 Q. What do you mean by that, please? We know that you told us you

14 were present when they -- when they left the prison, the prisoners.

15 A. No. I was never present in the prison itself. I was in Pristina

16 at the time of the bombing, or perhaps a day later. What I remember very

17 well is when I think the assistant minister of justice arrived - his

18 surname is the same as my own - and when just before his arrival the

19 minister called me and told me that I should receive that colleague from

20 the Ministry of Justice and to give him assistance concerning the

21 evacuation of the prisoners from the KPZ Dubrava to the KPZ Lipjan.

22 Q. When you told us on the last occasion you spoke of this that the

23 head of staff of the headquarters, you thought on the 23rd of May, sent

24 out an order ordering the SUP of Pec to give officials -- assistance to

25 the officials of the prison; is that right?

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1 A. That is right, yes.

2 Q. There's no part of that you wish to change?

3 A. No.

4 Q. Dubrava --

5 A. I don't know if I was understood correctly, but what I said I

6 stand by now too.

7 Q. Dubrava has been somewhat thinly sketched as to its history by the

8 Prosecution, and I want a little more assistance from you on that. It was

9 built in the 1980s, wasn't it?

10 A. No, I don't know about that. I did read about when it was built

11 somewhere, but I don't remember. I can't say.

12 Q. It was to be one of the very largest prisons in Europe. I think

13 it was going to be the second or third largest prison in Europe. Do you

14 remember that?

15 A. I don't know that. But I do know that it was a large prison. It

16 covered a large area, surface area. There were a lot of facilities and

17 buildings. I flew over the prison in a helicopter and I think I only went

18 inside once, but I'm not quite sure whether I did in fact or not.

19 Q. For any who have not been there, you've flown over it. First of

20 all, we can see Istok up there. It's in a remote corner of territory, and

21 it is itself set in very wide landscape. Do you remember that? You can

22 see Istok but I don't think the prison is itself marked.

23 Remote landscape, yes?

24 A. Well, I think it was relatively unpopulated, the area, but it was

25 more populated than you could tell by looking at this map, for example.

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1 Q. And indeed when it was built, as the material already before the

2 Judges reveals, although we haven't focused on it yet, some thought that

3 it was built for purposes additional to the holding of prisoners. Is it

4 right that people thought it was to serve a purpose additional to the

5 holding of prisoners?

6 A. I don't know about that. What other purpose it had or for what

7 purpose it had been planned for, in that sense I answered that I don't

8 know.

9 JUDGE ROBINSON: Mr. Nice and the witness, I apologise. We need

10 to stop for a minute for technical reasons relating to the operation of

11 the Albanian booth.

12 MR. NICE: I will stay standing, if you don't mind. My chair is

13 occupied with files.

14 JUDGE ROBINSON: Yes. You may proceed, Mr. Nice.

15 MR. NICE:

16 Q. In 1999, you were -- you had your ministerial position, didn't

17 you?

18 A. [No interpretation]

19 MR. NICE: Sorry, I'm not getting any translation.

20 THE ACCUSED: [Interpretation] I'm not receiving the

21 interpretation, I apologise. It seems that when we had that technical

22 adjustment, all the channels were switched off, so somebody would have to

23 adjust the witness's channel.

24 JUDGE ROBINSON: I think we are on now.

25 MR. NICE:

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1 Q. 1999 you occupied your ministerial position.

2 A. Yes. I was assistant minister but not the minister.

3 Q. And did that give you oversight of all aspects of the MUP's work?

4 A. Not at all levels and not in all aspects. I was the assistant of

5 the minister. I attended the collegium of ministers, and all the

6 questions that were discussed at that level in principle I was acquainted

7 with, of course, when I attended those meetings.

8 Q. And we saw from the documents we looked at yesterday for the

9 earlier period, 1998, that you were a regular attender at the Joint

10 Command on the ground in Kosovo. That's correct, isn't it?

11 A. I don't know what you mean by "regular." At meetings which those

12 individuals attended, I, too, attended perhaps some ten times, give or

13 take five, roughly.

14 Q. Here's something I suggest you must have --

15 A. So I didn't attend regularly. I apologise.

16 Q. Here's something that I suggest you must have known about,

17 although we have yet to hear about it, and it's what happened to the

18 prison in about June of 1998. Think back, please, and think what it was

19 that happened to the prison in about June of 1998.

20 A. What happened in the prison?

21 Q. Yes.

22 A. I can't remember. Please remind me and I'll certainly tell you if

23 I know about it. I really don't know.

24 Q. It was depopulated of prisoners and taken over by the JSO under

25 Legija and Simatovic. Now, think back.

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1 A. There's no need for me to think it over. I have knowledge about

2 that. I thought you meant what happened in the prison. In my mind it

3 associated me with an event in the prison which would be security related.

4 Now, in the course of 1998, indeed, in part of the prison was the

5 headquarters of the JSO, the unit for special operations. I know about

6 that but I don't know that the prison was depopulated of prisoners because

7 of that. Possibly they were, but I really don't know about that.

8 Q. And this may, of course, be the backdrop to the NATO bombing, but

9 we'll come to that later.

10 In 1998 this was a place from which Simatovic's units under

11 Legija, with Stanistic's oversight, was operating in the general area of

12 Kosovo to which Istok is close; correct?

13 A. That is a part or, rather, KPZ Dubrava was indeed used as a

14 headquarters for that special unit, the JSO, and of course while it was

15 residing there, it was from those headquarters that it was sent out on

16 assignment in conformity with the plans in which that unit took part.

17 Q. Who directed that unit in its operations against the KLA from

18 Dubrava?

19 A. That unit, as is well known, was within the composition of the

20 state security sector. It came under that. Now, in the main operations

21 that we discussed at previous meetings, that unit was included in keeping

22 with a plan which was a general plan and related to the entire region of

23 Kosovo and Metohija, and in keeping with individual orders which we have

24 had occasion to see. Of course, they did not take part in all the

25 actions, all the operations, just some of them in keeping with the

1 individual orders issued.

2 Q. When did the JSO unit leave the prison in 1998?

3 A. I don't know that fact.

4 Q. Do you know anything about the degree to which prisoners

5 repopulated or, alternatively, increased the population of the prison? Do

6 you know anything about that?

7 A. No, I don't know anything about that. Absolutely not.

8 Q. Into 1999, forces were located close to the prison. They weren't

9 now in the prison, but there were forces located close to the prison, both

10 the JSO and also other forces. Do you remember that?

11 A. I didn't know the exact positions of the forces during 1999, so I

12 can't remember. Quite possibly they were, however, I cannot confirm the

13 exactitude of that fact. The units were in the entire region. I have

14 explained that no unit used its peacetime location because of the danger

15 and threat of the bombing. So all the units used a number of reserve

16 locations from which they were able to do the job entrusted to them.

17 Possibly one of these units were near Dubrava, but I really can't say. I

18 don't know.

19 Q. A reserve force unit from Krusevac, for example, being close to

20 the prison? Do you remember that?

21 A. Of course I don't remember, but if you could assist me; is it a

22 police or a military unit?

23 Q. As far as I know, it's a military unit.

24 A. That is something I cannot know.

25 Q. Which brings us then to your analysis of and evidence about the

Page 40301

1 bombing of Dubrava prison. Your sources of information are documents?

2 Yes?

3 A. Documents and some telephone and verbal information I received

4 while I was in Pristina.

5 Q. And what -- the verbal information came from who?

6 A. From the secretariat in Pec. I don't know the man personally.

7 Plus I had information that came into the staff itself from the

8 secretariat in Pec.

9 Q. Can you name any of the people who provided you with information

10 at this stage?

11 A. I might make a mistake. I can name the people who would be the

12 logical source of such information. The chief of SUP at that time was

13 Boro Vlahovic. The chief of the police section was a man whom I know but

14 I can't recall his name at the moment. Deputy chief of SUP was a

15 Mr. Vulevic. Or maybe I could have gotten information from the shift

16 leader. The important thing was to get information. Who you get it from

17 was less important.

18 Q. Very well. When you were asked questions by the accused and he

19 took you to Exhibit 204, you read the paragraph and you said, "NATO

20 bombing was repeated from 1700 hours to 1805 hours and then again at 23

21 hours, and on the 22nd of May, 1999, at 0610 hours." Are you able from

22 your own knowledge to say anything about any of those alleged times of

23 bombing?

24 A. Unfortunately, I cannot help you with the times. When I read the

25 documents, I identified the 19th, 21st, 22nd, 24th. That's true if that's

Page 40302

1 what it says in the transcript, but I don't know the exact hours.

2 I believe the bombing was repeated on three occasions. I believed

3 an on-site investigation was resumed three times and that the evacuation

4 of the prisoners took place on the 24th or maybe the 25th. That's the

5 recollection that I have.

6 Q. And let's just go back for one second to the takeover of the

7 prison or, as you would say, part of the prison, in 1998 by the JSO. That

8 needed approval at what level?

9 A. At the level of the two ministries. The prison certainly could

10 not have been used without the approval of the Ministry of Justice.

11 Q. Thank you. Now, let's go back to the timing of the bombs. If I

12 suggest to you that 6.10 in the morning is a calculated fabrication by

13 those who have recorded that time, what do you say?

14 A. I think that the claim that it is a fabrication is inaccurate. Of

15 course, I don't know which document we are talking about. I can't

16 remember at this moment. But I would not accept that any fabrication is

17 contained in the documents in these files.

18 Q. As a policeman you would accept, would you not, that it's a very

19 useful exercise to look at what someone, a defendant or a body charged

20 with impropriety, to look at what that individual or body says or records

21 over a period of time. Would you accept that?

22 A. I'm not sure I understand that question.

23 Q. I'll move on. We'll look at the first document. Tab 202 is where

24 we go first. So this is a defendant's tab, tab 202.

25 And what we notice from this document is nothing more, really,

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1 than that under "Dubrava" -- you'll need the -- for the 21st of May, on

2 the first page, it records that the -- between 8.30 and 2345 hours on the

3 21st of May there was attack, 47 high-explosive missiles, and it asserts

4 that 93 prisoners were killed.

5 Now, whose is this document? Can you tell us? It's not signed.

6 Whose --

7 A. I think I've already explained this. This is a summary of the

8 entire case file on Dubrava, drawn up at the Ministry of the Interior,

9 because it was received as such by Defence advisors -- counsel, by Defence

10 counsel. But there should be accompanying material.

11 Q. There is nothing to identify this document, if we look at the

12 original, of any kind. It only covers the days 19th and 21st, so it

13 doesn't deal with the 22nd at all, but it does suggest that 93 prisoners

14 died. Now --

15 A. That's what it says in this document, in the second line -- the

16 second paragraph, rather, sub-heading "21st of May."

17 Q. We've had evidence from three live survivors of Dubrava, and as to

18 that day, the night of the 21st, they say that either - and they give

19 three different figures - one says 18 to 19, one says 19, and one says 23

20 prisoners, but nothing at all like 93 prisoners. You can't vouch for the

21 accuracy of this document at all, can you? It's anonymous. We don't know

22 anything about it.

23 A. I have explained, but I can say it again. I am sure that this

24 document was supplied from the official documentation of the Ministry of

25 the Interior. Prima facie we cannot see any marking or identification,

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1 but it is a summary of the remaining documents which are attached, and

2 everything that is written here should be supported and proven by the

3 documents that follow and that can be identified.

4 Q. If you --

5 THE ACCUSED: [Interpretation] Mr. Robinson.

6 JUDGE ROBINSON: Yes.

7 THE ACCUSED: [Interpretation] I cannot recall exactly now, but I

8 seem to recall that this is an excerpt from a document that was tendered

9 as an exhibit during the testimony of the chief of the Secretariat for

10 Internal Affairs, Mr. Paponjak, as part of a broader document that lists

11 all incidents involving loss of life that happened on the territory of the

12 SUP of Pec, and this one relates only to Dubrava. But I don't have the

13 Paponjak documents here with me. And we'll be able to check that anyway.

14 I believe this is an excerpt from that document, and that document was

15 drawn up by the Ministry of the Interior covering all secretariats. The

16 one in question here is the secretariat in Pec.

17 JUDGE ROBINSON: Your point being then that the document should be

18 looked at as a whole. You produced it.

19 THE ACCUSED: [Interpretation] Yes.

20 MR. NICE: Well, let me make my position clear. I'm suggesting to

21 the accused through the witness, or to the witness, I don't know who it

22 is, that the total of 93 prisoners is a false and indeed an intentionally

23 false figure, for reasons that will emerge.

24 Q. Do you understand me, Mr. Stevanovic? I'm saying that the figure

25 of 93 is inflated and intentionally so.

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1 A. I understand what you are saying. It's just that I cannot accept

2 that statement.

3 Q. Shall we go next, then, please, to tab in your papers 208. This

4 is a document which we didn't have, I think, in translation before. We do

5 have in translation now. We've had it translated because it was a

6 document of significance, and the process didn't seem to be bringing it to

7 us in time.

8 While that's coming around, the Chamber might like to look, and

9 the witness might like to look at the last two sheets of the document,

10 both at the change in the size of type, in the absence of a number from

11 the top of the page, in any event as it's copied, and then we'll see the

12 translation so far as it's relevant.

13 Following in the original, please, Mr. Stevanovic, this document
14 dated the 2nd of June, to your Minister Stojiljkovic, and delivered to
15 others as well, including Milutinovic, we go over to the next -- second of
16 the pages of translation, at the foot we see this: "NATO aggressor
17 repeatedly attacked in the period between 8.20 and 10.30 on the 21st of
18 May. During the attack, more than 25 projectiles of huge power were
19 fired, almost completely destroying all the buildings."
20 And then three lines on from that: "In addition, many convicts
21 were killed in this strike. So far, 97 convicts were pulled out of the
22 rubble," and then injuries are given.
23 The next paragraph reads as follows, second line: "This was
24 probably -- the surrounding wall was damaged. This was probably one of
25 the aggressor's goals, taking into account that among the convicts there

1 were some notorious terrorists and criminals who had killed several

2 policemen and soldiers and for whom the International Committee of the Red

3 Cross and other so-called humanitarian organisations showed interest for.

4 Immediately after the surrounding wall of the institution had been

5 damaged, a group of convicts attempted escape, but were prevented by a

6 swift and efficient intervention of members of the Security Service, who,

7 standing in circles around the institution walls, were maintaining

8 security at a level determined by condition of permanent attacks and bomb

9 raids."

10 Can you tell me what that means, that last sentence?

11 A. This long sentence, "Immediately after the destruction of the

12 surrounding wall, the perimeter wall..." is that the sentence you mean?

13 Q. The last sentence I read, last sentence of the paragraph, where it

14 says, "They were standing around maintaining security at a level

15 determined by condition of permanent attacks ..."

16 A. I don't know what more I can tell you in addition to what you've

17 read. The security detail secured the prison according to the established

18 disposition.

19 Q. You see, there is no suggestion in the papers, nor, I take it,

20 any information coming to you by word of mouth, that prisoners trying to

21 escape were shot dead. Because if that had happened, it would have been

22 properly recorded, wouldn't it?

23 A. I have said that I don't remember receiving such information that

24 any escape attempts took place. We see some sort of reference to

25 attempted escape here and an attempt to prevent it, but I personally did

Page 40307

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13 English transcripts.

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Page 40308

1 not information to that effect, and I can interpret this document now just

2 as competently as you or anybody else, but I think this sentence is

3 self-explanatory.

4 So there is an escape attempt. That's what it says here. I, of

5 course, didn't have to know that.

6 Q. Let me pause you there for a minute. We'll take our eyes off the
7 document and just focus on the events. What happened was that after the
8 bombing on the 21st, the prison was taken over in the early hours of the
9 22nd by special forces, and the prison guards were kicked out and the
10 forces that came in were free to do what they wanted with the prisoners.

11 That's what actually happened, isn't it?

12 A. That is your claim. I don't agree with it, and I have no
13 knowledge about it.

14 Q. And indeed I'm going to ask you this, since you were at a high
15 level, accessible to ministers and trusted by them: Was there a plan to
16 respond maybe to this bombing generally or particularly by killing all the
17 Albanian prisoners in that prison? Was there a plan forged to do just
18 that?

19 A. That is absolutely not true. There was no such plan to kill

20 anybody outside of situations prescribed by the law, and the law does not

21 envisage any possibility to kill anyone deliberately.

22 I said several times that death could occur only as an undesirable

23 result of a lawful use of means of coercion.

24 Q. What we know is that if any forces other than the prison service

25 were to take over the prison, it would require a high-level decision, just

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1 as it had done in 1998. Is that right?

2 A. That logic in itself is not good. If an event occurs involving

3 loss of life, local police does not need any decision from higher up to

4 take the prescribed lawful measures. It is quite a different case when a

5 facility is taken over in order to be used for purposes other than

6 peacetime purposes, so it can't -- what you said in your last statement

7 cannot apply here.

8 Q. What do you understand by minister of interior special --

9 "Ministry of the Interior special units"?

10 A. That concept has been misused very frequently. At the Ministry of

11 the Interior, there is only one special unit. It is called the special

12 anti-terrorist unit. I've explained several times that special police

13 unit cannot receive --

14 Q. [Previous translation continues] ... were doing. You would know

15 what those units were doing in Kosovo in May of 1999.

16 A. Do you mean special purpose units and the special unit?

17 Q. Yes, the units you've described. You would know what they're

18 doing, wouldn't you?

19 A. Of course I knew in principle on what assignments they are there

20 and on what assignments they're engaged.

21 Q. Let's go back to the document, now, and you go down a couple of

22 paragraphs, where it says: "NATO Air Force --" this is the top of our

23 pages 4 or 5, where it says, "NATO Air Force is to date bombing Istok

24 penal-correctional institution on a daily basis." Have you found that

25 paragraph?

Page 40310

1 A. Yes.

2 Q. This document that we've got, dated the 2nd of June, simply isn't

3 true, as a matter of fact and history, that NATO was bombing on a daily

4 basis Istok penal-correctional institution. That's not true, is it?

5 A. Well, to put it this way would simply not be correct according to

6 the information I have. I don't think it was the intention.

7 Q. The next paragraph begins: "It has to be stressed," about its

8 being an up-to-date institution and taking ten years to build, and then

9 says this point that I referred you to earlier: "It accommodates 3.000

10 persons. According to some information, it was built for other purposes

11 and its size could meet the needs of neighbouring countries." The other

12 purposes were the security purposes reflected by Frenki and Legija coming

13 with their unit there; is that right?

14 A. First of all, I don't know anything about this purpose. What

15 could it possibly mean "to meet the needs of the neighbouring countries"?

16 I don't know what would have attracted those units. All units were in

17 search of appropriate locations, because there were many units who could

18 not find an alternative location to their peacetime one. And all units

19 needed to be put up in facilities that were the most appropriate to the

20 situation.

21 Q. [Previous translation continues] ... to go on two paragraphs, and

22 we'll read this paragraph in full: "Ministry of the Interior -- Ministry

23 of the Interior Special Units arrived to the institution at 0500 hours on

24 the 22nd of May and entered the closed part while the guards of the

25 institution withdrew, following the order of the Ministry of Interior

Page 40311

1 representative, from the central part of the institution and positioned

2 along the wider ring around the wall in order to prevent possible attempts

3 of convicts to escape."

4 I read on from the 5.00 reference to the next one. "Special units

5 came at approximately 17.00 hours that same day, and at approximately

6 05.00 on the 23rd of March, 1999." 23rd of May, thank you, 1999.

7 First of all, do you notice, Mr. Stevanovic, not a reference to

8 the bombing at 6.10 a.m.?

9 A. No, not in this paragraph, obviously.

10 Q. But what we do notice is that if this paragraph is right, the

11 prison is no longer populated by prison guards but is now populated by

12 Ministry of Interior special units.

13 A. First of all, I believe this formulation is wrong. It's wrong to

14 say special units. At the time, most policemen wore camouflage uniforms,

15 either olive-grey or grey-blue, and every policeman wearing that uniform

16 could perhaps be wrongly called special policemen.

17 As to whether the prison guards left the prison, we can read that

18 much, but it doesn't mean that they abandoned control over the prison.

19 Rather, there was a redistribution of assignments.

20 Q. Oh, really? Are you making it up as you're going along,

21 Mr. Stevanovic, because you realise that this document should never have

22 been included --

23 A. No, no.

24 Q. -- aren't you? This document, I suggest to you - and it's a

25 defendant's document - gives the game away.

1 Let's just go back and let me help you with something. We had
2 these three Prosecution witnesses who gave evidence, I can't remember how
3 many years ago, but well before this document ever surfaced. They said
4 this; that on the 21st, 23 prisoners were killed. On the 22nd of May,
5 they were kept in the prison overnight and at 5.30 were lined up and then
6 they were attacked from the -- they were lined up in the sports field and
7 they were shot at and many of them were killed, 97 or thereabouts, from
8 the watchtower. That's the account of one prisoner. 5.30 in the morning.
9 The next prisoner, or the next witness, who was also a prisoner,
10 gives an account of being ordered by guards to line up on the 22nd. The
11 third witness, a similar account, but the first one actually gives the
12 time; about half past five.
13 Now, look at your document or, rather, the accused's document.
14 "From 5.00 in the morning, pursuant to an order of the Ministry of the
15 Interior, the prisoners of Dubrava were at the mercy of MUP special units

16 staff."

17 Will you tell me what they were doing.

18 A. I, of course, can only read what it says here. I can also say

19 that it is normal that the police, after an event of that kind, goes on

20 site to secure the area and to enable the investigating authorities to

21 conduct their on-site investigation. I really can't see what they did

22 here. I can only assume that they did what I said a moment ago.

23 Of course, this should now be compared with the terms of on-site

24 investigation as used and the other terms, and it is difficult for me on

25 the basis of this documentation to go through the documents for purposes

Page 40313

1 of a serious analysis. I am focusing my attention on this. Here we can

2 indeed see that the units of the Ministry of the Interior had entered the

3 internal -- or the institute's compound and that they went at 5.00 on the

4 22nd and at some other time, but I cannot say what they did there. I knew

5 -- I know what is usually done after such an event, and I'm certain that

6 that must be the content of the work of such units.

7 We cannot see when the on-site investigation was conducted and the

8 other details, but --

9 Q. Let me assure you I'm going to give you a chance to go through the

10 documents.

11 A. I do apologise.

12 Q. [Previous translation continues] ... is quite clear. The decision

13 made at the ministerial level -- help us with this: Would that be a

14 decision that this accused would also have to approve in the setting of

15 the problems in Kosovo?

16 A. What decision are you referring to? What do you mean?

17 Q. The decision to put the MUP special units in at 5.00 on the

18 morning of the 22nd. Would that be a ministerial decision, on your

19 understanding, that this accused would have to approve?

20 A. Such decision doesn't have to be taken at the level of the

21 ministry or minister. If any facility of any area was bombed, and in that

22 area there is at least one, even one wounded individual or even if the

23 wounded did not exist, it is up to the Ministry of the Interior to go on

24 spot, to secure the site, to take control of the site, to inform the

25 judiciary and to assist them in conducting the investigation. For

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1 something like that, you don't need anybody's decision.

2 Q. Go on two, pages, please, and you'll find at the foot of the page

3 sentences that read like this: "On the 25th of May of 1999 in Pristina,

4 authorised employees of the Ministry of Justice held a meeting with all

5 --" then it breaks, and then over on the next page in type certainly of a

6 different font size - I'm unable to say whether it's from the same machine

7 - a non sequitur: "There were 1.079 prisoners in Dubrava

8 penal-correctional institution. 96 were killed, three succumbed," and so

9 on.

10 Can you help me, please, with where I can find the proper

11 following page to what we see at the end of your page 5? Where can I find

12 the proper complete version of this document? Because this isn't it.

13 THE INTERPRETER: Microphone, please, microphone.

14 THE WITNESS: [Interpretation] As far as I can see, the following

15 page is missing, at least. The text in big letters seems to be an

16 attachment to something, not the continuation of this particular text. So

17 in my tab, I really don't seem to have the last page, and quite obviously

18 at least one more page should be in existence.

19 THE INTERPRETER: Microphone, please, Mr. Nice.

20 JUDGE BONOMO: Before you do that, Mr. Nice, may I ask this:

21 Mr. Stevanovic, the units which are referred to as arriving at the

22 institution at 5.00, that's 5.00 in the morning on the 22nd of May, these

23 are units for which you would have -- or over which you would have

24 control? They fall within your sector of the MUP?

25 THE WITNESS: [Interpretation] At that time, I did not have

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1 operative control over any unit in the Ministry of the Interior, and I

2 explained that I was the assistant minister and that I went to Kosovo

3 pursuant to his orders to perform concrete assignments with respect to his

4 orders and requests and that I would report back to him from time to time.

5 And I explained what the manner of control and leadership in Kosovo was

6 like.

7 JUDGE BONOMO: The question was not as clear as it should have

8 been. You've been careful to distinguish in your evidence between the

9 public sector and the security sector, the two elements in the MUP. Can I

10 take it that this -- these units fell within the public sector for which

11 you or about which you can speak with some authority? Is that correct?

12 THE WITNESS: [Interpretation] I think that they do come under

13 that, but I think that the wrong name was used, special MUP units,

14 "Specijalne," because I don't believe that any special unit was there. I

15 think that it was a local police unit that had authority in that

16 particular sector.

17 JUDGE BONAMY: But you do appreciate that throughout your evidence

18 in relation to these documents which come from the ministry you've been

19 very anxious to talk them up, to tell us how authoritative they are, and

20 this is the first example of one where you want to question its authority.

21 Is that an accurate reflection of your evidence?

22 THE WITNESS: [Interpretation] No. I don't believe you followed

23 that. I still consider these to be official documents of the Ministry of

24 the Interior, so I stand by them as official documents of the Ministry of

25 the Interior. I just tried to explain. This is a document of the

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1 Ministry of Justice. Quite possibly the person who compiled it didn't

2 formulate the name of the unit in the proper way. Otherwise, I'm not

3 challenging that this is indeed a document of the Ministry of Justice

4 which is part of the documentation found in the Ministry of the Interior.

5 THE ACCUSED: [Interpretation] Mr. Robinson.

6 JUDGE ROBINSON: Yes, Mr. Milosevic.

7 THE ACCUSED: [Interpretation] I also asked the question when we

8 were looking at these exhibits. I asked Professor Rakic. I said that

9 there needed to be one more page. There was a page missing. But as you

10 can see, it says A/III. It is the document of the Ministry of Justice

11 which the Ministry of the Interior disposes of, and my associates received

12 it from the Ministry of the Interior. I didn't have time nor did my

13 associates have time to look for the original document from the Ministry

14 of Justice, but I do believe that we would be able to find it in the

15 Ministry of Justice and that you can find the missing page. This whole

16 set of documents was received from the Ministry of the Interior, however,

17 and it has the A/III designation there.

18 JUDGE BONOMO: Well, I'd be grateful if I can complete what I was

19 trying to do here.

20 The reference A/III, that's a reference, do you say, that relates

21 to the Ministry of justice?

22 THE WITNESS: [Interpretation] I didn't understand that. What do

23 you mean reference A/III?

24 JUDGE BONOMO: If you look at the front page of the document, on

25 the top left-hand corner. You see the reference A/III, III.

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1 THE INTERPRETER: Microphone, please.

2 THE WITNESS: [Interpretation] Yes. That is the reference of the

3 Ministry of the Interior, but it was placed -- let me repeat --

4 JUDGE BONOMO: I thought you said earlier --

5 THE INTERPRETER: Microphone, Your Honour, please.

6 JUDGE BONOMO: I thought you said earlier that these were

7 references used by the Ministry of the Interior.

8 THE WITNESS: [Interpretation] Yes, that's correct.

9 JUDGE BONOMO: So this is a document of the Ministry of the

10 Interior or is it a document of the Ministry of Justice?

11 THE WITNESS: [Interpretation] This is obviously a document of the

12 Ministry of Justice which was included into the file of the Ministry of

13 the Interior, and this reference was placed there subsequently on the

14 title page, and also the other pages, as we can see.

15 JUDGE BONAMY: Thank you.

16 MR. NICE:

17 Q. I'll take the opportunity to deal with one more document, but we

18 can see, just look at this, the cover page. The cover page is marked

19 "Read this," it's signed by the minister, it's sent to Milutinovic,

20 Marjanovic, Markovic, Stojiljkovic. It's a pretty serious document, isn't

21 it?

22 A. Well, obviously it is a serious document, and as the title says it

23 represents an informational report on the attack on the prison at Istok,

24 and it contains some other elements as well.

25 Q. And the last page is not only in a different font size, but if you

Page 40318

1 look at the top of the page, it doesn't have a page number. On your

2 account it should be at least page 7, but it doesn't actually have a page

3 number. Has this document been retyped, do you think?

4 JUDGE KWON: It has different attachment number.

5 MR. NICE: Yes. May I just put one more document to this witness,

6 with Your Honours' leave?

7 JUDGE ROBINSON: Yes, one more before we adjourn.

8 MR. NICE:

9 Q. And you see --

10 A. But allow me to explain.

11 JUDGE ROBINSON: Yes. Go ahead.

12 THE WITNESS: [Interpretation] Obviously this last page is not a

13 component part of the previous document. It is a separate case, and you

14 could see that if you look at the 010 attachment. So the case is the same

15 but it is a different attachment, supplement. And the pages have been

16 placed so as to suggest that it is one document.

17 JUDGE BONAMY: That might be what makes it look suspicious,

18 bearing in mind that there's no earlier reference to the victims of the

19 bombing. That's the point that was long since made in the course of this

20 examination.

21 MR. NICE:

22 Q. Now, I just want you to look at the next document, bearing in mind

23 my suggestion to you that there was a planned massacre by the incoming

24 special forces under your ministry to be put into effect on the morning of

25 the 22nd and thereafter.

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1 This document before you comes from Aleksandar Rakocevic, the

2 warden. We've seen another document from this man --

3 THE ACCUSED: [Interpretation] Just a moment, please.

4 JUDGE ROBINSON: Mr. Milosevic, you have a --

5 THE ACCUSED: [Interpretation] Mr. Bonomy a moment ago perhaps

6 forgot to see. He says in the Ministry of Justice document there is no

7 reference to the casualties, the victims of the bombing, as far as I

8 understood it. Now, I'd like to draw his attention to the fact that on

9 page 2 of the B/C/S or, rather, the Serbian text, it says quite clearly,

10 "In this attack more -- a number of prisoners were killed" and in

11 brackets, "(up to now 97 corpses were pulled out and 196 were wounded

12 either more seriously or less seriously)." That's what the Ministry of

13 Justice document says on page 2. And in that same paragraph in which it

14 says that the deputy warden was killed, and so on and so forth. But

15 Mr. Nice didn't quote that portion.

16 JUDGE ROBINSON: Mr. Nice, we'll have to stop here. It's in the

17 middle of the question, but -- no. We'll have to stop because we are

18 going to trespass on the time of the following Court and then we'll be

19 rebuked, as has happened before.

20 We will adjourn until tomorrow.

21 --- Whereupon the hearing adjourned at 1.44 p.m.,

22 to be reconvened on Thursday, the 2nd day

23 of June, 2005, at 9.00 a.m.

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