



Tribunal international chargé de
poursuivre les personnes présumées
responsables de violations graves
du droit international humanitaire
commises sur le territoire de
l'ex-Yougoslavie depuis 1991

Affaire n° : IT-01-47-T

Date : 30 juin 2005

Original : Français

LA CHAMBRE DE PREMIÈRE INSTANCE

Composée comme suit : M. le Juge Jean-Claude Antonetti
Mme la Juge Vonimbolana Rasoazanany
M. le Juge Bert Swart

Assistée de : M. Hans Holthuis, Greffier

Décision rendue le : 30 juin 2005

LE PROCUREUR

c/

**ENVER HADŽIHASANOVIĆ
AMIR KUBURA**

ORDONNANCE PORTANT SUR L'ADMISSION DE PIÈCES PAR LA CHAMBRE

Le Bureau du Procureur :

M. Daryl Mundis
Mme Tecla Henry-Benjamin
M. Stefan Waespi
M. Matthias Neuner

Les Conseils de la Défense :

Mme Edina Rešidović et M. Stéphane Bourgon pour Enver Hadžihasanović
MM. Fahrudin Ibrisić et Rodney Dixon pour Amir Kubura

LA CHAMBRE DE PREMIERE INSTANCE II (« Chambre ») du Tribunal international chargé de poursuivre les personnes présumées responsables de violations graves du droit international humanitaire commises sur le territoire de l'ex-Yougoslavie depuis 1991 (« Tribunal »),

VU la « Décision relative à la Requête de l'Accusation aux fins d'un transport sur les lieux » rendue par la Chambre à titre confidentiel le 18 mai 2005 (« Décision »), dans laquelle la Chambre s'est prononcé, entre autres, sur les modalités d'un transport sur les lieux,

ATTENDU que, dans cette Décision, la Chambre a décidé que les Parties peuvent faire valoir leurs observations pendant le transport sur les lieux, que lesdites observations seront enregistrées par le Greffe et ensuite retranscrites dans un compte-rendu, dressé sous la responsabilité du Greffe, qui sera versé à la procédure en tant que pièce de la Chambre avant le dépôt des mémoires en clôture,

ATTENDU que le transport sur les lieux a eu lieu du 13 au 17 juin 2005, et que la procédure susmentionnée a été suivie lors de ce transport,

ATTENDU qu'il y a lieu d'admettre en tant que pièces de la Chambre l'enregistrement des observations des Parties sur support magnétique et le compte-rendu dressé à partir de cet enregistrement,

PAR CES MOTIFS,

EN APPLICATION de l'article 89 C) du Règlement de Procédure et de Preuve

DÉCIDE d'admettre en tant que pièces de la Chambre le compte-rendu et l'enregistrement sur support magnétique des 14, 15 et 16 juin 2005, ci-joints, sous les cotes suivantes :

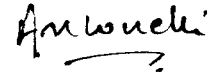
le compte-rendu du 14 juin 2005 sera admis sous la cote C21, son enregistrement sur support magnétique sous la cote C21/1 ,

le compte-rendu du 15 juin 2005 sera admis sous la cote C22, son enregistrement sur support magnétique sous la cote C22/1,

le compte-rendu du 16 juin 2005 sera admis sous la cote C23, son enregistrement sur support magnétique sous la cote C23/1.

Fait en anglais et en français, la version en français faisant foi.

Le Président de la Chambre



Jean-Claude Antonetti

Le 30 juin 2005
La Haye (Pays-Bas)

[Sceau du Tribunal]

Transcript of Day 1 14 June 2005

Site Visit Case IT-01-47-T

Note: the site visit lasted for a total of five days. Only three days were recorded. The transcripts of these three days are called transcript of day 1, day 2 and day 3.

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Site Visit – Day 1

Page 2

1 [Registry note: location basement music school, Zenica]

2

3 THE REGISTRAR: So this is the music school, Zenica, 8.20, 14th of
4 June. You may want to translate what she said.

5 MUSIC SCHOOL DIRECTOR [interpretation]: This wall that we can
6 see in front of us did not exist here before. It was built --

7 This heating system was in fact located in another old house
8 across the road which was later demolished. And the surface of this
9 room is about 50 square metres. We have classes here because there's
10 not much room in the school, and this area is always being used. And
11 there is no other basement; this is the only basement.

12 MR. KOEHLER: So we're now here on the first floor in the music
13 school, and the rooms that you see here, some of them were used for
14 interrogation.

15 [French spoken].

16 MS. RESIDOVIC: [Interpretation] The music school itself is
17 located in the very centre of the town, and its immediate
18 surroundings -- and in its immediate surroundings there are numerous
19 city institutions referred to in our case. And across the street from
20 the music school there was the municipal court and the Zenica
21 Municipal Prosecutor's Office, which is still located there. The
22 Zenica High Court and the Zenica High Public Prosecutor's office were
23 tens of metres from the music school.

24 Nearby on a plateau there is a building facing the music
25 school in which the following were located: The centre for security

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Site Visit – Day 1

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1 service of the regional police force, the CSB, which was on the right,
2 whereas the public security station, the civilian protection staff,
3 were located to the left. When you entered from the other side in the
4 same building, there was the municipal War Presidency and the
5 Executive Board; that is to say, the city government of Zenica
6 municipality were located there. And this can be seen in Exhibit DH 2080
7 and in Semir Saric's statement.

8 A bit further from the district military court and from the
9 district military -- a bit further down, you can find the location of
10 the District Military Court and the District Military Prosecutor's
11 office, and from the location of this court it's not possible to see
12 the music school, as the view is obstructed by the buildings in the
13 parking lot. The 3rd Corps command was located some two kilometres
14 away from the music school, and this has been confirmed by a number of
15 witnesses such as Vlado Adamovic, XA, ZN ^ , Ramiz Dzaferovic, and
16 Hamdija Kulovic.

17 General Polutak will later on show you where these buildings
18 are located, and as I have already provided a translation of the
19 comments I have made, I suggest that these be filed as part of our
20 case, for the sake of the registry and the Trial Chamber.

21 MR. IBRISIMOVIC: [Interpretation] Perhaps - Ms. Residovic
22 forgot to mention this - but the distance between the music school and
23 Bilmiste where the 7th Muslim Brigade commander was located is also
24 about two kilometres.

25 THE REGISTRAR: End of recording, music school. This is the

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1 registrar.

2 MS. RESIDOVIC [interpretation]:-- building from which you can
3 see a flag flying is also part of the court.

[Registry note: location parking lot in front of the MUP building]

4 MR. KOEHLER: Yeah, we are now on this parking lot in front
5 of the CSB building, and you have the former War Presidency building
6 on the left side. Both buildings are connected. And we pass them and
7 go then to the Tribunal, to the military court.

8 [B/C/S spoken].

9 MR. POLUTAK [interpretation]: In that building there was also
10 the civilian protection. Civilian protection was located there, as well
11 as the public security station. So that is in the right part of the
12 building, whereas in the left part of the building you have the CSB,
13 the security services centre.

14 Now we're going to the -- we'll now move on to the military
15 court and to the military prosecutor's office of the Zenica district.

[Registry note: location Hotel Internacional, Zenica]

16 MR. POLUTAK [interpretation]: We are now in the centre of
17 Zenica, and we are on the terrace of Hotel Internacional. I will point
18 out certain buildings that can be seen from this position.

19 We'll start with the River Bosna. This feature that we can
20 see on the horizon, this entire feature is -- at the foot of this
21 feature and behind the sky-scrapers we can see, you can find the
22 Raspotocje sector. Bilmiste is behind the last sky-scraper. It's
23 in a valley. There's a road that runs through this valley to Travnik
24 via Ovnak and Guca Gora and to Vitez via Vjetrenice, and this is the
25 road that we will be traveling along.

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1 The forested hill that you can see here is called the Zminjac
2 hill. The settlement to the right and at the foot of the Zminjac is
3 the Podbriježje settlement. We will also be visiting Podbriježje but
4 it's not possible to see the Vatrostalna building from this
5 position.

6 On the horizon we can see Mount Vlasic which is covered in
7 snow. In front of us, behind this building but you can't see it right
8 now, you have the area where we -- in which we visited the musical
9 school, the municipal building, et cetera, et cetera. It's also
10 possible to see the Catholic church from this advantage point. Yes,
11 it's the white building. And we can also see the stadium, the Celik
12 stadium in front of us. It's going to be necessary to climb on to the
13 roof in order to see the other side of Zenica.

14 In front of us we can see a hill called Licace, and on top of
15 the hill there's a repeater; there's some transmitters that are
16 visible from this position. And at the foot of the hill there is the
17 Gracenica village. There's a road leading to Zepce,
18 Maglaj and Doboj that runs through the valley. It's in the direction
19 of the two large chimneys that you can see to the right, the two large
20 chimney stacks.

21 The hill in front of us, a little to the right, is the Smetovi
22 hill. The next hill that we can see is called Klepacka Spjena.
23 It's a little further to the right in the valley. There's a road
24 leading to Arnauti that runs through this valley, between these
25 two hills, Smetovi, Klopacke Stijene, and Arnauti is about 20

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1 kilometres from here.

2 The slope that we can see to the right is Klopce. And
3 those are the most prominent features we can see here. And we can
4 also see the steelworks. You can see the chimney stacks of the
5 steelworks. The building in which the corps command was located is in
6 front of the steelworks, but you can't see it from this position.
7 It's a fairly low building. On the way to this building, I will also
8 point out the main road that leads to Sarajevo, Maglaj and Doboj.

9 MS. RESIDOVIC [interpretation]: Comments with regard to the Hotel
10 Internacional. You can see Zenica and the positions referred to by a
11 HVO positions such as they were in January 1993; Exhibit DH 44. The
12 HVO positions such as they were in March 1993; Exhibit DH 1991 and
13 DH 786. The HVO held the dominant positions in the surroundings of
14 Zenica and had practically encircled the town.

15 From this position it's possible to see the 3rd Corps command
16 as well as the roads leading from the 3rd Corps command in the
17 direction of Zepce, Kakanj, Sarajevo and Travnik. Given the
18 commander's mission, they also reveal the road used by the commander
19 in order to reach the above mentioned locations; DH 104.

20 It's possible to see the positions of relevant features in
21 Zenica itself that have been marked by one of the witnesses; Exhibit
22 DH 2080.

23 A large number of witnesses have mentioned the importance of
24 Zepce and the position of the commander at the forward command post as
25 of the end June 1993. From the position that we are currently located

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1 at, it is possible to see the road that leads to the area in which the
2 3rd Corps command was located at that time; Exhibit DH 1993.

3 From this position, it is possible to see the route leading to
4 the Vatrostalna building. Although it appears as if this location
5 is only a few kilometres away, the actual distance referred to by the
6 witnesses is far greater.

7 THE REGISTRAR: Registry note: This was a comment read by the
8 interpreter at the request of the Defence in order to save time. End
9 of comment.

[Registry note: location Novo Seljo]

10 MR. POLUTAK [interpretation]: We're now at the Ovnak pass and we
11 are in the Novo Seljo settlement. In front of us we can see Licac and you
12 can see transmitters on the top of Licac. This is a feature that we had
13 a look at when we were in Zenica. We had a look at it from the Hotel
14 Internacional, the international hotel. The village at the foot of
15 Licac is the village of Vrselje. The village in the valley is Poljske.
16 To the left we have the village of Susanj. As we have already
17 said, this is the village of Novo Seljo, and the first slope that can
18 you see in front of us is Usice. On the horizon you can see Crni Vrh.
19 The peaks you can see that are covered by snow are the slopes of Mount
20 Vlastic.

21 The large village that you can see on the slopes is the
22 village of Dub. The village that we can see in front of the partially
23 constructed building is the village of Maline. And below you have
24 Donje Maline and further above Gornje Maline. To the right of
25 Maline there is a rocky slope. And to the right you can see several

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1 houses that don't have any roofs. And this is Bikosi. To the left of
2 Maline at the bottom of the slopes, there is a Padici, the village
3 of Padici. It's a -- Radonjici. Below Radonjici, you can see the
4 village of Krpeljici. It's below the mosque's minarets. And before
5 Krpeljici there's the village of Guca Gora, which is closer to us.
6 Straight ahead, if you look in the direction of the trees in the
7 middle -- in front of us --

8 MR. KOEHLER: You see this white pole. If you go
9 straight --

10 THE INTERPRETER: This is Guca Gora.

11 MR. KOEHLER: No, to the right.

12 MR. POLUTAK [Interpretation]: On the horizon, can you see the
13 village of Bukovica. You can see Velika Bukovica and Mala Bukovica. And
14 to the left of these villages you can see a forested hill. The green
15 forested hill is the Bukovica hill. And below the hill there is the
16 village of Mosor. To the left of this slope -- to the left of the
17 slope you can see a white cross, and that is the location of the
18 Cifluk elevation. You can see a concrete construction beneath it.

19 This hill to the left, and in front of us can you see a church
20 and that is where the village of Brajkovici is located. The village
21 of Grahovcici is in the valley up ahead, but you can't see it. You
22 can only see the houses that are located in the elevated parts of the
23 villages of Grahovcici and Plavcici. And at the end of the
24 Grahovcici there is the village of Milika. That's all I have to
25 say --

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1 MS RESIDOVIC [interpretation]: Comments with regard to Novo Seljo
2 and the Ovnak pass. The road from Zenica to Novo Seljo passes through
3 Cajdras, and according to the testimony of a witness, this road was under
4 HVO control up until the 19th of April, 1993. And in order to leave the
5 town, it was necessary to obtain authorisation from the HVO to travel
6 along that road.

7 After the 19th of April, the HVO established a line at the
8 Ovnak pass facing Strmac and it controlled the Bila valley. At this
9 site it is possible to see that the HVO was deployed at the dominant
10 elevations from which it could control all movement taking place in
11 the Bila valley. HVO positions faced the positions of the army, or
12 rather, faced the villages inhabited by Bosniak inhabitants. This
13 provides additional confirmation of the testimony of the numerous
14 Defence witnesses; for example, the expert testimony including annexes
15 DH 2088 and DH 1978/6.

16 As the road passing through Ovnak had been blocked, the only
17 possibility of reaching Zenica from the Bila valley was to go over the
18 slopes of Mount Vlasic and to pass through the village of Serici
19 and head in the direction of the municipality of Nemila. This was a
20 mountainous terrain, and it was possible to travel this route either
21 on foot or by horse, and I here refer to the testimony of Munir Karic,
22 Dr. Enes Ribic, and Hamid Suljic.

23 THE REGISTRAR: That's end of the comment from Defence read by
24 the interpreter at the request of the Defence, again to save time.

25 No comment from OTP nor from Mr. Ibrisimovic. End of comment.

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. [Registry note: location Strmac elevation]

1 MR. POLUTAK [interpretation]: This line here represents the
2 border separating the municipality of Zenica from the municipality of
3 Travnik. When the HVO lost its positions around Cajdras in this area,
4 it established a line here, Usice-Strmac-Ovnak. It is still possible
5 to see the trenches that they left behind them in certain parts of
6 this area.

7 We're at the foot of the Strmac hill, and the Strmac hill is
8 the forested slope that we can see right in front of us. And the view
9 you have here is almost identical to the view you would have from the
10 top of the hill. And I will point out certain features and certain
11 buildings from this position that we could not see from Ovnak.

12 We have a good view from here of the village of Grahovcici.
13 We have a better view of the village of Brajkovici which is a little
14 further away. You can see the church is in the centre of Brajkovici,
15 and from the previous position we were at it was not possible for us
16 to see the village of Orasac. The village I have just mentioned is
17 behind these houses that you can first see behind -- and behind the
18 first slope that appears in front of us. Just below the forested slope
19 you can see a cluster of houses which are greyish and do not have any
20 roofs. I don't know if you can see what I'm just referring to.

21 So you have the village of Brajkovici and the church in the
22 village, and then a line of slope that leads to these houses in
23 this -- like a forested area. In the valley behind, you turn right
24 again and part of it is forested and there's another part that isn't
25 forested. This is behind the fairly large stream, the little valley I

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1 have mentioned and it is to the left.

2 Over to the left is that plateau, and on that plateau there's
3 a cluster of houses without any roofs. That is a the village of
4 Orasac. To the left a little further down below there is the village
5 of Brancici. Behind that location you can see the village of Uzerce,
6 and you can see the minaret on the mosque. If the road from Travnik
7 to Zenica was closed, it was necessary to use this other road that
8 passes through the village of Serici, and you would have to go on
9 foot. We haven't identified Mehurici, the village of Mehurici, which
10 is down in the valley, and can you see a minaret in that village.
11 I've already mentioned Guca Gora -- Han Bila is right down in the
12 valley, to the left of Guca Gora and Maline.

13 We have identified all of the other features, but if you have
14 any questions I'm ready to answer them.

15 You can't see Cukle from here, but Cukle is behind the village
16 of Softici, which is in front of us and it will be possible to see
17 this area later.

18 I would also like to add that you can see Mount Vlasic from
19 here. And there's some other mountains that you can see further away
20 on the horizon, and this is where the army had positions facing the
21 Republika Srpska army. You can't see the positions of the
22 Republika Srpska army. They are behind this mountainous area, behind
23 these slopes.

24 On our way back from Bugojno it will be possible to point to
25 part of the line held by members of the Republika Srpska army.

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1 [French spoken]. Judge RASOAZANANY [interpretation]:

2 Are there any other mountains behind -- any other villages
3 behind the mountain?

4 MR. POLUTAK [interpretation]: There is Babnovac [Technical
5 difficulty] - for example, which is -- command of the Republika Srpska
6 brigade was located and above - in fact winter sports centre. And
7 there's the village of Karaula which is behind the green -green slope
8 of the - behind Travnik, and there is Komar as well and so on and so
forth.

9 MS. RESIDOVIC: [Interpretation] Comments with regard to the
10 Strmac position and the slopes of the Strmac elevation.

11 From this position, it's possible to see all of the important
12 features in the Bila valley. The HVO held dominant positions in this
13 area and controlled the Bila valley. The HVO mostly controlled the
14 positions of the army and villages inhabited by the Bosniak
15 population; [...]

16 -- to the possibility of observation, it is possible to
17 confirm the findings -- conclusions - reached by Witness Abib Izmirlic:
18 DH 2056, 2055, DH 1978/6, DH 1978/1.

19 MR. MUNDIS: [Technical difficulty] -- we'll make some comments when we
20 arrive at upper Cukle.

21 THE REGISTRAR: End of comment. [...]

22

23 [Registry note: location Gornje Cukle]

24 MR. MUNDIS: We're now in upper Cukle. The farthest ridge
25 that you can see is the top of Strmac, that long ridge is all the --

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Site Visit – Day 1

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1 the highest elevation of Strmac. And you can see immediately behind
2 us a number of houses, including some ruined and destroyed Croat
3 houses.

4 MR. POLUTAK [interpretation]: This is Gornje Cukle; we are now
5 in Gornje Cukle. The centre of the place is further down below. From
6 this position, you can see the slopes of Strmac, but you can't actually
7 see the peak of Strmac, which is to the right --

8 The hill that you can see with the transmitter on top of it is
9 Gradac. And the actual peak of Strmac is further to the left. You
10 can't see it because the view is obstructed by the hill in front of
11 us.

12 MR. MUNDIS: On DH 1978/1, the map indicating Cukle, there's a
13 blue letter B, and approximately one and a half centimetres above the
14 letter B on the map is the area of upper Cukle, which is where we are
15 currently located.

[Registry note: location Orasac]

16 MR. POLUTAK [interpretation]: We're now in Orasac, and I could
17 point out to certain visible features from this location. We have Strmac
18 over there, which is the hill that we have already visited. It's the
19 highest peak. We saw Cukle over there -- from the Cukle sector, we
20 saw this slope and we saw Gradac on which there is a transmitter.
21 Grahovcici is clearly visible, and you can see Softici here. And
22 there are the villages of Alihodze, Karahodze and Zagradje in the
23 valley. These are villages that we couldn't see from the other hills
24 that we visited.

25 Here we have a view of Maline. If you look in the direction

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1 of the concrete column or pillar, you'll see Maline beyond that
2 pillar. You cannot really see Guca Gora clearly. All you can see is
3 the slopes where Guca Gora should be. You can see Bikosi to the
4 right of Maline, and there are several damaged houses there. To the
5 left of this tree in front of us, this densely leaved tree, you can
6 see a green plateau and there are several houses there that have
7 been severely damaged.

8 Down below in the valley you can see Han Bila which we have
9 already visited.

10 MS. RESIDOVIC: [Interpretation] I would like to add just a
11 couple of things.

12 Access to the village of Orasac is very difficult when coming
13 from the Bila valley; that's quite obvious. And whoever is in this
14 village quite clearly has control of access to the village. And I
15 don't think there are any other paths that lead up into the mountains.
16 It's only possible to go up into the mountains on foot.

[Registry note: location Cifluk elevation]

17 MR. POLUTAK [interpretation]: We are now at the Cifluk elevation,
18 or as it says on the map, Hraste, 3.688. The forested hill in front of
19 us is Strmac. And you can see the transmitter up there, and that is
20 where Gradac is. In the valley at the foot of Strmac there is the Han
21 Bila mine. The village to the right is the village of Kljaci.

22 Across the Bila river in our direction the first village that
23 you can see is the village of Karahodze. To the right of that village
24 you can see the village of Alihodze. The first village you can see
25 here is the village of Kula.

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1 Here in the distance you can see Nova Bila. If you look in
2 the direction of -- of the pole that is a little askew, you can see
3 the village of Bandol. On the slope itself there are several houses
4 and that is Gostunj. I mention this village because there is a road
5 nearby that descends to Travnik. It's interesting to note that the
6 HVO controlled that road since they had fire power up here. There's a
7 large village in that valley below the forest. It's called Mosor.
8 Further up on the slope you can see Velika Bukovica and Mala Bukovica.
9 You can see the Guca Gora monastery to the right. To the left below
10 the rocks you can see Krpeljici, and further up on the plateau you can
11 see Radonjici. The Bila river flows through this valley. I can't see
12 Mehurici down here in the valley, and Han Bila is here in the valley
13 too. Here can you see the valley where the village of Cukle is
14 located, and you can see several houses in the village of Cukle.
15 Beyond this mosque, to the right at the foot of the slope, you have
16 the village of Softici, and can you see the village of Brajkovici and
17 its church on this slope.

18 Further up you have Novo Seljo, and there is the pass called
19 the Ovnak pass. The Ovnak pass is not actually the name of a village.
20 Novo Seljo is the name of the village.

21 And I'd like to mention Licac, again, you can see on the
22 horizon and this is a location that I pointed to when we were at the
23 terrace of Hotel Internacional. Here you can see the road that goes
24 from -- there's the road from Zenica, Ovnak, Guca Gora, Maline,
25 Gostunj, and it goes as far as Travnik.

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1 And that's all I have to say.

2 MS. RESIDOVIC: [Interpretation] This HVO line was established
3 between the 8th and 9th of June according to the documents that have
4 been filed, and it was here right up until the Washington agreement --
5 right up until the Dayton Agreement signed in 1995. The General
6 mentioned that Han Bila mine, the Han Bila mine, which is where the
7 command of the 306th Brigade was located. The General also mentioned
8 Krpeljici, and on the 8th of June that is where the command of the --
9 the commander of the 306th Brigade was located as well as part of the
10 command of the 306th Brigade.

11 THE REGISTRAR: This is the Registry comment. There was no --
12 no comment from OTP nor from Chamber on that particular -- on that
13 particular location.

14 And this is the end of tape one of day one.

15

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Site Visit- Day 2

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Transcript of Day 2 15 June 2005

Site Visit Case IT-01-47-T

Note: the site visit lasted for a total of five days. Only three days were recorded. The transcripts of these three days are called transcript of day 1, day 2 and day 3.

Wednesday, 15 June 2005

Case No. IT-01-47-T

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Site Visit- Day 2

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1 THE REGISTRAR: This is day two, June 15, 8.45.

[Registry note: location Nova Bila]

2 MR. MUNDIS: We are in Nova Bila immediately in the parking lot
3 behind the restaurant Cafe Reno ^ , and we are able to see the Guca Gora
4 monastery from this location.

5 MR. POLUTAK: [Interpretation] We are now behind the Sebisic
6 factory in the direction of Nova Bila and we passed in the direction of
7 Travnik, and we passed this point about 1 kilometre ago. And this is the
8 position at which Nova Bila is located.

9 From this position in Nova Bila, I would like to point out Mount
10 Vlasic to you now. You can see it behind the first buildings that appear
11 in front of us. You can see the crest of the mountain. You can see a
12 little snow on top and there is transmit -- an antenna on top of the
13 ridge from this position in Nova Bila -- right up on the peak, on the
14 top, and that is the line of the Republika Srpska army. It follows the
15 top of the mountain towards the left, towards a place called Tepine ^ .
16 And here you can see how dominant they were -- how dominant the positions
17 they held were in relation to Travnik and in relation to the entire
18 valley.

19 THE REGISTRAR: End of comment.

[Registry note: location JNA barracks, town of Travnik]

20 MR. MUNDIS: The former JNA barracks in Travnik. As the colonel
21 explained, this is currently a boot camp. This is boot camp for basic
22 recruit soldiers; that's what you see going on. The building to the
23 left -- this building to my left was the building where General Alagic's
24 headquarters were. That was the location where the operation group
25 Bosanska Krajina was headquartered. The building to the right, that is

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1 this building here, in the basement of that building was where HVO
2 soldiers were detained. My understanding is we'll be able to go into
3 that building and down into the basement where the soldiers were
4 detained.

5 MR. POLUTAK: [Interpretation] We are now in the barracks in
6 Travnik, and this was the only barracks in the area before the war and
7 it's the only barracks in the area now. And in the course of the war
8 when Jajce fell and the Krajina area fell, a lot of refugees came to this
9 barracks and was stationed here. Soldiers of the 17th Krajina Brigade
10 were also accommodated here, as they did not have houses of their own in
11 which they could live, and as a result they found accommodation here.
12 I'd just like to refer to a few features here, a few positions.

13 The hill that we can see in front of us is called the Avion
14 hill, little hill. And the larger hill that we can see in front of us is
15 Karaula, and further up we can see the slopes of Vlasic. In this
16 direction we can see the Mountain Vilenica. Before the conflict --
17 before the conflict, the HVO held all these positions, so they had full
18 control of the barracks. They held the positions on Karaula, on the
19 Avion hill, and on Vilenica as well.

20 THE REGISTRAR: End of comment.

[Registry note: location Medresa, town of Travnik]

21 MR. POLUTAK: [Interpretation] We are now in front of the Medresa,
22 which is an Islamic school. During the war, only the building behind us
23 was in existence, whereas the building in front of us was built after the
24 war. This building obstructs the view of Hajdareve Njive, which is
25 located right behind the building. Before this building was constructed,

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1 you could see the entire plateau behind it very clearly.

[Registry note: location Hajdareve Njive]

MR. POLUTAK: [Interpretation]

2 We are now in the Hajdareve Njive sector. The valley from Travnik down
3 to Vitez is the valley through which the Lasva River flows.

4 We were in the match factory this morning, which is right behind the
5 forest. You can't see the turn-in here which we took when we left the
6 main road to head in the direction of Guca Gora. But usually it is
7 referred to as "curve," "bend." And this is one of the checkpoints used
8 by the HVO to control movement in the direction of Guca Gora and beyond.

9 The large settlement we can see in front of us is the Slimena
10 settlement. The area in which we can see the match factory is called
11 Dolac, or rather Dornji Dolac; Gornji Dolac is down below. You can see a
12 Catholic church in Gornji Dolac. The hill or the mountain in front of us
13 is Vilenica. At the bottom of the slope in front of us we can see the
14 village of Vilenica. We've already located Travnik; we know where it is.

15 The village to the left of Travnik is the village of Sipovik;
16 it's behind Travnik and to the left. You can see the road that went from
17 Travnik through Rostovo in the direction of Bugojno. You can see it
18 [indiscernible] the villages. And that is a forested route that one
19 could use in wartime. The road from Nova Bila to Travnik couldn't be
20 used by the army because it was used by the HVO. Turbe is behind -- is
21 in the valley and behind Travnik; it's to the right of the forested
22 elevation. The hill that we can see on the horizon is Komar; it's the
23 forested hill on the horizon. The village we can see in the distance to
24 the right and behind this hill is part of the village of Karaula, and
25 that entire area was controlled by the Republika Srpska army.

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1 The line was established immediately behind the -- Turbe, which
2 is about 10 kilometres away from Travnik. We -- we can see the Medresa
3 here, it's the first building that one reaches upon entering Travnik. As
4 I have already said, the first building that we can see did not exist
5 during the war and there was just a plateau there. Further above you can
6 see the old part of Travnik. We can see the Karaula hill which is a
7 little further to the rear. This is the hill that we had a look at from
8 the barracks. And the village in the distance, the village to the right
9 of Travnik, is the village of Jankovic. You can also see the barracks at
10 the foot of the tall sky-scrapers that we can see in the distance. And
11 the last group of sky-scrapers is the Kalibunar ^ area, which is part of
12 Travnik.

13 To the right we can see the slopes of Vlastic. And right above us
14 we have the Bukovica Mountains. You can't -- you can't see Velika and
15 Mala Bukovica here. All you can see on the ridge is the chapel which is
16 part of Mala Bukovica.

17 MR. IBRISIMOVIC: [Interpretation] Mr. Kubura's Defence team
18 suggested that we visit this site as well as the site which the match
19 factory's located. As we can see, Hajdareve Njive is right above
20 Travnik. According to my investigators, the distance of Hajdareve Njive
21 from Maline is 10 and a half kilometres. And it's about 12 kilometres
22 from the match factory.

23 THE REGISTRAR: [...]

24 MR. IBRISIMOVIC: [Interpretation] About 6 or 7 kilometres from
25 Maline to here as the crow flies.

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1 MS. RESIDOVIC: [Interpretation] The village of Slimena that the
2 general pointed out is a place where a JNA barracks was located before
3 the war. All the weapons of the Travnik Territorial Defence of the
4 surrounding municipalities were kept there. And as far as we know, the
5 JNA blew all those weapons up when they withdrew.

6 THE REGISTRAR: No comment from OTP.

7 MR. KOEHLER: During the wartime when there was -- trying to get
8 the established connection between Alagic and the 3rd Corps command and
9 when there were meetings in Zenica, the road was used like we see it now,
10 out of the town, and then via Guca Gora towards Zenica because this was
11 the only way they could take at the wartime, you know, from the HQ here
12 to Zenica.

13 THE REGISTRAR: This comment was made by Michael Koehler, OTP,
14 and this is the end of the comment for this particular site. Please
15 ignore my previous end-of-comment comment.

[Registry note: location Guca Gora]

16 MR. MUNDIS: The Guca Gora monastery. Obviously the front
17 entrance to the church was behind the retaining wall, the large stone
18 wall that we drove past. We're currently getting the priest who will
19 allow us access to the interior of the church.

20 MR. JERKOVIC: [In English] Please, you can translate.

21 [Interpretation] You have already seen the inside of the church,
22 so it's not really necessary to go back in. You saw the large fresco
23 above the altar. It was destroyed in the last war between the Croats and
24 Muslims. You saw two different colours the fresco has been splattered
25 with. And the painter who came to work on the fresco said that it was

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1 impossible to restore it. And he said that the only solution was to
2 completely destroy it, wipe it out, and start repainting it. A very
3 large organ was installed in the church in 1990 just before the war.
4 This organ was completely destroyed. And they kept livestock in the
5 church during the war.

6 There were Arab symbols scribbled on the walls in the church and
7 there were Arab inscriptions as well. All the artistic items, all the
8 paintings in the church, were destroyed with the exception of one
9 painting, and that was a painting of Jesus and a blind man whom Jesus
10 cured. They had beards. And it is for this reason that the Mujahedin
11 who were here thought that these individuals depicted in the picture were
12 Arabs, or rather, Muslims.

13 On June 8, 1993 when Guca Gora fell to the Muslims, six
14 Croat civilians were killed in Guca Gora. And almost 3.000 Croats who
15 belonged to this parish were expelled. Some Franciscans were also
16 expelled and there were three fathers and there were three nuns. The
17 library that was in the monastery, certain personal items that belonged
18 to the brothers and other property was looted, taken away. The monastery
19 and the church were not destroyed and they did not set fire to them. But
20 these buildings were thoroughly damaged and looted. The command of the
21 ABiH was located in the monastery for over one year. And one could say
22 that this in fact saved the church and the monastery because there was a
23 plan, according to which an Islamic centre was to be established, and
24 this is something that was reported in the press.

25 In Bikosi, which is in the vicinity of Guca Gora, some people

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1 were killed on that day, on the 8th of June, 1993. 37 soldiers and
2 civilians were killed. And out of the 37 bodies, 25 of them are still
3 being searched for; they still don't know where these corpses are.
4 According to unofficial sources a few years ago, some information came to
5 light, according to which the location of the grave in which the bodies
6 had been buried was known, but those who were responsible for the crime
7 moved the bodies. So to this very day, we do not know where the bodies
8 are.

9 And we'll now go and have a look around the monastery. I don't
10 know what else I could tell you about that.

11 MS. RESIDOVIC: [Interpretation] Could you please answer two
12 questions. Given the information you have just provided us with. Could
13 you tell us when this fresco was painted and who the artist was.

14 MR. JERKOVIC: [Interpretation] The artist is a Croatian artist
15 whose name is Keser, and it was painted in the seventies, in the last
16 century.

17 MS. RESIDOVIC: [Interpretation] And my second question is whether
18 you were here at the time of the event, and if not, when did you actually
19 arrive at the monastery?

20 MR. JERKOVIC: [Interpretation] I personally wasn't here. I came
21 to the monastery three years ago, so I didn't witness any of those
22 events, but the other fathers described these events to me.

23 MR. POLUTAK: [Interpretation] The father mentioned the fact that
24 livestock was kept here and also that there was a command here and
25 something does not quite tally. I see something that is inconsistent

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1 here. Could you perhaps comment on that.

2 MR. JERKOVIC: [Interpretation] The command was not located in the
3 church itself; the command was located in the part of the monastery that
4 we'll be visiting in a minute. And I think they kept livestock in the
5 church not because they needed to keep livestock there but because they
6 wanted to desecrate the church.

7 MR. JERKOVIC: [Interpretation] Andric, of whom most of you have
8 probably heard, wrote some of his books here. The archives were located
9 here and he would sit in front of that desk and write his books.

10 THE INTERPRETER: And I will now repeat what the father said
11 earlier on.

12 MR. JERKOVIC: [Interpretation] What we see here are the archives
13 and in the corridor there are some paintings, but the archives one can
14 see and the paintings in the corridor were not here during the war; they
15 have been moved to Croatia.

[Registry note: location primary school in Mehurici]

16 MR. MUNDIS: We have entered the primary school in Mehurici,
17 entered the building, and gone into the sports hall.

18 THE REGISTRAR: [...]

19 MS. RESIDOVIC: [Interpretation] This sports hall is 40 by 20
20 metres, and that would amount to 800 square metres. And you can see that
21 the actual sports hall is a lot larger than one would expect it to be
22 when one looks at the photographs.

[Registry note: location Miletici]

23 MR. MUNDIS: We're currently in the village of Miletici. The
24 houses have a number of graffiti, or rather, markings on them, including

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1 one that is a threat to the Croats. And there's also some paint that
2 appears to be brownish-red that has been placed on the building.

3 The photographs of the houses that are in evidence I think speak
4 for themselves. They're clearly comparing the photos that are in
5 evidence with the houses here and the Prosecution has no further
6 comments.

7 THE REGISTRAR: [...]

8

9 MS. RESIDOVIC: [Interpretation] On our way here we passed by a
10 crossroad. There are several houses there and that is in fact the Luke
11 settlement. Witnesses has said that after the area was liberated, they
12 took certain Croats to the village of Luke and found accommodation for
13 them there. We also saw a small tunnel and just before the tunnel there
14 is a place called Celamov Gaj. Witnesses said that they had seen the
15 Mujahedin taking their neighbours and parents down the slope. When we
16 left the crossroads about 150 metres from the crossroads and to the
17 right, there's a house with a plaque, and some witnesses have claimed
18 that in February 1992 the Patriotic League was established there.

19 In the lower part of the village, we passed by the house that is
20 owned by the witness Dedo Suljic, and his brother's house and houses of a
21 witness that has testified were also located there.

22 MR. KOEHLER: Judge Antonetti asked me during -- when we were
23 driving whether the road from Mehurici, the surfaces of the road, was it
24 all times asphalt, and I think Mr. Polutak can probably say whether it
25 was asphalt or just gravel.

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1 MR. POLUTAK: [Interpretation] As far as the asphalt roads are
2 concerned, most of the roads that were used were asphalt roads, both for
3 the war and we only used about 200 metres -- a 200-metre section of road
4 that asphalted.

5 MS. RESIDOVIC: [Interpretation] I have one other comment I would
6 like to make. When we were coming from Maline and heading in the
7 direction of Mehurici, we used a shortcut. There are two shortcuts and
8 we took the shorter shortcuts, but both shortcuts pass by Savica Kuce, or
9 Savica houses.

10 The only other road that could be used to enter Mehurici from the
11 other side goes through Maline and it's between 10 and -- go through Han
12 Bila and it's about 10 to 14 kilometres from Maline.

13 MR. MUNDIS: If you went down and took a -- continued to the
14 right instead of to the left back to Mehurici, where would that road go?

15 MR. POLUTAK: [Interpretation] Through Postinje and then it again
16 reaches Poljanice and Mehurici.

17 MR. KOEHLER: We are talking about the road that we just recently
18 left when we took the way up to Mehurici here, the road down at the
19 river. We're going to the right now when we come back [indiscernible] --

20 MR. POLUTAK: [Interpretation] If we had continued down this road,
21 we would have reached the village of Zagradje, and then the road
22 continues for perhaps another 5 kilometres and comes to an end. The
23 other road from Mehurici continues through Gluha Bukovica and then you
24 can reach Nemila.

25 MS. RESIDOVIC: [Interpretation] Serici, et cetera, mountainous

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1 roads.

2 THE REGISTRAR: This is the end of the comments. Please ignore
3 my previous end-of-comment remark.

4 Registry note: This is the end of tape 2, day 2.

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Transcript of Day 3 16 June 2005

Site Visit Case IT-01-47-T

Note: the site visit lasted for a total of five days. Only three days were recorded. The transcripts of these three days are called transcript of day 1, day 2 and day 3.

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Site visit – Day 3

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1 [Registry note: location Convent building, Bugojno]

2 MR. KOEHLER: So we are now at the convent building which is
3 known as the nuns' convent and also as the Malsisticki [phoen] Centre.
4 We are going now down to the basement where the people have -- the POWs
5 have been detained.

6 We are now in the basement, and we are using the left entrance.
7 And when we are coming into the room, you can see attached still to the
8 walls the former metal fence that was there, the bars. And there is in
9 the right-hand corner another entrance, but I am not sure that this was
10 an entrance at the time. It's now an entrance, but you can see the
11 broken walls, so I'm not sure whether it was an entrance at the time when
12 the people were detained there.

13 THE REGISTRAR: Registrar note: This comment was added by OTP
14 since this very comment was deleted by mistake at the very beginning of
15 this tape.

16 End of comment.

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[Registry note: location Furniture Salon, Bugojno]

1 MR. KOEHLER: Straight ahead the cultural sports centre. This
2 is the newly built mosque. We came from this direction where we had the
3 nuns' convent to the right, and on our back now this is the entrance of
4 the furniture salon. There is a way you can pass through, and when you
5 go through this complex, you come directly to the street where the police
6 is located, the police building where at that time the police was located
7 and the SDB was located.

8 So we are here now in the former furniture salon, which was
9 called Salon Namistaja [phoen] in Bosnian language, and it is now a
10 discotheque which is sometimes in use on the weekends. And this is the
11 main entrance where we just entered, and we are now going through the
12 doors that were also there at the time. And to the right from the doors
13 we are going downstairs to the basement. And when I was here for the
14 last time, there was still the filling of water, and I think you can also
15 see it nearly like it looked like at the time.

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1 We are down here now in the basement of the furniture salon. You
2 can see this place here which nearly covers the whole place that you have
3 above. It's nearly the same size. And you can see that there is still
4 some old wood lying around at the time. It was like this filled with
5 water. You can see here how high the water was when you look and -- on
6 the poles.

7 And there was at the time a little bit of furniture here, and the
8 water was probably a little bit higher.

9 I think we keep it like this. Okay. That's it. No, that's
10 fine.

11 Okay. At the time, it was also like this. There was no light
12 downstairs here, no electric light. And as some people that stayed here
13 as POWs said, they had some candles, something like this to have some
14 light but not much.

15 MS. RESIDOVIC: [Interpretation] The Prosecutor has pointed out to
16 us the sports and cultural centre which is across the road from the
17 furniture salon. According to the testimony that we have heard in the
18 case, there were several hundred civilians who were detained in that
19 centre in the course of the combat and afterwards, and they were
20 subsequently all released.

21 THE REGISTRAR: No more comment from OTP. End of comment for
22 this site.

[Registry note: location BH bank and gymnasium, Bugojno]

23 MR. KOEHLER: So we are now in the very centre of the town.
24 Straight ahead, which says "Islamic Centre" now, was the BH bank at the
25 time, and directly to the right the -- both buildings are adjusted to

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1 another, you have the gymnasium. And we are now going to the gymnasium
2 and then into the basement where we have the detention rooms.

[Registry note: location gymnasium, Bugojno]

3 Okay. We are now in the gymnasium, and on that floor that we
4 have here we had some offices at the time that were used for
5 interrogation, and the people were detained down there, and we're going
6 now down to the basement and have a look at the detention rooms.

7 We are now here in the basement. What you see here, the rooms
8 that are lying to this side, three rooms, one, two, and three, they were
9 used as detention facilities, and at the time there were metal bars
10 before you could enter them. And as you can see, the rooms have
11 approximately 3 metres to, I would say, 5 to 6 metres - that means 15 to
12 20 square metres - and each room was used as a detention room. So just
13 watch your step.

[Registry note: location BH bank building, Bugojno]

14 So we are now at the Islamic Centre, which was formerly known as
15 the BH bank building. And in the basement we also have a room where
16 people were detained at the time, and now we are going in to -- to have a
17 look at the detention room.

18 So we are now in the basement of the BH Banka. At the time, this
19 was the room which was used for detention. The heating that you see on
20 the left side was installed later, after the war.

21 THE REGISTRAR: Registry note: This is the end of the comment.

22 [Registry note: location Iskra stadium, Bugojno]

23 MR. KOEHLER: Okay. So we are here now at the Iskra stadium.
24 At the time, it was used at the -- it was the final detention facility
25 that stayed here in Bugojno. All people that were detained before in

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1 smaller detention facilities were brought to the Iskra stadium and got
2 detained here.

3 We will enter the locker rooms now where the people were
4 detained, and we can have a look around here, because in the stadium
5 itself there -- also some things happened, and I think it's in all the
6 interviews. No more comments.

7 MR. KOEHLER: The detention facility, the Iskra stadium as it is
8 located here, these houses here, they were there at the time, and in one
9 of these houses the warden of the prison had his office.

10 MS. RESIDOVIC: [Interpretation] You can see that there is a fence
11 at the edge of the Iskra stadium, and there is a fenced in area there
12 which could be used to have a walk. Further down below there is a river,
13 and according to some of the evidence it was also possible to go to the
14 river.

15 MR. KOEHLER: So we are here now in the locker rooms, and the
16 last room that you see here on the left side is the locker room for the
17 referee.

[Registry note: location Vojin Paleksic school]

18 MR. KOEHLER: So we are right here in the Vojin Paleksic school.
19 After the entrance we take the hallway to the left, and then as you can
20 see at the end there is the gymnasium, the sports hall.

21 THE REGISTRAR: End of comment for this site.

22 [Registry note: location Gornje Dusina]

23 MR. POLUTAK [interpretation]: That you see there and the houses
24 there are all belonging to the Kegelj family. This is the place down
25 there where the people got killed at the time.

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1 MS. RESIDOVIC: [Interpretation] All I would like to say is that
2 from the positions we have just visited, you can't see the Lasva
3 junction, nor can you see the village of Lasva. If we continue down this
4 path, we would reach the village of Merdani, and I believe that General
5 Polutak could tell us what the hill above us is.

6 MR. POLUTAK: [Interpretation] The elevation up here to the
7 left of us is trig point 852, and it can be better seen from the position
8 further up the path. It can be better seen from the position further up.
9 I would just like to repeat what I have already said. The hill,
10 trig point 852, is right in front of us.

11 The path that we just used to come up here leads to Kacuni via
12 Sudina [phoen]. Since the road Lasva-Busovaca-Kacuni-Kiseljak couldn't
13 be used by the army, they used this route instead. This part of the
14 village is Gornja Dusina, whereas we passed by Donja Dusina on our way
15 here.

[Registry note: location Lasva school, Lasva]

16 MR. MUNDIS: We are now at the Lasva school in Lasva.

17 MS. RESIDOVIC: [Interpretation] You can see the village of Donja
18 Visnjica in front of the school in Lasva where it is not possible to see
19 any other village in this area.

20 THE REGISTRAR: [..]

21 Registry note: [..]

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[Registry note: location Motel Sretno]

1 MR. MUNDIS: This is what was formerly Motel Sretno. It's now
2 Motel Premium [phoen]. We're going to go out and around and into the
3 back and into the basement.

4 MR. IBRISIMOVIC [interpretation]: I'd just like to explain that
5 there is a main entrance to the hotel, but in order to enter the basement,
6 there is a special entrance. There is a special entrance behind the hotel.

7 THE REGISTRAR: End of comment for this site.

8 End of tape number 3, day number 3.