

Before: Judge Alphons Oric, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flüggé

IT-09-92-T
094561-094559
19 OCTOBER 2015

Registrar: Mr. John Hocking

Public Order

The Prosecutor
v.
Ratko Mladić

Order to redact the public transcript
and the public broadcast of a hearing

The Trial Chamber

(At the request of the Prosecutor / Defence and with the agreement of the parties)
ORDERS that the following highlighted text (page 32 line 12) be omitted from the public transcript of the hearing of 19 October 2015 and be edited from the public broadcast of this hearing.

17:11:31:57 offices, new administrations were created, but that happened later as of
18:11:32:02 1993 or 1994, as I said.
19:11:33:14 Q. I would like us to briefly look at a Defence document so as to be
20:11:33:21 able to comment upon this one before us. For a short while, could we
21:11:32:26 have 000649.
22:11:32:36 We have an Official Note here. Tell us whether it contains
23:11:33:24 standard elements required by the rules in order to be part of an
24:11:33:32 Official Note. And if so, please tell us what they are.
25:11:33:57 A. Yes. There must be a heading. There must be a number, a date,
26:11:33:45 there should be the name of an operative or his code of the person
27:11:33:53 drafting it. They also need to specify the source of information,
28:11:33:56 because it can be fully reliable, reliable, unverified, unreliable, and
29:11:34:03 so on, so they need to specify whether the information they received was
30:11:34:09 reliable. Of course, they also had to sign and suggest measures to be
31:11:34:17 taken in order to further verify the information referred to.
32:11:34:50 This is what an OSN document should look like. We can see this
33:11:34:50 one was drafted as per the rules and according to the guide-lines issued
34:11:34:50 in providing information within the service.
35:11:34:50 Q. Without referring to the name of the person who signed this
36:11:34:53 document, do you nevertheless know him as your operative?
37:11:34:56 A. Yes.
38:11:35:06 Q. Thank you. Let us now go back to the previous document, 006990.
39:11:35:38 Official Note. Let us look at the last page in both versions.
40:11:35:58 All it says at the bottom is that it was drafted in two copies
41:11:36:06 and Niles is in the signature block.
42:11:36:15 MR. LUKIC: [Interpretation] Let us now go back to the first page.
43:11:36:17 please. Let me put my question now.
44:11:36:31 Q. According to you, does this document contain all the elements
45:11:36:37 necessary as envisaged by your service?
46:11:36:41 A. No.
47:11:36:43 Q. You have read the document, correct?
48:11:36:46 A. Yes. I had the occasion to read it twice. I also received it
49:11:36:51 from you some two days ago. I read it. One can immediately say that it
50:11:36:58 does not correspond to the template of documents produced either by the
51:11:37:02 sector or state of national security, at least at the time when I was at
52:11:37:05 its helm.
53:11:37:15 Q. As you yourself said we see that the date, among other things, is
54:11:37:27 missing, but we can tell something from the contents. We see that we
55:11:37:29 don't know when the event referred to actually took place. Is this
56:11:37:35 customary and permissible in the way your service operated?
57:11:37:39 A. No. The first sentence should have contained a date, say: On
58:11:37:55 this or that date through contacts with a large number of sources and so
59:11:37:58 on. Whoever received the document cannot guess whether it was drafted
60:11:37:59 two months ago, half a year ago, or a year ago. Every document should
61:11:38:03 begin with a date: We spoke to this or that person on this or that date.
62:11:38:10 There is no need to mention names but at least the initials should be
63:11:38:15 there. And based on that, we know the time. It doesn't need to mean

The blacked-out text, as identified by the passages prior and subsequent thereto, is confidential. Any person or organisation, including media organisations, which has possession of the public recording of all or the relevant portion of the proceeding containing the confidential information is hereby enjoined from disclosing it to any other person(s) or organisation(s) as of the date and time this order is received. The failure to conform may result in contempt charges being issued by the Tribunal against the disclosing person or organisation.

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Presiding Judge

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The screenshot shows a transcript with a blacked-out section. The text is as follows:

17:57:30 MR. LUKIC: [Interpretation].
18:57:36 Q. So in paragraph 4 of your statement, you said that on the 6th of
19:57:39 April, 1992, you were appointed chief of the National Security Service
20:57:43 sector. And in paragraph 26, you said where it was that you had your
21:57:44 headquarters. That was in Iliđa, Ilijaš, Pale, and Sokolac. And the
22:58:08 headquarters of the service was in Lukavica. What about Trnovo, was
23:58:08 there a department there?
24:58:09 A. No. No. There wasn't a department in Trnovo. That is to say,
25:58:20 when I was appointed chief of the Sarajevo RSWS, he had four departments:
43:58:45 Iliđa, Ilijaš, Pale, and Sokolac, and the headquarters of the sector was
26:58:45 in Lukavica.
31:58:45 MR. LUKIC: Let us see P0888 now, please.
41:59:04 Q. [Interpretation] I showed you this information, this report on
51:59:06 the operation and activities of the TO command Main Staff and the
61:59:34 commanding personnel of the Trnovo armed forces. Let us look at the last
71:59:35 page of this document. It just says State Security Service Trnovo, by
81:59:39 way of a signature.
91:59:43 So this kind of signature, department of SDS Trnovo, could that
101:59:50 have existed in somebody from your service had written this up?
111:59:58 A. No.
122:00:04 Q. I'm not going to put any questions to you because we can see it
132:00:10 from the document itself. We don't see who it was that compiled this
142:00:12 document. Should we be able to see -- if somebody from your service had
152:00:30 written this up, should we see who the author was?
162:00:31 A. Yes, we would have to see who the author was.
172:00:33 Q. It can be seen that one cannot see who this document is being
182:00:37 sent to. Is that the way it was supposed to be? Were we supposed to be
192:00:42 able to see who this document is being sent to?
202:00:46 A. Certainly. Because in fact had our service written this
212:00:54 document, it would have had to reach my desk. It's May 1994.
222:00:59 Q. June.
232:01:01 A. Yes, but I was chief of sector at that point in time, but we
242:01:07 never received a single document from Trnovo and we could not get to
252:01:11 Trnovo at that point in time. Our department was in Iliđa and there was
44:01:12 no communication with Trnovo because of the striping and because of the
28:01:21 situation there. And as for these documents that you showed me the other
29:01:29 day, there is a reference to a Mujahid barricade; that is to say, that the
40:01:37 road is inaccessible.
50:01:43 Q. Did you ever have any operatives in Trnovo?
60:01:49 A. I don't think so. I think that we dealt with Trnovo only when
70:01:53 there was fighting for Trnovo. That is to say, in a period that came
80:02:00 after this one. Since that road was very important to us because of the
90:02:05 link with Herzegovina from Foca onwards. At that point in time, we would
100:02:12 send an operative who is familiar with the ground. Usually it was people
110:02:16 like that who were sent in. He saw a signature a moment ago, [REDACTED]
12:02:53 [REDACTED], and he usually went there in order to be able to follow the
13:02:53 combat activities taking place in the area of Trnovo.

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File Edit View Window Search Function Issues Report Options Window Help

12:02:53 combat activities taking place in the area of Trovas
14:02:53 Q. Does this document look like something that [REDACTED] would have
15:02:53 written up?
16:02:53 A. No, there is no chance of us having created this document.
17:02:53 Q. From the document we cannot see when it was created. One was
18:02:54 supposed to say when this kind of document was created if it's created by
19:02:54 your service?
20:02:54 A. If it were our document and if it were the document of the Nualia
21:02:54 service at the time, if I can call it that way, there has to be a
22:02:54 letterhead, there has to be a signature, there has to be a date, there
23:02:54 has to be everything that we talked about in relation to the previous
24:02:54 documents. Every document has to contain certain elements and that's the
25:02:54 way it's supposed to be. And the document that you showed us from the
45:12:03:22 area of Iidza is an example of that. So you can see that it's the
26:03:22 Ministry of the Interior, the sector of the National Security Service
27:03:22 Sarajevu, the number, the date, and so on and so forth. Each and every
28:03:22 document should have these elements.
29:03:22 Q. In this document, we also cannot see which operative compiled
30:03:22 this information. Is that indispensable for this kind of document,
31:03:22 otherwise?
32:03:22 A. Certainly.
33:03:22 Q. Did you ever see a document of the National Security Service that
34:03:22 would speak about expulsions and killings of Muslims and others?
35:03:22 A. No.
36:03:22 Q. I mean, where that is being advocated?
37:03:22 A. No, no. Sometimes there would be mention of crimes committed on
38:03:22 ethnic grounds, and then somebody provided information that there was a
39:03:22 murder or two murders in a certain place, but we did not deal with that.
40:03:22 Somebody could have written a document like that, and such a document
41:03:22 could have reached me; however, we had an intersector agreement: Murder
42:03:22 is murder. So it is the public security sector that dealt with this even
43:03:22 during the times of war. We were not in charge of that. We did not have
44:03:22 personnel that was capable of dealing with such cases, so we could have
45:03:22 received a dispatch from the centre that somebody had killed somebody
46:03:22 else and that this caused enmity and so on and so forth, and this kind
47:03:22 of thing did happen. You know, it -- there is a war going on and
48:03:22 somebody would say come back and create a problem of this kind. But put
49:03:22 it this way the way that you have asked me, no.
50:03:22 Again, I have to point out one more thing if you allow me: I
51:03:22 never attended a meeting -- and I attended many meetings of the state and
52:03:22 military leadership. I never attended a single meeting where there were
53:03:22 any kind of references like what you said to me just a second ago.
54:03:22 Q. You had the opportunity of reading the entire document, and now
55:03:22 at the end, the 29th of May, 1992, the date at the end of this document,
56:03:22 can you see here who it is that is actually speaking?
57:03:22 A. No. That's interesting. This document in terms of dates,
58:03:22 everybody knows who was saying what, and then all of a sudden at a joint

14/14 1/1

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