

RECORD

No. Criminal 16/05

Made by the municipal court in Ljubuški on March 10 2005, having started at 9,00 am.

On behalf of the court, the following are present:

Judge for the previous procedure

Tomo Šimić

Note-taker,

Zeminka Delalić

Case; testimony of the witness Franjo Boras from Vitina, municipality of Ljubuški, as the defence witness in case v. The Accused Slobodan Praljak under the number IT-04-74-PT

FRANJO BORAS

The witness has been previously warned to tell the truth and is not allowed to suppress anything and then, the witness is warned that, if giving the false testimony, he could be prosecuted criminally.

/repeated identical text/

A. Personal data

1. My name is Franjo Boras, son of Jure and Vida, born Skoko, born on February 12 1927 in Vitina, municipality of Ljubuški, PIN [REDACTED], citizen of BH, married with two children. I finished elementary school in the place of my birth. I attended the Franciscan classic gymnasium in Široki Brijeg and second classic gymnasium in Zagreb. I am not related to the Accused, and as of January 1 1997, I am retired.

The identity has been confirmed with the identification card, valid permanently, no. 03BDA3429, issued by the Ministry of Interior HNK Mostar.

B. The Accused Slobodan Praljak

For the purposes of Slobodan Praljak's defence, General of the Croatian Army and Croatian Defence Council, accused before the Tribunal in The Hague, I give the following

S T A T E M E N T

1. I met Slobodan Praljak in late May 1992 in the restaurant near Bagin Most, Ljubuški. At the time, he commanded the military troops of HVO from Bijelo Polje above Mostar till Čapljina who defended the areas from Serbian-Montenegrin reserve forces of JNA. As member of the Presidency, I was present in the area of Herzegovina, where I performed my regular duties. Mr. Praljak introduced me to the military situation in this area, especially related to the surrounded Mostar. As to my question on the plan to raise a blockade of Mostar, he responded, as I can remember like this; "The release of Mostar cannot be done frontally, we will have to do it with smaller groups and sudden insertions from direction of Čapljina. It shall be done in near future." As far as I know, the release of Mostar, as well as its vicinity, was carried out in the same or similar way. I introduced him to the talks with Serbian delegation in Graz and Muslim delegation in Split, related to Cutilleiro's plan. I especially informed him about my stay in Busovača on May 13 1992 with Dario Kordić. I told him that I received a report from Zenica related to first conflicts between the HVO and the Muslim territorial defence and, as the Presidency member, this must have sounded interesting to me. To his query, "what happened", I told him, as far as I remember, the following; "In late April 1992, the members of HVO took over the barrack of JNA in Kaonik near Busovača. The Muslim Territorial Defence from Zenica asked for the breakdown of armament and other equipment, although they did not participate in its takeover. This led to the conflict. The second conflict took place in early May 1992 after the members of HVO took over the barrack of JNA in the village of Slimen. The Muslims, despite not having participated in talks, ask for the armament breakdown according to their principles. On that day, in the afternoon, the Head of Secretariat of Interior of the Zenica municipality, Sead Beganović came along with one civilian to Darid Kordić to Tisovac, a place near Busovača. At that meeting, where I was present as well, we agreed that there would be no such excesses in the future between the HVO and the Muslim Territorial Defence". We continued talks on the future relations with Muslims and mutually expressed concern about their sincere cooperation.
2. Since late May 1992 till late March 1993 I often travelled to Central Bosnia, because I was, along with Ejup Ganić, in charge of that area, authorized by the BH Presidency. The aim of my journeys to the area, among others, was to work on the conflict avoidance between the HVO and the BH Army. Out of numerous cases, I shall quote here only two cases, especially related to Slobodan Praljak;
 - 2.1. In agreement with Ejup Ganić, I was present in Zenica on March 2 and 3 1993 at the meeting between the HDZ and HVO on one side and SDA and BH Army on the other side. Before I left Mostar, I met Slobodan Praljak in the defence department of HVO and informed him about my trip to Zenica. Praljak **supported my trip to Zenica and asked me to do**

all I can to prevent the conflict between the HVO and the BH Army. On that occasion he informed me that the defence department of HVO in Mostar has information on major preparations of the BH Army attacks to HVO areas in Central Bosnia. Related to those preparations, he emphasized that the BH Army has already executed experimental attacks in January 1993 in the area of Uskoplje – Gornji Vakuf. I knew from before for the fights in Uskoplje and Gornji Vakuf between the HVO and the BH Army and which took place on January 20 and 21 1992. In relation to those conflicts, we, the members of the War Presidency of the referendum BH, Mile Akmadžić, Miro Lasić and me, along with Lord Owen and Vance, travelled from Zagreb to Sarajevo in late January. Having arrived in the building of Presidency, I and Miro Lasić were prevented to be present in talks by the Izetbegović's security service. Not longer ago than Lord Owen and Akmadžić insisted, the two of us were allowed to be present in agreed talks. The subject of the talks was the conflict between the HVO and the BH Army in Uskoplje. Vance and Owen's intention was that we, members of the Presidency mutually try to bring peace in this area. However, we ended at mutual accusation of each other for the emerged situation in the area. We left without conclusions and salutes. In early March 1993, I travelled from Mostar to Zenica, escorted by Arif Pašalić, commander of the 4th BH Army corps, Major Jasmin Jaganjac, military adviser, at that time, Alija Izetbegović and Valentin Ćorić, commander of the Military police of HVO with their bodyguards. The meeting was held in the hotel *International*, organized by UNPROFOR and European observers. French ambassador Jean-Pierre Thebault was the chairman of the meeting. The Croatian side was represented by me, Colonel Tihomir Blaškić and Chiefs of HDZ of Zenica. The Muslim side was presented by the commanders of the 1st, 2nd and 3rd corps of the BH Army and local Chiefs of SDA. Ejup Ganić and Arif Pašalić were not present at the meeting, since Arif Pašalić was travelling with me from Mostar with the same intention. Why Ganić was not present at the meeting? I assume that Ganić was introduced to the prepared plan by the BH Army and SDA, referring to destruction of HVO and takeover of control over the entire area of Central Bosnia and that the meeting in Zenica was merely a disguise to realize these goals. Political and military analysis of the situation in Central Bosnia was made at the meeting. It was concluded that the conflicts between the HVO and the BH Army get more frequent and that they can take major proportions if both sides fail to influence calming down the situation. Various measures were agreed; each side must take measures in the field controlled by them or in cooperation with UNPROFOR, in order to prevent further conflicts. I noticed that Blaškić arrived to the meeting with description of previous events in details in his notes, referring to mutual conflicts that took place in various localities of Central Bosnia. At the meeting, Blaškić was equal in discussion with the commanders of three corps of the BH Army. He successfully polemized with them about their vision of the events and

conflict, as well as he polemized with the representatives of the UN and EU. After second day of the talk in the UNPROFOR base in Bila and after the return to Vitez, Blaškić was telling me that, till the meeting in Zenica, approximately 350 soldiers were killed in the mutual conflicts of the HVO and the BH Army, twice as much on the Muslim side than on Croatian side. With these casualties and military equipment that all of us have together, he said, from the Serbian aggressor we could have released the occupied parts of Travnik, Vlašić mountain, Donji Vakuf, Jajce, Bugojno and Kupres. In the eve of the same day, along with Valentin Ćorić, however, without Arif Pašalić, I returned to Mostar. After several days, previously having spoken to Blaškić about the non-execution of conclusions from the meeting in Zenica and Bila, I met Praljak in the defence department of HVO and notified him on the talks in Zenica. I also notified him that I am in talks for the second meeting, also in Zenica, with the BH Presidency, through the Minister for Interior, Pušina, a meeting which should take place by end of the same month.

- 2.2. With the Minister of the Interior, Pušina, I arranged the next meeting in Zenica for the March 26, in order to discuss the same topic as in previous talks. Before the departure to Zenica, I again met General Praljak in the building of National HVO Defence department. I informed him about my trip to Zenica to meet with the representatives of SDA and BH Army for another round of talks related to the conflict cessation between the BH Army and the HVO in the area of Central Bosnia. **At this occasion Praljak again supported my intentions to avoid the conflicts between those two armies. He also briefly introduced me to the military situation in the area. He told me, among others, that in Central Bosnia a comparative Croatian-Muslim cease fire is in force, however, it is "calm before the storm", because the 3rd BH Army corps, according to the information of our services, prepares the general offensive that shall most probably start in early April.** I travelled from Mostar to Zenica by official car and official driver, without escort as in my previous trip. At the checkpoints of HVO I did not have any problems. However, at the first checkpoint of the BH Army before Jablanica, I was stopped by their military police and escorted to the police station in Jablanica. After we established the phone connection with the Minister Pušina, I was issued with a pass for their checkpoints over Prozor, Novi Travnik to Zenica and back. The meeting was also held in the hotel *International*, organized by the UN and EU. Ejup Ganić should have also attended this meeting from Sarajevo, according to the phone conversation, but he did not show up this time either. For the Croatian side, save me, there was Colonel Blaškić and chiefs of HDZ Zenica. The Muslim side was represented by the commander of the 3rd BH Army corps, Enver Hadžihasanović with his associates and Muslim local management. The analysis of the agreed measures has been carried out at the meeting, measures dating from March 2 and 3 1993. It has been concluded that nothing had been done according to the agreed measures

and that the condition had been deteriorated. Blaškić took the occasion to prove with arguments that the Muslim army prepares for attacks of major proportions to Croatian areas, presenting schedule of certain army brigades from Kreševo and Kiseljak till Travnik and deployment of the Muslim brigades towards Vareš and Žepče. The measures have again been agreed, measures that should influence the avoidance of war between the HVO and the BH Army. Among others, it has been agreed to organize the joint patrol between Busovača and Kiseljak in UNPROFOR vehicles-transporters. The Croatian side was fine with this conclusion because the Muslim army broke the travel direction in Kaćuni. I returned to Mostar on March 28 and after several days, I introduced General Praljak to talks in Zenica. However, he and I were clear what Croatian areas in Central Bosnia are going to go through, prepared by the BH Army, already in April of the same year.

- C. General Slobodan Praljak could not have known or controlled the crimes, committed by the individuals or small groups on behalf of HVO!

From my personal experience I confirm that General Slobodan Praljak could not have known or controlled all these individuals or small groups that introduced themselves as HVO soldiers and did misdeeds to other members of the nation. As arguments in favour to this contribution I shall quote, among numerous cases, only three examples.

- 1) I live with my family in Stjepana Radića street 74 in Mostar since 1986 till the very day, even during the 1993, as the conflicts between the HVO and the BH Army followed, having started on May 9 1993. So, I live in a building which is very close to the “Vranica” building where the first conflicts occurred. That building was turned into the military establishment by the BH Army two or three months before the conflict itself. The fights between the HVO and the BH Army around that building started at 5 o'clock and 13 minutes on the aforementioned date and lasted till the next day, till around 4 o'clock pm, as the HVO took over the building. After the fights continued towards Bulevar, one group of 10 soldiers, wearing the uniform of HVO with hats on their heads started to demolish cars and take them away. They were also carrying furniture from some apartments in the “Vranica” building and vicinal buildings. I was watching all that from the window of my apartment. I phoned the military police of HVO and asked them to intervene. However, they told me that they cannot do anything to those who do that. Afterwards, I called the civil police who immediately came with two vehicles and approximately 8 policemen. The quarrel between the police and the group of robbers started immediately. Some of the robbers pulled guns towards the policemen and asked them to

leave. This lasted for two hours after which the policemen had to retreat and the robbers continued with their “work”. The same group or those similar to them were walking through the buildings the next day, carrying some lists in their hands, as far as I am informed, they searched for some Muslims. They were entering the building where I live but they did not take anybody.

- 2) The BH Army executed a massacre over the Croatian civil population, set on fire 30 establishments, along the old St. John church and damaged the new one in Uzdol on September 14 1993. Very late in the evening, on September 15, after 11 o'clock pm, I was woken up by my son who was the bodyguard at that time and told me; “Dad, here, there are three men who came to our building and want to boot out the Muslim families from their apartments and to expel them to the eastern side of Mostar, they seem to be drunk or stoned and they are now on the second floor”. It was about 4 Muslim old ladies whose children were mainly on military or civil duties of HVO. I put my house robe on and told him to invite them to the fourth floor, where I lived. My son kept dissuading me from that intention, regarding the fact that they acted in a strange manner, however I was persistent. Two men came in front of my door and one of them remained at the entrance door of the building. They really seemed drunk, they wore a camouflage uniform with pending guns and they did not have military emblems. I asked them what they are doing here so late in the night. They responded me that they want to expel “balinkuše” /insulting term for Muslim women/ to the left side. I told them that they won't do that because those are my neighbours. And they said; “we will, we will, you don't know Mr. Boras what they did to us in Uzdol.” I responded that I knew better than they do what happened in Uzdol, because they were not there and these old ladies-Muslims certainly did not do that, somebody else did that. I asked them which battalion do they belong to and they merely responded that they were from the HVO. Suddenly one of them started to apologize to me and went to the other one who remained at the entrance door, while the other one stayed to argue with me. To the guy who remained with me I proposed the following; “What you intended to do this night, you shall not do it, in the contrary, all the responsibility shall fall to your back. I suggest you that we do this tomorrow together and I will take all the responsibility.” He liked the proposal; he listened to me and joined two men that were waiting for him in front of the entrance door of the building. They remained in front of the building for an hour; I was watching them from the window of my apartment, they talked really loudly, I heard, among others, that they swear my mother and that they would kill me as well. However, since they

sobered up, they withdrew from the building. They did not show up in forthcoming days. The old Muslim ladies still live with their families in their apartments. The next day, I met Mate Boban in Grude to discuss some other issues and told him about the previous case. He asked me whether I found out who they were and which units of HVO do they belong to. I told him that they did not want to introduce themselves. I got the impression that Boban as well was surprised with this information.

- 3) Sometimes, I was observing women and children from the window of my apartment, with a bag in the hand, who were taken to the left side of Mostar through the Stjepana Radića street. It used to be mainly after midnight. I have never noticed who was doing that from the Croatian side.
- 4) We used to meet occasionally till November 8 1993, but on that day, in the afternoon, Praljak called me and said that the day after, he is leaving BH, returns to Croatia and that he expresses his gratitude for our cooperation.

This statement is true according to my findings and my belief.

Terminated at 1130 hours

Note-taker
Zeminka Delalić

Judge for the previous procedure
Tomo Šimić

Ljubuški, March 10, 2005
Franjo Boras
/round stamp and signed/