

**UNITED
NATIONS**

International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of the
former Yugoslavia since 1991

Case No. IT-09-92-T
Date: 22 February 2013

IN THE TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flügge

Registrar: Mr. John Hocking

THE PROSECUTOR

v.

RATKO MLADIĆ

Public
with Public Annexes A, B and C

**PROSECUTION MOTION TO ADMIT THE EVIDENCE OF
ISMET POLJAK (RM072) PURSUANT TO RULE 92 *QUATER***

The Office of the Prosecutor:

Mr. Dermot Groome
Mr. Peter McCloskey

Counsel for Ratko Mladić:

Mr. Branko Lukić
Mr. Miodrag Stojanović

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-09-92-T

THE PROSECUTOR

v.

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with Public Annexes A, B and C*

**PROSECUTION MOTION TO ADMIT THE EVIDENCE OF ISMET POLJAK
(RM072) PURSUANT TO RULE 92^{QUATER}**

I. INTRODUCTION

1. Pursuant to Rules 89(C) and 92^{quater} of the Tribunal's Rules of Procedure and Evidence ("Rules"), the Prosecution seeks the admission into evidence of the ICTY Witness Statement of Ismet POLJAK dated 25 January 1999¹.
2. The witness is unavailable because he is deceased. His evidence is reliable, relevant to the Indictment and corroborated by the testimony of other witnesses, by documentary evidence as well as by adjudicated facts. The admission of the witness's statements is thus in the interests of justice.
3. The following annexes are attached to this motion:
 - a. **Public Annex A** contains a chart comprising the information related to the witness statement tendered pursuant to Rule 92^{quater}, and the death certificate used to prove the unavailability of the witness.
 - b. **Public Annex B** contains the witness statement that the Prosecution seeks to admit into evidence pursuant to Rule 92^{quater}.
 - c. **Public Annex C** contains the death certificate of witness RM072.

¹ ICTY Witness Statement of Ismet Poljak dated 25 January 1999 (ERN 0069-3704-0069-3711; 0190-3029- 0190-3036).

II. APPLICABLE LAW

4. The Prosecution incorporates by reference its submissions on applicable law set out in paragraphs 6–15 of its Prosecution Motion to Admit the Evidence of RM266 Pursuant to Rule 92*quater*.²

III. DISCUSSION

5. The proposed evidence of witness RM072 satisfies the requirements of admissibility pursuant to Rule 92*quater* for the reasons outlined below. At the outset, the Prosecution notes that RM072's statement was admitted in the *Karadžić* case pursuant to Rule 92*quater*.³

A. Unavailability of the Witness

6. RM040 died on 24 April 2004. His death certificate is included in ***Public Annex C***.

B. Reliability of the Evidence

7. RM072 provided a signed statement to the Office of the Prosecutor of the ICTY on 25 January 1999.⁴ This proposed statement is sufficiently reliable to be admitted pursuant to Rule 92*quater*.

8. The ICTY Statement was read back to witness RM072 by an interpreter duly certified by the Registry of the ICTY, in a language the witness understood, and it was signed by the witness. Further, the statement is accompanied by a signed acknowledgement of witness RM072 confirming that the statement was given voluntarily and is true to the best of the witness's knowledge and recollection.

9. The Prosecution is not seeking to introduce any associated exhibits related to this witness.

10. RM072's proposed evidence is corroborated by the evidence of other Prosecution witnesses in this case related to the Municipality of Kalinovik and in particular to the background and the context of the Municipality of Kalinovik, to scheduled detention facilities C.9.1, C.9.2 and to scheduled killings related to

² *Prosecutor v. Ratko Mladić*, Case No.IT-09-92-PT, Prosecution Motion to Admit the Evidence of RM266 Pursuant to Rule 92*quater*, 17 February 2012.

³ *Prosecutor v. Radovan Karadžić*, Case No.IT-95-5/18-T, Decision on Prosecution Motion for Admission of Testimony of Sixteen Witnesses and Associated Exhibits Pursuant to Rule 92*quater*, 30 November 2009, paras.34-37, 90.

detention facilities B.7.1: RM034, RM048 who testified pursuant to Rule 92*ter* and RM035 whose evidence have been tendered pursuant to Rule 92*bis*.

11. Furthermore RM072's statement provides additional details relating to the following adjudicated facts through personal observations and experience: 731-732, 739-741, and 743-745.

C. Relevance and Probative Value

12. RM072's proposed evidence is relevant to and probative of crimes charged in the Indictment. The witness, a Bosnian Muslim, was the Commander of the Police in Kalinovik before the war. He observed, at the outset of the war, the training of massive Serbian troops in Kalinovik and the progressive physical and psychological pressure on the Muslim population by the Serb soldiers. The witness thus provides evidence about the arming of Serb civilians throughout eastern Bosnia, the formation of Serb military units and the ethnic cleansing of Muslims from Kalinovik.

13. Following the appointment of Boško Govedarica as the new Police Chief, RM072 met several senior Serb figures in Sarajevo which helped him to better understand the relationships and friendships between them and some of the purposes of the Serb campaign. After he and some of his friends and relatives were threatened, he resigned from his position and had to flee from Kalinovik. He then started working in Bosnian Army territory as a police commander and could collect information about detention facilities and killings in Kalinovik. Among others, the witness interviewed RM034, the only survivor of scheduled incident B.7.1. Therefore, he is able to provide evidence relevant to scheduled detention facilities C.9.1 and C.9.2 and to scheduled incident B.7.1.

14. The Prosecution further submits that RM072's statements are tendered in compliance with the Chamber's Guidelines in respect to the tendering of 92*quater* evidence.

15. The admission of RM072's statements is thus in the interests of justice and will enable the Trial Chamber to fairly adjudicate the facts of the case.

⁴ See Public Annex A.

D. Evidence of Acts and Conduct

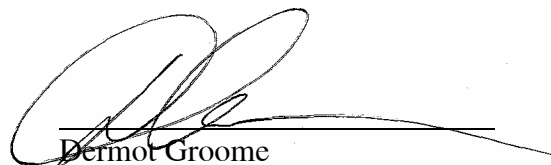
16. RM072 mentions Ratko MLADIĆ in his statement as visiting regularly his family in Kalinovik and how the excitement caused by Mladić's arrival in helicopter on one occasion helped RM072 to escape. Although Mladić's presence in Kalinovik is recorded in RM072's statement, this is a minimal reference to the acts and conduct of the Accused and is not one of the specific acts charged in the Indictment. Moreover, evidence that goes to prove the acts and conduct of the Accused is admissible under Rule 92*quater*, subject to the caveat that it cannot form the basis of a conviction without corroboration.⁵ The evidence of RM072 is comprehensively corroborated by the evidence of RM034 who testified pursuant to Rule 92*ter*.

IV. RELIEF REQUESTED

17. For the foregoing reasons, the Prosecution respectfully requests that the Chamber admit into evidence the proposed statement of witness RM072, set forth in **Public Annex A**, pursuant to Rule 92*quater*.

Word Count: 1,050

Respectfully submitted,


 Dermot Groome
 Senior Trial Attorney


 Peter McCloskey
 Senior Trial Attorney

Dated this 22nd day of February, 2013
 The Hague, Netherlands

⁵ See *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-PT, Prosecution Motion to Admit the Evidence of RM266 Pursuant to Rule 92*quater*, 17 February 2012, paragraph 12-14. See also *Prosecution v. Martić*, Case No. IT-95-11, Decision on Defence Motion to exclude testimony of Witness Milan Babić, 9 June 2006, para 67, which was upheld by the Appeals Chamber in *Prosecution v. Martić*, Case No. IT-95-11, Decision on Appeal Against the Trial Chamber's Decision on the Evidence of Milan Babić, 14 September 2006, para 20.

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-09-92-T

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Public

**PUBLIC ANNEX A
To
PROSECUTION MOTION TO ADMIT THE EVIDENCE OF
ISMET POLJAK (RM072) PURSUANT TO RULE 92QUATER**

92QUATER SUMMARY CHART

Ismet POLJAK - RM072			
Previous statement to be admitted pursuant to Rule 92^{quater}			
Statement/transcript	Date	ERN	Closed session/under seal
ICTY Witness Statement of Ismet Poljak dated 25 January 1999	25 January 1999	0069-3704-0069-3711 (Eng) 0190-3029-0190-3036 (BCS)	No
Documents to prove the unavailability of the witness			
Description	ERN		Under seal
Death certificate of Ismet Poljak	ET 0670-5808-0670-5808 (Eng) 0670-5808-0670-5808 (BCS)		No

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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**PUBLIC ANNEX B
To
PROSECUTION MOTION TO ADMIT THE EVIDENCE OF
ISMET POLJAK (RM072) PURSUANT TO RULE 92^{QUATER}**

WITNESS STATEMENT

00693704

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION
OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS
OF INTERNATIONAL LAW COMMITTED IN THE TERRITORY
OF THE FORMER YUGOSLAVIA SINCE 1991

WITNESS STATEMENT

WITNESS INFORMATION:

Name: POLJAK, Ismet

Nickname/Alias: Irso

Address: Jahijela Fincija 38, Ilidza

Date of Birth: 100258

Gender: Male

Ethnic Origin: Bosnian Muslim

Religion: Muslim

Occupation: Current: Chief of Police in charge of securing buildings. MUP
Former: Ditto

Language(s) Spoken: Bosnian, Russian, Latin

Language(s) Written: Bosnian, Russian
spoken)

(if different from

Date(s) of Interview(s): 25 January 1999

Interviewer: Jonathan Tait-Harris

Interpreter: Kanita Halilović

Language(s) Used in Interview: Bosnian and English

Names of all persons present during interview(s): Ismet Poljak, Jonathan Tait-Harris and
Kanita Halilović.

Signed: 25.1.99.

Kanita Halilovic

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[Signature]
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00693705

WITNESS STATEMENT:

At present I am the Chief of Police for building security in Sarajevo. This is a state level appointment and I command 220 Police officers.

I am a Professor of History having spent four years studying at a faculty in Sarajevo.

I have been a Police Officer for twelve years.

At the time of the outbreak of hostilities in my country I was the Commander of Police in Kalinovik. This was my hometown and the place that I was raised. I knew everyone and many leading figures came from there.

For instance Ratko Mladic, a prominent Serb officer, was a close neighbour of mine and I knew him well.

While the troubles were brewing Ratko Mladic regularly visited the village to visit his father and his family. I saw him on occasions. In fact his presence in Kalinovik indirectly helped me to escape. He arrived by helicopter and this caused a lot of excitement. This allowed me the opportunity to escape as all eyes were on Mladic.

The municipality had some 5,000 people living within with 1,000 living in the town itself.

The area was 70% Serb, 29% Muslim and 1% Croat. It was a Serb dominated area and Serbs held all of the positions of power. For me to be Commander of Police as a Muslim was quite unusual. My education helped me secure this post. The Chief of Police was in fact a Serb.

People will often say that before the war there existed a state of harmony between all of the ethnic groups. As a historian and a police officer I have always disputed this line of thought, as I believe there has always been an undercurrent of animosity between us all following the appearance of national parties.

Politically the 1990 elections changed our situation totally. Until then there had been Muslims in various positions of power. Afterwards this was not the case and I remained the only Muslim in Kalinovik with any degree of responsibility or power.

The SDS had total power. The leading figures were in the cabal were:

GRUJO LALOVIĆ

He was the President of the Municipality and also of the SDS

NIKOLA KOVAČ

President of the municipal executive committee

BOŠKO GOVEDARICA

Chief of Police

Ratko Mladic

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MILISLAV KOPRIVICA

He was the director of the health centre (DOM ZDRAVLJA)

BOJKO MACAN

He was head of the TO. Later killed in fighting.

RATKO BUNDALO

He was a JNA Colonel, former commander of the Rijeka Corps and then commander of the Kalinovik garrison at Pero Kosorić barracks, Kalinovik.

My first experience of life changing was during 1991 when the war in Croatia was going on. Kalinovik was the home of the largest JNA training ground in Yugoslavia. We saw a massive influx of Serbian troops who came to attend a 15 day course before they went off to the front. I would say that about 20,000 to 30,000 Serbs passed through the camp during that time. As the senior Police officer in town at the time I had frequent encounters with them and had chance to study them closely. This was no longer the JNA that I had done my National Service with. This was now a Serb army that wore Serb insignia and would go through my town drunk and singing Chetnik songs. They also thought nothing of going through town shooting. Local Serbs would identify me as a Muslim and point me out to Serbian and Serb soldiers. Their body language told me to leave before they took their intimidation further.

There were many instances of this type of behaviour and they gradually began to place more and more physical and psychological pressure on the Muslim population.

They would talk and say they were reservists from Užice and they formed a corps of that name.

Reservists also came from within Bosnia. They were exclusively Serb.

One of the first major events took place on the 10th of October 1991 when I responded to a request for Police help from Muslim villages in the ULOG area of Kalinovik. These lie along the Neretva river.

When I arrived I was confronted by a group of Chetniks who had begun the process of expelling Muslims from their homes.

This group was commanded by a man called GRAHOVAC fnu . They wore Kokarda, carried Serb flags bearing the Four S emblem and wore JNA uniform.

They were not regular JNA but rather a trained para-military group. They arrived in JNA trucks.

We arrived in a convoy of three vehicles, a VW Golf and two specially equipped British made Land Rovers. We had the appearance of a special unit from Sarajevo. This may have caused them to worry as they quickly left the scene.

I stayed there all day and talked to many Muslim witnesses. 75% had already fled but the ones remaining said that the para-military had arrived and insulted them. The soldiers had

Ramir Delalic

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gone along shooting their weapons at Muslims homes and ordering them to leave or be killed.

My belief is that this was a fairly low-level operation to test the Muslim reaction to these evictions.

I spent the day investigating along with some Military Police (JNA) that had come from Sarajevo. They were led by Lieutenant Sifet Podžić. I reported to Minister Alija Delimustafić who was in charge of internal affairs for BiH.

This matter was reported to the media and broadcast widely.

The following day I was summoned to the SDS War Presidency. This consisted totally of Serbs and I raised that nobody from my community was present. They accused me of being anti-Serb and anti Army.

This body asked me in a very firm manner to deny that the incident had ever happened and that I was to remain silent if asked. I told them that I didn't have to answer to them and that it was the minister that I had to report to.

This group were in fact set up as the Krizni Stab for the Kalinovik municipality and consisted mostly of the people that I mentioned earlier. It was totally SDS and I couldn't see how matters could be administered fairly by such an unrepresentative body.

My defiance in their faces was to cause me problems in the future and this made me a significant target for the Serb aggression that was to follow.

They hated the fact that I released the truth to the media. They wanted their activities kept as quiet as possible for as long as possible.

Towards the end of 1991 I received information that a new Police Chief was going to be appointed to Kalinovik. My source was able to tell me that Boško Govedarica, a former clerk was being made Chief with the sole purpose of removing and cleansing Muslims from Kalinovik.

The source also informed me that one million Muslims would be killed and only some 100,000 Serbs according to Serb plans for the war to come.

This appointment astounded me as Boško had no Police experience and was now being placed in charge of a Police department.

From personal knowledge that I have of the friendships between Radovan Karadžić and Ratko Mladić and other senior SDS members and Govedarica, I believe that this appointment was made on the strength of these relationships.

This I cannot substantiate directly but it is of note that he was appointed by an assistant Minister Momčilo Mandić and not the minister himself. This was unlawful, as it had to be done by the minister himself.

For a decision to be made such as this it would have to have originated from very high up in the Serb/SDS leadership.

Kamata Keltovic

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The assistant that signed this unlawful appointment was a Serb and had no authority to do so.

Also of note was the fact that I know this man had been studying for a degree for many, many years with no success. All of a sudden he was granted a diploma and was made Chief of Police. This was unusual in the extreme and I drew a sinister inference from this.

During my time as his second in command I often traveled to Sarajevo with him on official business. There I had the opportunity to meet several senior Serb figures such as:

VOJISLAV MAKSIMOVIĆ

A senior SDS executive committee member and close associate of Radovan Karadžić.

VELIBOR OSTOJIĆ

He was the information minister of BiH and a senior SDS member.

ALEKSA BUHA

He is now the President of the SDS and is Radovan Karadžić's successor.

PETKO ČANČAR

He is a lawyer and was also on the executive committee of the SDS.

We met a couple of times at the Hotel Zagreb in Sarajevo and we had coffee together. They behaved well towards despite it being a time of increasing tension. It was obvious to me that they were all very close friends of Govedarica's.

Also in 1990 and 1991 I was aware of the arming of the Serb civilians and the formation of Serb military units.

This started as soon as the SDS came into power in 1990. Arms were distributed and I had information that many people were told which Bosnian areas they would deploy to when war broke out on Bosnia.

As part of my duties I would try to find out as much as possible and whilst doing so I saw army exercises taking place. The local Serbs were being trained and then sent home with their uniforms and guns to await mobilisation. This was all going on under my nose and I was also told that the Serbs planned to eliminate me to stop me obstructing their plans. My source told me that they would let me know when my position became untenable and that it was time to escape.

In addition I was aware that Govedarica had been given the task of arming Eastern Bosnia. Kalinovik was vitally important to this as it had a huge arsenal of weapons based at the army facilities. We had literally thousands of weapons of all sorts and this man was given the responsibility for this. Kalinovik was the key location for all of this and it was doubly significant as so many senior SDS personnel came from there.

I know that weapons and commanders from Kalinovik took part in the assaults on Foča.

These actions were carried out with the full knowledge and assistance of Colonel Ratko Bundalo who was the garrison commander in Kalinovik.

This gradual move towards war continued and life for the Muslims became even more

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Konrad H. L. Yenic

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difficult. Muslims started to lose their jobs, salary cheques were not being paid and Serbs started to fill Muslim jobs.

On the 20th of April 1992 I myself received an instruction from Govedarica that I would either have to sign the Serb oath and swear allegiance to them or leave the Police. This oath was placed in front of me on SDS paper and bore their seal. I refused to do this and said I would go on leave. Two days later Krsto Savić came to the station. I was fetched from home to see him. He had arrived with 50/60 Chetniks dressed as police officers. I went into what had been my office and met him. He introduced himself as Minister of the Interior for SAO Hercegovina (Serb autonomous region). I introduced myself by name and position and he said that I was now removed from my post.

He told me that he knew a lot about me and the influence that I had with the Muslim population. He warned me not to exercise that influence or I would be arrested and dealt with. I knew exactly what this meant. I was allowed to leave.

After this meeting I received information that the SDS had plans to arrest me, my brother, a relative of mine, another Policeman and two other relatives of mine.

We couldn't speak to the Policeman in time and he was captured and killed.

It was not long after that I fled to comparative safety. I hid with friends for a few days until making my way back to Bosnian Army territory where I was given a new area to work as Police commander.

This area was under Bosnian Army control and life was relatively normal again. I had been lucky to get out alive.

I have information about several killings and other atrocities that I will relate.

In Mjehovina a man called Bjelica from Trnovo went to a group of houses and rounded up a group of elderly people including a Muslim priest Hodža Beg Filipović. They were taken as a group to the front of the priest's house and shot them all in the back of the head.

This man, Bjelica was a Serb soldier who had had two sons killed and this was a revenge killing. He had some others with him but it was he who carried out the murders. Some people who were hidden and who remained unobserved observed them doing this.

The bodies were removed and buried in a mass grave at the local Muslim cemetery.

Also I am aware of when the President of the Municipality Grujo Lalović and Boško Govedarica issued orders for Muslim men to be rounded up so that they could fulfil work obligations. This was just a decoy to have Muslim men rounded up and detained. People did come forward and they were held captive in the elementary school in Kalinovik, in the centre of town. This place had 120 people in custody. The list of names of these people is available at the BiH state commission. After a while these people were removed and taken to the barracks at Donji Logor. There they were detained in what is known as the gunpowder warehouse.

Conditions were horrific. There were no toilet facilities, little food and no sleeping facilities.

Krsto Savić

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The camp commander was Aškraba Đordislav. He had been a Police Officer in Iližda before the war and was appointed by Govedarica and Grujo Lalović.

They were beaten regularly and on the 2nd or 3rd of August they were all taken away to be shot. Three lorries set off with them on board. They made a Muslim drive the first truck so that it could clear the way for landmines.

The lorries stopped and one group was shot at Mala Meka Brda. Fifteen were shot dead with rifles their hands having been tied with wire.

The next group was killed at Mladi Gaj in a barn belonging to a man, family name Tuzlak. A survivor told me that they were lined up in groups of ten and shot. The next group waiting had to place the bodies in the barn and then take their turn to be killed. Twenty-three died at the barn. One man survived.

This person had not been mortally wounded so he pretended to be dead and was thrown in the barn with the others.

In the barn there was a depression in the floor that the survivor, Fejzija Hadžić, managed to crawl into, to hide. The Serb guards then poured petrol over the bodies and set them alight.

As soon as they left the survivor crawled free and made his way to safety. I interviewed him myself and this account of events is his. I believe that he has made a statement to the Bosnian authorities.

The remaining prisoners were taken to Foča and they were shot on a bridge just before the town. The bodies were thrown into the Drina river.

With the exception of the man from the barn and the Muslim truck driver there were no survivors out of all the people that had been detained at the school and the gunpowder warehouse.

My knowledge of the Bosnian conflict is mostly centred on the events during the build up as my work brought me into close contact with some people from the SDS.

I have been able to see that the whole Serb plan has been thought through and mapped out at the very highest level and the arming of the Serbs, the takeover of the JNA, evictions, killings and detentions were all designed to create a Greater Serbia.

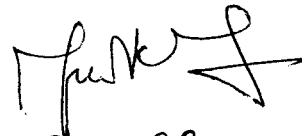
Hamid Halilović

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WITNESS ACKNOWLEDGMENT

This Statement has been read over to me in the Bosnian language and is true to the best of my knowledge and recollection. I have given this Statement voluntarily and am aware that it may be used in legal proceedings before the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991, and that I may be called to give evidence in public before the Tribunal.

Signed: 

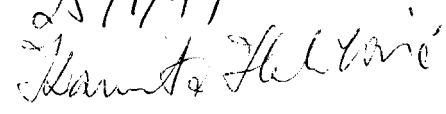
Dated: 25.1.99.

INTERPRETER CERTIFICATION

I, Kanita Halilović, Interpreter, certify that:

1. I am duly qualified and approved by The Registry of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991 to interpret from the Bosnian language into the English language and from the English language into the Bosnian language.
2. I have been informed by Ismet Poljak that he speaks and understands the Bosnian language.
3. I have orally translated the above statement from the English language to the Bosnian language in the presence of Ismet Poljak, who appeared to have heard and understood my translation of this Statement.
4. Ismet Poljak has acknowledged that the facts and matters set out in his Statement, as translated by me, are true to the best of his knowledge and recollection and has accordingly signed his signature where indicated.

Dated: 25/1/99

Signed: 

MEĐUNARODNI SUD ZA KRIVIČNO GONJENJE OSOBA
ODGOVORNIH ZA TEŠKA KRŠENJA MEĐUNARODNOG PRAVA
POČINJENA NA TERITORIJI BIVŠE JUGOSLAVIJE OD 1991.

IZJAVA SVJEDOKA

PODACI O SVJEDOKU:

Ime: Ismet Poljak

Nadimak/pseudonim: Irso

Adresa: Jahijela Fincija 38, Ilidža

Datum rođenja: 10. 2. 1958.

Pol: ☒ muški ☐ ženski

Nacionalnost: Bošnjak

Vjeroispovijest: muslimanska

Trenutno zanimanje: načelnik policije, zadužen za osiguranje zgrada, MUP
Prethodno: isto

Jezik/jezici koje govori: bosanski, ruski, latinski /kao u originalu/

Jezik/jezici koje piše (ako se razlikuje od navedenih): bosanski, ruski

Datum(i) razgovora: 25. januar 1999.

Razgovor(e) vodili: Jonathan Tait-Harris Prevodilac: Kanita Halilović

Jezici korišteni u toku razgovora: bosanski i engleski

Imena svih osoba prisutnih tokom razgovora: Ismet Poljak, Jonathan Tait-Harris i
Kanita Halilović

Potpis: /potpisano/

IZJAVA SVJEDOKA

Trenutno sam načelnik u policijskim snagama, zadužen za osiguranje zgrada u Sarajevu. To je funkcija na državnom nivou i pod mojim zapovjedništvom nalazi se 220 policajaca.

Profesor sam historije, nakon što sam četiri godine studirao na fakultetu u Sarajevu.

Radim kao policajac dvanaest godina.

U vrijeme izbijanja neprijateljstava u mojoj zemlji bio sam komandir policije u Kalinoviku. To je grad u kojem sam se rodio i mjesto u kojem sam odrastao. Svakog sam poznao i odatle su mnoge vodeće ličnosti.

Na primjer, Ratko Mladić, istaknuti srpski oficir, bio je moj bliski komšija i dobro sam ga poznao.

Dok su se nepravilnosti spremale, Ratko Mladić je redovito dolazio u selo kako bi posjetio svog oca i porodicu. Povremeno sam ga vidio. Zapravo, njegova prisutnost u Kalinoviku indirektno mi je pomogla da pobjegnem. Stigao je helikopterom i to je izazvalo veliko uzbuđenje. To mi je pružilo priliku da pobjegnem, jer su sve oči bile uprte u Mladića.

U opštini je živjelo oko 5.000 ljudi, od čega je njih 1.000 živjelo u samom gradu.

Područje je 70% bilo srpsko, 29% muslimansko i 1% hrvatsko. Područjem su dominirali Srbi i Srbi su držali sve pozicije u vlasti. Bilo je prilično neuobičajeno da se ja kao Musliman nalazim na položaju komandira policije. Pri osiguranju tog položaja pomogla mi je moja naobrazba. Načelnik policije je zapravo bio Srbin.

Ljudi često kažu da je prije rata vladao sklad između svih etničkih grupa. Kao historičar i policajac uvijek sam opovrgavao takvo razmišljanje, budući da vjerujem da je između nas uvijek postojalo prikriveno neprijateljstvo nakon što su se pojavile nacionalne stranke.

Izbori 1990. godine potpuno su promijenili našu političku situaciju. Do tada su Muslimani bili na različitim pozicijama u vlasti. Nakon izbora, to više nije bilo tako i ja sam ostao jedini Musliman u Kalinoviku sa nekim stupnjem odgovornosti i ovlasti.

SDS /Srpska demokratska stranka/ je imala potpunu vlast. Vodeće ličnosti u toj klimi bili su sljedeći ljudi:

Grujo Lalović
On je bio predsjednik opštine i SDS-a.

Nikola Kovač
Predsjednik Izvršnog vijeća opštine

Boško Govedarica
Načelnik policije

Milislav Koprivica

On je bio direktor Doma zdravlja.

Bojko Macan

On je bio načelnik TO-a /Teritorijalna odbrana/. Kasnije je ubijen u borbi.

Ratko Bundalo

On je bio pukovnik u JNA, bivši zapovjednik Riječkog korpusa i potom zapovjednik garnizona u Kalinoviku u kasarni "Pero Kosorić" u Kalinoviku.

Do mojeg prvog iskustva da se život mijenja došlo je tokom 1991., za vrijeme rata u Hrvatskoj. U Kalinoviku je JNA imala najveći poligon za obuku u Jugoslaviji. Vidjeli smo kako pristiže velik broj srpskih vojnika koji su dolazili kako bi prisustvovali petnaestodnevnoj obuci no što su odlazili na front. Rekao bih da je tokom tog razdoblja kroz poligon prošlo oko 20.000 do 30.000 Srba. Kao policajac koji je u to vrijeme u gradu bio na višem položaju, imao sam sa njima česte susrete i imao sam priliku da ih promatram iz blizine. To više nije bila JNA u kojoj sam ja nekoć bio na odsluženju redovnog vojnog roka. To je bila srpska vojska koja je nosila srpske oznake i koja bi kroz moj grad prolazila pijana i pjevala četničke pjesme. Osim toga, za njih nije bilo ništa prolaziti kroz grad pucajući. Lokalni Srbi identificirali bi me kao Muslimana i pokazivali me srbijanskim i srpskim vojnicima. Gestama su mi govorili da odem prije no što se njihovo zastrašivanje ne pretvori u nešto ozbiljnije.

Bilo je mnogo primjera do takve vrste ponašanja i oni su postepeno vršili sve veći fizički i psihološki pritisak na muslimansko stanovništvo.

U razgovoru bi rekli da su rezervisti iz Užica i oformili su korpus pod tim imenom.

Rezervisti su dolazili i iz Bosne. Bili su isključivo Srbi.

Do jednog od prvih važnijih događaja došlo je 10. oktobra 1991., kada sam odgovorio na zahtjev za policijskom pomoći koji je došao iz muslimanskih sela sa područja Uloga u opštini Kalinovik. Ta sela nalaze se uz rijeku Neretvu.

Kada sam stigao, suočio sam se sa grupom četnika koji su započeli s istjerivanjem Muslimana iz njihovih domova.

Tom grupom zapovijedao je čovjek koji se zvao Grahovac, ime nepoznato. Nosili su kokarde, srpske zastave sa oznakom četiri S i JNA uniforme.

Nisu bili redovni vojnici JNA, nego uvježbana paravojna grupa. Stigli su kamionima JNA.

Stigli smo u konvoju od tri vozila, jednog golfa i dva specijalno opremljena britanska vozila marke "Land Rover". Izgledali smo kao specijalna jedinica iz Sarajeva. To ih je vjerovatno zabrinulo, jer su se brzo povukli sa lica mjesta.

Ostao sam tamo cijeli dan i razgovarao sa mnogo svjedoka Muslimana. Njih 75% već su pobjegli, no oni koji su ostali kazali su da su stigli pripadnici paravojske i da su ih izvrijedali. Vojnici su prolazili pucajući iz svog oružja u muslimanske domove i pritom ljudima izdavali naredjenja da odu ili će biti ubijeni.

Vjerujem da se pritom radilo o operaciji na niskoj razini kojom se htjelo ispitati reakcija Muslimana na takvu vrstu izbacivanja iz njihovih domova.

Proveo sam taj dan u istrazi, zajedno sa nekoliko vojnih policajaca (JNA) koji su došli iz Sarajeva. Vodio ih je poručnik Sifet Podžić. Raportirao sam ministru Aliji Delimustafiću koji je bio zadužen za unutarnje poslove u BiH.

O tome su obaviješteni mediji i puno se o tome emitiralo.

Narednog dana sam pozvan u Ratno predsjedništvo SDS-a. To tijelo se sastojalo samo od Srba i ja sam postavio pitanje zašto nije prisutan niko iz moje zajednice. Optužili su me da sam protiv Srba i Armije.

To tijelo je od mene vrlo oštro zatražilo da zaniječem da je ikada došlo do jednog takvog incidenta i da, ukoliko me neko nešto pita, ništa ne kažem. Rekao sam im da njima nisam odgovoran i da je Ministar taj prema kojem imam odgovornost.

Ta grupa je zapravo uspostavljena kao Krizni štab za opštinu Kalinovik i sastojala se uglavnom od ljudi koje sam već spomenuo. Bila je u potpunosti lojalna SDS-u i nisam shvaćao kako bi jedno tako nereprezentativno tijelo moglo rješavati probleme na pravičan način.

Moj izravni prkos kasnije mi je prouzročio probleme i postao sam značajni cilj srpske agresije koja je uslijedila.

Bili su jako uznemireni činjenicom da sam istinu objavio medijima. Htjeli su da se njihove aktivnosti odvijaju što je duže moguće sa što manje publiciteta.

Krajem 1991. godine dobio sam informaciju da će za Kalinovik biti imenovan novi načelnik policije. Moj izvor mi je kazao da se na mjesto načelnika postavlja Boško Govedarica, bivši službenik, postavlja s isključivom namjerom da se Muslimani uklone i protjeraju iz Kalinovika.

Isti izvor mi je dao informaciju da će u predstojećem ratu, prema srpskim planovima, izginuti milijun Muslimana i tek nekih 100.000 Srba.

To me je imenovanje zapanjilo, budući da Boško nije imao nikakvog policijskog iskustva, a ipak su pod njegovu kontrolu stavljali policijsko odjeljenje.

Na osnovu ličnih saznanja o prijateljstvu između Radovana Karadžića i Ratka Mladića, drugih viših članova SDS-a i Govedarice vjerujem da je do tog imenovanja došlo zbog tih odnosa.

To ne mogu izravno potkrijepiti, no značajno je da ga je imenovao pomoćnik Ministra Momčilo Mandić, a ne lično Ministar. To je bilo protuzakonito, budući da je imenovanja morao obavljati lično Ministar.

Da bi se donijela takva odluka, inicijativa za nju je morala poteći od vrlo visokog srpskog/SDS vodstva.

Pomoćnik koji je potpisao to protuzakonito imenovanje bio je Srbin i nije imao ovlaštenja da to uradi.

Značajna je i činjenica da je taj čovjek godinama studirao kako bi diplomirao, no bez ikakvog uspjeha. Iznenada je dobio diplomu i postavljen je na mjesto načelnika policije. To je bilo izuzetno neuobičajeno i iz toga sam izvukao mračan zaključak.

Tokom vremena koje sam proveo kao njegov zamjenik, često sam sa njim poslovno putovao u Sarajevo. Tamo sam imao priliku sresti nekoliko viših srpskih funkcionera, kao što su:

Vojislav Maksimović

Član Izvršnog odbora SDS-a na višoj funkciji i bliski saradnik Radovana Karadžića.

Velibor Ostojić

Bio je ministar za informacije u BiH i član SDS-a na visokoj funkciji.

Aleksa Buha

On je sada predsjednik SDS-a kao nasljednik Radovana Karadžića.

Petko Čančar

On je pravnik i bio je također u Izvršnom odboru SDS-a.

Susreli smo se nekoliko puta u Hotelu "Zagreb" u Sarajevu i zajedno popili kafu. Dobro su se prema meni ponašali, usprkos rastućim napetostima. Bilo mi je očigledno da su svi bili vrlo bliski Govedarićini prijatelji.

Uz to, 1990. i 1991. bio sam svjesan toga da se srpski civili naoružavaju i da se osnivaju srpske vojne jedinice.

To je počelo čim je 1990. na vlast došao SDS. Dijeljeno je oružje i raspolagao sam informacijama da je mnogim ljudima rečeno na koja će ih područja Bosne rasporediti kada u Bosni izbije rat.

Kao dio mojih dužnosti, pokušavao sam prikupiti što je više moguće informacija i, dok sam to činio, vidio sam kako se održavaju vojne vježbe. Obučavali su lokalne Srbe, nakon čega su ih slali kućama sa uniformama i oružjem da čekaju na mobilizaciju. Sve se to događalo pod mojim nosom, a rečeno mi je uz to da Srbi planiraju da me uklone, kako bi me spriječili u ometanju njihovih planova. Moj izvor mi je kazao da će me obavjestiti kada moj položaj postane neodrživ i da je vrijeme da pobjegnem.

Osim toga, bio sam svjestan toga da je Govedarici dat zadatak da naoruža istočnu Bosnu. Za to je Kalinovik bio od suštinske važnosti, budući da se u vojnim kapacitetima nalazio ogroman arsenal oružja. Doslovce smo imali hiljade komada oružja svih vrsta za koje je data odgovornost tom čovjeku. Zbog svega toga Kalinovik je bio ključna lokacija, a bio je još značajniji i zbog činjenice da je iz tog mjesta bilo toliko visokih funkcionera SDS-a.

Znam da su oružje i zapovjednici iz Kalinovika sudjelovali u napadu na Foču.

Ta dejstva su se izvršavala uz puno znanje i podršku pukovnika Ratka Bundala, koji je bio zapovjednik garnizona u Kalinoviku.

Nastavilo se to postepeno kretanje prema ratu, a život za Muslimane je postajao sve teži. Muslimani su počeli gubiti posao, nisu se isplaćivale plaće, a Srbi su počeli preuzimati od Muslimana njihove poslove.

Dana 20. aprila 1992. i ja sam od Govedarice dobio uputstvo da moram ili potpisati srpsku zakletvu i zakleti im se na vjernost ili napustiti policiju. Ta zakletva je pred mene stavljena na papiru sa zaglavljem SDS-a i nosila je njihov pečat. Odbio sam to učiniti i rekao da ću otići na dopust. Dva dana kasnije u stanicu je došao Krsto Savić. Došli su po mene kući kako bih se sa njim sastao. Stigao je sa 50-60 četnika odjevenih kao policajci. Ušao sam u prostoriju koja je nekoć bila moja kancelarija i tamo se sa njim sastao. Predstavio se kao ministar unutarnjih poslova za SAO Hercegovinu (srpska autonomna oblast). Predstavio sam se, rekavši svoje ime i položaj, a on je kazao da sam maknut sa mog mjesta.

Rekao mi je da mnogo zna o meni i o uticaju koji imam na muslimansko stanovništvo. Upozorio me da ne koristim taj uticaj ili ću biti uhapšen i da će se sa mnom razračunati. Znao sam tačno šta to znači. Bilo mi je dozvoljeno da odem.

Nakon tog sastanka dobio sam informaciju da SDS ima planove da uhapsi mene, mog brata, jednog mog rodaka, jednog drugog policajca i još dvojicu mojih rodaka.

Nismo uspjeli stupiti u kontakt s tim policajcem na vrijeme i on je uhapšen i ubijen.

Nedugo nakon toga pobjegao sam na relativno sigurno mjesto. Krio sam se nekoliko dana kod prijatelja dok nisam uspio organizirati put natrag na teritoriju pod kontrolom Armije Bosne i Hercegovine, gdje sam dobio novo područje rada kao policijski komandir.

To područje je bilo pod kontrolom Armije Bosne i Hercegovine i život je ponovo postao relativno normalan. Bio sam sretan da sam uspio izvući živu glavu.

Raspoložem informacijama o nekoliko ubistava i drugim zločinima, koje ću vam prenijeti.

U Mjehovini je čovjek po imenu Bjelica, koji je iz Trnova, došao do grupe kuća i okupio skupinu starijih ljudi, uključujući i muslimanskog svećenika, hodžu Bega Filipovića. Odvedeni su svi zajedno do mjesta ispred svećenikove kuće i ubijeni metkom u potiljak.

Taj čovjek, Bjelica, bio je srpski vojnik čija su dva sina ubijena i to je bila njegova osveta. Sa njim su bili i drugi, no on je bio taj koji je izvršio ubistva. Neki ljudi, koji su se skrivali i koje nisu otkrili, promatrali su ih dok su to radili.

Tijela su uklonjena i zakopana u masovnoj grobnici na lokalnom muslimanskom groblju.

Znam takode da su predsjednik opštine Grujo Lalović i Boško Govedarica izdali naređenja da se okupe muškarci Muslimani da bi izvršili svoju radnu obavezu. To je bila varka kako bi muškarce Muslimane okupili i zatvorili. Ljudi su odgovorili na poziv, i držali su ih u osnovnoj školi u Kalinoviku, u centru grada. Na tom je mjestu bilo pritvoreno 120 ljudi. U sjedištu Državne komisije BiH može se pronaći spisak sa imenima tih ljudi. Nakon nekog vremena, te su ljude premjestili i odveli u kasarnu u

Donjem logoru. Tamo su ih držali zatočene na mjestu koje je poznato kao skladište baruta.

Uslovi su bili strašni. Nije bilo WC-a, bilo je malo hrane i nije bilo uslova za spavanje.

Upravnik logora bio je Đorđislav Aškraba. On je prije rata bio policajac na Ilidži, a imenovali su ga Govedarica i Grujo Lalović.

Redovito su ih tukli, a 2. ili 3. augusta svi su odvedeni na strijeljanje. Krenuli su kamioni u koje su utovarili te ljude. Prisilili su jednog Muslimana da vozi prvi kamion, kako bi očistio put od mina.

Kamioni su se zaustavili i jedna grupa je strijeljana na brdu Mala Meka. Njih petnaestorica ustrijeljeni su iz pušaka, a ruke su im bile vezane žicom.

Iduću grupu su pobili u Mladom Gaju, u štaglju koji je pripadao čovjeku po prezimenu Tuzlak. Jedan preživjeli mi je ispričao da su ih poredali u grupe po deset i strijeljali. Iduća grupa koja je čekala morala je tijela smjestiti u štagalj i potom je bio njihov red da ih ubiju. U štaglju je poginulo 23 ljudi. Jedan čovjek je preživio.

Taj čovjek nije bio smrtno ranjen, tako da se pretvarao da je mrtav i bačen je u štagalj zajedno s ostalima.

U štaglju se u podu nalazila jedna udubina, u koju se preživjeli, Fejzija Hadžić, uspio uvući kako bi se sakrio. Srpski stražari su potom tijela polili benzinom i zapalili ih.

Čim su otišli, preživjeli je ispuzao i pobjegao. Lično sam sa njim razgovarao i ovaj prikaz događaja je njegov. Mislim da je bosanskim vlastima dao izjavu.

Preostali zatvorenici odvedeni su u Foču i strijeljani na mostu koji se nalazi odmah pokraj grada. Tijela su bačena u rijeku Drinu.

Osim čovjeka iz štaglja i Muslimana koji je vozio kamion, niko iz grupe ljudi koji su bili zatočeni u školi i u skladištu baruta nije preživio.

Moja saznanja o sukobu u Bosni odnose se uglavnom na događaje koji su prethodili sukobu, budući da sam zbog svog posla dolazio u bliski kontakt sa nekim ljudima iz SDS-a.

Mogao sam vidjeti da je cijeli srpski plan bio smišljen i razrađen na najvišoj razini, a naoružavanje Srba, preuzimanje kontrole nad JNA, protjerivanja, ubijanja i zatvaranja bili su zamišljeni kako bi se stvorila "velika Srbija".

POTVRDA SVJEDOKA

Izjava mi je glasno pročitana na bosanskom jeziku i sadrži sve što sam rekao po svom znanju i sjećanju. Izjavu sam dao dobrovoljno i svjestan sam da se može upotrijebiti u sudskom postupku pred Međunarodnim sudom za krivično gonjenje osoba odgovornih za teška kršenja međunarodnog prava počinjena na teritoriji bivše Jugoslavije od 1991, kao i da mogu biti pozvan da javno svjedočim pred Sudom.

Potpis: /potpisano/

Datum: 25. 1. 1999.

POTVRDA PREVODIOCA

Ja, Kanita Halilović, prevodilac, potvrđujem sljedeće:

- 1) Odgovarajući sam kvalifikovana i ovlaštena od strane Sekretarijata Međunarodnog suda za krivično gonjenje osoba odgovornih za teška kršenja međunarodnog prava počinjena na teritoriji bivše Jugoslavije od 1991. da prevodim sa bosanskog jezika na engleski jezik, kao i s engleskog na bosanski jezik.
- 2) Ismet Poljak mi je dao do znanja da govori i razumije bosanski jezik.
- 3) Gorenavedenu izjavu sam usmeno prevela s engleskog na bosanski jezik u prisustvu Ismeta Poljaka koji je, po svemu sudeći, čuo i razumio prijevod ove izjave.
- 4) Ismet Poljak je potvrdio da su, po njegovom znanju i sjećanju, činjenice i ostalo navedeno u ovoj izjavi istinite, onako kako sam ih prevela, što je potvrdio svojeručnim potpisom na predviđenom mjestu.

Datum: 25. 1. 1999.

Potpis: /potpisano/

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-09-92-T

THE PROSECUTOR

v.

RATKO MLADIĆ

Public

**PUBLIC ANNEX C
To
PROSECUTION MOTION TO ADMIT THE EVIDENCE OF
ISMET POLJAK (RM072) PURSUANT TO RULE 92^{QUATER}**

DEATH CERTIFICATE

BOSNIA AND HERZEGOVINA
FEDERATION OF BOSNIA AND HERZEGOVINA
Canton Sarajevo
MUNICIPALITY NOVI GRAD

Exemption from Stamp Duty pursuant to article 8 and 9 of Administrative Stamp Duties Act – revised final version (“Official Gazette of the Canton of Sarajevo”, number 30/01)

DEATH CERTIFICATE

Personal identification number: 1002958171923

In the register of deaths for the place Grad, filed under number 270 on page 65, for the year 2004, the death of the following person has been registered:

Last Name	<i>Poljak</i>	Sex
First Name	<i>Ismet</i>	<i>Male</i>
Date of Death: Day, Month, Year, Hour	<i>24/04/2004</i>	
Place of Death	<i>Sarajevo, BiH</i>	
Date of Birth: Day, Month, Year	<i>10/02/1958</i>	
Place of Birth: City and Municipality	<i>Polje, Kalinovik, BiH</i>	
Citizen of:	<i>//</i>	
Place of residence, address	<i>Ilidža, Glišć Janković 1</i>	
Marital Status	<i>Married</i>	
Names of Spouse: Last, First, Maiden (if applicable)	<i>Poljak Mevlida nee: Hadžić</i>	
Names of Parents:	father's	<i>Poljak Hakija</i>
Last, First	mother's	<i>Nee: Melez Fata</i>
Place of Burial	<i>Hraspica, /?Kovači/</i>	
Additional Entries and Remarks	<i>//</i>	

Number: 12-13-5-3020/2009
 In: Sarajevo
 Date: 04-06-2009

/signature/
 Sabina Gurda
 /Registrar's signature/



Bosna i Hercegovina
Federacija Bosne i Hercegovine
Kanton Sarajevo

OPĆINA NOVI GRAD

OSLOBOĐENO OD PLAĆANJA TAKSE
NA OSNOVU ČLANA 8. I 9. ZAKONA
O ADMINISTRATIVNIM TAKSAMAMA -
PREČIŠĆENI TEKST ("SL. NOVINE
KANTONA SARAJEVO, BROJ 30/01)

06705808

IZVOD IZ MATIČNE KNJIGE UMRLIH

1 0 0 2 9 5 8 1 7 1 9 2 3
Jedinstveni matični broj

U matičnoj knjizi umrlih koja se vodi za mjesto Grad pod rednim

brojem 270 na strani 65 za godinu 2004 izvršen je upis smrti:

Prezime	Poljak	Pol:
Ime	Ismet	M
Dan, mjesec, godina i sat smrti	24.04.2004.	
Mjesto smrti	Sarajevo, BiH	
Dan mjesec i godina rođenja	10.02.1958 god.	
Mjesto i općina rođenja	Polje, Kalinovik, BiH	
Državljanstvo	XXXX	
Prebivalište i adresa stana	Ilidža, Glise Jankovića 1	
Bračno stanje	Oženjen	
Prezime i ime bračnog druga i prezime prije zaključena braka	Poljak Mevlida r. Hadžić	
Prezime i ime roditelja	oca Poljak Hakija majke r. Melez Fata	
Mjesto sahrane	Hrasnica-Kovaci	
Naknadni upisi i bilješke:		

Broj: 12-13-5-3020/2009

U Sarajevu

Dana: 04.06.2009. god.



(Potpis matičara)

Gurda
Sabina Gurda