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Number KRI 37/96 [handwritten]

### WITNESS EXAMINATION RECORD

compiled on 23/07/1996 in the presence of the investigative judge of the Lower court in Višegrad in the criminal proceedings against the \_\_\_\_\_ because of criminal offence according to Article \_\_\_\_\_ of the CC.

Milanka Tanasković - judge

Witness

Nedjeljko Pikulić

Record keeper

Also present during the witness examination:

Aleksandra Cvetković

public prosecutor

.....

defendant

.....

defence lawyer

.....

Beginning at 17:00 hours

The witness is cautioned that he is obliged to speak the truth and not to withhold anything. He is warned of the consequences of giving false testimony, as well as that he is not obliged to answer certain questions, if he is likely to expose himself or his close relative to the grave dishonour, substantial material damage or criminal prosecution (Article 299 of the CPC), therefore the witness gives answers to the general questions:

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|--|---|
| 1) Name and surname                              | Nedjeljko Pikulić   |
| 2) Father's name                                 | Radoslav  |
| 3) Occupation                                    | Highly skilled driver   |
| 4) Residence                                     | temporarily Višegrad, 36 Dušće street, phone <span style="background-color: black; color: black;">XXXXXXXXXX</span> |
| 5) POB   | Sarajevo - Pofalići   |
| 6) DOB   | 05/09/1948  |
| 7) Relation with the defendant and injured party |   |

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After this the witness states the following regarding the case: [*signed Nedjeljko Pikulić*]

I was born in the Pikulić family, who has lived there for ages, in Pofalići near Sarajevo. I lived in a family home, and I personally built two houses on the property that I inherited from my grandfather and my father, and in one of them I had business premises of 64 m<sup>2</sup>, a garage and other ancillary facilities. I am married to Nevenka Koprivica from Sarajevo and I have two children with her. My mother, sister, brother with his family lived in the household with me, and my father died in 1987. We were one of the most respected Serb families in Pofalići and as such widely known in Sarajevo itself.

My house and other family-owned buildings were located at the 165 Humska Street. There were few Muslim people whose families have lived there for generations in Pofalići, and with the urbanisation of the town in the 1970s began the rapid migration of the Muslims from eastern Bosnia, Herzegovina and other parts. A good number of them settled in my immediate neighbourhood, but I never had any misunderstandings with them. On the contrary, we had good neighbourly relations.

With the foundation of the political parties in former BiH in the settlement of Pofalići, the Party of Democratic Action (SDA) was first formed, then the Croatian Democratic Union (HDZ), and finally the Serb Democratic Party (SDS). I was the first president of the SDS local committee for Pofalići, that is, the local committee of Gornji Pofalići. I was replaced in this role mid-1991 by Vasilije Gagović, from Gornji Pofalići.

Immediately after its formation, members and activists of the SDA displayed aggressiveness, which was growing. I have personally observed that some Muslims from Gornji Pofalići, including my neighbours, started arming themselves. One of the people who actively worked on arming Muslims in Gornji Pofalići was Ramiz Karadža, residing at 186A Humska Street, who was getting the weapons through the commander of a reserve unit of the militia unit that covered the area of Gornji Pofalići, whose commander was Ejub, as much as I remember his last name was Terzo, from Trnovo. For example, I personally saw Ramiz Karadža. When he was coming from Sarajevo and going to his home he carried an automatic rifle with him, and he was returning without it, which I saw several times. When he entered my catering business premises, I pointed that fact out to him, but he falsely swore on his son that he did not carry weapons with him.

Before the start of the war in former BiH, Muslims also distributed these weapons in public, which almost all Serbs in Gornji Pofalići could see.

This resulted in that the Serbs also started acquiring weapons in various ways at the beginning of the war. I legally had a licensed pistol and a “bokerica<sup>1</sup>” hunting rifle, which was also known in my neighbourhood.

For several months before the war began, almost every night, from the Muslim part of Gornji Pofalići, from the settlement of Jezero, Semizovina, “Ruđer Bošković”, Velešići and others, the Muslims fired almost every night from the firearms, and this was especially frequent before the beginning of the war and we, the Serbs, were disturbed by it, because we did not dare to react since the Muslims were in the majority and held all prerogatives in power.

On March 1, 1992, a plebiscite on independent and sovereign BiH was organised in BiH by the SDA. On that occasion, the bursts were fired at my house, as well as at most Serb houses in Gornji Pofalići, from the direction of Muslim houses and settlements. My house was hit with three bullets, but no one was hurt. I intervened with the police at Novo Sarajevo Station, but there was no response. The aforementioned Ejub Terzo asked me who was shooting, and I, since I did not know how to answer because it was night, I replied that the one to whom he had distributed the weapon had fired, which caused a quarrel among us. It happened in front of the Local community centre in Gornji Pofalići.

That day, Nikola Gardović was killed in Sarajevo at his son’s wedding and the barricades were raised throughout the town and suburbs. The situation has become much worse. The Serbs in Gornji Pofalići have therefore organised on-duty guards near their houses for self-defence and protection of their homes. A Serb territorial defence was organised in Gornji Pofalići, headed by Milorad Elez. A Crisis Staff was also organised and was chaired by Dragan Šojić.

I do not remember the exact date, in April 1992, my *kum*<sup>2</sup> Vlado Ignjatović was arrested on the street, and upon being brought to the Novo Sarajevo police station, he was also beaten by, among others, Ejub Terzo. On that occasion, I went to the police station to intervene and in the presence of Vlado Ignjatović and the assistant commander of the police station Arso Škipina, Ejub Terzo stated: “I will destroy the Pikulić tribe”, on which I was later informed by Škipina and Ignjatović. From that day, I no longer descended from Gornji Pofalići to Sarajevo, but mostly stayed at home to protect my family. Arso Škipina is now in Pale, and Vlado Ignjatović was killed during the war.

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<sup>1</sup> TRANSLATOR’S NOTE: a double barrel shotgun with the barrels one on top of another

<sup>2</sup> TN: KUM left in original, it can be translated in many ways depending on the relationship of two person, kum can be the best man, a witness at the wedding, a godfather to a child, not obvious here what kind of kum he was

As far as I can remember, in early May 1992, in Gornji Pofalići, in front of their houses, the Muslims killed Mladen Bratić, whose funeral I attended, as well as Rajko Savić. It has not been determined who the killer and the motive was.

Already in April and early May 1992, the arrests of a number of Serbs began in Gornji Pofalići, and I know of the following cases:

Radenko Sladoja, father's name Peko, his car was shot at near the Muslim houses of the Muslims by surname Sabljica and Kapo as he was driving towards his house, after which he was arrested and taken to one of the Muslim houses. He was released by the intervention of the Serb neighbours. He is now in Germany.

Miloš Mijović was arrested in his home and severely tortured and abused in prisons. He is now in Pale.

Blažo Šarović, arrested at his home, tortured and abused in prisons, is now in Bijeljina.

Srbislav Dragutinovic arrested at his home, tortured and abused in prisons, is now in Pale and is staying at the Miladin Bunijevac weekend cottage near the "Šator" Hotel.

Miladin Bunijevac, professor, I do not know where he is now. He was also tortured and abused in prisons.

Dimšo Vasić, also arrested and abused in prisons, I do not know where he is now.

Rade Vučićević was also tortured in prison and sentenced to 12 years in prison and is now in Rogatica.

Sreto Čangalović, arrested at his home and tortured in prison, is now in Tilava near Sarajevo.

On the night of May 15, 1992, the houses of Peko Sladoja and Miloš Mijović were set on fire, which caused great agitation among the Serbs in Gornji Pofalići, and the following morning, around 5 a.m. the Muslims carried out a sudden armed attack with great force from Buća Potok, Kobilja Glava, Gornji Velešići, Ruđer Bošković Street, Donji Pofalići and part of Petar Mećava Street, on the Serb part of the village of Gornji Pofalići, with previous use of mortars. At that moment, I was in my house with my family and mother.

The fiercest attack, in my estimation, was directed at my house, which is located in the central location in Gornji Pofalići, that is, at the highest level. Panic ensued among the Serb population, who in large numbers sought rescue at the only exit from Gornji Pofalići, that is, towards Žuč Hill, through the forest above my house.

In the immediate vicinity of my house, shelling and firearms killed Sreto Madžarević, his wife Dušanka, Ranko Šojić, Radovan Buha, Zoran, whose names I

cannot remember at the moment, and I saw that there were other people killed whose identity is unknown. I personally saw their corpses and I could show exactly where they were.

Boriša Šojić was severely wounded, a Muslim Galib Sinotić took him by his car to the hospital, which is where Boriša Šojić disappears, and, as I have heard, the Muslims have killed Galib Sinotić because of this; Miro Rogan, after severe wounding, no trace of him too.

In the morning, my family, along with the rest of the Serb population, made their way to the Žuč Hill, and I stayed with my other neighbours to defend the Serb part of Gornji Pofalići.

In the night hours, along with the other defenders, we made our way to the Žuč Hill. While pulling out of Gornji Pofalići in the woods, I saw the killed Soka Škobo, who was hit in the back of the head, and the wife of Nedeljko Vasković, whose name I do not remember. We brought a corpse of Soka Škobo with us to the Žuč Hill and Vasković's corpse remained in the forest.

After the Muslim attacks on Gornji Pofalići, they arrested a number of civilians and carried out various acts of violence. A number of people have disappeared and nothing is known about them to this day, and the following people are known to me: my uncle Vojo Pikulić over 60 years old and his wife Marica, Pero Pikulić was last seen in the Viktor Bubanj camp, where every trace of him was lost, Dušan Kosić, Stana Čangalović, Stevo Vesković and his wife Stana, Radović, whose names I cannot recall at the moment, they were all retired.

One of my homes was among the first in Gornji Pofalići to be set on fire and burned. The second house and other buildings were looted and destroyed. In addition to residential and other facilities, I had 6000 m<sup>2</sup> of meadows and 7000 m<sup>2</sup> of forest. I would not be able to assess the value of this property now, and I would submit a claim for damages if the conditions were created.

For now, I am not ready to testify before the court, given that Muslims have declared me a war criminal without grounds.

That's all I had to say about the abovementioned. I approve the records and as such I sign it.

Ended at 7:30 p.m.

RECORD KEEPER

[signature illegible]

JUDGE

[signature illegible]