

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

CASE No. IT-95-5/18-T

IN TRIAL CHAMBER No. 3

Before: Judge O-Gon Kwon, Presiding
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Date: 13 December 2010

THE PROSECUTOR

v.

RADOVAN KARADZIC

Public

LETTER TO GOVERNMENT OF FRANCE

The Office of the Prosecutor:
Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

Government of France:
Ambassador Jean Francois Blarel

The Accused:
Radovan Karadzic

Dr. Radovan Karadzic
International Criminal Tribunal for the former Yugoslavia
The Hague, Netherlands

10 December 2010

The Honorable Jean Francois Blarel
Ambassador
Embassy of Government of France
Smidsplein 1
2514 BT The Hague

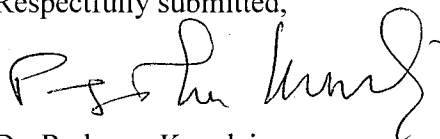
Dear Mr. Ambassador,

Thank you very much for your letter of 8 December 2010.

Attached please find the list of questions I wish to have put to Colonel de Haynin de Bry.

Please feel free to contact my Legal Advisor Peter Robinson at peter@peterrobinson.com if you have any questions or to schedule the modalities of the further questioning of Colonel de Haynin de Bry.

Respectfully submitted,



Dr. Radovan Karadzic

ANNEX "A"

Questions for Colonel de Haynin de Bry

1. When did you arrive in Bosnia?
2. When did you leave Bosnia?
2. What was your title while in Bosnia?
3. Who was your principal assistant or deputy?
4. What is his current location?
5. What were your duties in Bosnia?
6. Did you keep a diary or notes while in Bosnia?
7. Do you still have this diary or notes?
8. What written reports did you make that were transmitted to France while in Bosnia?
9. At what frequency were these reports made?
10. Who sent these reports from Bosnia to France?
11. To whom in France were these reports sent?
12. Do you know where these reports might be located?
13. Did you keep copies of any of these reports?
14. In a February 1995 edition of the magazine *Soldier of Fortune*, the author, Richard Lucas, quoted you as saying the following:

“You may not read about it in the papers, but we’ve had reports, confirmed reports, of shots aimed at our troops and at civilians which came from the Bosnian side. This may have been the actions of a few radical individuals who wanted to provoke the situation and place the blame on the Serbs.”
15. Is this quote accurate—did you say this?
16. Can you recall any specific incidents in which it was suspected that the Bosnian side had fired at UN personnel in circumstances where the blame might be placed on the Serbs?
17. If so, can you list the approximate dates, places, and describe the circumstances as best you recall?
18. Where can we find the documentation of these incidents in the records of France?

19. Can you recall any specific incidents in which it was suspected that the Bosnian side had fired at civilians in Bosnian Muslim held areas in circumstances where the blame might be placed on the Serbs?
20. If so, can you list the approximate dates, places, and describe the circumstances as best you recall?
21. Where can we find the documentation of these incidents in the records of France?
22. Did you ever receive any information that the Bosnian Muslims were staging shelling or sniping events for the purpose of placing the blame on the Serbs?
23. If so, can you list the approximate dates, places, and describe the circumstances as best you recall?
24. Where can we find the documentation of these incidents in the records of France?
25. Colonel David Fraser of Canada was Chief of Staff for UNPROFOR sector Sarajevo under Generals Soubirou and Gobillard from April 1994 to May 1995. He testified that the French were in possession of a video showing a Muslim sniper shooting at Muslim civilians. Do you know anything about that?
26. If so, who made the video?
27. What was done with such videos?
28. Where could these videos be found today in the records of France?
29. General Fraser also testified that on one occasion, some French soldiers came across a Muslim TV crew filming a staged attack with children. They were preparing to use it on TV against the Serbs. Do you know anything about that?
30. Was a written report made of this incident?
31. Where can we find documentation of this incident in the records of France?
32. General Fraser also testified that the Muslims would fire from mobile mortars which they moved around civilian areas, including from Kosevo Hospital, the area of the PTT building and UN installations in order to draw return fire at civilian or UN areas. Do you know anything about that?
33. Were any written reports made of these incidents?
34. Where can we find documentation of these incidents in the records of France?

35. The attached report of September 1994 indicates that a Bosniak woman reported that the sniper fire directed at the PTT building came from a Bosniak position. Do you have any recollection of this incident?
36. Is this an example of the Bosnians trying to blame the Serbs for firing on the UN?
37. Can you think of any other examples like this?
38. Where would we find the "Anti Sniping Summary" reports such as this one, or similar reports, in the records of France?
39. We are interested in establishing that the Bosnian Muslims fired upon their own citizens, through shelling and sniping, Do you have any other information about this? If so, what is that information?
40. Have you ever answered questions by the Office of the Prosecutor of the ICTY? If so, when?
41. Have you made any written statements, or written any publications, about your time in Bosnia? If so, please list the dates and persons or organization to whom the statements or publications were made.

Thank you very much for your cooperation.

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FREBATE 2



SARAJEVO

~~Routine~~ ~~Priority~~ ~~Immediate~~ Most Immediate
~~Unclas~~ UN Restricted ~~UN Confidential~~ UN Secret Only

Date/Time: 23.09.94 1930	File Ref: J787	Stn. Serial No:		
Fin: FREBATE 2 SARAJEVO	Fax Tel No: 5805	Route:	No:	TOT
To: SECTOR SARAJEVO HQ (LCL LECHEVALIER)				
Info:				
Subject: Ant sniping report		Total Pages:		
Int Distr:				
Drafter: CNE CHASBANG	Dept/Tel:	Signature:		
Releasing:				
Officer: DAI ARTISSON	Dept/Tel:	Signature:		
Acc Clk:	Router:	Ftx op:	Check op	

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BILAN ANTI-SNIPING FRENCH BAT 2
DE LA JOURNEE DU: 23.09.94

1/INVESTIGATIONS:

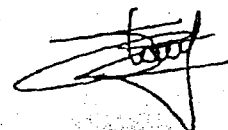
heure	snip	évènement	conclusion investigation

2/RIPOSTES SUR SNIPER:

heure	caractéristiques du tir Sniper	caractéristiques de la riposte

CNE CHASSAING

00275665



**FICHE DE RENSEIGNEMENT
DE L'OFFICIER INVESTIGATIONS**

Cette fiche (recto-verso) sera rendue à l'issue de la mission au
CNE CHASSANG correctement et entièrement renseignée.

AVANT LE DEPART:

Passer dans l'ALGECO PTT "protection de la population pour prendre les renseignements suivants:

- 1/LIEU: -Coordonnées UTM: 863 - 583
 -Situation sur le plan de ville: *carrefour PTT building / Sniper Alley*
- 2/RENSEIGNEMENT SUR L'EVENEMENT: (sniping ou shooting)
sniping: 1 civil blessé
- 3/HORAIRES: -de l'incident: —
 -CR secteur à la salle OPS: 18^h20
 -départ sur zone: 18^h20
- 4/CONTACTS: -avec qui: *police bosniaque sur le carrefour devant PTT*
 -où:
 -quand: 18^h25
 -sont-ils prévenus? *NON*
- 5/POINT DE RENDEZ-VOUS INITIAL: *carrefour PTT*
- 6-BESOIN INTERPRETE (*oui/non*):
- 7.ITINERAIRE: *Dobrinja PTT*
- 8 TRANSMISSIONS -frequences 42,050
 -indicatifs 86
- 9 DIVERS

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Frebat 2 Airport

Page 4

SUR ZONE:

0/HEURE D'ARRIVEE SUR LES LIEUX: 18^h251/CONTACTS AVEC LES ELEMENTS DU BATAILLON PREPOSITIONNES: (s'il y en a)
néant2/CONTACTS AVEC LES LOCAUX: (expliquer sa mission et recherche du renseignement)
police bosniaque, locaux sur le point

3/QUESTIONS A POSER IMPERATIVEMENT:

a-lieu du sniping: 863 - 584

b-peut-on y aller? oui

c-nombre de victimes: (selon source bosniaque 2 ou 3 personnes blessées)

d-nature des victimes:

*civil / militaire:

*homme / femme / enfant:

e-heure du tir: 18^h00 / 17^h00 / 18^h00

f-nombre de coups tirés: 1 tir à chaque fois

g-calibre de l'arme (si identifié): ACI

h-localisation du tireur:

*réelle / estimée: NEDARICI (859 - 579)

*distance du tireur: 600m

*azimut cible / tireur: 3800 m

i-type et gravité de la blessure: blessure jambe (source bosniaque non vérifiée)

j-evasion (oui / non / déjà effectuée):

*si oui moyens nécessaires:

*si déjà effectuée: -vers où: inconnu

-par qui: locaux

k-identité de la victime: inconnu

l-où peut-on la voir: NON

4/RENSEIGNEMENTS COMPLEMENTAIRES:

-atmosphère sur zone: - tirs sporadiques
- personnes calmes: cornée d'eau

-intensité du sniping dans cette zone fonction des jours et des horaires:

- sniping courant

-autres positions de snipers connues dans la zone

néant

5 HEURE DE DEPART DES LIEUX 19^h10

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6 HEURE DE RETOUR AU BAT 19^h15

7/ observations:

→ D'après une femme bosniaque, peut-être correctement français, le tir de 18^h00 venait d'un parti de immeubles bosniaques, faisant face à PTT building.

→ impossibilité de voir et d'identifier la victime

/fax information/
/page one in English, see original/

ANTI-SNIPING SUMMARY, FRENCH BATTALION 2
ON /handwritten: 23 September 1994/

1/ INVESTIGATIONS:

TIME	SNIPER	INCIDENT	FINDINGS OF INVESTIGATION

2/ RESPONSE TO SNIPER:

TIME	NATURE OF SNIPER FIRE	NATURE OF RESPONSE
	NONE	

/handwritten: Captain CHASSANG/
/a signature/
/handwritten: 2/

INVESTIGATION OFFICER'S
INFORMATION FORM

This form (both sides) is to be returned correctly and fully completed to Captain CHASSANG at the end of mission

PRIOR TO DEPARTURE:

Go through ALGECO PTT in order to protect the population and gather the following information:

/handwritten entries/

- 1/ PLACE: - UTM coordinates: 863 – 583
 - Situation on the town map: crossroad by PTT building/Sniper

Alley/

2/ INFORMATION ABOUT EVENT: (sniping or shooting)

sniping: one civilian wounded

- 3/ TIME: - of incident: -
 - CR sector at the OPS /?operations/ room: 1810 hours
 - departure for zone: 1820 hours

- 4/ CONTACTS: - with: Bosniak police at the crossroad outside the PTT
 - where:
 - when: 1825 hours
 - were they alerted? No

5/ INITIAL

MEETING POINT: - PTT crossroad

6/ INTERPRETER

REQUIRED: - (yes/no):
 7/TINERARY: - Dobrinja PTT
 8/TRANSMISSIONS: - frequencies: 42,050
 - code: S6

9/MISCELLANEOUS:

/handwritten: 3/

IN ZONE:

0/ TIME OF ARRIVAL ON SITE: 1825 hours

1/ CONTACTS WITH MEMBERS OF REDEPLOYED BATTALION: (if any)
 None

2/ CONTACT WITH LOCALS: (explain your mission and request information)
 Bosniak police, offices on location

3/MANDATORY QUESTIONS:

a - place of sniping: 863 - 584

b - possible to go there? Yes

c - number of victims: (according to Bosniak police two or three wounded)

* civilian / military

* male / female / child

e - time of shooting: 1500 hours / 1700 hours / 1800 hours

f - number of shots fired: on shot each time

g - calibre of weapons (if identified): /?ALI/

h - location of sniper:

* real / estimated: Nedarići (859 - 579)

* distance from sniper: 600 metres

* target/sniper azimuth: 3,800 metres

i - type and seriousness of wound: wound to leg (unverified Bosniak source)

j - evacuation for treatment: ~~yes~~/no/ already carried out:

* if yes, means required:

* if already carried out: - where to: unknown

- by whom: locals

k - identity of victim: unknown

l - where can victim be seen: no

4/ ADDITIONAL INFORMATION:

- situation in zone: - sporadic shooting

- staff /?calm/: fetching water

- intensity of sniping in the zone by day and hour:

- daily sniping

- other known positions of snipers in the zone

none

5/TIME OF DEPARTURE OF SITE: 1910 hours

6/TIME OF RETURN TO BATTALION: 1915 hours

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7/ Observations:

- According to a Bosniak woman who spoke good French, the shot fired at 1500 hours came from a Bosniak buildings opposite the PTT building.

- Not possible to see or speak to the victim.