

**DAY 2 P.M.**

IN THE HIGH COURT OF JUSTICE

1997 I No.139

QUEEN'S BENCH DIVISION

Royal Courts of Justice

Tuesday, 29th February 2000

Before:

MR. JUSTICE MORLAND

BETWEEN:

- (1) INDEPENDENT TELEVISION NEWS LTD.
- (2) PENNY MARSHALL
- (3) IAN WILLIAMS

Claimants

- and -

- (1) INFORMINC (LM) LTD.
- (2) MICHAEL HUME
- (3) HELENE GULDBERG

Defendants

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MR. T. SHIELDS Q.C. and MR. M. BARCA (instructed by Messrs. Biddle) appeared on behalf of the Claimants.

MR. G. MILLAR and MR. A. HUDSON (instructed by Messrs. Christian Fisher Solicitors) appeared on behalf of the Defendants.

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**PROCEEDINGS - DAY 2 P.M.**

# I N D E X

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OPENING SPEECH, Continued by Mr. SHIELDS

1

WILLIAMS, Mr. IAN KEITH, Sworn

Examined by Mr. SHIELDS

21

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1 MR. SHIELDS: Mr. Williams, before the midday adjournment I was  
2 asking you about the people you contacted and spoke to while  
3 you were in Belgrade, and we made a brief reference to your  
4 notes. Can I just take you back to the notes and ask you in  
5 detail about them? We go in about eight pages - Hollis. Can  
6 you find that one? A. Yes.  
7  
8 MR. JUSTICE MORLAND: I make it nine. It is eight or nine.  
9 "Hollis" at the top left-hand corner.  
10  
11 MR. SHIELDS: Can you remember who Mr. Hollis or Miss Hollis is?  
12 A. I believe Mr. Hollis was a representative in Belgrade for  
13 the United Nations, UNHCR, High Commission for Refugees.  
14  
15 Q The United Nations High Commission for Refugees? A. Yes.  
16  
17 Q If we look at the first line, "If possible to monitor BL area  
18 from here." Would that be Banja Luka? A. That is right.  
19 I seem to recall he told me that it was mainly the Zagreb  
20 office of the UNHCR that was trying to monitor what was  
21 happening in that area. So, he said he only had a broad sense  
22 of what might be happening there.  
23  
24 Q If we look over the page, did you have a conversation with  
25 someone called Peter Kezler? A. Yes, I did.  
26  
27 Q Can you recall now who he was? A. I believe Peter Kezler  
28 was a representative in Belgrade for the International  
29 Committee for the Red Cross.  
30  
31 Q Do you remember talking to him? A. I do, yes.  
32  
33 Q On the next page, there are some notes there beginning:  
34 "Army, no refugees in the barracks". Do you remember what  
35 they related to? A. Yes. This was one of the names on  
36 the list that the Bosnian Moslem Government had provided to us  
37 and was I believe the 4th July barracks in Belgrade. While we  
38 were in Belgrade we arranged to go and see the barracks to see  
39 whether it could be in any way described as a concentration  
40 camp as had been alleged on the Bosnian Moslem Government  
41 list. Those notes were taken during the visit to that army  
42 barracks.  
43  
44 Q If we go over the page, at the top it says "Red Cross". Can  
45 you remember what these are notes of? A. These would  
46 have been notes of another conversation with the Red Cross.  
47 I haven't got a name beside it and I cannot recall who they  
48 would have been from the Red Cross, but these would have been  
49 notes of a conversation with a Red Cross or some Red Cross  
50 officials in Belgrade.  
51  
52 Q If we look over the page we see, for example, four lines up  
53 from the bottom, "BL road is still not very safe." Would that  
54 be Banja Luka again? A. There was a road link between  
55 Belgrade and Banja Luka along which there had been quite a  
56 good deal of fighting, and I think I would have required from  
57 the Red Cross about - at this stage we still had no idea

1 whether we were going to get cooperation from the Serbs and  
2 from Dr. Karadzic so I would have been exploring possible  
3 alternative ways of trying to get to the Banja Luka area, and  
4 I believe I would have been asking him about what his advice  
5 would be about trying to travel independently down that road  
6 to Banja Luka.  
7  
8 Q Can we then go on not to the next page but the one after, it  
9 says at the top there - is it "Loznica"? A. Yes,  
10 Loznica.  
11  
12 Q Did you visit Loznica? A. I did, yes.  
13  
14 Q Was a film made of Loznica? A. Yes, it was.  
15  
16 Q Describe Loznica to me and where it was? A. This was to  
17 the south of Belgrade, south-west of Belgrade. I cannot say  
18 precisely how long it took us to get down there, but again it  
19 is another name that had been on the list given to us by the  
20 Bosnian Moslem Government as a site of alleged atrocities. It  
21 was on the border between Serbia and Bosnia, and we travelled  
22 there to film it, to look at it, to see whether in anyway this  
23 could be described as a concentration camp or to see whether  
24 any atrocities had taken place here as had been alleged by the  
25 Bosnian Government side.  
26  
27 Q What impression did you leave with? A. The impression  
28 was that this clearly wasn't a camp of the type that was being  
29 alleged. This was a genuine refugee centre. There were  
30 around, I think, 900 refugees there, gathered in a sports  
31 hall. They were mainly muslim. They appeared to be being  
32 looked after reasonably well by the Serb Red Cross, the  
33 Yugoslav Red Cross. What was interesting about it, whilst  
34 there was no evidence of atrocities, here in this sports hall  
35 were the residents of two villages from just across the border  
36 inside Bosnia proper, and they had been evicted from their  
37 villages, essentially, because they were Moslems. They had  
38 bene cleared out of their villages and sent packing by the  
39 Bosnian Serbs. So this was a clear example of ethnic  
40 cleansing that was sweeping across the region at the time.  
41 Indeed people there were able to point to where their homes  
42 were across the other side of the border where lights were  
43 shining in their homes; where Serb residents had taken over  
44 their homes.  
45  
46 Q Did you discuss or meet up with the Channel Three team while  
47 you were there? A. Yes. They also filmed at Loznica so  
48 we were both at that particular site.  
49  
50 Q Did there come a time when you decided that you wanted to move  
51 from Belgrade and go and visit camps elsewhere? A. Yes.  
52 We were pressing all the time to be allowed to visit more  
53 camps, or alleged camps, that were on this list. It became  
54 apparent in the conversations we had with the agencies in  
55 Belgrade, a lot of conversations, that the aid agencies, the  
56 UN, had concerns about what was happening, particularly in  
57 north-west Bosnia which is where a lot of the most recent

1 fighting had been. Many of those I spoke to were very  
2 guarded. Some of them seemed more concerned about protecting  
3 the relationship they had with the Serbs, the limited access  
4 they were given, and didn't want to confirm reports of  
5 atrocities. It was quite often difficult to get them to speak  
6 openly about what they knew or did not know. But from those  
7 conversations it soon became clear that the area of most  
8 concern, the area where people were getting to and the area  
9 where there had been reports of atrocities, was in north-west  
10 Bosnia. So that became our target. We knew that if camps, if  
11 atrocities existed, that was where it was taking place. So we  
12 became more determined to push to be allowed to go to that  
13 part of Bosnia. In our conversations with Dr. Karadzic's  
14 representatives in Belgrade, increasingly frustrating  
15 conversations, we were pushing hard to be allowed to go there,  
16 to be allowed to go there as had been promised us by  
17 Dr. Karadzic.

18  
19 Q Did there come a time, then, when you left your hotel and  
20 travelled to Pale? A. Yes.

21  
22 Q When was that? A. After persistent pushing over that  
23 week, many telephone calls both to London and to Karadzic's  
24 people in Belgrade, we were told to be ready to leave our  
25 hotel before dawn on the Monday morning, which I believe is  
26 the 3rd.

27  
28 Q You left on the 3rd. You were told on the 2nd and left on the  
29 morning of the 3rd? A. Yes.

30  
31 Q Did you leave early in the morning? A. We left the  
32 hotel, I think, probably around 5 o'clock in the morning and  
33 were driven to a military airfield on the outskirts of  
34 Belgrade. We had no idea at this stage where our destination  
35 was.

36  
37 Q You did not know where you were going at that stage?  
38 A. No.

39  
40 Q Who was in your party? A. It was my team, my four man  
41 team from Channel Four News, Penny's three person team from  
42 Channel Three. I believe we also had a Guardian newspaper  
43 reporter, Ed Villiamy, who joined us, and I believe two Serb  
44 soldiers who were going to come along for the ride.

45  
46 Q Were your fixers/interpreters with you? A. Yes, of  
47 course. In addition to that one interpreter/fixer for each of  
48 the two ITN teams.

49  
50 Q So you told us just after dawn you were taken in transport  
51 helicopter, was it? A. When we arrived at the airfield  
52 there was a rather old helicopter and the driver of our car  
53 joked that the helicopter was older than the pilot. It was an  
54 old soviet-built helicopter which seemed to be barely held  
55 together. We boarded this helicopter and we were flown south  
56 west of Belgrade to Pale. It was a little bit of a hairy ride  
57 because at that time, I believe, there was a no fly zone or a

1 no fly policy over that part of Bosnia. There was also still  
2 fighting going on in those areas and the helicopter hugs the  
3 valley and the hills, never flying more than maybe 100 or 200  
4 feet off the ground for the entire hour long trip down to  
5 Pale, eventually landing in Pale which is an old ski resort  
6 outside Sarajevo which the Bosnian Serbs had taken over as  
7 their seat of government.

8  
9 Q Who were you met by at the landing place? A. I believe  
10 we were met by a number of Serb soldiers, although I think we  
11 had to wait a while for them to turn up.

12  
13 Q How did you spend that morning once you had arrived?  
14 A. We went to an hold hotel, a former skiing hotel, and then  
15 from there on to a ski lodge, I think it was, where the  
16 Bosnian Serb Government, not recognised by anybody apart from  
17 themselves at that stage, had set up their authority and we  
18 spent an awful lot of time sitting around in that building  
19 waiting to talk to officials asking to see Dr. Karadzic.

20  
21 Q Did you eventually meet Dr. Karadzic? A. We did. He  
22 appeared from up the hill, very surprisingly and without any  
23 notice, and walked down to where we were, whereupon we entered  
24 into conversation with him, again reminding him about his  
25 promises in London; again reminding him where we wanted to go  
26 and asking him to make the necessary arrangements for us to go  
27 there.

28  
29 Q Did he tell you about the area you were intending to go to?  
30 A. No. He told us we should go elsewhere. He was very  
31 cagey. He told us it was dangerous, very dangerous to go in  
32 the area we wanted to go to. He said that the Yugoslav Prime  
33 Minister, Mr. Panic, was visiting another region close to the  
34 border between Serbia and Bosnia and we could go and see him  
35 visit a refugee camp to satisfy ourselves that was not a  
36 concentration camp. He suggested that we go into Sarajevo and  
37 look at Moslem camps where he said Serbs were being held.

38  
39 Q Did he hand you a list of Moslem camps? A. He did. He  
40 handed me a list that contained perhaps a couple of dozen  
41 names, many of them in the Sarajevo area which he claimed were  
42 Moslem run concentration camps and suggested that far from  
43 chasing around for non-existent Serb camps we should be going  
44 to see the atrocities being committed by the other side.

45  
46 Q What was your reaction to that proposal? A. We were very  
47 clear and a little impatient because we said to him that while  
48 we thought it important that these allegations of his should  
49 be investigated and we would pass them on to people in a  
50 better position to do so, we were there with a very specific  
51 purpose in mind, taking up his challenge to go and look at the  
52 alleged camps in Serbia. That was why we were there, to  
53 verify the truth or otherwise of what were extremely  
54 allegations of inhumanity. To do that we needed to go to  
55 north-west Bosnia and we said we would not accept anything  
56 less.

57

- 1 Q So when you parted from him did you have any assurance as to  
2 where you would be travelling thereafter? A. We did not.  
3 He left us saying that he would see what he could do. He  
4 would talk to people, repeating it was very dangerous; there  
5 had been fighting along the route and that he would see what  
6 he could do.  
7
- 8 Q So what happened next? You spent the night at a hotel?  
9 A. We spent the night at a hotel in Pale.  
10
- 11 Q And the following day - would that be August 4th?  
12 A. Yes, the following day they laid on a bus for us - an old  
13 ageing green army bus. Without any clear promise as to where  
14 it was going to end up, I believe we set off from Pale heading  
15 north back into the direction of Banja Luka.  
16
- 17 Q Were you alone in the bus? A. No. Again, it was the two  
18 ITN teams, Ed Villiamy, and I believe that it was at this  
19 stage that a Bosnian/Serb television crew joined us from Pale.  
20
- 21 Q Where did you spend that night - the night of the 4th?  
22 A. In Banja Luka. The drive to Banja Luka took us all day.  
23
- 24 Q Can we just have a look on the map so that we can get an idea  
25 of the distance you have covered. That is tab 2. Your flight  
26 was from Belgrade down to Pale. Is that right? A. That  
27 is right.  
28
- 29 Q Where you were seeking to go was directly west of Belgrade?  
30 A. That's right, to Banja Luka.  
31
- 32 Q From Pale - that is where you met Dr. Karadzic - you travelled  
33 by car up to Banja Luka? A. By bus.  
34
- 35 Q By bus. The following morning did you go to Prijedor?  
36 A. We were taken in that same bus from Banja Luka to Prijedor  
37 very early the following morning.  
38
- 39 Q Did you know where you were going when you were taken?  
40 A. Vaguely, but not specifically. They were always a little  
41 bit cagey about where they would take us. It was clear they  
42 needed to obtain permissions at each stage in the ----  
43
- 44 Q When we saw the rushes yesterday we saw some women queuing.  
45 can you now remember where that queuing was taking place?  
46 A. This was at Prijedor in the town that we drove to from  
47 Banja Luka. It was a strange sight when we first came across  
48 it. We were taken to the town hall but off to one side of the  
49 square in the centre of Prijedor there was a queue of women,  
50 just women, snaking down and around the corner outside what  
51 was some sort of administrative building - men with guns at  
52 the door. The women were very frightened; they were huddled  
53 together; they were very wary of the men with guns close to  
54 them. We went across to try and talk to them. It was clear  
55 that they were very frightened, too frightened to talk to us.  
56 We filmed the queue but it was at that time in walking along  
57 the queue that people were saying to us in very hushed tones

1 "Omarska, Omarska". We were trying to find out what had  
2 happened to their men. They didn't want to speak at length.  
3 They didn't want to speak openly, but it was clear that these  
4 were women, the wives, the daughters, the girlfriends of men  
5 who had been taken away for whatever reason and we believe  
6 they were queuing at that building in order to obtain the  
7 necessary transit papers to be shipped out of the region as  
8 Moslem women - to be effectively expelled from what was  
9 becoming an exclusively Serb city.

10  
11 Q Did you, subsequent to that, have a meeting inside the town  
12 hall with the local militia? A. We did. We were ushered  
13 into a rather smoky badly lit hall in what we assumed to be  
14 the town hall in Prijedor. Before us sat perhaps half a dozen  
15 men, militia men - although I think one of them called himself  
16 the mayor of the town - lined up with an interpreter, a lady  
17 in a pink dress, I believe, who were not happy to see us.  
18 They told us that. Who went on to give us something of a  
19 history lesson about how the Serbs had suffered at the hands  
20 of everybody and how they knew more than anybody else what a  
21 concentration camp was; how it was wrong to claim they were  
22 running concentration camps and I believe they showed us a  
23 video during which they also complained that everything that  
24 had happened locally - although it was not clear from the  
25 conversation what had happened locally - was the fault of the  
26 Moslems.

27  
28 Q Did you indicate to them that you still wanted to go to  
29 Omarska and Trnopolje? A. We made it very clear that the  
30 reason we were there was to visit these camps. We reminded  
31 them of the promise that had been made to us by Karadzic. We  
32 reminded them of the importance of verifying what sort of  
33 camps these were and we told them that although it was  
34 dangerous we were prepared to take that risk.

35  
36 Q What was their reaction to that? A. A number of phone  
37 calls was made. There was much shuffling of feet and  
38 eventually, once again, we were loaded back into the green  
39 army bus, although I think by then Channel Three had a VW van  
40 which they had arranged to have bought in from Belgrade so  
41 we were travelling separately from us.

42  
43 Q When you left Omarska (sic) was there a convoy or just you and  
44 the bus? A. There was a convoy, a convoy that was led by  
45 a blue armoured personnel carrier - a light tank really with a  
46 large gun on top. There were also a number of cars  
47 accompanying us. I would say a convoy with six or seven cars  
48 long containing many armed men, including our own bus and the  
49 soldiers who were still with us.

50  
51 Q Did the convoy come to a halt during that trip to Omarska?  
52 A. At one point I believe it was an hour out of Prijedor and  
53 quite close, as we subsequently learned, to the Omarska camp.  
54 The convoy came to an abrupt halt and there was gunfire. Our  
55 soldiers in cars in front of our bus jumped out, took up  
56 firing positions. I believe shots were fired into the bushes;  
57 some of them ran ahead over a small bridge that lay in front.



1 They were clearly suggesting there was some sort of ambush.  
2 There were people firing from the bushes. They got terribly  
3 excited and encouraged us to get down in the bus that we were  
4 on.

5  
6 Q Did you? A. We did, although by this time our suspicions  
7 had been raised so high that we were not convinced that this  
8 was authentic. We didn't know it wasn't authentic but we saw  
9 this as yet another attempt to intimidate us and prevent us  
10 from getting to the camps. Indeed, once the all clear was  
11 given we were encouraged once again to abandon our trip on the  
12 grounds that it was just too dangerous to go on. At that  
13 point the two teams, Penny and I, discussed what we should do.  
14 We talked about it with the rest of our teams and we decided  
15 that we had got this far; we weren't going to be deterred at  
16 this stage and we decided - perhaps not entirely convinced -  
17 but we decided that this was a play, it was set up, it was for  
18 our benefit and that we would call their bluff and continue to  
19 insist that we should go on into the Omarska camp.

20  
21 Q So you then went to the Omarska camp. Just describe the camp  
22 when you first see it? A. When we first sighted it, it  
23 looked like an old industrial building, a mine. There was a  
24 large rust-coloured shed, a huge shed, on one side and on the  
25 other side an administrative building. There were many, many  
26 very heavily armed men at the perimeter. At the gate we had  
27 to wait for perhaps ten minutes before being allowed in. It  
28 seemed the guards on the gate who were in a heightened state  
29 of alert had not perhaps got the message completely that we  
30 were coming and were reluctant also to let us in. It had a  
31 very menacing air about it.

32  
33 Q Once you are in there, where did you first walk to? Can you  
34 remember that? A. We walked in along beside the  
35 administrative building. The man who appeared to be some sort  
36 of official in charge stopped for a while to make some  
37 introductory remarks, although we urged him, you know, that we  
38 wanted to see for ourselves. We wanted to move on. It was as  
39 we were walking beside the administrative building that we  
40 looked into what appeared to be a canteen. It was at that  
41 point that we saw men, emaciated men, filthy, frightened,  
42 terrified, queuing and waiting to be served what turned out to  
43 be their only meal of the day, a bowl of beans and a hunk of  
44 bread. We then, without really waiting for permission to be  
45 able to go in and film from our hosts, both James and I  
46 believe Jeremy, went into the canteen and began filming and we  
47 followed them in.

48  
49 Q Jeremy being the Channel Three ----? A. Channel Three.  
50 what confronted us was, frankly, an appalling scene. The  
51 silence perhaps spoke volumes. No-one spoke, terrified sunken  
52 eyes, dishevelled filthy prisoners, eating like famished dogs  
53 while over them stood well fed fat Serbian guards with their  
54 guns cocked. It was an appalling vision of inhumanity. These  
55 people had been starved. They were in a disgraceful state.  
56 We began.... James was filming. While he was filming  
57 I attempted to talk to people who were in that canteen.

1 I attempted once or twice to talk to people on camera, being  
2 very cautious, asking them where their wives were and how they  
3 were. Many of them just didn't want to talk. They implored  
4 you with their eyes not to even bother to try and talk to  
5 them. Those who did were cagey, were circumspect and every  
6 time we attempted to talk to somebody Serbian guards came and  
7 stood over, and it was soon clear to me that even to try and  
8 broach with some of these men the conditions, the issue of  
9 beatings or not, would expose them to terrible retaliation  
10 once we left that camp. It was very clear from the images  
11 that confronted us that something appalling was happening at  
12 Omarska.

13  
14 Q After you left the canteen where did you go next? A. We  
15 were invited upstairs to I guess the camp office where the man  
16 who described himself as the camp Commandant and the  
17 translator in the pink dress (I believe her name was  
18 Marla) ----

19  
20 Q Is that the women we saw? A. That was indeed her, yes.

21  
22 Q She is sitting on the table at Prijedor? A. Yes.

23  
24 Q It is the same women? A. Yes.

25  
26 Q She went with you? A. She did. It was at that point  
27 that she described it - it and Trnopolje - as "centres". She  
28 said they were transit centres. She said that there were  
29 2,500 people being held there. She said there were three  
30 categories there of "internees" as she called them - one who  
31 were guilty of organising the rebellion, as she put it; one  
32 group guilty of fighting in that rebellion and another group  
33 that she said was not guilty. She angrily rejected our  
34 suggestions that international organisations should be allowed  
35 to inspect it and was clearly less than impressed by our  
36 presence there.

37  
38 Q From that office could you see any other parts of the camp?  
39 A. We could see from the stairs on the way to the office that  
40 the building, the big industrial building on the other side of  
41 Omarska where groups of "internees" as she called them were,  
42 were being forced to run about 20 at a time across the  
43 concrete and into where the canteen was. They queued up to  
44 await their order to start running across the tarmac to the  
45 canteen, all the time overlooked by heavily armed and  
46 extremely well fed Serbian guards.

47  
48 Q Did you leave that upstairs office and go outside? A. We  
49 left the office upstairs. They had offered to allow us to  
50 interview hand-picked prisoners. We said we did not want to  
51 interview people chosen by them, but wanted to choose our own  
52 people to talk to. We left and asked to be taken to be shown  
53 the industrial building across the way from which they were  
54 being bought.

55  
56 Q Is that the big building we saw in the rush yesterday?  
57 A. It is, yes.

1 Q From which people were running across to the canteen?  
2 A. That is right.  
3  
4 Q Tell us what happened then? A. There was then a  
5 confrontation outside the administrative building. We  
6 demanded to be allowed to go over and to look inside that  
7 building, to film inside, to see what was happening there.  
8 They refused. We kept insisting; they kept refusing.  
9 They were getting increasingly agitated. They were waving  
10 frantically with their weapons. They clearly did not want us  
11 to go over there. We persisted. We pushed up to the point  
12 where it seemed rather dangerous to push any further.  
13 At that point I recorded a very quick what we call "stand up  
14 of piece to camera" to record the fact that we had been denied  
15 access to that part of the camp and thereby the camp  
16 authorities were not fulfilling the promise that Dr. Karadzic  
17 had made to us to have free and open access to those camps.  
18  
19 2.30 p.m.  
20  
21 Q Now you left Prijedor and in convoy again? A. We left  
22 Omarska ---  
23  
24 Q I am sorry, Omarska. A. -- again in convoy.  
25  
26 Q How long did it take you before you came across Trnopolje?  
27 A. It was around about half an hour, I guess.  
28  
29 Q While you were at Omarska had you learnt anything about  
30 Trnopolje? A. Yes. We had heard both camps described  
31 as transit centres. It was clear that men who had been  
32 processed at Omarska were being transferred to Trnopolje,  
33 indeed we were told some had been transferred on that very  
34 day, and it was very clear that the two were part of the same  
35 camp system being run by the Serbs in Northern Bosnia.  
36  
37 Q So when you approached Trnopolje what was your first sight?  
38 A. The first sight as I looked out of my window was men,  
39 hundreds of men, packed behind barbed wire. We got out of the  
40 bus as quickly as we could and by the quickest and most direct  
41 route we went towards that barbed wire. The barbed wire  
42 formed part of a pen, a compound, made of barbed wire and  
43 chicken wire behind which hundreds of men were imprisoned in  
44 100 degree heat, some of them in an appalling physical state.  
45  
46 Q Pausing there, can you remember where Penny Marshall was at  
47 this stage? Was she with you, or ahead of you, or behind  
48 you? A. Penny's minivan had arrived slightly ahead of us  
49 and she had already got out of the bus and gone towards the  
50 compound in which these men were imprisoned.  
51  
52 Q What direction did you take in relation to her?  
53 A. I followed the route I think she took towards the wire.  
54 I then began to roam around the edge of the wire in the  
55 compound, my cameraman filming and at the same time trying to  
56 get conversations with those people behind the wire.  
57

1 Q Can you remember, looking back, where Andy Braddel, James  
2 Nicholas and Chris Hease would have been at this time? Just a  
3 reminder, Andy Braddel is the producer, James Nicholas is the  
4 cameraman and Chris Hease is the sound man -- is he older than  
5 you? A. He is. He is the man who holds the boom up.  
6  
7 Q He occasionally comes into sight? A. Yes. I cannot  
8 remember precisely. I believe that I went on slightly ahead  
9 of them with our translator Mira to try and start talking to  
10 people. It was a fairly chaotic place. The problem we faced  
11 was we never knew how long they would give us there, how long  
12 and what opportunity we would get to film, how soon they would  
13 try and move us on, how much we would be able to talk to  
14 people. So our priority was to get and to film as much as we  
15 could as speedily as we could in case - and following our  
16 experience of Omarska - they decided that that was enough and  
17 attempted to move us on elsewhere.  
18  
19 Q What was your impression at the time of the physical condition  
20 of those men you saw? A. The physical condition of the  
21 men penned in was very bad. Many of them had been brought  
22 from another camp that day. Some had come from Omarska, some  
23 had come from a camp called Kheratam. They were in a very bad  
24 physical condition, emaciated, dirty and clearly very, very  
25 frightened.  
26  
27 Q Were there any armed guards present? A. The perimeter of  
28 the pen was patrolled by armed guards. I could not give the  
29 precise number. I would say there were perhaps a couple of  
30 dozen at various points around the wire fence.  
31  
32 Q Did you manage to talk to many of the people there?  
33 A. We talked to as many people as we could. At times it was  
34 difficult because the men were clearly very, very frightened  
35 and a lot of them tried to give us hints about what had taken  
36 place both there and at the previous camps they had been in.  
37 None were able to talk openly and one did not want to push  
38 them to talk openly because that could expose them to the most  
39 horrible retribution once we had left. We tried tactically to  
40 work it so sometimes James and Andy would roam with the camera  
41 and myself and my translator Mira would go in a different  
42 direction to try and get private conversations with people  
43 in the hope they would be a little more frank once the camera  
44 was not running, and indeed a lot of the information that  
45 we garnered about that camp came from those private asides  
46 when people felt a little more comfortable. It became  
47 increasingly difficult, however, because our translator Mira  
48 was completely -- she lost it. I mean, she had not seen  
49 things like this. She had not expected to see things like  
50 this. She became increasingly incapable of translating for  
51 us. She was very traumatised by what she had seen in front  
52 of her and we then -- for those who were not able to speak  
53 English to us we relied on Andy, who speaks Russian, to try  
54 and find people who if they could not speak English could at  
55 least speak a little bit of Russian, to try and get at the  
56 truth of what was happening in that camp and what was  
57 happening at the other camps.

1 Q Were there women in that camp as well? A. In the pen, no.  
2 There were women in the road along one side of the pen who we  
3 saw handing over some food, some drinks to the men in the pen.  
4  
5 Q Did you yourself go round to the back of the camp?  
6 A. I did.  
7  
8 Q How did you obtain access to that? A. I believe we  
9 travelled down the length of the wire fence and around the  
10 back of what was an old school or administrative building.  
11 There people were in tents. There were people who were more  
12 genuine refugees. There were people there who were in the  
13 place simply because they had nowhere else to go, although  
14 even that was not strictly the case because these were people  
15 who were certainly more genuine refugees than the men in the  
16 pen but they were there because they had been kicked out of  
17 their homes. They were people from villages which had been  
18 cleansed of their Muslims, so they had nowhere to go. They  
19 could not even think about leaving that place because if they  
20 did it would be to expose themselves to violence and to the  
21 most horrible retribution. So although technically speaking  
22 they were there as refugees in reality there was as little  
23 likelihood of them being able to leave the camp as there was  
24 the prisoners in the pen.  
25  
26 Q In order to reach those people at the back you moved from  
27 where you had been beside the barbed wire, is that right?  
28 A. That is right. I moved around the side of the barbed  
29 wire, down around past the chicken wire and round the back  
30 of that building.  
31  
32 Q It is said against you that in fact you were caged in at  
33 that time and not those who were subsequently shown on the  
34 broadcast. How do you respond to that assertion?  
35 A. This is absurd. I had no recollection, no sense of any  
36 enclosure. I took the quickest, the most direct route from  
37 my bus to the barbed wire and was then able to film over and  
38 to walk around the perimeter of the wire without any  
39 impediment.  
40  
41 Q How long do you think you were at Trnopolje? A. I would  
42 guess we were there for about an hour, at which point we were  
43 told that our stay was over.  
44  
45 Q Where did you go to after leaving Trnopolje? A. After  
46 leaving Trnopolje we knew that we were not going to be shown  
47 anything more and our priority became, frankly, getting out of  
48 there as quickly as possible. We all got aboard the Channel 3  
49 VW van.  
50  
51 Q Was that at Trnopolje you all got aboard the van?  
52 A. I believe it was there. It may be that we went back as  
53 far as Banja Luka ---  
54  
55 Q Well, it does not matter. At some stage --- A. At some  
56 stage we all got into the same ---  
57

1 Q Travel van? A. Yes.  
2  
3 Q Where did you travel thereafter? Did you travel back to  
4 Belgrade that day? A. Yes. Our priority at that point  
5 was just, frankly, to get out of there and we then travelled  
6 non-stop from Banja Luka back to Belgrade, arriving there very  
7 late that night.  
8  
9 Q Let me just get this right. In the minibus we find your  
10 four? A. Yes.  
11  
12 Q The three from Channel 3 --- A. Ed Vulliamy from the  
13 Guardian.  
14  
15 Q That is eight, and who else? A. Our two translator  
16 fixers.  
17  
18 Q Who was driving? A. I believe it was a driver from  
19 Belgrade. It might have been Misha, the Channel 3 fixer or  
20 a separate driver, I cannot recall precisely.  
21  
22 Q What was the atmosphere like in the bus as far as you can  
23 recall it? A. I think everybody was pretty stunned.  
24 We had seen some pretty harrowing images. We had seen some  
25 pretty clear evidence of inhumanity. We were stunned and  
26 there was also a sense of "Are they going to let us get out of  
27 here with these tapes?" because we knew the material we had  
28 was powerful. We knew the material we had was the first  
29 evidence, the first-hand evidence of inhumanity in this part  
30 of Northern Bosnia and, frankly, at one point we wondered if  
31 we would actually get out of Bosnia with those tapes.  
32  
33 Q When you were at Trnopolje did you see the doctor whose  
34 picture we saw on --- A. I did not personally see or  
35 interview the doctor.  
36  
37 Q When did you first become aware the Penny Marshall was  
38 carrying a roll of film? A. Penny made me aware of this,  
39 I believe, on the drive back to Belgrade.  
40  
41 Q When you got back to Belgrade that would have been pretty  
42 late, would it not? A. Very late, I guess midnight, maybe  
43 even after midnight.  
44  
45 Q When did you first contact the powers that be in London?  
46 A. I phoned Channel 4 News' foreign editor, Sue English, as  
47 soon as I got to a telephone in our Belgrade hotel and I told  
48 her in cryptic terms that we had a very powerful story which  
49 went some way to confirming the existence of detention centres  
50 in North-West Bosnia. I was cautious in my words because  
51 I was worried that the phones might be bugged, that someone  
52 might be listening, and I did not want to give away too  
53 completely the content of what we had.  
54  
55 Q Did she give you any instructions? A. She immediately  
56 made arrangements for us to both get speedily to Budapest,  
57 which seemed -- editing in Belgrade was really out of the

1 question. The nearest safe place really to edit was Budapest,  
2 so Sue made arrangements for us to be collected very early in  
3 the morning, I believe about 5 o'clock in the morning, and a  
4 car to come to drive us to Budapest. She also made  
5 arrangements for editing, what we call a facilities house,  
6 somewhere where we could hire the necessary edit machines in  
7 Budapest and also would begin to make arrangements to have  
8 those pictures, have the final report sent by satellite to  
9 London.

10  
11 Q You recognised it was going to be broadcast that evening?

12 A. Yes. I mean, there was no question, it was an important  
13 story and we would need to get it on air as quickly as  
14 possible.

15  
16 Q You left by car the next morning. Do you remember the  
17 time? A. It was pretty early. I could not say precisely  
18 but I would guess it was maybe 5 o'clock in the morning.

19  
20 Q At that stage had you seen the rushes, the unedited film of  
21 what had been shot the previous day? A. No, we had no  
22 facilities at that point to be able to view the pictures  
23 either as we were going along or indeed in Belgrade. So we  
24 had not actually looked at them yet.

25  
26 Q Who travelled in that car, you --- A. Myself, I think  
27 James Nicholas who would be editing the story, he was also the  
28 cameraman who shot it, Penny ---

29  
30 Q Four of you? A. Four of us, yes.

31  
32 Q You left Chris Hease behind? A. Chris stayed behind.  
33 I believe Jeremy stayed behind.

34  
35 Q Jeremy Irvin that is? A. Yes.

36  
37 Q The cameraman. A. And I believe Mickey Lawrence also  
38 stayed behind.

39  
40 Q So they finished playing any part of this in Belgrade. Whilst  
41 you were in that car did any discussions take place between  
42 you about your experiences the previous day and about your  
43 report? A. Yes, we talked about what we had seen, how  
44 harrowing it had been, how powerful it had been, and we talked  
45 about how we could define, if you like, what we had seen.

46  
47 Q Did you adopt or consider any common approach to how it should  
48 be presented? A. We agreed that the pictures were so  
49 powerful - although, as I say, we had not looked at them but  
50 from what we had seen the images that we filmed were so  
51 powerful that in a sense it was beholden on us to treat them  
52 in a very cautious and responsible way. We also agreed that  
53 what we had seen while showing terrible inhumanity could not  
54 be described as "a Nazi style concentration camp" and we both  
55 agreed that this would -- that we would be very cautious about  
56 presenting them as -- about the way we presented them.  
57

- 1 Q When you arrived in Budapest did you go to the facilities  
2 house which we have heard about having been booked from  
3 London? A. We did, yes.  
4
- 5 Q At that stage did you separate into different editing  
6 booths? A. Yes. I believe Channel 3 experienced some  
7 technical difficulties initially but we separated and worked  
8 then as two separate teams.  
9
- 10 Q At that stage were you in communication with London?  
11 A. I was. By then I was able to have a more full  
12 conversation with London to brief more fully my foreign  
13 editor.  
14
- 15 Q Who was that? A. Sue English.  
16
- 17 Q Was that Sue English who had given you instructions to fly out  
18 there originally? A. That is right.  
19
- 20 Q Sue English the foreign editor. A. And also Bill Dunlop,  
21 who would be the editor of the day. The way the programme  
22 works is each day's programme has a separate on the day  
23 editor, whose responsibility will be solely that programme.  
24 Sue was the permanent foreign editor but beyond the day editor  
25 will change from day to day, and the programme on that day was  
26 to be Bill's programme.  
27
- 28 Q What did you tell Sue English? A. I told her that we had  
29 very powerful pictures, that we had a very strong story which  
30 went some way to confirm the rumours, the allegations that had  
31 existed about what was happening in North-East Bosnia.  
32
- 33 Q Was it agreed what time you had to feed the material through  
34 to London by? Was there a deadline given? A. Yes.  
35 Because the programme goes on air at 7 o'clock we agreed that  
36 they would book a satellite, or a "bird" as they tend to call  
37 it, for 6.30 that evening. They also wanted to interview me  
38 live off the back of the package to put it more into context,  
39 and that would also give me time to get over to the studio in  
40 Budapest and get prepared to give that interview. So we  
41 discussed the timings of the satellite and also the live spot  
42 which would come after the broadcast package.  
43
- 44 Q How long was your report going to be? A. We were talking  
45 about a ballpark of about five minutes. They were keen for us  
46 to basically give it what it was worth, the cut, "to allow the  
47 pictures to breathe", I think is the industry term, which  
48 would mean to say we had strong images and in a sense there  
49 was a desire to hear less of me and to be able to just allow  
50 people to see the visual evidence of what we had found in  
51 Omarska and Trnopolje.  
52
- 53 Q It was at that stage you first viewed the rushes which had  
54 been taken by James Nicholas? A. That is right. What we  
55 did was to sit down in front of the edit machines ---  
56



- 1 Q When you say "we", just so that we are all clear in our  
2 minds --- A. This will be Andy Braddel, myself and James  
3 Nicholas - Andy being the producer and James the editor but  
4 also the cameraman who had shot the pictures. The process of  
5 viewing the rushes would be logging the pictures. You would  
6 go through the tapes and mark down which pictures appeared at  
7 what point on the tapes and on the rushes. Also you would  
8 mark down the interviews with the time codes so that when we  
9 came to edit the piece it would be easy to find the visual  
10 footage we wanted and also to find the little bit of interview  
11 which we also needed to use at different instances.  
12
- 13 Q Did you then form any idea as to which pictures you wanted  
14 to use and what the structure of the piece would be?  
15 A. We decided that we would tell the story in a chronological  
16 way. After looking through the pictures it was strange in a  
17 sense because the pictures from the second camp, from  
18 Trnopolje, when we viewed them were very, very powerful, in  
19 some ways more powerful than the pictures that we had shot at  
20 Omarska, but we knew that Omarska was by far the more sinister  
21 camp. Trnopolje was a mixed camp. Omarska clearly we felt  
22 something very sinister was taking place there. The  
23 atmosphere at Omarska had been horrid. You cannot always  
24 capture atmosphere with a camera but we felt that it was  
25 important to start the piece at Omarska because it was at  
26 Omarska that we felt the most worrying things were happening;  
27 and it also made sense because as part of this camp system  
28 that included Trnopolje a lot of people in Omarska that day  
29 had been transferred to the other camps. So we felt that we  
30 would start with the images from Omarska before going to  
31 Trnopolje.  
32
- 33 Q Who was it who wrote the script because we are going to see in  
34 a minute the piece which you edited and sent through at 6.30  
35 to London. Who actually wrote the script? A. I wrote the  
36 script but Andy would have made suggestions as I was writing  
37 it. I mean, correspondents do not always like to give credit  
38 to their producers but if you have got someone like Andy, who  
39 has clearly been and experienced what we all had there, he  
40 would make suggestions as we fleshed out the script as to what  
41 may or may not have been left out. I mean, largely it was my  
42 script but Andy would have also had an input.  
43
- 44 Q What came first, the images or the script, or did they come  
45 together? A. It comes together. It is a process really  
46 of going to the writing, to picture, and you do not want to  
47 state the obvious in your script because if people can see  
48 then there is no point in repeating the obvious. But it is  
49 a sense of blending the two together, the words with the  
50 pictures, and there is not always a sense that the pictures  
51 come first or necessarily the script comes first; it is a  
52 process of marrying the two.  
53
- 54 Q When did you first see, if at all, the rushes which had been  
55 by Channel 3? A. I saw Channel 3 rushes, I believe, when  
56 they were fed to London on the 5 -- for the 5.45 bulletin.  
57

1 Q In other words you saw an edited form? A. Yes, but James  
2 had been keeping across them to some extent during the day  
3 so ---  
4  
5 Q Were they very nearby you --- A. Yes, they were kind of  
6 in another room around and I believe we were -- they were not  
7 far away, anyway. We were editing in close proximity.  
8  
9 Q When did you first see the image of Fikret Alic, the one which  
10 is --- A. I saw that image, I think, as it was being sent  
11 to London or in the package that was going to be sent to  
12 London for the 5.45 bulletin.  
13  
14 Q That is the 5.45 bulletin on Channel 3? A. On Channel 3,  
15 yes.  
16  
17 Q You are heading for the 7 o'clock, the major bulletin on  
18 Channel 4? A. Yes.  
19  
20 Q You saw it then and what did you decide once you had seen  
21 it? A. I saw it and I thought it was a very good shot,  
22 which I wanted to include along with our own images from  
23 Trnopolje.  
24  
25 Q What about the photographs from the camp doctor? When did you  
26 first see them? A. I believe I first saw the photographs  
27 from the camp doctor after they had been transferred onto  
28 video, so that would have been after Penny had had them  
29 developed and then filmed onto a video and I believe I then  
30 saw it on the video.  
31  
32 Q Did you decide then to incorporate some of these?  
33 A. I did, because I felt this was important because it was  
34 the only, in a sense, first-hand evidence that we had of the  
35 brutality at Trnopolje. We had a lot of people hinting to us,  
36 a lot of people -- people by their very physical conditions  
37 were living examples of ill-treatment but we did not have  
38 people hinting and suggesting the brutality that had taken  
39 place. But here we had photographs that clearly showed that  
40 brutality had taken place in Trnopolje.  
41  
42 Q If we look at those photographs now, they are the ones which  
43 we find in tab 3. We will see the film you sent in a minute  
44 but if we look inside - obviously the first ones are just  
45 general pictures of the camp - we come to a man -- it is that  
46 one. Have you got that? Have you got the bundle there?  
47 A. Yes.  
48  
49 Q Look at tab 3. Have you got that one now? A. I have,  
50 yes.  
51  
52 Q Is that it? A. Yes.  
53  
54 Q Is that what you had in mind? A. It was, yes.  
55  
56 Q Then one looks at the next one. Is that what you were  
57 referring to just now? A. Yes.

1 Q Did you require script approval from London before you chose  
2 what you were going to write or once you decided what you were  
3 going to write? A. No. We do not have a system as rigid  
4 as script approval but I would have kept Sue - but on the day  
5 itself Phil Dunlop - very closely informed of how I was  
6 structuring the piece and broadly what I was saying in the  
7 piece.

8  
9 Q Just pausing there, had Sue English or anyone else from  
10 Channel 4 given you explicit instructions about what you were  
11 to find when you were out in those camps? A. No, it was a  
12 completely open brief. No one had really penetrated that area  
13 in any depth before. There were the most horrific allegations  
14 coming from that area and my brief, as far as it was specific,  
15 was to go there and find the truth or otherwise of those  
16 allegations. That was as far as it went.

17  
18 Q Did you regard, as the article suggest, that Trnopolje was  
19 your last chance to get the story which your editors wanted?  
20 A. Not at all. I mean, that kind of seems to suggest a  
21 degree of recklessness that you simply would not employ in  
22 those circumstances; and it was not a case of getting a  
23 story that my editors wanted, it was -- we were there to  
24 investigate, to check on very, very serious allegations of  
25 inhumanity. There was never a question of going there and  
26 getting the story the editors wanted.

27  
28 Q Do you remember when you transmitted your script to London?  
29 Can you remember? Did you transmit it before the broadcast?  
30 A. Yes, it would be -- the package itself would have been  
31 transmitted 6.30 -- I cannot recall whether it was 6.30  
32 Greenwich Mean Time or 6.30 local time, but it would have been  
33 transmitted to London before the programme -- well before the  
34 programme went on air.

35  
36 Q I think as we hear it there is a voice-over. Do you do that  
37 voice-over after the images have been compiled or do you do  
38 that as you go along? A. Different editors work in  
39 different ways but the way James and I work together is I lay  
40 the track, in other words put my voice down, and then James  
41 will then lay the pictures over that voice.

42  
43 MR. SHIELDS: My Lord, I was going to show the actual broadcast.  
44 Would that be a convenient moment for the break?

45  
46 MR. JUSTICE MORLAND: Yes, certainly.

47  
48 MR. SHIELDS: Because I am then going to go in some detail through  
49 it.

50  
51 MR. JUSTICE MORLAND: Yes. We will have a quarter of an hour  
52 break now, members of the jury.

53  
54 (Adjourned for a short time)

55  
56  
57

1 3.00 p.m.

2  
3 MR. JUSTICE MORLAND: Yes, Mr. Shields.

4  
5 MR. SHIELDS: Mr. Williams, before the short adjournment, we were  
6 discussing the broadcast of Channel 4 on 6th August. Just to  
7 get it right, you prepared material to be transmitted from  
8 Budapest to London. A. That's right.

9  
10 Q At 6.30. A. Yes.

11  
12 Q That consists of the stories you write together with  
13 accompanying images. A. Yes, that's right.

14  
15 Q As we have seen -- I not going to show everyone again -- the  
16 actual ITN/Channel 4 broadcast is a much longer broadcast. Do  
17 you have any say in that broadcast viewed as a whole?  
18 A. No. Sometimes in a broad sense, it would be discussed.  
19 But in this case, we were busy concentrating on our news  
20 report and the way the broader programme was being constructed  
21 was not discussed.

22  
23 Q What we are going to see now is the actual broadcast, but you  
24 will recall the opening image on Channel 4 is the image of  
25 Fikret Alic behind that barbed wire. Did you choose that  
26 image yourself to go as the opening credit? A. No.  
27 That's -- it's called a "sting" in the industry jargon. It's  
28 an image that would sometimes be put on as a kind of  
29 introduction to a package and that would be decided upon in  
30 London.

31  
32 Q What we are now going to show is the actual report which was  
33 fed from Budapest and shown on Channel 4. If we look at  
34 tab.14 in the bundle, you will see there on p.2 a report. Do  
35 you have that? A. I have, yes.

36  
37 Q If anyone wants to follow it, they can follow it from there.  
38 There are one or two obvious either typos or words out of  
39 place, which we can correct as we go along. What I would like  
40 to do, my Lord, is, I will go through the report in a little  
41 detail with Mr. Williams as to how he chose the content of the  
42 report. So that is the idea. We are going to show the report  
43 first.

44  
45 MR. JUSTICE MORLAND: So that I hope the jury and I can understand  
46 it, the document starting at the beginning of tab.14: "Studio  
47 Report", etc. Is this document a document which goes in  
48 either manuscript or typed form from Budapest to London?  
49 A. It's not, my Lord. It would be the script that I would  
50 write, usually, in this case I think by hand in Budapest, and  
51 the transcription is subsequently made.

52  
53 Q In London? A. Yes.

54  
55 MR. SHIELDS: This particular transcription has been prepared for  
56 the purpose of this trial.  
57

1 MR. JUSTICE MORLAND: I see.  
2  
3 MR. SHIELDS: This is just to help everyone follow the broadcast  
4 and it is going to help us in a moment when we go through how  
5 a broadcast is put together.  
6  
7 MR. JUSTICE MORLAND: So a manuscript document is sent by you from  
8 Budapest to London? A. No. I wouldn't have sent it.  
9 Just the package, the words and the images, would have been  
10 sent. So any transcript would be made subsequently in London.  
11 So I wouldn't myself send any words.  
12  
13 Q Any copy words to London at all? A. No, my Lord.  
14  
15 MR. SHIELDS: This is in a sense a video of your film and your  
16 commentary which is then -- what is the word? Fed?  
17 A. Yes.  
18  
19 Q Fed through a satellite to London at 6.30, which then forms  
20 part of the overall evening broadcast. Is that right?  
21 A. Yes.

22  
23 (Video then played)

24  
25 MR. SHIELDS: If you have the draft of it there, Mr. Williams,  
26 I just want to ask you about how this report was compiled.  
27 You start your report there with:

28  
29 "The Muslim prisoners of Omarska .... "

30  
31 A. Yes.

32  
33 Q You state that they are under heavy Serbian guard and they  
34 were ushered into the canteen for their single meal of the  
35 day.

36  
37 "They were supposed to be here for two months. They  
38 say they don't know why, but they were rounded up from  
39 their homes."

40  
41 What was the basis for what you put there? A. This  
42 information, it was self-evident that they were prisoners and  
43 Muslim prisoners. We could see that they were being ushered  
44 across into the canteen under heavy guard. There were many,  
45 many Serbian guards in the canteen, around the canteen. The  
46 conversations that we were able to have with them: half  
47 conversations, broken conversations, hints, gave us enough to  
48 be able to ascertain that this was the only meal of the day  
49 that they were given.

50  
51 3.30 p.m.

52  
53 They told us, those we could speak to, that they had been  
54 there for two months and that they had been rounded up from  
55 their villages; that they weren't fighters; that they had  
56 been rounded up and they had been brought to Omarska and they  
57 had no idea why they had been bough there. So the

1 information in this was gleaned from the conversations that we  
2 were able to have. we were able to snatch whatever we could  
3 with people in the canteen.  
4

5 Q If you look at the second paragraph, in the second line, you  
6 say:

7  
8 "Conditions which have been hidden from the world ...  
9 United Nations and International Red Cross."

10 That was the position as you understood it. Is that right?

11 A. Yes. We understood there had been no international access  
12 to that camp so effectively it had been hidden from the world.  
13  
14

15 Q I think if I recall from the rushes, we see a car parked  
16 outside which has a red cross on it. Would that be the  
17 Serbian Red Cross? A. It may well be. The Serb Red  
18 Cross have their own operation although it was a largely  
19 discredited one. Their role then was being questioned by  
20 international agencies because they appeared to be complicit  
21 in a lot of the deportations and in many of the unpleasant  
22 things that were happening. I did not regard them as a  
23 credible group.  
24

25 Q Then we have a picture of the spokeswoman. I think she says,  
26 "No. This is not a camp. This is a centre." and I have got  
27 down "transit centre - Omarska and Trnopolje. Both centres,  
28 not camps." I think that is where she refers to both of them  
29 as being centres, not camps. That was something you gave in  
30 evidence about 20 minutes ago? A. That is right. We  
31 wanted to hear their version. We wanted to be able to  
32 broadcast their version of what the place was. And I felt  
33 that was important as well because it confirmed that Trnopolje  
34 and Omarska were part of the same camp system.  
35

36 Q Then we go down:

37  
38 "The prisoners have been brought to the canteen, a  
39 large industrial building in the centre of the mining  
40 complex."  
41

42 That was the building where we see you arguing with the camp  
43 Commandant in front of. Is that right? A. That's right.  
44 We see the prisoners waiting for the word and then running  
45 across the open space from that rusty looking building behind.  
46 That indeed, yes, was the argument over our desire to try and  
47 get access to that place.  
48

49 Q There it says:

50  
51 "It too was under heavy guard and we asked to be  
52 allowed to look inside."  
53

54 When you talk about heavy guard ----? A. Again, there  
55 were armed Serbia police, militia in the doorways, in the  
56 windows, walking around the perimeter of that building and

1 indeed watching the prisoners and giving them the signal when  
2 to run across to the canteen.  
3

4 Q It was after that you felt you were asked to leave. Is that  
5 right? A. Yes. I mean they had been trying to get rid  
6 of us for some time and that was designed also, with a kind of  
7 sense of irony, that after experiencing the lengthy argument  
8 with them it was their way of telling us that our time was up  
9 and we should go. We felt that at that point it might have  
10 been rather reckless to have argued any further.  
11

12 Q Then we go to Trnopolje. That is the third paragraph of the  
13 next page (p.4) You say there in the fourth paragraph down:  
14

15 "Conditions at this camp were appalling. In 100  
16 degrees heat, a hundred men were forced to eat and  
17 sleep outside and feel behind barbed wires. Their  
18 meagre rations consisted of a small hunk of bread and  
19 a bowl of soup every day. Here too they said they  
20 have been rounded up, ... men and they were afraid."  
21

22 What was that based upon? A. This was based on our own  
23 observations of the physical condition and the fear so evident  
24 among those people as well as conversations snatched, some of  
25 them on camera, some of them off camera, where we were able to  
26 with people behind the wire.  
27

28 Q Did you have a conversation with one of the people there?  
29

30 "Can you tell me anything about the conditions in  
31 which you are being kept?"  
32

33 Then you say - not as headed "inmate"  
34

35 "... or is it difficult."  
36

37 A. Yes.  
38

39 Q He says,  
40

41 "I'm not allowed about that."  
42

43 Then the question comes from you, "People here have been  
44 beaten?" - that is at the bottom of p.4? A. Yes.  
45

46 Q The answer comes,  
47

48 "Here no. Here, no."  
49

50 Then he says,  
51

52 "I rather wouldn't talk about..."  
53

54 Over the page - "that". Why did you choose to include that  
55 interview? A. I thought this was very important because  
56 it was more what he didn't say than what he did say that spoke  
57 volumes. It was the look on his face, in his eyes. It was

1 the hints he was given. To me that told me an awful lot about  
2 what that man had experienced, and I thought it was important  
3 that that should go in. It also brought home very clearly the  
4 fear of the people in prison behind the wire.  
5

6 Q That is p.5. If you go over the page, to p.6 on the sixth  
7 line:

8  
9 "We were told people had been beaten to death. We were  
10 asked to smuggle a film out of the camp."  
11

12 That film is a film that was smuggled by Penny Marshall. Is  
13 that right? A. That's right.  
14

15 Q It says,

16  
17 "The pictures show severe injuries apparently as a  
18 result of beatings."  
19

20 In fact we see three pictures. We see one of a man who  
21 appears to suffer from malnutrition - that is the very last  
22 one in that tab. Then we see two others - the ones I showed  
23 you. Is that right? A. Yes.  
24

25 Q Then we go down:

26  
27 "T... was a Muslim doctor. We asked him whether there  
28 had been any ... beatings."  
29

30 I think that is right to say that is film taken from ----?  
31 A. This was filmed by Channel Three.  
32

33 Q Then you say,

34  
35 "On one side of the camp the refugees were here simply  
36 because they have nowhere else to go, their homes  
37 having been destroyed. They have been told they can  
38 go as soon as they have a guarantee of a home outside  
39 the Serb control of Bosnia."  
40

41 Where does that come from? A. This also comes from  
42 conversations with those people on the other part of the camp.  
43 I felt it was important to demonstrate the mixed nature of the  
44 Trnopolje camp, to emphasize the point that it was not like  
45 Omarska, and to show that there were genuine refugees in a  
46 part of that camp, although their precise freedom to move was  
47 somewhat circumscribe.  
48

49 Q In the next sentence you say:

50  
51 "Banja Luka prisons were..."  
52

53 I think it was in Prijedor? A. Yes. My recollection was  
54 that that was Prijedor. I probably used the shorthand for  
55 Banja Luka because that is the broad area.  
56



1 Q If we look on the map they are in the same area. That was the  
2 report as broadcast as you fed it from there? A. It was,  
3 yes.  
4  
5 Q Were you then interviewed in the studio live so it would go to  
6 the audience? A. I was. It was a live interview.  
7  
8 Q It was a live interview. Had that been arranged earlier in  
9 the day? A. It had been, yes. We had arranged....  
10 I think we booked some studio time at Hungarian television and  
11 the necessary satellite to send the signal to London. The  
12 idea was that after my report had been broadcast they would  
13 then come live to me in Budapest in order to provide more  
14 background and more information about what we had found and  
15 how we had found it.  
16  
17 Q Did you know what questions you were going to be asked?  
18 A. In a very broad sense. I always feel sometimes it is a  
19 bit dangerous; knowing the questions does not really help.  
20 I mean, you normally.... I'll normally discuss with the  
21 interviewer perhaps in a broad sense what areas he is going to  
22 ask me about, but we wouldn't have discussed specific  
23 questions.  
24  
25 Q I think it is right that though he could see you, you could  
26 not see him? A. That is right. I had an earpiece in so  
27 I could hear his questions. He could see me, but I would  
28 address my answers to a camera in response to the questions  
29 that I heard in my earpiece.  
30  
31 Q Can we just see that interview now.  
32  
33 MR. JUSTICE MORLAND: Yes.  
34  
35 MR. SHIELDS: I am obliged.  
36  
37 (Video was shown)  
38  
39 Q That would have taken place at about some time after 7 o'clock  
40 English time? A. Yes.  
41  
42 Q I do not know what time that would have been in Yugoslavia?  
43 A. The lead item would have gone out at 7 o'clock, which is  
44 8 o'clock Budapest time and that would have been about,  
45 I guess, seven or eight minutes past seven UK time. So seven  
46 minutes past 8.00 in Budapest.  
47  
48 Q So that night did you stay in Budapest? A. I did, yes.  
49  
50 Q When did you fly to London? A. I flew back to London the  
51 following morning.  
52  
53 Q When you flew back to London the following morning did you see  
54 how the media treated the broadcast which had been shown the  
55 night before on Channel Three and Channel Four?  
56 A. I did. I bought several newspapers. I had seen some,

1 I think, on the flight back but I also bought several papers  
2 myself when I got into London.  
3  
4 Q I think if we look at tab 15 we can see how the press viewed  
5 it the next day. The first one I have got is the Daily Mirror  
6 "The picture that shames the world". That is the image of  
7 Fikret Alic, is that right? A. That is right.  
8  
9 Q They chose to call it "Belsen '92"? A. Yes.  
10  
11 Q Do you remember seeing that one at the time? A. I did  
12 see that, yes.  
13  
14 Q Did you read that coverage? A. I did, yes.  
15  
16 Q Then pp.18 and 19. "If this is what they call a good camp,  
17 think how ...."  
18  
19 MR. JUSTICE MORLAND: Just a moment. You are too quick for us  
20 all.  
21  
22 MR. SHIELDS: Sorry, my Lord. I think we can see there,  
23 "Prisoners queue for their meagre rations ... Omarska?"  
24 A. That is right. The photo on the top left on that spread  
25 is Omarska.  
26  
27 Q The one on the right is Omarska. I think it is captioned;  
28 "Compound in Omarska" but in fact ----? A. That's  
29 Trnopolje.  
30  
31 Q The photographs we see there, those are three photographs  
32 taken by ...? A. Yes.  
33  
34 Q That was the coverage given by the Mirror. If we go over the  
35 page, that is the Daily Telegraph? A. Yes, that is  
36 right. Philip Sherwell.  
37  
38 Q "Serbs impose reign of terror in Bosnia."  
39  
40 MR. JUSTICE MORLAND: I am going to write "Daily Telegraph" on  
41 that.  
42  
43 MR. SHIELDS: In fact this seems to be more about Philip Sherwell.  
44 Do you see there, "Behind barbed wire - Muslim prisoners in  
45 the Trnopolje Serbian camp..." Have you ever seen that one?  
46 A. I did, yes.  
47  
48 Q That seems to be the photograph lifted from the broadcast.  
49 Then we go over the page to the Daily Mail. That says,  
50  
51 "The proof: behind the barbed wire, the brutal truth  
52 about the suffering in Bosnia. The ribs stand out so  
53 far you can almost see the bare bones straining  
54 against the emaciated flesh. The sunken eyes there  
55 with a mixture of bewilderment, beseeching ... strands  
56 of barbed wire. These are the sorts of scenes that  
57 flip you back to ... Nazi concentration camps."

1 That is the Mail's way of dealing with it. If you just look  
2 over the page, we see how the Times deals with it. Once again  
3 there is that photograph used by the Times and it says,  
4

5 "Evidence mounts of executions."  
6

7 We see a quote there as from one of their roving reporters,  
8 Tim Juder(?) from Northern Bosnia. It is inset in bold below  
9 the photograph? A. Yes.

10  
11 Q Are those the articles you can recall seeing? A. Yes.

12  
13 Q Were you surprised by the reaction of the media as we have  
14 just seen? A. I was a little surprised, I guess. I knew  
15 we had a powerful story and an important story but I had not  
16 anticipated, I guess, that it would get such blanket front  
17 page coverage the following morning.

18  
19 Q Did you then give another interview that day which was  
20 broadcast on Channel Four? A. I did, yes.

21  
22 Q Perhaps we could just see that now for completeness sake.  
23 I think that is a lunchtime interview.

24  
25 MR. JUSTICE MORLAND: Have we got a transcript of that?

26  
27 MR. SHIELDS: Yes, we have my Lord. It is towards the end of tab  
28 14, p.29. Was it broadcast at lunchtime? Can you remember?

29 A. No, in the evening. It is for the Channel Four evening  
30 news.

31  
32 Q Did you go in at lunchtime and do the broadcast?

33 A. I guess I would have got back around about lunchtime and  
34 recorded that interview some time in the afternoon.

35  
36 Q My mistake. So, it was a pre-recorded interview? A. It  
37 was, yes and it was cut into ----

38  
39 Q It was on Channel Four on the 7 o'clock news but had been pre-  
40 recorded. We get it at p.29 of the bundle.

41  
42 (Video was shown)

43  
44 Q I think we are now back in England on 7th August. Were you  
45 asked to write an article for the Sunday Express once you  
46 returned? A. I was, yes.

47  
48 Q We can see that article at tab 16, my Lord. That is an  
49 article you wrote for the Express? A. That is right,  
50 yes.

51  
52 Q I think you were paid for that article? A. I was.  
53 I cannot quite remember the prevailing rate but they did pay  
54 me for it.

55  
56 Q Were you also interviewed for UK Press Gazette? I think you  
57 find that in tab 17. UK Press Gazette: what kind of magazine

1 is that? A. This is an industry magazine. It's a  
2 magazine bought and subscribed to by other journalists so it  
3 is very much a kind of trade rag, if you like.  
4

5 Q Look at the top. It says,  
6

7 "Channel Four news reporter Ian Williams, who reports  
8 on the detention camps in Bosnia, has travelled round  
9 the global media village focusing world opinion and  
10 shaping its anger and actions. He fears that the  
11 message that has been told is the wrong one..."  
12

13 Someone has chosen a headline, "an image too strong for the  
14 truth". If you go over the page we have a quote from you.  
15 Was this an interview? A. It was an interview, yes.  
16

17 Q You say there,  
18

19 "Williams' concerns about how the power of the image  
20 has overtaken the content of the reports. I guess  
21 because the image was so powerful, he meant behind  
22 barbed wire, was the immediate conjuring up of the  
23 same images from the Second World War. I think the  
24 reaction, particularly American reaction, has been to  
25 ... subtleties of it. Most of the US reaction, they  
26 have taken for granted the death camps and  
27 concentration camps as seen on TV. In a sense it is  
28 almost the power of the image going two steps ahead of  
29 the proof that went with them. In his report Williams  
30 was determined to play down any talk of concentration  
31 camps. These are men being treated very brutally.  
32 This was a result of severe mistreatment and  
33 degradation. We went out of our way to stress that we  
34 had no first hand evidence that this was a death camp  
35 and that we were uneasy about the use of the words  
36 'concentration camp'. The report shoed the real power  
37 of television journalists to affect the course of the  
38 worlds' events. However, Williams needs extra care.  
39 Now in a sense images that challenge the ... one thing  
40 I have tried to make clear in my two way, and the  
41 report was that - actually in examining the  
42 allegations ... propoganda. The Bosnian list of  
43 concentration camps really wasn't worth the paper it  
44 was written on. That was perhaps lost in the power of  
45 the images we did get."  
46

47 Do you stand by your reports? A. Yes, I do.  
48

49 Q And do you stand by what you said there? A. Yes, I do.  
50

51 Q Did you return after that to Moscow? A. I did, yes.  
52 I think I was in the UK maybe for a couple of days longer.  
53 I had eventually managed to get the holiday with my fiancée  
54 that I had missed to go to Bosnia. Then I returned to Moscow.  
55  
56  
57

- 1 Q Did you move from Moscow to Hong Kong? A. Yes, in 1995  
2 I was appointed Asia correspondent for Channel Four news to  
3 open a new bureau in Hong Kong.  
4
- 5 Q When did you first become aware of the Press Release which is  
6 the subject of these proceedings? Just so that you have it in  
7 front of you, you will find it at tab 4? A. I believe  
8 that would have been in January 1997 when Richard Tait  
9 telephoned me in Hong Kong to make me aware of the existence  
10 of the Press Release and, I believe, faxed a copy of it to me.  
11
- 12 Q What was your reaction when you saw the Press Release?  
13 A. Initially it was mixed. I was incredulous. I couldn't  
14 understand how anybody who had seen the work we did from  
15 Bosnia could possibly reach those conclusions. I also thought  
16 it bizarre because if this was making it made out to be a work  
17 of journalism, nobody had bothered to contact me to ask my  
18 opinion or to get my views which, frankly, is pretty  
19 fundamental journalism. It's pretty much First Grade stuff.  
20 If you're covering anything you contact the people who you are  
21 making allegations against to check the story and give them a  
22 chance to comment. So my initial reaction was one of slight  
23 bemusement and irritation.  
24
- 25 Q What was your subsequent reaction? A. Subsequent to  
26 this, the article when it appeared was faxed to me. When  
27 I saw the substance of what it contained I was very angry.  
28 I thought it was outrageous. It was an attack on my own  
29 integrity and reputation on what had been, I think, a very  
30 thorough story, a very carefully presented story and one in  
31 which I and my team had been subjected to incredible danger in  
32 order to obtain.  
33
- 34 Q Can you look back at the Press Release in tab 4? Let us look  
35 at the first paragraph:  
36  
37 "Journalist exposes the truth behind Bosnia 'death-  
38 camp' photograph.  
39  
40 The picture that came to symbolise the Bosnian war has  
41 been condemned by an expert witness to the UK War  
42 Crimes Tribunal at the Hague. German journalist  
43 Thomas Deichmann says that the image of an emaciated  
44 Bosnian Muslim caged behind barbed wire was created by  
45 'camera angles and editing'.  
46
- 47 Now, what do you say about camera angles and editing?  
48 A. I thought this was extremely odd. I mean, first of all  
49 "created" implying that somehow we were able to manufacture  
50 it, to set it up. As to "camera angles and editing" I don't  
51 really understand what that means but what I do know is that  
52 we shot what we saw, and what we saw was starving emaciated  
53 men in prison behind wire.  
54
- 55 Q Pausing there, did you tell Mr. Nicholas what he should film?  
56 A. No, there was no.... We would discuss in broad terms what

1 the story was - what the story is. I would not tell James  
2 what to film. James is too experienced a cameraman.  
3 I trust him absolutely. I might point shots out to him but he  
4 doesn't need to be told what to film in the sense of ----  
5

6 Q So on this occasion, you did not tell him what to film?  
7 A. No.

8  
9 Q Did you tell Mr. Irving what to film? A. No.

10  
11 Q Then it goes on:

12  
13 "The picture of Fikret Alic was taken from videotape  
14 shot at Trnopolje on 4 August 1992 by an award-winning  
15 British television team led by Penny Marshall (ITN)  
16 with her cameraman Jeremy Irvin, accompanied by Ian  
17 Williams (Channel 4) and Guardian reporter Ed  
18 Vulliamy. Deichmann revisited Trnopolje and has also  
19 seen unused video footage that shows how this powerful  
20 image was created. He found that

21  
22 \* there was no barbed wire fence surrounding the  
23 Trnopolje camp."  
24

25 What is your reaction to that? A. Well, our report never  
26 suggested there was barbed wire surrounding the camp. what we  
27 showed was that there was a compound in which men were clearly  
28 imprisoned and which they were behind the wire fence that was  
29 made up of barbed wire and chicken wire. They were terrified;  
30 they weren't going anywhere. They were watched over by  
31 guards, so this didn't seem to me to be .... It seemed rather  
32 bizarre.  
33

34 Q It goes on,

35  
36 "\* the camp was a collection centre for refugees, not  
37 a prison."  
38

39 A. Again, for the same reason it was very clear that this  
40 was, as we had said at the time, a mixed camp. There were  
41 certainly refugees there which we showed in our report.  
42 Indeed, even though, as far as refugees go, they were not free  
43 to come and go, they had gone there because they had been  
44 cleansed - ethnically cleansed - from Muslim villages and it  
45 was far too dangerous for them to venture anywhere away from  
46 the camp. But for the men in the field they were clearly in  
47 prisons; they clearly regarded themselves as prisoners and  
48 they were not at liberty to leave the camp. They were kept in  
49 there by wire and by heavily armed Serbian guards. It's  
50 absurd to say it's not a prison.  
51

52 Q It is suggested that the guard were protecting them. Is that  
53 the impression you formed? A. No. The men in that  
54 compound were clearly very, very frightened of the men with  
55 guns. They were terrified in some instances. They wouldn't  
56 even go near the perimeter fence in many cases, out of fear of

1 the sort of reaction that it might provoke from the guards  
2 there. There was no question that those men were imprisoned.

3  
4 Q It says next:

5  
6 "The refugees in the picture were not  
7 surrounded by barbed wire .... "

8  
9 In other words, they were refugees in the sense of the men in  
10 that enclosure -

11  
12 " ..... the barbed wire surrounded the news  
13 team who were filming from inside a small  
14 enclosure next to the camp."

15  
16 I have already asked you about that. Does your answer remain  
17 unchanged? A. It does.

18  
19 Q He then says:

20  
21 "I am shocked that over the past four or five  
22 years none of the journalists involved have  
23 told the full story about that barbed wire  
24 fence which made such an impact on world  
25 opinion. ... taken as proof that Trnopolje  
26 was a Nazi style concentration camp and the  
27 journalists knew that it was no such thing."

28  
29 The suggestion there is you knew that it was a refugee centre,  
30 that you knew that you were enclosed and the people inside  
31 were free to go as they wanted. How do you react to that  
32 suggestion, that you knew the truth and you kept it hidden?  
33 A. I resent it and I think it's an absurd suggestion.

34  
35 Q Then we come to Mr. Hulme's quote:

36  
37 "If they are not very careful, journalists who  
38 have some kind of emotional 'attachment' to  
39 one side can end up seeing what they want to  
40 see, rather than what is really there ....

41  
42 "Taking sides, however, cannot be an excuse for taking  
43 liberties with the facts."

44  
45 There are two elements there. Did you at the time have an  
46 emotional attachment to the presumably Bosnian Muslim cause?

47 A. No. The only attachment we had was to find the truth  
48 about those camps. There'd been all sorts of propaganda from  
49 all sides in this conflict. The only attachment we had was to  
50 finding the truth and to present what we found in a proper and  
51 balanced manner.

52  
53 Q Then it says:

54  
55 Taking sides, however, cannot be an excuse for  
56 taking liberties with the facts."  
57

1 Were you taking sides? A. We were not taking sides. In  
2 fact, I believe we bent over backwards to present the pictures  
3 that we did obtain in context and in balance, both within the  
4 report and also in the interview I gave afterwards and also in  
5 the following day's broadcast. In some respects I felt it my  
6 responsibility, because of the power of the images that we  
7 had, to put them in their proper context and explain more  
8 fully how what we had seen and what we hadn't seen, to stick  
9 to what we could justify and, frankly, this is absurd.

10  
11 Q Did you, after that letter, authorise as part of that press  
12 release a letter to be sent on your behalf to the publishers  
13 of Living Marxism? I have read it, so I do not intend to read  
14 it again. A. I did, yes.

15  
16 Q It is at tab.5 for your Lordship's reference. Did you see  
17 their response to that letter? A. I did, yes.

18  
19 Q Can you find that at tab.18?

20  
21 "ITN tries to gag LM. LM magazine received a letter  
22 from ITN's lawyers threatening libel action unless we  
23 agreed .... our entire February issue ... and pay  
24 damages. This threat is in response to the article  
25 'The Picture that Fooled the World' by Thomas  
26 Deichmann which reveals the truth about the ....  
27 pictures of Bosnian Muslims apparently imprisoned  
28 behind a barbed wire fence at Trnopolje camp in August  
29 1992 (see previous LM press statement in the February  
30 issue for the full story). LM's ... said, 'ITN's  
31 Goldsmith-style gagging order is a scurrilous attempt  
32 to scare us off and stifle public discussion of  
33 important issues. Neither ITN nor their lawyers have  
34 yet said a word about the substance of our story,  
35 which exposes the way those famous pictures were  
36 taken. We stand 100% behind Thomas Deichmann's  
37 article. There is one simple way to resolve this  
38 issue. ITN should show the full, unedited footage  
39 which its team filmed in Trnopolje on 5th August 1992  
40 and everyone will know the truth."

41  
42 First of all, is it right that no-one contacted you prior to  
43 this article being published? A. Nobody contacted me.

44  
45 Q Did Mr. Deichmann contact you? A. Mr. Deichmann didn't  
46 contact me.

47  
48 Q Did Mr. Hulme contact you? A. Mr. Hulme didn't contact  
49 me.

50  
51 Q After that document was issued, did you then see the full  
52 article? A. I did, yes.

53  
54 Q Can we now look at it together? You will find that at tab.6.  
55 I am not going to take you through the whole of this article,  
56 because you have already given us your reaction to it. I just



1 want to direct you to a number of paragraphs. Paragraph 1  
2 says:

3  
4 "The picture reproduced on these pages is of Fikret  
5 Alic, a Bosnian Muslim, emaciated and stripped to the  
6 waist, apparently imprisoned ..... "

7  
8 What do you say about the statement that he was apparently  
9 imprisoned? A. There was nothing apparent about the  
10 imprisonment of Fikret Alic.

11  
12 MR. JUSTICE MORLAND: What do you mean by that? A. My Lord,  
13 he was clearly imprisoned; he was clearly emaciated and he was  
14 clearly behind barbed wire.

15  
16 MR. SHIELDS: Could he have walked round that fence and got in the  
17 van with you and gone back to Budapest? A. No. He was a  
18 prisoner in that compound.

19  
20 Q Paragraph 2:

21  
22 "For many, this picture has become a symbol of the  
23 horrors of the Bosnian war ..... but that image is  
24 misleading."

25  
26 Do you agree with that? A. No. I don't think the image  
27 is at all misleading. It is a perfectly apt image,  
28 encapsulating the suffering of those men in that field.

29  
30 Q

31 "The fact is that Fikret Alic and his fellow Bosnian  
32 Muslims were not imprisoned behind a barbed wire  
33 fence. There was no barbed wire fence surrounding  
34 Trnopolje camp. It was not a prison, and certainly  
35 not a 'concentration camp', but a collection centre  
36 for refugees, many of whom went there seeking safety  
37 and could leave again if they wished."

38  
39 Really, we have dealt with this already, so I am going to take  
40 this briefly. Was there anything you saw there or anything  
41 anyone said to you which gave you the impression that those  
42 people could leave again if they wished? A. No.

43  
44 Q

45 "The barbed wire in the picture is not around the  
46 Bosnian Muslims; it is around the cameraman and the  
47 journalists. It formed part of a broken-down barbed  
48 wire fence encircling a small compound that was next  
49 to Trnopolje camp. The British news team filmed from  
50 inside this compound."

51  
52 So they are saying there that there was not any barbed wire  
53 around Mr. Alic. In other words, he was looking over the  
54 barbed wire at you and that you were caged in. A. This is  
55 absurd. I was not aware, did not see any enclosure. It was  
56 very clear to me that Fikret Alic and his fellow prisoners  
57 were behind barbed wire. They were inside the compound that

1 was made up of chicken wire and barbed wire and I was able to  
2 move around the edge of that compound without obstruction in  
3 order to film interviews around the perimeter of that  
4 compound.

5  
6 Q Were there armed guards near you? A. There were armed  
7 guards -- well, we did our best to try and avoid them where we  
8 could -- but there were many armed guards.

9  
10 Q Standing on the same side as you? A. Yes.

11  
12 Q So was it your impression they were caged in? A. No.  
13 They were also along the barbed wire, very close to where we  
14 were.

15  
16 Q Paragraph 6:

17  
18 "Penny Marshall, Ian Williams and Ed Vulliamy have  
19 never called Trnopolje a concentration camp. They  
20 have criticised the way that others tried to use their  
21 reports and pictures as 'proof' of a Nazi-style  
22 Holocaust in Bosnia. Yet over the past four and a  
23 half years, none of them has told the full story about  
24 that barbed wire fence which made such an impact on  
25 world opinion."

26  
27 Were you aware that you kept something hidden? A. No.  
28 There is nothing hidden. There is no full story to be told.

29  
30 Q Go on, please, to para.12:

31  
32 "When Marshall, Williams and Vulliamy arrived in  
33 Bosnia at the end of July 1992, they were under  
34 intense pressure to get the story of the camps."

35  
36 Did anyone put you under intense pressure to get the story of  
37 the camps? A. No. There's not a question of that. TV  
38 news doesn't work in that manner and it certainly wouldn't  
39 have worked that way in a dangerous circumstance like this.  
40 It's an absurd suggestion to make.

41  
42 Q "Roy Gutman's article about the 'death camp' Omarska  
43 published while the British team were in Bosnia, had  
44 further raised expectations in the London editorial  
45 offices."

46  
47 Were you aware of any expectations in the London editorial  
48 office? A. I was not. The London editorial office was  
49 keen to learn from us whether we could ascertain the truth or  
50 otherwise about the existence of camps in Bosnia. There was  
51 no other expectation.

52  
53 Q Who would there be in the London editorial office with whom  
54 you would communicate regarding this issue? A. My main  
55 contact, as we would progress, is Sue English. Sue English is  
56 the foreign editor, or was the foreign editor, of Channel 4  
57 news at that time and it's her that I kept in close contact

1 with in Budapest, in Belgrade and also after we had come out  
2 of Serbia with this film.

3  
4 Q

5 "After her return, Penny Marshall told how she and  
6 Williams had received orders from the managing editors  
7 of ITN and Channel 4 to do nothing else before they  
8 had the camps story in the bag."  
9

10 Is that right? Were you given orders? A. No. We were  
11 never given orders, certainly not as expressed here. We went  
12 there, I was asked to go there by my foreign editor in order  
13 to take up Dr. Karadzic's challenge and try and ascertain the  
14 truth or otherwise about the existence of these camps.  
15

16 Q So you were to find the truth, not come up with any story to  
17 order? A. To find the truth and, if those camps had not  
18 existed, if this had been a load of baloney, then that in  
19 itself would have made a story, because it would have exposed  
20 the degree of propaganda that was coming out of the other side  
21 also.  
22

23 Q The next paragraph:

24  
25 "At the end of their trip approached, however,  
26 the british news team had been unable to find  
27 the camps story they were after. Their final  
28 stop was to be the refugee camp at Trnopolje,  
29 next to the village of Kozarac which had been  
30 overrun by Bosnian Serb units a few months  
31 earlier in May 1992. This was to be their  
32 last chance to get the story which their  
33 editors wanted."  
34

35 As far as you were concerned, when you left Omarska, did you  
36 think you had evidence of, as you would call it, inhumanity?  
37 A. We did. We had clear evidence of that in Omarska. I was  
38 angry that we weren't able to see other parts of what I think  
39 was a pretty atrocious place, but we had pictures from  
40 Omarska, powerful pictures from Omarska, evidence of  
41 inhumanity which in itself was important and would make an  
42 important story.  
43

44 Q So did you regard it as your last chance to get the story  
45 which your editors wanted? A. No. This wasn't a last  
46 chance to get anything and there wasn't a story that my  
47 editors wanted. The brief wasn't like that. Neither did we  
48 regard it somehow as a last chance. It shows really the  
49 absolute ignorance of what it was we were trying to do and the  
50 conditions under which we were working.  
51

52 Q Over the page -- and I am coming near the end now -- if one  
53 goes to para.34 on p.8, did you meet Pero Curguz?  
54 A. I never personally met him, no.  
55

56 Q But he was present at the camp. Is that right? A. Yes.  
57

1 Q We see here comment from him:

2  
3 "Curguz stressed that this was no internment or  
4 prisoner camp; it was a collecting camp for exiled  
5 Muslims."  
6

7 How do you react to that? A. Again, it's absurd. I think  
8 there is a serious question mark over the role of the Serbian  
9 Red Cross in these camps. I've seen and heard similar  
10 suggestions about the Serb Red Cross and I think that here  
11 they were as much part of that system at the camp and I don't  
12 think that he can be particularly taken as a reliable witness.  
13

14 Q Then para.26:

15  
16 "Misa Raduloviic ..... but like all other men  
17 considered able-bodied, he was enlisted in the  
18 army during the war and stationed as a camp  
19 guard in Trnopolje for three days. 'We  
20 protected the Muslims from Serbian extremists  
21 who wanted to take revenge', he said. 'The  
22 people could leave the camp without papers,  
23 but this was dangerous. A barbed wire fence  
24 existed only at this corner around the barn,  
25 this little shop for rural products and the  
26 electricity station."  
27

28 Did you gain any impression which led you to believe that they  
29 could leave the camp without papers? A. No. Absolutely  
30 not.  
31

32 Q Did you see any Serbian extremists when you were there?  
33 A. Plenty.  
34

35 Q Did you think that the Muslims in the camp were being  
36 protected from them? A. Not at all. The camps were a  
37 product of Serb extremism.  
38

39 Q It is the year 2000, Mr. Williams. No apology has ever been  
40 published to you, has it? A. No.  
41

42 Q What is your purpose, then, in bringing these proceedings?  
43 A. I want to establish my integrity and my reputation.  
44 I know that within this profession there's a lot of hard talk  
45 that flies around. You know, you have to roll with the  
46 punches to some extent. I do that all the time. But rarely  
47 have I been subjected to such a vindictive and bitter attack  
48 on my personal integrity as a journalist and on my reputation  
49 from a story which was not only so important to me personally,  
50 but was so important in its impact at the time.  
51

52 MR. JUSTICE MORLAND: We will adjourn until tomorrow morning.  
53 Quarter past ten tomorrow morning.  
54

55 (Adjourned until 10.15 a.m. on Wednesday, 1st March 2000)