



Croatian Information Service

P. O. Box 3025 - Arcadia, California 91008

North America
South America
Europe
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New York Office

P. O. Box 880, Times Square Station, New York, N.Y. 10008

April 14, 1977 For Immediate Release

NEWS

CROATIAN CITED FOR CONTEMPT: "They could be killed"

Ivanko Busic, a Croatian accused of hijacking a TWA 727 from New York to Paris in 1976, refused Wednesday (April 13) to divulge the names of Croatians still inside Yugoslavia and in West Germany who aided in preparation of declarations calling for Croatian freedom.

United States Attorney Peter Schlem repeated his question, "What are their names?" as Busic remained silent. Judge John E. Bartels then instructed the witness that he must answer the question, at which time defense attorney Michael Tigar took a stand of open defiance. "Your Honor," Tigar said, "I am instructing the witness not to answer the question. I understand the consequences of that act and I take responsibility for it."

Judge Bartels threatened both Busic and Tigar with a contempt citation. Mr. Tigar answered: "I inform the Court that I am conscious of the responsibility I have undertaken". Judge Bartels: "Well, are you going to give the names or not?" Busic: "I can't send them in for life imprisonment. No."

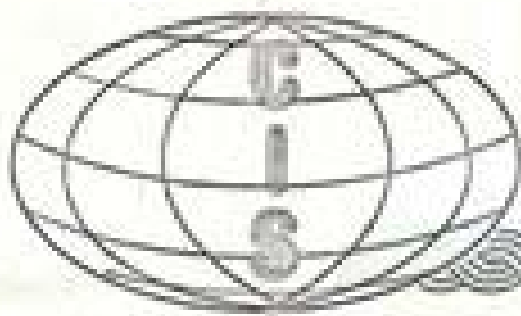
Bartels cleared the courtroom and continued the questioning behind closed doors. Tigar objected to this procedure calling for an open trial. The judge then ordered the record sealed and ordered Tigar to stand trial ten days after this trial for contempt of court.

Busic stated that those still in Yugoslavia had asked him to "...do anything in the western world and western democracy to help these Croatian students who were in prison in Yugoslavia". (Tigar) told the court that eighteen Croatians had been murdered in West Germany, indicating that the lives of any Croatians raised in the courtroom would be in danger. Judge Bartels ordered those facts stricken from the record, adding: "This is not a forum for you to tell the necessity of Croatian independence or the suffering of Croatians in or under Yugoslavian domination. Now, you answer

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the question^{ing}. Basic: "With the greatest respect to the Court, I refuse to answer that question."

On the morning of April 14th, Judge Bartels, faced with the possibility of one or more suits from New York newspapers, allowed the sealed material to be made public and gave Mr. Basic an opportunity to state why he would not answer the question. Basic tried to explain that many Croats had been killed or tortured for their beliefs but was stopped by government objections. Finally, Bartels took over the task of asking questions directly of the witness. When asked what he thought would happen to those people in Croatia and in West Germany should their names be made public, Basic answered: "In Zagreb [capital of Croatia] they would be arrested or some sort of "accident"; in West Germany, they would be assassinated^{ing}."

FOR MORE INFORMATION CALL 212-986-6044 or 213-447-4438
New York City Los Angeles
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