



Croatian Information Service

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April 14, 1977 For Immediate Release

NEWS

CROATIAN CITED FOR CONTEMPT: "They could be killed"

Ivanko Basic, 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.

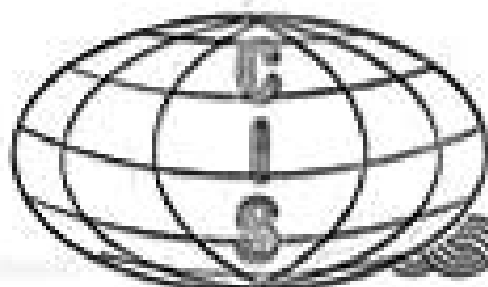
United States Attorney Peter Schlan repeated his question, "What are their names?" as Basic remained silent. Judge John B. Bartels then instructed the witness that he must answer the question, at which time defense attorney Michael Tigar took a stand of open defiance. "Your Honor," Tigar said, "I am 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 Basic 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?" Basic: "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.

Basic 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 named 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} Busic: "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. Busic an opportunity to state why he would not answer the question. Busic tried to explain that many Croatians 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, Busic answered: "In Zagreb [capital of Croatia] they would be arrested or some sort of "accident"; in West Germany, they would be assassinated^{ing}."

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