**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-09-92-T

IN THE TRIAL CHAMBER

Before: Judge Alphons Orie, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flügge

Registrar: Mr. John Hocking

Date Filed: 3 December 2014

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC
WITH PUBLIC ANNEX A and PUBLIC ANNEX B

DEFENCE MOTION PURSUANT TO RULE 92*TER* TO ADMIT THE WRITTEN TESTIMONY OF MIODRAG DRAGUTINOVIC

The Office of the Prosecutor:
Mr. Peter McCloskey
Ms. Camille Bibles

Counsel for the Accused:
Mr. Branko Lukić
Mr. Miodrag Stojanović

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The Accused, **RATKO MLADIĆ**, by and through his counsel of record, hereby files the instant Motion pursuant to Rule 92*ter* of the Rules of Procedure and Evidence, and in support thereof states as follows:

I. Introduction

1. Pursuant to the Guidance previously expressed by the Trial Chamber, motions offering written statements under Rule 92*ter* of the Rules of Procedure and Evidence are to be filed at least 30 days before the anticipated testimony of a given witness. Witness MIODRAG DRAGUTINOVIĆ is currently scheduled to testify approximately within 30 days, and thus the Defence hereby files the instant motion in compliance with the Chamber's guidance, and applying for the evidence of this witness to be heard pursuant to Rule 92*ter*. This Motion is filed publicly, as the witness does not require protective measures.

2. Herein this application is made to tender one written witness statement of the witness, with one associated exhibit. At this time the Defence estimates that the evidence-in-chief of this witness will last up to 30 minutes.

3. The Defence does not otherwise seek to deviate from the Chamber's Guidelines in tendering this witness' evidence.

II. Applicable Law

4. Under Rule 92*ter* of the Rules of Procedure and Evidence (hereinafter "Rules") a Trial Chamber is permitted to admit the evidence in whole or in part in the form of a witness statement of transcript or proceedings before the Tribunal, under the following conditions: i) the witness is present in court; ii) the witness is available for cross-examination and any questioning by the Judges; and iii) the witness attests that the written statement or transcript accurately reflects the witness's declaration and what the witness would say if examined.[1]

5. A party calling a witness pursuant to Rule 92*ter* may seek to admit into evidence documents that have been discussed by the witness in his or her witness statement of previous testimony.[2]

III. Arguments and Submissions

a. The Chamber Should Admit the Witness Statement

6. The Defence seeks leave of the Chamber to call Miodrag Dragutinović as a witness pursuant to Rule 92*ter*. The Defence submits that the proffered statement, (attached hereto as Annex A) meets the requirements of Rule 92*ter*, and thus should be admitted under that Rule.

7. Witness Dragutinović's statement is relevant, reliable and probative, as set forth in greater detail herein below. A copy of said statement is attached as **Public Annex A**.

8. The witness will be present at trial, and thus will be able to attest to the evidence and will be available to be cross-examined by the Prosecution. Thus the requirements of Rule 92*ter* will be fulfilled, and fairness to the Prosecution will be observed.

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[1] Rule 92*ter* of the Rules of Procedure and Evidence.
[2] *Prosecutor v. Karadzic*, Case No. IT-95-5/18-T, "Decision on Prosecution's Submission regarding Additional Transcript Pages from Momcilo Mandic's Stanisic and Zupljanin Testimony for Admission into Evidence." 8 September 2010, para. 5

9. Witness Miodrag Dragutinović completed the school for reserve officers, which is a year long course as part of one's military term. The witness was trained to be a reserve officer for eight months, acquiring theoretical knowledge I all areas of military skills. Witness then spent 4 months training young soldiers. Following this training he served with the reserve force. As part of the reserve force he was appointed to the Territorial Defence (TO) to an engineering unit. Witness joined the Zvornik brigade in August 1992 where he assumed the duty of Assistant Chief of Staff for operations Officer. In July the witness held the rank of reserve Mayor. [3]

10. The Defence submits that due to the nature of the Witness's testimony 30 minutes will be necessary in order to conduct a limited and focused direct examination of the witness to clarify, expand on, and contextualize aspects of his evidence directly relevant to the defence case.

11. Witness Dragutinović's testimony is relevant to the Defence in that it will, among other things, establish the following:

- **a.** The structure and functioning and chain of command of the Zvornik Brigade[4]
- **b.** The content of draft operational documents [5]
- **c.** The conflict between the Brigade Commander and Chief of Security [6]
- **d.** The functioning of the security organs of the Zvornik Brigade [7]
- **e.** The order sent by DK command to separate the enclaves of Srebrenica and Zepa in order to split up their forces and reduce their maneuvering space[8]
- **f.** That the enclaves weren't demilitarized and served as a base for armed groups from which they attacked VRS[9]
- **g.** The establishment and composition of Tactical Group 1 (TG1) by the Zvornik Brigade Commander. The Group consisted of two Combat Groups (BG1) [10]

[3] Statement paras 2-5
[4] Statement para 5
[5] Statement para 3
[6] Statement para 6
[7] Statement para 6
[8] Statement para 8
[9] Statement para 8
[10] Statement para 8

h. The activities of the tactical Group on July 5 1995 in the Zeleni Jadar – Bojna-Srebrenica axis. [11]

i. Combat activities of the Tactical group from the 6-9th of July in the Zeleni Jadar –Bojna-Srebrenica axis.[12]

j. The seizure of Živkovo brdo. [13]

k. The counter attacks by the Army BiH 28th division on the 10th of July[14]

l. The arrival of General Krstic 10th of July early in the evening [15]

m. The regain of Zivkovo Brdo, Pusumlici and Bojna village after introducing BG into combat on 10 July 1995.[16]

n. The Participation of other units in the combat around Srebrenica. [17]

o. The establishment of the Forward Command post (IKM) of the Drina Corps in Pribićevac and the organization of communication between different units [18]

p. The advancement towards Srebrenica 11th of July 1995 and NATO forces attack on TG-1 positions[19]

q. The evening of 11th of July entrance to Srebrenica [20]

r. The meeting of Pandurović with Generals Mladić and Krstić in Bratunac[21]

s. The withdrawal of the BiH Army 28th division from Srebrenica [22]

t. The tasks of searching the terrain between Srebrenica and Viogor at Suceska and the settlement at Viogor [23]

u. Arrival and orders of General Krstic at Viogor.The announcement of combat operations in the area of Žepa [24]

v. The announcement of the Žepa march by General Mladić who arrived to Viogor only on the 13th of July .The march was oriented towards the neutralization of the Žepa Brigade.[25]

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[11] Statement para 9
[12] Statement para 9
[13] Statement para 9
[14] Statement para 9
[15] Statement para 9
[16] Statement para 9
[17] Statement para 10
[18] Statement para 11
[19] Statement para 12
[20] Statement para 13
[21] Statement para 13
[22] Statement para 14
[23] Statement para 15
[24] Statement paras 16-17

w. The disagreements between Commander Pandurević and General Mladić

x. The preparation to withdraw troops in order to send them to Žepa. [26]

y. The initial preparation for the Žepa March along Viogor-Derventa-Milići-Vlasenica-Han Pijesak-Požeplje route The initial attack and combat operation against the members of the Zepa brigade along the Pozeplje-Brloznik-Purtici axis. [27]

z. The discontinuation of combat activities of the 15th of July due the complication in the area of the Zvornik Brigade. The 28th Division was already in the area of the Zvornik Brigade. Witness Dragutinović was instructed to prepare the unit to withdraw from the position reached and march for Zvornik.[28]

aa. The arrival and activities at the area of the Zvornik Brigade.[29]

bb. The 16th of July attack on the Seventh and Fourth Battalion by Muslim forces. [30]

cc. The agreement reached by the Muslims forces and Vinko Pandurević to open up a corridor and the strengthening of positions around the corridor in order to prevent any attacks from the rear[31]

dd. The arrival of Colonel Trkulja of the Main staff in the area of the Zvornik Brigade in order to gather information about the situation. [32]

ee. The details of the 19 July meeting at the brigade command. The main topics concerned the events in the zone of the Zvornik brigade in the previous few days. [33]

ff. The content of regular and interim combat report of the Zvornik Brigade[34]

gg. The passage of humanitarian and international convoys through the zone of the Zvornik Brigade. [35]

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[25] Statement para 18
[26] Statement para 19
[27] Statement para 20
[28] Statement para 21
[29] Statement para 21
[30] Statement para 22
[31] Statement para 22
[32] Statement para 23
[33] Statement para 24
[34] Statement para 25
[35] Statement paras 25-26

b) The Chamber Should Admit the Associated Exhibits

12. Each associated exhibit is directly relevant to the case, and is inseparable and indispensable to the witness's statement, and can be contextualized and explained most effectively through this witness. They constitute an essential component of the witness' evidence, and also are of importance to the Defense case, and therefore it is submitted that it is in the interests of justice that they be admitted.

13. There are 3 associated exhibits to this witness statement, as set out in the table that is attached at **Public Annex B**.

14. The associated exhibits will help assist the Chamber in understanding the evidence of this witness, as the documents relate to:

- **a.** The organization and structure of the Zvornik Brigade.[36]
- **b.** The chain of command of the Zvornik Brigade.[37]
- **c.** The details and understanding of the order to separate the enclaves of Srebrenica and Žepa.[38]
- **d.** The formation and functioning of the Tactical Group 1 (TG 1).[39]

III. CONCLUSION

WHEREFORE, for the foregoing arguments, the Defence respectfully requests that the Chamber issue an order:

a. Granting the Defence leave to call Miodrag Dragutinović as a witness pursuant to Rule 92*ter*.

b. Granting the Defence leave to admit the proffered statement (attached hereto as Annex A) under Rule 92ter

c. Granting the Defense leave to admit the list of associated exhibits, (attached hereto as Annex B) under Rule 92*ter*.

Word Count: 1,772

[36] Statement paras 3-7
[37] Statement paras 3-7
[38] Statement para 8
[39] Statement para 8

RESPECTFULLY SUBMITTED BY:

Branko Lukić
Lead Counsel for Ratko Mladić

Miodrag Stojanović
Co-Counsel for Ratko Mladić

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

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ANNEX A

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

WITNESS STATEMENT

Witness Information

Last name: DRAGUTINOVIĆ

Name: Miodrag

Father's name: Živojin

Date of birth: 21 March 1950

Ethnicity: Serbian

Date(s) of interview: 19 June 2013, 11 October 2013

Interview conducted by: Nenad PETRUŠIĆ

Languages used during interview: Serbian

Witness signature: ____/*signature*/_____

Witness Statement

1) My name is Miodrag DRAGUTINOVIĆ. I was born in 1951 in Kalesija, BH, and I live in Zvornik in the RS /Republika Srpska/. I completed a high school for land survey technicians. My basic occupation is land surveyor and I am currently retired.

2) As regards military education, I did not complete any regular military schools, but I did complete the school for reserve officers while serving my regular military term. It is a year long course as part of one's military term. I was trained to be a reserve officer for eight months, acquiring theoretical knowledge in all areas of military skills, and then I spent the next four months in practice, training young soldiers. I completed that education while in the JNA /Yugoslav People's Army/. Following the training I served with the reserve force on several occasions when I attended certain courses. As part of the reserve force, I was appointed to the Territorial Defence (TO) to an engineering unit. Later, I was also the member of a combat unit as part of the reserve force. I was mobilised into the combat unit in 1991.

3) I joined the Zvornik Brigade and its command in August 1992 of my own initiative. I assumed the duty of Operations Officer, or to be more precise, I was Assistant Chief of Staff for Operations and Training in the command of the Zvornik Brigade. My job was to follow and draft operational documents, which is to say all documents that had to do with combat training for the units of the Zvornik Brigade, as well as other documents. The Office for Operations and Training is the location where practically all documents are created.

4) Regarding my duty, my immediate superior in terms of hierarchy was the chief of staff, and I was supposed to be in direct communication with him. However, oftentimes I carried out orders coming directly from the brigade commander.

5) In July 1995 I held the rank of reserve Major, meaning that I was not an active duty officer. My immediate superior was Chief of Staff, Major Dragan OBRENOVIĆ, who was an active duty career officer with a military background. Brigade Commander was Lieutenant Colonel Vinko PANDUREVIĆ, who was also an active duty officer. In addition to the Chief of Staff, the assistant commander for morale, legal and religious affairs, assistant commander for logistics and chief of security were also directly subordinated to the Commander. The Assistant Commander for Morale, Legal and Religious Affairs was Major Mihajlo GALIĆ, the Chief of Security was Drago NIKOLIĆ and the Assistant Commander for Logistics was Captain Sreten MILOŠEVIĆ.

6) I recall that there was an argument in late 1994 between Brigade Commander Vinko PANDUREVIĆ and Chief of Security Drago NIKOLIĆ because Commander PANDUREVIĆ asked that security reports be included in regular brigade reports and sent as such to the superior command, the Drina Corps Command - DK. Naturally, the Commander wanted to be acquainted with all that was going on in the brigade. He wanted everything to go through him, including the reports of security organs. As it was a contentious issue, after a while the Corps Command sent instructions on the work of security organs, under which security organs had a degree of independence *vis-à-vis* other command sectors, to my understanding.

7) I was shown document **65ter 05642** and I confirm that it is a table of the Zvornik Brigade command. I made all of the hand-written notations in the document on 18 September 2001 while being interviewed by the Office of the Prosecutor in Banja Luka.

8) I know that we received an order dated 2 July 1995 (**ERN 00847289**) for active combat operations from the DK Command, including a task assigned to the Zvornik Brigade. The general task of the order was to separate the enclaves of Srebrenica and Žepa. The aim was to split up the forces of the Srebrenica and Žepa enclaves and reduce their manoeuvreing space. One could say that it was public knowledge that the enclaves had not been demilitarized and that they basically served as a base for armed groups from which they attacked VRS /Army of Republika Srpska/ positions and entered the rear of the VRS. Immediately upon receiving that order, the Zvornik Brigade Commander established Tactical Group 1 (TG-1). It is the document bearing **ERN 00710229**. The TG-1 was comprised of Combat Group-1 (BG-1) the Podrinje Platoon commanded by Captain Milorad JOLOVIĆ and Combat Group-2 (BG-2), which consisted of two infantry companies with soldiers from all of the battalions of the Zvornik Brigade. It also included an armoured mechanised company and a logistics platoon. I believe that there were a total of some 400 soldiers. In order to successfully implement the received task, Commander PANDUREVIĆ used the order on the formation of the TG as a blueprint for detailed preparation and planning both for the use of units as well as materiel and technical equipment.

9) On 5 July 1995, the TG reached the area of Zeleni Jadar on orders from Zvornik Brigade Commander Vinko PANDUREVIĆ on 5 July 1995. Pursuant to the DK order, it was to be the area of attack along the Zeleni Jadar – Bojna – Srebrenica axis. There was no serious combat in the course of the first few days, probably due to poor weather conditions. In any case, combat activity commenced on 6 July 1995. As I mentioned already, the combat task of the Zvornik Brigade was to gain control of the area of Živkovo Brdo, the Bojna facility and the axis Zeleni Jadar – Srebrenica. We were successful in our manoeuvre on 9 July 1995 and seized the area of Živkovo Brdo. However, early in the morning of 10 July 1995, members of the 28th Division forced us back almost to our starting position at a place called Biljeg, where there are three nameless hill tops we called *The Three Breasts* /Tri sise/. There we

managed to halt their counterattack. Having introduced the BG-1 into combat, we regained the positions of Živkovo Brdo, Pusumlići and Bojna village in the afternoon of 10 July 1995. It was sometime before the evening on 10 July 1995. General KRSTIĆ arrived early in the evening the same day and issued a task for the next day. Our retaking of the commanding features of Živkovo Brdo, Pusumlići and Bojna early in the evening of 10 July 1995 put a stop to any further resistance by the 28th Division along that axis.

10) In addition to the TG, parts of the units of the Second Romanija Brigade commanded by their commander Mirko TRIVIĆ, and parts of the units of the Birčani Brigade commanded by Lieutenant Colonel ANDRIĆ, took part in this combat around Srebrenica. The Bratunac Brigade on one side and the Milići Brigade on the other had held positions in the area from earlier on and were in permanent contact with the protected area. As far as I know and as I learned later, there was another unit there – the Skelani Independent Battalion.

11) The BG-1 and the BG-2 communicated by way of radio, like the other units taking part in this operation. The Forward Command Post of the Drina Corps (DK IKM) was set up at Pribićevac and was used for commanding and establishing contact with the units by way of radio communication. Commander PANDUREVIĆ did not have a direct line of communication with the Zvornik Brigade Commander and its Chief of Staff Major OBRENOVIĆ, who remained at the brigade command. In case he needed to establish such communication, he could do so via the IKM of the DK. During the operation, we were in daily and regular contact with the IKM Commander, General KRSTIĆ, who led the operation. We informed him of goings-on along our axis. As I said, we did not inform our Zvornik Brigade command about it, but the DK IKM could have and did inform their own DK command in Vlasenica about what was going on in that part of the theatre. In this case too, we could not communicate directly with the command of the DK in Vlasenica or with the Main Staff command in Crna Rijeka.

12) I have already mentioned that on 10 July 1995 General KRSTIĆ ordered us to continue advancing toward Srebrenica the next day. BG-2 Commander Mirko TRIVIĆ, who otherwise commanded the Romanija Brigade, was at Bojna early in the morning on 11 July 1995, too. As I have mentioned previously, the Second Romanija Brigade provided a certain number of soldiers for the operation and was part of the TG-2, which is also something I mentioned before. The TGs set out toward Srebrenica early in the afternoon on 11 July 1995. As the Zvornik Brigade, meaning the TG-1, was moving, there was an air strike by NATO forces which was directed mainly at the position of TG-1. I believe that in the several strikes by these NATO forces a medical vehicle, as well as the vehicle of Podrinje Platoon Commander, was destroyed. Given that I was in the proximity of the air strike, I sustained a strong concussion and I was taken to our starting position in Zeleni Jadar where our medical unit was located. I did not feel the consequences of the strike until an hour or two later and that is why I did not leave the area and go to Zeleni Jadar immediately.

Only later did I leave for Zeleni Jadar where I stayed until the next morning, 12 July.

13) I knew already on the evening of 11 July that our forces had entered Srebrenica because our commander PANDUREVIĆ came to Zeleni Jadar, where the logistical part of our unit was located at the time. He had some business to attend to and came to see me as well. Commander PANDUREVIĆ told me then that following the NATO bombardment, our units set off and entered Srebrenica without any particular resistance being lent. Our unit was deployed in the abandoned houses in Srebrenica. I left with him and we travelled from Zeleni Jadar to Srebrenica via Bojna. I stayed the night between 11 and 12 July, while PANDUREVIĆ left Srebrenica for Bratunac, travelling via Potočari. He said he was going to a meeting called by Generals MLADIĆ and KRSTIĆ. He also said that the agenda of the meeting was to report on the combat operations completed and possibly to receive new tasks following the taking of Srebrenica.

14) As I understood things, I would say that it was obvious that the units of the 28th Division had withdrawn from Srebrenica town in order not to sustain losses and that they were still somewhere in the vicinity. The 28th Division had not been destroyed completely and I presumed that a task would be issued to that effect at the meeting PANDUREVIĆ had to attend on the orders of Generals MLADIĆ and KRSTIĆ. The meeting was supposed to take place in the evening and Commander PANDUREVIĆ did not mention who was going to attend it. It was my presumption that all of the other commanders who participated in the combat operations would be in attendance.

15) The next day, on 12 July TG-1, and TG-2 as well, I believe, were tasked with searching the terrain between Srebrenica and Viogor at Sućeska. The Commander gathered all members of the unit, that is to say, platoon commanders, and said that everyone was to prepare their troops to march towards Sućeska. The Podrinje Detachment was there as well. We left at around 12:00 hours and arrived at the assigned position in the area of Viogor – Sućeska at around 15:00 hours.

16) There was no combat during the search operation. We did not encounter any straggling Muslim members of the 28th Division, nor did we come upon any ambushes. As I said, we stopped in the area of Viogor. We did not go to Sućeska, but we were close to that area. To be more precise, it was the area of Viogor, Šiljato Brdo and Jahorina. One could say that it was the general area that we were in. We awaited General KRSTIĆ's further orders there.

17) General KRSTIĆ arrived in our sector sometime in the afternoon, around 17:00 or 18:00 hours. Our commander PANDUREVIĆ was there as well. General KRSTIĆ and he had a conversation and we were told that we do not need to go to Sućeska, that there are no 28th Division units there, that the Division had gone further up north toward the village of Jaglići and that our unit was to spend the night there. At the meeting with KRSTIĆ it was

announced that our unit might be tasked with combat operations in the area of Žepa, but no specific task was issued in that regard early in the evening of 12 July 1995. General MLADIĆ did not accompany KRSTIĆ at the time. He came alone. I am uncertain as to whether there were some other officers there with him, but General MLADIĆ definitely was not. Some TG-2 and Birčani Brigade troops were in the area, but I do not recall the Romanija Brigade Commander or anyone else attending the meeting.

18) On 13 July around 10 a.m. General MLADIĆ arrived with General KRSTIĆ at the place where we had spent the night. All commanders of the TG-1 and TG-2 units which were deployed in the area were present. General MLADIĆ told us to prepare to march on Žepa. He very briefly told us that TG-1 and TG-2 should be prepared to march toward the sector of Žepa in order to eliminate the non-demilitarized zone of Žepa, which is to say, to neutralize the Žepa Brigade which was present in the area. As far as I recall, Commander PANDUREVIĆ voiced an objection to the task received. He pointed out that the 28th Division had not been destroyed. He said that the Division could end up in the sector of Jaglići to the north of the enclave, where it could regroup in order to attempt a breakthrough to the free territory of Tuzla. He said that the positions of the Zvornik Brigade at Memići - Baljkovica and Petkovci - would come under attack, placing the members and the zone of the Zvornik Brigade in an unfavourable position, the Brigade having been weakened by assigning its forces to the TG-1. In coordination with the forces arriving from the area commanded by the Second Corps, the units of the 28th Division could link up with them. It would amount to a great risk for the Zvornik Brigade and several of its battalions. General MLADIĆ said that the Corps Command has forces at its disposal which could deal with a potential strike and counter-strike by the 28th Division at the crossing between Konjević Polje, Kasaba and Milići and that it should not be allowed to cross that road. He said that Commander PANDUREVIĆ should have no worry in that regard.

19) All of the commanders received the order, initiated preparations to have their troops withdrawn from the positions reached and began sending them toward the enclave of Žepa.

20) In the morning of 13 July we set out toward the enclave of Žepa along the Viogor – Derventa – Milići – Vlasenica – Han Pijesak – Požeplje route. We had first re-supplied the units with ammunition and other materiel and technical equipment. We reached the area of Požeplje, our initial position, at around 02:00 hours on 14 July. Our TG initiated an attack and combat operations against the members of the Žepa Brigade holding their positions early in the morning of 14 July along the Požeplje – Brložnik – Purtići axis. Having taken Brložnik, we reached the slopes overlooking Purtići already by late afternoon and we stopped there, intending to continue our mission the next day.

21) We did not continue with combat operations the next day, on 15 July, although the units were ready. Vinko PANDUREVIĆ went to the DK IKM at Krivača

due to the situation in the area of the Zvornik Brigade becoming significantly more complicated. When he returned from the IKM, he said that the 28th Division was already in the area of the Zvornik Brigade and that it was posing a serious threat along the Memići – Baljkovica – Petkovci axis. He instructed me to prepare the unit to withdraw from the position reached and to continue marching on Zvornik in the shortest time possible. I withdrew the unit, prepared it to march and we set out for Zvornik. He ordered that the mechanised unit was to be at the rear, that I should accompany it and that once in Zvornik, I should go toward the Caparde – Memići axis, focusing on the defence sector of the Seventh Battalion. He provided me with some guidelines on the use of that armoured mechanised unit. We reached the zone of the Zvornik Brigade in the area of Zlatne Vode around 13:30 or 14:00 hours. Through Mihajlo GALIĆ I received an order to take the Snagovo – Caparde route in the defence sector of the Seventh Battalion, but I had to wait for fuel for the combat vehicles first. The location I was supposed to control was of great importance for the Zvornik Brigade at that moment in time. I soon received an order for a tank to be returned to the defence sector of the Sixth Battalion as it, too, was under threat. There were attacks on the Seventh Battalion coming from the front lines, with the aim of capturing Pandurica which is very important for the area.

22) On 16 July the Seventh Battalion came under serious attack, but it was thwarted. One could also hear engagement in the area of the Fourth Battalion that same morning. In the morning of 16 July I learned from the Seventh Batallion Commander that negotiations were underway between members of the Muslim forces and our Commander for a corridor to be opened up. An agreement was reached. Under it, the 28th Division was to be let through unhindered, together with the civilian population trailing it, through a passage opened up by the removal of three trenches held by the Fourth Battalion. As I said, the passage was created and there was no movement during the night, according to the agreement. We did strengthen our positions around that corridor though, in order to prevent any Muslim units from entering our space from the rear. There was no combat, and the next morning on 17 July the passage of the Muslim column toward the territory controlled by the ABiH /Army of Bosnia and Herzegovina/ continued until the afternoon.

23) During that time Commander PANDUREVIĆ was in the area of Delići Village. The Zvornik Brigade IKM was there, close to the defence area of the Sixth Battalion. Throughout those days, starting with the return to the zone on 15 July and onwards, the DK Command was informed by the Zvornik Brigade Command about the situation in its area. I do not know if the DK Command informed the Main Staff about the goings-on in our zone as I had no occasion to see such reports form the DK to the Main Staff at the time. I do know that on 17 July Lieutenant Colonel or Colonel TRKULJA of the Main Staff arrived in the area of the Zvornik Brigade inquiring about earlier events. I presume that he was there on orders from his command, so that the Main Staff Command would be fully cognisant of what was going on. I suppose that they did not have sufficient information at the time. He gathered the information he

needed and returned to his command. He did not inform us of that, nor was he obliged to, as his command was two levels up from the level of the Zvornik Brigade. As far as I know, Mr TRKULJA did not visit any other locations in the zone of the Zvornik Brigade.

24) I attended a meeting on 19 July at the Brigade Command where alongside the Commander, there were also the Chief of Staff and the Assistant Commanders. The main topic concerned the events in the zone of the Zvornik Brigade on 15, 16, 17 and 18 July, as well as the consolidation of the Fourth Battalion which had suffered the greatest losses. In order to do so we had to set up another command post, establish new communication links and so on.

25) I have been shown the regular and interim combat reports of the Zvornik Brigade from that time and I can confirm that they reflect the situation in the field. I can also confirm that one of the items in regular combat reports had to do with whether a convoy had passed through the zone of the Zvornik Brigade, be it an UNPROFOR /United Nations Protection Force/ convoy, a humanitarian convoy or a convoy from another humanitarian organization. There was a checkpoint at Karakaj, immediately after the bridge across the Drina connecting Serbia and Republika Srpska. The convoys were checked at the checkpoint by members of the Zvornik Brigade tasked with doing so by the Brigade Command. Attention was paid to their civil conduct *vis-à-vis* UNPROFOR members and members from other international organizations whose convoys passed through.

26) As far as I know, there was a negligible number of cases where there were problems regarding the inspection and letting through of convoys. Even if problems occurred, they were dealt with promptly. In any case, one can clearly see from the regular reports of the Zvornik Brigade whether there were such problems and what was the frequency of the convoys. Naturally, convoys were stopped if there were combat operations on their route so they could not be let through due to their own safety.

WITNESS ACKNOWLEDGMENT

I have read this statement which contains __*9*___ pages and it contains everything I said to my knowledge and recollection. I have given this statement voluntarily and I am aware that it may be used in legal proceedings before the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia Since 1991, as well as that I may be called to give evidence in public before the Tribunal.

Signature: ___/*signature*/_____

Date: ____*29 July 2014*_____

MEĐUNARODNI SUD ZA KRIVIČNO GONJENJE OSOBA ODGOVORNIH ZA TEŠKA KRŠENJA MEĐUNARODNOG PRAVA NA TERITORIJI BIVŠE JUGOSLAVIJE OD 1991

IZJAVA SVEDOKA

PODACI O SVEDOKU:

Prezime: DRAGUTINOVIĆ

Ime: Miodrag

Ime oca: Živojin

Datum rođenja: 21.03.1950.g.

Nacionalnost: Srbin

Datum(i) razgovora: 19.06.2013.g.i 11.10.2013.g.

Razgovor(e) vodili: Nenad Petrušić

Jezici korišćeni u toku razgovora: srpski

Potpis svedoka: _____

IZJAVA SVEDOKA

1. Zovem se Dragutinović Miodrag. Rođen sam u Kalesiji u BiH, a živim u Zvorniku u RS. Završio sam geodetsku školu. Moje osnovno zanimanje je geometar, trenutno sam u penziji.

2. Što se vojnog obrazovanja tiče, nisam završio nikakve redovne vojne škole, ali sam u okviru redovnog služenja vojnog roka završio školu rezervnih oficira. To je jednogodišnji kurs u okviru služenja vojnog roka, od toga osam meseci sam obučavan za rezervnog oficira, i sticao sam teoretska znanja iz svih oblasti vojne veštine, a četiri meseca sam proveo na praksi obučavajući mlade vojnike. Dakle, ovu školu sam završio u bivšoj SFRJ. Nakon završetka te obuke u više navrata, služenjem u rezervnom sastavu, pohađao sam određene kurseve. U rezervnom sastavu sam bio imenovan u Teritorijalnu odbranu(TO), u inženjerijskoj jedinici, a kasnije sam mobilisan i u borbenoj jedinici. U tu borbenu jedinicu mobilisan sam 1991. godine.

3. U Zvorničku brigadu, bolje reći u komandu Zvorničke brigade sam pristupio u avgustu 1992. godine, samoinicijativno. Pristupio sam na dužnost operativnog oficira, tačnije rečeno bio sam pomoćnik načelnika štaba za operativno nastavne poslove u komandi Zvorničke brigade, koji poslovi su bili da pratim i izrađujem operativna dokumenta; sva dokumenta koja se odnose na borbenu obuku jedinica u okviru Zvorničke brigade, kao i druge dokumente. Kancelarija za operativno nastavne poslove je praktično mesto gde se izrađuju sva dokumenta.

4. Po hijerarhiji u odnosu na dužnost koju sam obavljao, moj prvopretpostavljeni je bio načelnik štaba i ja sam neposredno trebao da komuniciram sa njim, međutim vrlo često su se događale situacije da sam neposredno i direktno izvršavao naređenja komandanta brigade.

5. U julu 1995. godine bio sam u činu majora rezervnog oficira, dakle, nisam bio profesionalni oficir. Moj neposredno nadređeni Načelnik štaba bio je aktivni školovani, profesionalni oficir, major Dragan OBRENOVIĆ, a komandant brigade potpukovnik, takođe profesionalni oficir, Vinko PANDUREVIĆ. Pored Načelnika štaba, Komandantu su neposredno bili potčinjeni i pomoćnik komandanta za moral, pravna i verska pitanja, kao i pomoćnik za pozadinu i načelnik bezbednosti. Pomoćnik Komandanta za moral, verska i pravna pitanja bio je major Mihajlo GALIĆ, načelnik bezbednosti je bio Drago NIKOLIĆ, a pomoćnik za pozadinu kapetan Sreten MILOŠEVIĆ.

6. Sećam se da je u vremenu krajem 1994. godine došlo do spora između komandanta brigade Vinka PANDUREVIĆA i načelnika za bezbednost Draga NIKOLIĆA, jer je

komandant PANDUREVIĆ tražio da se izveštaji bezbednosti uključe u redovne izveštaje brigade, pa da se kao takvi šalju pretpostavljenoj komandi,komandi Drinskog korpusa – DK. Komandant je, naravno, hteo da bude upoznat sa svim što se dešava u brigadi i da sve treba da se odvija preko komandanta, pa i bezbednosni izveštaji od organa bezbednosti. Kako je to bilo sporno, Komanda korpusa je nakon nekog vremena uputila instrukciju o radu organa bezbednosti, po kojoj je organ bezbednosti, kako sam ja to shvatio, imao određeni stepen nezavisnosti u odnosu na druge sektore komande.

7. Predočen mi je dokument **65ter 05642**, pa mogu reći da je to tabelarni prikaz komande Zvorničke brigade, i da sam ja uneo sve rukom pisane oznake na ovom dokumentu, a to je bilo 18.09.2001. godine prilikom davanja intervjua kancelariji tužilaštva u Banja Luci.

8. Znam da smo od Komande DK dobili zapovest za aktivna borbena dejstva od 2.jula 1995.g.(**ERN.br.00847289)** u kome je dat zadatak Zvorničkoj brigade i da je u opštem zadatku koji je bio određen tom zapovesti trebalo razdvojiti enklave Srebrenicu i Žepu. Cilj je bio da se razdvoje snage između enklave Srebrenica i Žepa, da im se smanji manevarski prostor, jer, moglo bi se reći da je to bila opštepoznata činjenica, da enklave nisu bile demilitarizovane, te da su praktično služile kao baza iz koje su naoružane grupe napadale položaje VRS i ulazile odatle u dubinu VRS. Odmah po prijemu te zapovesti Drinskog korpusa, komandant Zvorničke brigade formirao je Taktičku Grupu 1(TG-1).To je dokument koji nosi oznaku **ERN br.00710229**.TG-1 su sačinjavale Borbena Grupa-1(BG-1) Podrinjski odred, čiji je komandant bio kapetan Milan JOLOVIĆ i Borbena Grupa-2 (BG-2) a to su bile dve pešadijske čete iz sastava svih bataljona Zvorničke brigade. Tu je bila i oklopno – mehanizovana četa i pozadinski vod. Mislim da je to ukupno bilo negde oko 400 vojnika. Po tom naređenju o formiranju Taktičkih Grupa, komandant PANDUREVIĆ je do detalja pripremio i isplanirao upotrebu, kako jedinica, tako i pripremu materijalno tehničkih sredstava, kako bi se uspešno izvršio postavljeni zadatak.

9. Dana 5. jula 1995. godine, po naređenju komandanta Zvorničke brigade, Vinka PANDUREVIĆA, TG je pristigla u reon Zelenog Jadra, koji reon je trebao biti reon napada pravcem Zeleni Jadar - Pusumlići - Bojna - Srebrenica, a prema naređenju DK. Prvih nekoliko dana i nije bilo ozbiljnijih dejstava, da li zbog loših vremenskih uslova, ali u svakom slučaju borbena dejstva su otpočela dana 06.07.1995. godine. Borbeni zadatak, kao što sam već rekao, Zvorničke brigade bio je da ovlada prostorima Živkovo Brdo, objektom Bojna, i pravcem Zeleni Jadar prema Srebrenici. Mi smo imali uspeh u kretanju dana 09.07.1995. godine i ovladali smo reonom Živkovo Brdo. Međutim, u ranim jutarnjim satima 10.07.1995. godine pripadnici 28. divizije su nas vratili skoro na početne pozicije do mesta zvanog Biljeg i tri bezimena vrha koje smo zvali "Tri sise", gde smo uspeli zaustaviti njihov kontranapad. Uvođenjem BG-1, mi smo u popodnevnim satima tog 10.07.1995. godine opet zauzeli pozicije Živkovo

Brdu, Pusumlići i selo Bojnu. To je bilo negde predveče 10.07.1995 godine. Predveče istog dana prisigao je i general KRSTIĆ od kojeg smo dobili zadatak za naredni dan. Ponovnim zauzimanjem tih dominantnim mesta Živkovo Brdo, Pusumlići i Bojna, predveče tog 10.07.1995 godine, prestao je svaki otpor 28. divizije na tom pravcu.

10. Pored TG, u ovim borbenim dejstvima oko Srebrenice, učestvovao je deo jedinica iz 2. Romanijske brigade pod komandom njenog komandanta Mirka Trivića, kao i deo jedinica Birčanske brigade pod komandom potpukovnika ANDRIĆA. U stalnom dodiru za zaštićenom zonom, položaj su odranije na tom prostoru imale Bratunačka brigade s jedne, i Milićka brigada s druge strane. Koliko znam, a kasnije sam upoznat sa tim, tu je bila i još jedna jedinica – samostalni bataljon Skelani.

11. BG-1 I BG-2 komunicirale su putem radio veze, a i sa ostalim jedinicama koje su učestvovale u ovoj operaciji, takođe se komuniciralo putem radio veze.Istureno komandno mesto Drinskog korposa (IKM DK) je bilo postavljeno na Pribićevcu, sa koga se takođe komandovalo i uspostavljao kontakt sa jedinicama, ovim putem, radio vezom. Komandant PANDUREVIĆ nije imao direktu vezu sa komandom Zvorničke brigade, odnosno njenim Načelnikom štaba, majorom OBRENOVIĆEM, koji je ostao u Komandi brigade. Za slučaj da je takvu vezu trebalo uspostaviti, on je to mogao učiniti preko IKM DK. Za vreme trajanja ove operacije, mi smo dnevno i stalno bili u kontaktu sa komandantom IKM, generalom KRSTIĆEM, koji je rukovodio operacijom i izveštavali ga o dešavanju na našem pravcu. Kao što sam rekao, o tome mi nismo izveštavali našu Komandu, Komandu Zvorničke brigade, ali je sa IKM DK mogla izveštavati, i izveštavala je svoju komandu DK u Vlasenici, o svemu onome što se dešavalo na tom delu ratišta. Mi ni u ovom slučaju nismo mogli imati direktnu komunikaciju sa komandom DK u Vlasenici, niti pak sa komandom Glavnog štaba u Crnoj Rijeci.

12. Dakle, već sam napomenuo da je general KRSTIĆ dana 10.07.1995. godine izdao nama naređenje da sledećeg dana nastavimo napredovanje prema Srebrenici. Na Bojni je već u prepodnevnim satima dana 11.07.1995. godine bio i Komandant Taktičke Grupe-2 (TG-2) Mirko TRIVIĆ, Komandant 2. Romanijske brigade. Kao što sam već rekao 2. Romanijska brigade je u ovoj operaciji dala određen broj vojnikau ovoj operaciji koji su bili u sastavu TG-2. Dakle, u ranim popodnevnim satima dana 11.07.1995. godine ove TG su krenule prema Srebrenici i baš u vreme kretanja Zvorničke brigade, odnosno TG-1, usledio je vazdušni napad snaga NATO-a i najviše je bio usmeren na položaj TG-1. U više udara ovih snaga NATO, bilo je oštećeno jedno sanitetsko vozilo, kao i, čini mi se, još neko vozilo, Komandanta Podrinjskog odreda i usled tog vazdušnog udara, a obzirom da sam se nalazio u blizini toga, doživeo sam jaku kontuziju i odvezli su me na naš početni položaj, a to je bio Zeleni Jadar gde se nalazila sanitetska jedinica. Ja nisam neposredno nakon tog udara, napustio taj prostor i otišao u Zeleni Jadar, nego sam posledice tog udara osetio sat ili

dva nakon toga i tek onda otišao u Zeleni Jadar, gde sam ostao do sledećeg jutra 12. jula.

13. Znao sam već uveče 11. jula, da su naše jedinice ušle u Srebrenicu, jer je naš Komandant PANDUREVIĆ došao uveče u Zeleni Jadar, gde je bila pozadina naše jedinice. On je tu došao nekim poslom, i navratio je tu da me obiđe. Tada mi je komandant PANDUREVIĆ rekao da nakon tog bombardovanja od strane NATO-a, jedinice su krenule, i da su praktično bez otpora ušle u Srebrenicu, i da se naša jedinica rasporedila po napuštenim kućama u Srebrenici. Ja sam sa njim takođe otišao pravcem Zeleni Jadar – Bojna – Srebrenica i tu ostao tokom večeri 11. na 12. juli, a PANDUREVIĆ je otišao na Bratunac iz Srebrenice preko Potočara. Rekao je da ide na sastanak koji su sazvali general MLADIĆ i KRSTIĆ. Takođe je rekao da je tema sastanka izveštaj o završenim borbenim dejstvima, te verovatno primanje novih zadataka nakon zauzimanja Srebrenice.

14. Koliko sam ja shvatio, rekao bih da je bilo očigledno da su se jedinice 28. divizije povukle iz Srebrenice, izvukle su se iz grada kako ne bi trpele gubitke, te da su se one još uvek nalazile tu negde u blizini. Potpuno uništenje 28. divizije nije bilo ostvareno, te sam pretpostavio da će se verovatno u tom pravcu izdati neki zadatak na sastanku na koji je Pandurević otišao po naređenju generala MLADIĆA i KRSTIĆA. Taj sastanak je trebao da bude u večernjim satima i komandant PANDUREVIĆ nije pominjao ko će sve biti na tom sastanku. Moja pretpostavka je bila da bi na istom trebalo da prisustvuju i svi ostali komandanti koji su učestvovali u borbenim dejstvima.

15. Sutradan 12. jula, TG-1 je naređeno, a mislim i TG-2 da izvršimo pretres terena na pravcu Srebrenica – Viogor, na pravcu Sućeska. Komandant je okupio sve pripadnike jedinice, odnosno komandire vodova, i rekao da svi treba da pripreme svoje trupe za marš prema Sućesci. Tu je bio i Podrinjski odred. Negde oko 12:00 časova smo krenuli i na zadati položaj na reonu Viogor – Sućeska, smo stigli oko 15:00 časova.

16. Tokom tog pretresa terena, nije bilo nikakvih borbenih dejstava. Nismo naišli na niti zaostale muslimanske pripadnike 28. divizije, niti na neke postavljene zasede. Zaustavili smo se, kao što sam rekao na prostoru Viogora, nismo otišli u Sućesku, ali smo bili blizu tog reona. Preciznije rečeno to je bio reon Viogor – Šiljato Brdo – Jahorina. Moglo se to nazvati nekim opštim prostorom na kojem smo se nalazili. Tu smo čekali dalja naređenja generala KRSTIĆA.

17. Negde u popodnevnim satima, oko 17:00 ili 18:00 časova, u taj sektor u kome smo se mi nalazili stigao je i general KRSTIĆ. Tu je bio naš komandant PANDRUEVIĆ. I general KRSTIĆ i on su imali razgovor, te nam je saopšteno da ne treba da idemo u Sućesku, da tamo nema jedinica 28. divizije, da je ona otišla severnije prema selu Jaglići, te da naša jedinica tu treba da provede noć. Na tom sastanku sa KRSTIĆEM bilo je najavljeno da bi naša jedinica mogla dobiti zadatak za borbena dejstva u reonu

Žepe, ali nikakav konkretan zadatak u tom smislu nismo dobili, dakle u to predvečerje 12. jula 1995. godine. Tada sa KRSTIĆEM nije bio general MLADIĆ. On je došao sam. Nisam siguran da li je s njim tada bio još neko od oficira, ali general MLADIĆ nije bio sigurno. Na tom prostoru su bile i neke trupe TG-2, kao i Birčanske brigade, ali se ja ne sećam da su tom sastanku prisustvovali komandant Romanijske brigade ili neko drugi.

18. Dana 13. jula oko 10:00 časova ujutru, na to mesto gde smo zanoćili došao je general MLADIĆ zajedno sa KRSTIĆEM, i bili su svi komandanti jedinica od TG-1 i TG-2, koje su bile raspoređene na tom prostoru. General MLADIĆ nam je rekao da se pripremimo na marš prema Žepi. General MLADIĆ nam je najkraće rekao da TG-1 i TG-2 treba da budu spremne na marš ka sektoru Žepe da bi se eliminisala nedemilitarizovana zona Žepa, ondosno neutralizovala Žepska brigade koja se nalazila u toj zoni. Komandant PANDUREVIĆ je, koliko se sećam, imao primedbu na dobijeni zadatak. On je istakao da 28. divizija nije uništena. Rekao je da se ta divizija mogla naći u sektoru Jaglića, koji je bio na severu enklave, da se mogla pregrupisati i da krene u prodor prema slobodnoj teritoriji prema Tuzli, te da će na udaru biti položaji Zvorničke brigade na položaju Memića – Baljkovice i Petkovaca, te da bi to pripadnike Zvorničke brigade i zonu Zvorničke brigade stavile u nepovoljan položaj, obzirom da je ista oslabljena izvlačenjem ove TG-1, te da bi u sadejstvu sa snagama koje dolaze sa prostora pod komandom 2. Korpusa, zajedno delovali sa ovim jedinicama 28. divizije, kako bi se povezali. Samim tim bi se stvorio veliki rizik po Zvorničku brigade, odnosno nekoliko bataljona Zvorničke brigade. General MLADIĆ je rekao da Komanda korpusa raspolaže sa snagama koje mogu da reše eventualni udar i protivudar 28. divizije na prelazu Konjević Polje – Kasaba – Milići, te da im ne treba dozvoliti da prođu taj put, te da komandant PANDUREVIĆ ne bi trebao imati zabrinutost u tom smislu.

19. Svi komandanti su prihvatili naređenje i počeli su pripreme za izvlačenje trupa sa dostignutih položaja, i upućivanjem trupa prema enklavi Žepa.

20. Mi smo tog 13. jula krenuli prema enklavi Žepa, putem Viogor – Derventa – Milići – Vlasenica – Han Pijesak – Požeplje. Pre toga popunili smo jedinice municijom i drugim materijalno tehničkim sredstvima, i stigli u reon Požeplja koji je bio naš početni položaj, negde oko 02:00 časova ujutru 14. jula. Napad i borbena dejstva prema pripadnicima Žepske brigade koji su držali položaje, otpočali su, od strane naše TG, dana 14. jula u jutarnjim satima u pravcu Požeplje – Brložnik – Purtići i već negde u kasnim popodnevnim satima, nakon zauzimanja Brložnika stigli smo na padine iznad Purtića gde smo se zaustavili, sa namerom da sledećeg dana nastavimo svoju misiju.

21. Borbena dejstva nismo nastavili sutradan 15. jula iako su jedinice bile spremne. Naš komandant Vinko PANDUREVIĆ otišao je na IKM DK na Krivače, a radi

situacije u zoni Zvorničke brigade koja se značajno komplikovala. Nakon njegovog povratka sa IKM, saopštio je da je 28. divizija već u zoni Zvorničke brigade, da je ozbiljno zapretila na pravcu Memići – Baljkovica – Petkovci. Dao mi je uputstvo da pripremim jedinicu da se povučemo sa položaja koje smo dostigli i da u najkraćem mogućem vremenu nastavim marš prema Zvorniku. Povukao sam jedinicu, pripremio je za marš i krenuli smo u pravcu Zvornika. Naredio mi je da mehanizovana jedinica treba da bude na začelju, te da idem sa njom, a po dolasku u Zvornik idem na pravac Caparde – Memići, odnosno da se usredsredim na sector odbrane 7. Bataljona. Dao mi je neke smernice kako da upotrebim tu oklopno mehanizovanu jedinicu. Negde oko 13:30 ili 14:00 časova stigli smo u reon Zlatnih Voda u zonu Zvorničke brigade. Primio sam preko Mihajla GALIĆA naređenje da treba da uzmemo položaj Snagovo - Caparde u sektoru odbrane 7. Bataljona, ali sam trebao sačekati gorivo za borbena vozila. Ova lokacija koju sam ja trebao da kontrolišem bila je veoma važna za Zvorničku brigade u tom trenutku i ubrzo sam primio naređenje da se jedan tenk vrati u sektor odbrane 6. Bataljona, jer je i on bio ugrožen. Bilo je napada na 7. Bataljon sa linija fronta u cilju zauzimanja Pandurice koja je veoma važna za to područje.

22. Dana 16. jula, 7. Bataljon je bio pod ozbiljnim napadom, ali je isti odbijen. Takođe su se mogla čuti dejstva i u oblasti 4. Bataljona toga jutra. Tokom tog 16. jula, prepodne, od komandanta 7. Bataljona saznao sam da se vode pregovori između pripadnika muslimanskih snaga i našeg komandanta za otvaranje koridora. Sporazum je postignut. Po njemu je 28. divizija trebalo da se pusti da nesmetano prođe kroz prolaz koji je otvorio 4. Bataljon uklanjajući tri rova, zajedno sa civilnim muslimanskim stanovništvom koje je bilo iza 28. divizije. Kao što sam rekao, prolaz je napravljen, i sa padanjem prvog mraka, a po postignutom dogovoru, tu noć se nije prolazilo, ali smo ojačali položaje oko tog koridora da se muslimanske jedinice iz pozadine ne bi ubacile u naš prostor. Borbenih dejstava nije bilo, i sutradan ujutru, 17. jula, opet je, sve do popodnevnih sati, nastavljen prolaz muslimanske kolone na teritoriju pod kontrolom ABiH.

23. Za to vreme, komandant Vinko PANDUREVIĆ, bio je na području sela Delići. To je bilo Istureno komandno mesto (IKM) Zvorničke brigade, koje je bilo u blizini zone odbrane 6. Bataljona. Svih tih dana, od povratka u zonu 15. jula, pa nadalje, iz komande Zvorničke brigade, komanda DK je izveštavana o stanju u zoni Zvorničke brigade. Da li su iz komande DK obaveštavali Glavni štab o tome šta se dešavalo u našoj zoni, ja ne znam, jer u to vreme nisam bio u prilici videti izveštaje DK prema Glavnom štabu. Znam da je potpukovnik ili pukovnik TRKULJA koji je bio iz Glavnog štaba, dolazio 17. jula u reon Zvorničke brigade, te da se interesovao za prethodna dešavanja. Pretpostavljam da je on došao po naređenju svoje komande, kako bi se komanda Glavnog štaba u potpunosti upoznala sa tim dešavanjima. Pretpostavljam da u relevantnom vremenu nisu imali dovoljno informacija. Prikupio je informacije koje su mu bile potrebne i vratio se u svoju komandu, o tome nas nije izveštavao niti je bio u obavezi, pošto je to drugopretpostavljena komanda u odnosu na

Zvorničku brigade. Koliko znam, gospodin TRKULJA nije odlazio na druge lokacije u zoni Zvorničke brigade.

24. Prisustvovao sam na sastanku 19. jula u komandi brigade, gde je pored komandanta bio i načelnik štaba, kao i pomoćnici, a glavna tema je bila dešavanja na prostoru zone Zvorničke brigade 15., 16., 17. i 18. jula, kao i konsolidacija 4. Bataljona koji je pretrpeo najveći gubitak, te smo u tom pravcu morali organizovati novo komandno mesto, uspostaviti nove komunikacije i tome slično.

25. Predočeni su mi redovni i vanredni borbeni izveštaji Zvorničke brigade iz tog vremena, pa kažem da je to odraz stanja na terenu. Takođe izjavljujem, da je jedna od tačaka u redovnim borbenim izveštajima bila i ta da li je kroz zonu Zvorničke brigade prošao bilo koji konvoj, bio to konvoj UNPROFOR-a, humanitarni konvoj ili drugih međunarodnih organizacija. Taj kontrolni punkt bio je u mestu Karakaj, odmah nakon mosta preko reke Drine koji povezuje Srbiju i Republiku Srpsku. Na tom kontrolnom punktu konvoji su pregledani od strane pripadnika Zvorničke brigade koji su bili određeni od strane komande brigade. Vodilo se računa da se oni uljudno odnose prema pripadnicima UNPRFOR-a i drugih međunarodnih organizacija čiji konvoji su prolazili.

26. Koliko znam,desio se zanemarljiv broj sluučajeva da su se pojavljivali problemi prilikom prolaska konvoja. I ako su se problemi pojavili, vrlo brzo su rešavani. Uostalom, kroz redovne izveštaje Zvorničke brigade jasno se može videti da li je tih problema bilo i koliko često su konvoji prolazili. Naravno, konvoji su zadržavani ako se u zahvatu njihovog kretanja izvode borbena dejstva, pa zbog ugrožene sigurnosti nisu mogli prolaziti,ali prestankom tih razloga konvoji su nastavili svoje kretanje prema krajnjem odredištu.

POTVRDA SVEDOKA

Pročitao sam ovu izjavu od 9 strana i ona sadrži sve što sam rekao, po svom znanju i sećanju. Izjavu sam dao dobrovoljno i svestan sam da se može upotrebiti u sudskom postupku pred Međunarodnim sudom za krivično gonjenje osoba odgovornih za teška kršenja

međunarodnog prava počinjena na teritoriji bivše Jugoslavije od 1991, kao i da mogu biti pozvan da javno svedočim pred Sudom.

Potpis: _____

Datum: 29.07.2014 год.

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

Case No. IT-09-92-T

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

ANNEX B

DRAGUTINOVIC Miodrag			
Witness Statement to be admited pursuant Rule 92ter			
Statement	**Date**	**65ter Number**	**Closed Session / Under seal**
Witness Statement of **DRAGUTINOVIC Miodrag**	29 July 2014	**1D01643**	/
Associated Exhibits wich the Defence seeks to tender pursuant to Rule 92ter			
Description	**Paragraph Number**	**65ter/EXH Number**	**Doc ID (BCS/ENG)**
Signed witness statement of DRAGUTINOVIC Miodrag	/	1D01643	1D18-1999 1D18-2008
Organisational Chart of the Zvornik Brigade in July 1995, marked by Miodrag DRAGUTINOVIC during OTP Interview on 18 September 2001	7	65ter 05642	0211-0393
Drina Corps Command Order 04/156-2, to the Commands of the 1st Zvornik Infantry Brigade, 1st Birac Infantry Brigade, 2nd Romanija Motorised Brigade, 1st Bratunac Light Infantry Brigade, 1st Milici Light Infantry Brigade and 5th Mixed Artillery regiment; entitled Order for active combat activities, Operation No.1; Krivaja-95, signed by Gen Maj Milenko ZIVANOVIC Milenko	8	EXH P01465	0084-7289 0088-3593
Zvornik Brigade Order 01-244	8	65ter 04293	0071-0229 0085-006