

THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

Case No. IT-05-87-T

IN THE TRIAL CHAMBER

Before: Judge **Iain Bonomy**, Presiding  
Judge **Ali Nawaz Chowhan**  
Judge **Tsvetana Kamenova**  
Judge **Janet Nosworthy**, Reserve Judge

Registrar: Mr. Hans Holthuis

Date Filed: **14 September 2007**

THE PROSECUTOR

V.

MILAN MILUTINOVIĆ  
NIKOLA ŠAINOVIĆ  
**DRAGOLJUB OJDANIĆ**  
NEBOJŠA PAVKOVIĆ  
VLADIMIR LAZAREVIĆ  
SRETEN LUKIĆ

*Public*

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**GENERAL DRAGOLJUB OJDANIĆ'S  
WITNESS NOTIFICATION FOR THE WEEK COMMENCING  
17 SEPTEMBER 2007**

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The Office of the Prosecutor:

**Mr. Thomas Hannis**  
**Mr. Chester Stamp**  
**Ms. Patricia Neema**  
**Ms. Daniela Kravetz**

Counsel for the Accused:

Mr. Eugene O'Sullivan and Mr. Slobodan Zečević for Milan Milutinović  
Mr. Tomislav Višnjić and Mr. Norman Sepenuk for Dragoljub Ojdanić  
Mr. Toma Fila and Mr. Vladimir Petrović for Nikola Šainović  
Mr. John Ackerman and Mr. Aleksandar Aleksić for Nebojša Pavković  
Mr. Mihajlo Bakrač and Mr. Đuro Čepić for Vladimir Lazarević  
Mr. Branko Lukić and Mr. Dragan Ivetić for Sreten Lukić

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

1. General Dragoljub Ojdanić's Defence hereby gives notice of witnesses which it intends to call for the trial week commencing 17<sup>th</sup> September 2007.

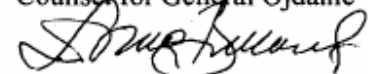
2. General Ojdanić's Defence wants to underline that the summary of each witness's testimony, as it appears below, was submitted to the Trial Chamber and the OTP on 15 June, 2007 on the assumption that each witness would testify "live". To minimize any claim by any party that it may have been "surprised" by some aspect of the witness's testimony, the defence opted to submit a very detailed, comprehensive summary of the testimony.

After the time constraints imposed at the pre-defence conference of 22 June, 2007, the defence decided to submit a 92 ter statement for the great majority of witnesses in the interests of saving trial time. The 92 ter statement contains essentially the same information that is in the below summary. We realize, with apologies to the Trial Chamber and parties to this trial, that the below "summaries" are overly long and detailed primarily for the reasons stated above. We believe that to submit a more streamlined summary at this point would run the risk of perhaps misleading the other parties on what will be presented at the trial on direct examination. In any event, we represent to the Trial Chamber that the direct testimony, aside from parts which are not embraced by the 92ter statement, will cover only those parts of the witness statement that need further emphasis and clarification, including testimony related to the exhibits to be introduced and referred to by the witness.

3. In the trial week commencing 17 September 2007 General Dragoljub Ojdanić's defence calls the following witnesses:

**MILOVAN VLAJKOVIĆ**  
**MILAN RADOIČIĆ**  
**VIDOJE PANTELIĆ**  
**BRANKO ŽIGIĆ**  
**ĐORĐIJE STRUNJAŠ**  
**ARSENIJE KATANIĆ**  
**MILOŠ SPASOJEVIĆ**  
**MILAN UZELAC**

Respectfully submitted,  
Counsel for General Ojdanic




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Tomislav Visnjic  
Norman Sepenuk

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **MILOVAN VLAJKOVIĆ**

Protective Measures: None

Live / 92bis/92ter: Live, 92 ter

Week: 17 - 21 September 2007

Est. time for testimony: 3 hours

Relevant Indictment paragraphs: 3, 11, 17, 19-20, 22, 23, 41-44, 72, 75, 77, 947-96, 100-02

**65ter Summary**

1. Mr. Vlajkovic was born on 21 February 1948; He started his active military service in 1971 upon completing Military Academy Army, artillery department. He served in the General Staff VJ, Department for morale in the period from 1990-1995, served as a Deputy Chief and Chief of Office of the CGSVJ in the period from 1995-1999. From 1999-2001 he trained for the duty of a Military Attaché. From 2001-2005 he was Military Attaché in Austria. On June 1st 2005 he was retired in the rank of colonel.

2. In the second half of 1998 and first half of 1999 he served as Chief of Office of the Chief of the General Staff- Staff of the Supreme Command. Chief of CGS Office

3. Mr. Vlajkovic's basic functions while he was Chief of CGS Office were defined by the Order on Responsibilities of the GS Organizational Elements from 1994. In the widest sense, it included provision of the material-technical and physical requirement for work and support of the work of the Chief of the GS and Deputy Chief of the GS. This means that he conducted a number of operative, planning, protocol, legal, personnel, financial, security and similar tasks.

4. Based on this the Office, pursuant to the GS annual and periodical working plans and in cooperation with other organizational elements, made Monthly Working Plans for the CGS which he basically followed. Changes to the Working Plan, without abandoning its contents, could be made by emergency events or requests made by the FRY President, Supreme Defense Council or Federal Government as superior institutions.

5. The Function of the CGS requires, due to its nature, complexity, scope and contents, almost round-the-clock engagement.

He will testify concerning General Ojdanic's principled nature, correct attitude towards his associates and subordinates, moral, professional and human qualities, etc.

6. CGS Office and Chief of Office pursuant to his function participated regularly, in cooperation with the 1st Department of the Operative - Staff Sector, in preparation of the agenda for the Staff meetings which were previously verified by CGS. The audio records

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

of these meetings were made and afterwards the contents were typed in the restricted area (Faraday cage). During 1998 and 1999 this was mainly done by the same persons: Master Sergeant 1st Class Radomir Rakic and typist, civilian, Biljana Popovic.

7. The recording on the floppy was given to the Chief of Office and to Administration Office for achieving.

8. For recording the Staff meetings only a number of tapes were used which were used repeatedly upon completing transcription of their contents. In this way the audio recordings were erased when next recording was done, meaning that they were not stored and filed away.

9. Colonel. Vlajkovic will comment on the Minutes from the Collegium of the General Staff of the Yugoslav Army dated June 6, 1998, in which on the pages marked as K052-0604-K052-0606, pages 16-18 BCS version, the Chief of the Legal Department is giving some explanation to the GS, and the name Ristic Radomir is included. Mr. Vlajkovic will explain that this is wrong as the typist made a mistake because he did not know the correct name; Mr. Vlajkovic will say that that person was Svetislav Ristic, Chief of the Legal Department.

He will explain parts of the transcript in which there are dots or it has written, it cannot be heard, means either that the microphone was turned off, or that the speaker was sitting far away from it.

10. He will also explain that the collecting and preparation of the mail for being signed by the CGS was done by the Chief of Office.

CGS was reviewing and signing the mail twice a day; in the morning and in the afternoon - by the end of the working hours.

Urgent documents and certain documents regarding the war plan, those of the intelligence-security elements and similar were brought by the assistants or chiefs of the independent departments directly to the CGS to be signed

11. Colonel. Vlajkovic as Chief of Office, and in case of his absence, the Deputy Chief of the Office, regularly attended the CGS Staff meetings. The main task was first to secure all necessary preconditions for having the meetings and to, define precisely, elaborate in proper language, type and distribute to the necessary personnel the tasks defined at the meeting based on the participants' discussions and orders of the CGS

12. Colonel Vlajkovic will explain the period up to the end of November 1998, while the CGS was General Perisic that there were not written definitions of the tasks after the meeting. General Perisic was of the opinion that verbal issuing of orders and tasks during Staff meeting was sufficient. After November 1998 General Ojdanic introduced the practice to make a document after each Staff meeting which contained defined tasks from the Staff meeting and which was made based on the Chief of the Office notes, audio recording and in cooperation with the 1st Department and those in charge of tasks accomplishment.

13. The Chief of the Office also followed the realization of the tasks, reported on that to the CGS, and at the beginning of each Staff meeting briefed the participants on the level of tasks' implementation.

14. The CGS Office, as the organizational element of the GS, had within its structure an Administration Office which recorded (filed) all the documents sent to the CGS or his Deputy, some orders for the subordinated, reports of the Supreme Defence Council and correspondence with other state elements and institutions. Some documents, although

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

they were signed by the CGS-Staff of the Supreme Command and which were used in his correspondence with the subordinated elements and other elements relative to his responsibility, could have been recorded and notarized in the organizational elements of the GS.

15. Colonel. Vlajkovic will comment on the document of the Federal Ministry of Justice 6/0-20/2-99-09 dated April 29, 1999. It is the letter which in its attachment had a letter of the International Criminal Tribunal Prosecutor Louise Arbour. General Ojdanic reacted immediately and directed that an order be prepared for the strategic groups regarding the request of the Prosecutor Ms. Louse Arbour.

16. Colonel Vlajkovic will also comment on different documents explaining technical indications like reception seal and register number or possible note made by the Chief of the General Staff on the document itself. The documents ought to have been entered in the register book under the date of receiving or some other later date.

General Ojdanic demanded updating of the documents and followed their implementation.

17. Mr. Vlajkovic will comment on document Report from the Supreme Command re: The Execution of the 3rd Army's Requests He will confirm that most probably all requests of the 3rd Army were included no matter whether they had come via the Office or relevant tactical elements

18 As the Chief of Office he did not have any knowledge or indication that anyone from the GS including CGS General Ojdanic planned, ordered, instigated or tacitly approved of the accomplishment of any activity contrary to the stipulations of International Law. i.e. war crimes. Even more, one can say that numerous policies and orders prohibited that explicitly or implicitly.

19. By shift work and system of duty service the Office functioned 24 hours a day. The performers of the duties in the Office: Chief, Deputy Chief, adjutant or duty officer had permanent communication with the strategic groups' commands.

20. During the NATO aggression, as the Chief of Office, Colonel Vlajkovic was with the Chief of Staff of the Supreme Command at the Command Post all the time. He attended daily-night briefings and situation analysis. The minutes on contents of all briefings – analysis were made. The minutes were done in a notebook of the A4 format in hand writing. During briefings Mr. Vlajkovic noted for himself all the tasks issued by the Chief of Staff, Supreme Command, and they were also noted by a minutes keeper and after the meeting the tasks, updated and precisely defined in written form were forwarded to the relevant elements for their implementation. 1st Department of the Staff, Supreme Command, was in charge of this job and the minutes were most often kept by Colonels Dragan Paskas and Spasoje Mucibabic Spasoje.

21. Due to his function Colonel. Vlajkovic attended the briefings of the Staff members and based on the Chief of Staff, Supreme Command, orders he defined precisely the tasks, elaborated them in proper language, typed and distributed them to those responsible for their implementation. Colonel Vlajkovic defined the tasks upon completion of the briefing in agreement with the person who recorded the minutes' keeper and those who were to perform the tasks.

22. Colonel. Vlajkovic also followed the realization of the tasks and reported on the level of their realization to the Supreme Command Chief of Staff and members of the Staff at the beginning of each following meeting.

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

23. The Staff meetings were maintained with regular and wider/structures and they were attended exclusively by the assistants, chiefs of the independent departments, commanders of the strategic groups and, depending upon the agenda, tactical performers of particular issues. Individuals outside of the Army did not attend these meetings.

24. Colonel Vlajkovic will explain that he does not know of any operation of ethnic cleansing in Kosovo and Metohija that was planned at the end of 1998. Having in mind the objective situation in which the Army, without its own will, found itself in Kosovo and Metohija, the main tasks issued to the units in that area were related to the protection of the personnel, material-technical resources, and installations against the Albanian terrorists' operations, or to protection of the state border and preservation of the territorial integrity of the country. By that, the Army just fulfilled its Constitutional function.

25. Colonel Vlajkovic will explain that at the Staff meetings and briefings there was no information about any war crimes until the beginning of June 1999. Then the Chief of the Security Department, General Geza Farkas briefed the Staff on two occasions on the existence of "crimes" in Kosovo and Metohija pointing out that the 3rd Army Security Section did not report on that to the Security Department. Although cases were in procedure the next information pointing out existence of war crimes was the proposal of the Chief of Intelligence Department, General Branko Krga to inform the public about already tried and sentenced perpetrators of the war crimes in Kosovo and Metohija.

26. Colonel Vlajkovic will explain that he does not know anything about institutionalized contacts of the Chief of GS – Supreme Command Staff with the MOI (Ministry of Interior) i.e. MOI Staff for Kosovo and Metohija regarding planning of activities and their conducting. To this end, the Office did not receive or send any documents, reports or orders to MOI or MOI Staff for Kosovo and Metohija.

27. Members of the Supreme Command and Army of Yugoslavia stayed at the Command Post of the Staff, Supreme Command. As to the knowledge of Mr. Vlajkovic no one from MOI stayed at the Staff, Supreme Command, and Command Post.

28. Colonel Vlajkovic will explain that there were no advocates in the General Staff for war. The General Staff advocated a thesis that the problems had to be resolved by political means and in peaceful way.

Besides, he will point out that the struggle against terrorists should be conducted by MOI and that the Army should have protected the borders and territory from being endangered from abroad. This Army position points out clearly that there were no plans, orders, performing or inspiring anyone to commit war crimes or ethnic cleansing. General Ojdanic, as Deputy CGS and later on as Chief of GS - Staff of the Supreme Command contributed greatly to such defining of Army behavior relative to Kosovo and Metohija and preventing its „giving up" its Constitutional role.

29. Colonel Vlajkovic will give his comment that there was almost no difference between General Perisic and General Ojdanic in their positions regarding the resolution of the crisis in Kosovo and Metohija, use of the Army, and clear division between the role of MOI and the Army.

30. Colonel Vlajkovic will testify that the actions of the Army in defending the territory against the KLA and the possible attack by NATO never contemplated that Albanian civilians would be deported or harmed. The buildup of forces in 1999 was purely directed at defending the country from the KLA and, if necessary, NATO.

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

31. Colonel Vlajkovic will testify that given the position he held, the amount of time he spent working with General Ojdanic, his access to communications of all kinds, it is absolutely impossible for General Ojdanic to have been involved in a plan to ethnically cleanse Kosovo without him becoming aware of it.

32. Colonel Vlajkovic will testify that General Ojdanic never planned, directed, or coordinated forces of FRY in Kosovo to remove ethnic Albanians and there was never any such plan within the General Staff.

**Exhibits to be tendered through or used with the witness**

<b>Doc. No</b>	<b>Exhibit number</b>	<b>Date</b>	<b>Title Description of exhibit</b>	<b>Additional Comments</b>
1.	3D666	8-Jun-98	Minutes of the Collegium of the General Staff of the Yugoslav Army (VJ) for 08-Jun-1998	
2.	3D706	15-Mar-99	Str.Con.2-77 Record of telephone conversation between Chief of Army General Staff Gen-Col Dragoljub Ojdanic with General Wesley K. Clark NATO Commander for Europe	
3.	3D707	22-Mar-99	Str.Con.2-86 Official Record of telephone conversation between Chief of Army General Staff Gen-Col Dragoljub Ojdanic with General Wesley K. Clark NATO Commander for Europe on 22 March 1999, from 12,43 to 12,50	
4.	P401	26-Mar-99	Letter from Louise ARBOUR to Colonel General Dragoljub OJDANI].	
5.	3D788	29-Apr-99	No. 6/0-20/2-99-09 Federal Ministry of Justice Louise Arbour letter	
6.	3D483	10-May-99	06_4026-1 Order of Supreme command	
7.	3D789	14-May-99	Con. 231-1 VJ Main HQ - Chief of the Army General Staff Cabinet	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

8.	3D790	17-May-99	Str.Con.4508-2 3rd Army Command - Gen-Col Nebojsa Pavkovic letter - Response to ungrounded accusation of the ICTY Prosecutor	
9.	3D791	27-Mar-99	Str.Con.3130-1 3rd Army Command - Gen-Col Nebojsa Pavkovic Order	
10.	3D792	3-Apr-99	Str.Con.3204-10 3rd Army Command Legal Department Gen-Col Nebojsa Pavkovic Order	
11.	3D793	5-Apr-99	Con.3318-2 3rd Army Command Legal Department Gen-Col Nebojsa Pavkovic Order	
12.	3D794	26-Apr-99	Con.3892-2 3rd Army Command - Handbook "Basic laws of war"	
13.	3D795	29-Apr-98	Str.Con. 880-15 Gen-Major Nebojsa Pavkovic PrK Command Order - Instructions international military law	
14.	3D796	7-Aug-98	Str.Con. 880-178 Gen-Lt-Col Nebojsa Pavkovic PrK Command Order	
15.	3D797	28-May-98	Str.Con. 880-66 Gen-Major Nebojsa Pavkovic PrK Command Order	
16.	3D639	7-Apr-99	Briefing to the Chief of Staff of the Supreme Command held on 07-Apr-1999	
17.	3D725	8-Apr-99	Briefing to the Chief of Staff of the Supreme Command held on 08-Apr-1999	
18.	4D135		Report from the Supreme Command Re: The Execution of the 3rd Army's Requests	
19.	P1459	25-May-99 /	872-94/1-2 Report on the non-compliance of MUP organs /	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

20.	P1724	24-May-99	872-94/1-2 Report on the failure to execute 3rd Army Commander's order on re-subordination of MUP units to PrK /Priština Corps Command	
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Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **MILAN RADOIČIĆ**

Protective Measures: None

Live / 92bis/92ter Live, 92 ter

Week: 17 – 21 September 2007

Est. time for testimony: 1.5 hours

Relevant Indictment paragraphs: 16-33 and 41-44

**65ter Summary**

Born on March 11, 1951 in Cetinje; Montenegro. He completed primary and grammar school in Podgorica and Military-Economic Academy in Belgrade (1972-1976). He served in the JNA and VJ as:

- commander of the independent quartermaster company in the 1<sup>st</sup> Proletarian Guard Regiment - later brigade
- quartermaster officer in the same regiment-brigade
- for a short period he was deputy commander of the independent logistic battalion in the same brigade
- deputy chief of office of the Commander, 1st Army, JNA later VJ – 1993 - chief of office of the Commander, 1st Army as of 1994 till the end of 1998
- in the second half of 1998, to be more precise by the end of 1998 he was appointed deputy chief of office GS VJ. He was appointed that duty immediately upon appointment of General Dragoljub Ojdanic for the CGS VJ and he served in that position during aggression against FRY
- he was appointed chief of office CGS VJ by the FRY President's decree at the end of August 1999
- he was appointed chief of office Federal Minister of Defense also by the FRY President's decree at the same time when General of the Army Dragoljub Ojdanic was appointed Federal MOD in the FRY Federal Government
- He remained chief of office of the Federal MOD until April 14, 2003 when he submitted a request to that time MOD Mr. Boris Tadic to be retired.

He retired in the rank of colonel on April 14, 2003. He passed all the exams at the Faculty of Law that were constituted difference between Military-Economic Academy and Faculty of Law curriculum. He also completed the postgraduate studies at the Faculty of Law and acquired masters degree in 1986. He submitted Ph.D. thesis but he did not complete these studies.

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

2. The witness will explain the basic duty of the Chief of Office, CGS, VJ: These duties are precisely defined within the framework of the organizational-formational powers and responsibilities of the individuals performing them as regulated by the existing document of that period.

Essentially in performing these duties it was necessary to coordinate realization of all planned and special tasks issued - defined - approved by the CGS VJ:

- CGS VJ - towards organizational elements (units) of the General Staff VJ and subordinated commands and structures of the VJ and vice versa (especially in the process of realization)
- CGS VJ towards Federal Ministry of Defense and Federal Minister personally.

3. As in that period CGS VJ was directly subordinated - responsible to the FRY President who was at the same time Chairman of the Supreme Defense Council, the obligation of the CGS VJ Office (meaning also the Chief of CGS Office and his deputy) was preparation of all or almost all documents (in cooperation with professional and relevant elements - sectors, independent departments and other organizational units of the GS VJ - appointed by CGS VJ) for the Military Office of the FRY President - to be revised and signed by CGS VJ.

- Office of the CGS VJ has pursuant to its powers and tasks constant obligation to coordinate accomplishment of the tasks and duties within deputy chief GS VJ responsibilities and consequently in the organizational structure of the office there was an individual - in the rank of colonel in charge of these duties (in a period of time when he was discharging this duty this position was called: deputy chief of office CGS VJ for the duties and tasks of the deputy CGS VJ.

4. CGS VJ Office made also weekly and monthly working plans for CGS VJ based on the annual plan, weekly and monthly tasks defined during regular and special meetings of the CGS VJ Staff Meetings.

5. CGS VJ General Dragoljub Ojdanic insisted on planned and organized work of all GS VJ elements and entire VJ personnel including his own.

6. The witness, as the closest General Ojdanic's associate will give his opinion on him - as person and the officer.

7. The witness will testify that Gen. Ojdanic kept strictly to all federal laws relative to VJ and VJ Service Regulations and insisted with his subordinated to respect and implement them. He gave his personal contribution in elaborating, writing and adopting Instruction on Responsibilities and insisted persistently on its implementation.

8. The witness will testify about the employment of General Ojdanic as CGS and Chief of Staff, Supreme Command in realization of tasks.

9. The witness will testify on principled attitude of General Ojdanic and his respect for single command and subordination.

10. The witness will confirm that he cooperated daily with that time chief of Office CGS - Chief of Staff, Supreme Command, Col. Vlajkovic in writing and formulating tasks after evening briefings and their technical processing, recording and distribution to relevant responsible elements.

11. The witness will explain technical processing of the minutes from the CGS VJ meetings. Transcribing the tape recorded during CGS VJ Staff Meetings together with selected typists was done by Major Sekulic, an officer of the IT branch employed in the

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

CGS VJ Office whose duty was also to keep tapes and minutes. The minutes were kept in the CGS VJ Office whose organizational part was administration office.

12. The witness will explain distribution of the official mail in the CGS VJ Office.

13. The witness will testify on his presence at the Staff Meetings, Chief of Staff, Supreme Command; that on several occasions he attended those meetings, as well as the evening analysis of the situation in the theatre of war, focusing on the situation in the Pristina Corps, 3rd Army. That after those briefings in cooperation with relevant elements and representatives of the First Department in the Office the tasks were elaborated and that same evening or next morning at the latest they were forwarded to those in charge of them. That the Office kept typed copies of the tasks signed by the Chief of Office, col. M. Vlajkovic. That during the CGS VJ - Chief of Staff, Supreme Command Staff Meetings the minutes were regularly kept by the colonels Dragan Paskas and Mucibabic Spasoje who served in the Operations Department as the chiefs of sections.

14. The witness will confirm that General Ojdanic never supported war option in general including resolution of problems in K&M.

15. The witness will testify that as CGS - Chief of Staff, Supreme Command has never inspired anyone including Pristina Corps, 3rd Army to commit war crimes. That he insisted both orally and in writing that all provisions of the war humanitarian law (one of the first activities upon being appointed CGS VJ was opening of seminar on international war humanitarian law organized by MOD, VJ and ICRC...) on which there are preserved evidence.

16. As to his personal knowledge and having in mind time he spend with the CGS - Chief of Staff, Supreme Command adjutant he does not know if General Ojdanic was ever informed (orally or in written form) by the 3<sup>rd</sup> Army Commander on the allegedly committed crimes in K&M mentioned in indictment.

17. The witness will confirm that he does not have any information whatsoever on any planning of the ethnic cleansing of the Albanians in K&M

**Exhibits to be tendered through or used with the witness**

<b>Doc. No</b>	<b>Exhibit number</b>	<b>Date</b>	<b>Title Description of exhibit</b>	<b>Additional Comments</b>
1.	3D1077	13-Mar-02	Int. no. 233-3 The Ministry of Defence - letter to the Army Gen. Dragoljub Ojdanic	
2.	3D1078	1-Mar-02	Con 233-1 Letter to The Ministry of Defence by Army Gen Dragoljub Ojdanic	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **VIDOJE PANTELIĆ**

Protective Measures: None

Live / 92bis/92ter Live, 92 ter

Week: 17 - 21 September 2007

Est. time for testimony: 4 hours

Relevant Indictment paragraphs: 16-33, 41-44, 94-102

**65ter Summary**

1. In 1998 witness was Chief of Operative Logistic Department, Sector for Logistics, GS VJ. The witness was appointed assistant chief for logistics by the Supreme Defense Council on December 25, 1998 and he was handed over the duty on January 18, 1999. The witness will testify on the VJ logistics structures in the relevant period.
2. The witness will testify on the planning in the VJ from the point of view of Sector for Logistics especially about the plan that was made at the beginning of 1999 when he became Assistant CGS. The plan GROM-3 predicted FRY defense in case of NATO aggression.
3. The witness will testify that VJ did not plan any special income for the case of war and that the entire war in 1999 was financed by the peacetime budget.
4. The witness will testify that in summer 1998, while he was Chief of the Operative Logistic Department, part of the non-troops reserves were moved out from K&M deeper in Serbia for the fear of NATO bombing and deterioration of general security situation in K&M..
5. The witness will also testify that in the second half of March 1999 material war reserves were moved out by the order of CGS VJ which lasted during April 1999.
6. The witness will explain that General Staff, Army of Yugoslavia, which functioned as the staff of the Supreme Defense Council i.e. Supreme Command in wartime, was organized in sectors. The witness will testify that he was Assistant Chief of GS for Logistics and at the same time Chief of Sector for Logistics thus having technical, quartermaster, traffic, medical, veterinarian and building affairs falling under his responsibility. Operative Logistic Department which was subordinated to him and whose chief was deputy was in charge of monitoring the work within the Sector for Logistics as well as of the logistics operations staff issues.
7. The witness will testify about the duties and obligations of the Sector chief.

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

8. The witness will testify that the CGS Staff Meetings was a regular form of work in the GS VJ for commanding the military.
9. The witness will testify that CGS and his associates were briefed daily on the situation in VJ via Operations Center GS in the form of daily operations report.
10. As far as the concrete tasks were concerned the briefings were done by the subordinated commanders in the given time limits defined in the orders.
11. Based on these reports as to the worked out procedure each sector of the GS resolved its tasks with the harmonious work of the GS as a whole (along professional line).
12. Apart from this other forms of informing of CGS were used as well: visits, discussions, briefings.
13. The witness will testify that in period of war from March, 24 to June, 25 1999 the GS VJ was organized as to the wartime formation and functioned as the Supreme Command Staff. This wartime GS VJ was smaller in number than the peacetime formation.
14. The witness will testify concerning his knowledge regarding relation with MOI and its representatives.
15. The witness will testify that conducting of combat operations was not the professional responsibility of the Sector for Logistics. The logistic elements in the units conducted their tasks by the orders of the commanders and in accordance to the situation.
16. The witness will explain that as far as VJ logistic support as a whole, including K&M, until and from the beginning of aggression there were no changes of the existing and prescribed way of work and organization of this support. The peacetime scheme of the logistic support became wartime logistic support with the beginning of war.
17. The witness will testify that each unit has its formational logistic element in peacetime and wartime structure which carried out logistic support of unit in all situations and under all conditions of unit's employment. The orders for logistic support were sent along command chain from CGS to lower levels while professional orders and instructions were sent along sector line again from top to bottom. The witness will also testify that in professional sense assistant commander for logistic in the armies were accountable to him while in the command sense they were responsible to their commanders.
18. The witness will testify that from the beginning of aggression GS VJ ordered and supported all protection measures to be undertaken in K&M for the protection of all units' reserves and removal of operative and strategic reserves from K&M deeper into Serbia.
19. The witness will testify that in the course of aggression against FRY the logistics support system shifted without any change from peacetime to wartime scheme. It did necessary mobilization or additional mobilization of some logistics units in order to continue to operate, intensified its measures due to the increased number of troops of the mobilized units and permanent enemy air attacks against logistics elements infrastructure. In realization of logistics support, professional work and efforts invested by all structures enabled complete and timely logistic support of the VJ as a whole as well as protection and preservation of material reserves, which was one of the key basis for maintaining units' morale at very high level.
20. The witness will testify that VJ units' task was to treat civilian population in their areas of responsibility in a humanitarian way maintaining protective attitude towards people regardless their religion or nationality.

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

The witness will explain by giving examples that most often civilian population was enabled to have medical examination in the military medical points whenever that was possible or they were provided medical assistance in urgent cases or transport, even by helicopters. The witness will testify that he is not aware of any discussion or issuing of any negative order in regard to the civilian population. On the contrary, the units did their best to have friendly civilian environment for that is also basis for the successful deployment of the units.

21. The witness will testify concerning restrictions on the use of volunteers, army rules of conduct concerning compliance with international humanitarian law, and his opinion that no plan existed to evict Kosovar Albanians from Kosovo.

22. The witness will testify that General Ojdanic did his best to prevent the military and the forces under his command commit crimes in any form in the territory of K&M.

23. He will also testify that in no occasion, either private or official, General Ojdanic supported war option for resolving Kosovo issue.

24. The witness will explain that as the military General Ojdanic could not, nor did he have right by Constitution, but undertake measures in the VJ so that it could resist possible NATO aggression with the forces and means it had and which were old and modest. The witness will testify that he is an experienced general and that his assessment and assessment of the GS was that in war against NATO we did not stand any chance and that is why we should not challenge it but seek conditions for just solution of the problem.

25. The witness will testify that General Ojdanic personally believed there would be no aggression. Thus when the witness suggested to him that VJ should start with dispersing material reserves and means from the installations he asked "and what shall we do if we disperse them and there is no attack, how much it will cost having in mind the small financial resources the military has at its disposal". He postponed that procedure till March 19, 1999 when based on all indicators it was most probable that the attack would follow which happened in 5 days.

26. The witness will testify that General Ojdanic wanted to find way for resolving the situation in the least painful way and with as less victims as possible.

**Exhibits to be tendered through or used with the witness**

<b>Doc. No</b>	<b>Exhibit number</b>	<b>Date</b>	<b>Title Description of exhibit</b>	<b>Additional Comments</b>
1.	3D742	15-May-99	Int. 1586-2 VJ /Yugoslav Army/ Manual for assanation of the field - temporary	
2.	3D743	13-May-99	Op.Str.Con.2363-2 ŠVK /Supreme Command Staff/ Rair Command Post - Technical Department Gen-Lt-Col Vidoje Pantelic Report on Cession of	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

			armament to MUP Serbia	
3.	3D744	12-May-99	Op.Str.Con.2363-3 ŠVK /Supreme Command Staff/Command Post Chief of Army General Staff Gen-Col Dragoljub Ojdanic Cession of armament to MUP Serbia - accordance	
4.	3D745	07-May-07	RS MUP Str.Con.1043/99 Minister Vljako Stoiljkovic letter - Issuing NVO	
5.	3D746		Gen-Lt-Col Vidoje Pantelic letter	
6.	P1478	6/Apr/99	631-1 Order re logistics	
7.	P1910	25/Apr/99	Report by Gen-Maj Ljubomir Draganjac re communications in the Rear Command Post	
8.	3D1075	12-Dec-97	Minutes of the Collegium of the General Staff of the Yugoslav Army (VJ) for 12 December 1997.	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **BRANKO ŽIGIĆ**

Protective Measures: None

Live / 92bis/92ter: Live, 92 ter

Week: 17 – 21 September 2007

Est. time for testimony: 0.5 hours

Relevant Indictment paragraphs: 21, 41, 42, 51, 52, 56, 57

**65ter Summary**

1. The witness was between 1998 and 2002 on duty in the Command of Belgrade Military District at the post of head of Security organ.
2. He got to know Lt. Colonel Lakić Đorović during the NATO aggression when the said Lt. Colonel was assigned to the Command of Belgrade Military District as military prosecutor.
3. He will testify that he neither knew nor that Lt. Colonel informed him that in the VJ General Staff had been organized the blackmailing for soldiers of Albanian nationality who live in Belgrade and in other parts of Serbia, so as not to be sent to war units.
4. The witness will testify that the assertion of Lt. Colonel Djorović that he (the witness) went to see him with a group of officers to demand suspension of the investigation is not correct and not true.
5. He will testify about everything known to him in connection with the Tijanić case.

**Exhibits to be tendered through or used with the witness**

<b>Doc. No</b>	<b>Exhibit number</b>	<b>Date</b>	<b>Title Description of exhibit</b>	<b>Additional Comments</b>
1.	P2671	1-Sep-2006	ICTY Witness Statement	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **DORĐIJE STRUNJAŠ**

Protective Measures: None

Live / 92bis/92ter Live, 92 ter

Week: 17 – 21 September 2007

Est. time for testimony: 0.5 hours

Relevant Indictment paragraphs: 22, 41, 42, 51, 52, 56, 57

**65ter Summary**

1. The witness worked between 1994 and 1999 with the VJ General Staff, or more specifically, in Operations Administration until 1996 and in Armament Control Directorate until 1999. Between 1999 and 2004 he was on duty in MO.
2. He will testify that while serving in the VJ General Staff his duties never included conscription of recruits and their military service. Therefore, he could not organize any blackmailing group as alleged by Lt. Colonel Lakić Đorović.
3. In the period between 06.05.1999 and 30.06.1999 he was performing staff duties in the MN Command in Kumbor.
4. The witness will testify that he never had any contact with Lt. Colonel Lakić Đorović, either official or private.

**Exhibits to be tendered through or used with the witness**

<b>Doc. No</b>	<b>Exhibit number</b>	<b>Date</b>	<b>Title Description of exhibit</b>	<b>Additional Comments</b>
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Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **ARSENIJE KATANIĆ**

Protective Measures: None

Live / 92bis/92ter Live, 92 ter

Week: 17 – 21 September 2007

Est. time for testimony: 1 hour

Relevant Indictment paragraphs: 22, 41, 42, 51, 52, 56, 57

**65ter Summary**

1. During the NATO bombardment the witness was performing the duty of investigating judge of the War Military Court attached to Military District Command of Belgrade. Lt. Colonel Lakić Đorović was at that time a military prosecutor in the Military District Command of Belgrade.
2. In view of the nature of the duties he performed, his cooperation with Lt. Colonel Đorović was inevitable.
3. He will testify about his knowledge and observations linked with the Tijanić case.
4. The witness will testify that Đorović's assertion that the case was taken away from him and surrendered to him (the witness) is not true and that it is not true, either, that the case was surrendered to him by order of the president of the Supreme Military Court, Mr. Gojković.

**Exhibits to be tendered through or used with the witness**

<b>Doc. No</b>	<b>Exhibit number</b>	<b>Date</b>	<b>Title Description of exhibit</b>	<b>Additional Comments</b>
1.	P2671	1-Sep-2006	ICTY Witness Statement	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanić's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **MILOŠ SPASOJEVIĆ**

Protective Measures: None

Live / 92bis/92ter Live, 92 ter

Week: 17 – 21 September 2007

Est. time for testimony: 0.75 hours

Relevant Indictment paragraphs: 22, 41, 42, 51, 52, 56, 57

**65ter Summary**

1. In the period between 1984 and 2005 the witness worked in the Military Court of Belgrade and in the Supreme Military Court.
2. He knew Lt. Colonel Lakić Djorović formerly, but he had no contact with him during the service.
3. He will testify about his stay in Kosovo and Metohija starting in May 1999, where he performed the duty of Military Prosecutor of the Pristina corps and Lakić Djorović the duty of Military Prosecutor of the Pristina Military District Command.
5. The witness will testify as well that there is no case concerning the collective grave in Orahovac, as Djorović testified.
6. He will also testify about his knowledge relating to the incident caused by Lt. Colonel Lakić Djorović when he beat up his deputy.
7. The witness will testify that he has never used the cars taken away from Kosovo Albanians.

**Exhibits to be tendered through or used with the witness**

<b>Doc. No</b>	<b>Exhibit number</b>	<b>Date</b>	<b>Title Description of exhibit</b>	<b>Additional Comments</b>
1.	P2671	1-Sep-2006	ICTY Witness Statement	

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

**Dragoljub Ojdanić**  
**Case No. IT-05-87**

Witness: **MILAN UZELAC**

Protective Measures: None

Live / 92bis/92ter: Live, 92 ter

Week: 17 – 21 September 2007

Est. time for testimony: 0.75 hours

Relevant Indictment paragraphs: 22, 41, 42, 51, 52, 56, 57

**65ter Summary**

1. Born on 29.02.1948 in Prigrevica, Municipality of Apatin. Graduated from the Military Academy - ground forces in 1971 in Belgrade. During his military career served in Zagreb and Belgrade.
2. Promoted to the rank of general in 1998. Appointed as Head of the Traffic directorate of the VJ GS rear sector in 1996, and discharged this function until 2003 when he retired upon his own request.
3. As he was heading the Traffic Directorate prior to and after the NATO aggression, he is familiar with what was happening with the motor vehicles which were during the war taken away in different ways from the persons in the territory of Kosovo and Metohija.
4. The witness will testify that in the meetings held at the Traffic Directorate level was discussed, inter alia, the manner in which the vehicles taken away in Kosovo and Metohija would be returned.
5. The witness will confirm that he never chaired or attended the meeting in which generals Gojković and Obrenčević and Lt. Colonel Djorović Lakić participated, where the manner in which the seized vehicles would be returned was discussed. He never discussed this issue with the said persons. He knows generals Obrenčević and Gojković; however, he does not know Lt. Colonel Djorović and he, therefore, does not know whether they have ever met.
6. The witness will testify that he knows that during the war and NATO aggression there were cases where the Army, MUP and individuals took the vehicles. When faced with this problem and the request for the return of the vehicles, the VJ GS took a firm stand that this matter be resolved within legal frameworks and that vehicles be either returned to their respective owners or that, instead, the owners be indemnified. VJ GS' position was not to permanently keep the vehicles or to compensate the damage.
7. The witness will testify that it was precisely for the reason that a meeting was held in his office, he does not remember the exact date, to which meeting were invited the jurists

Case No. IT-05-87-T

14 September 2007

General Dragoljub Ojdanic's Witness Notification for the Week  
Commencing 17 September 2007"

from both Legal Administrations (MOD and GS), the prosecutor's office, prosecuting attorney's office, Security administration, and commanding officers-specialists from the Traffic service. The purpose of the meeting was to find a solution that would be based on positive regulations. The witness does not exclude a possibility of Lt. Colonel Djorović's presence (he does not know him) among the invitees, but generals Dašić, Gojković and Obrenčević were not present. The witness chaired the meeting.

8. The witness asserts that Pavković's assistant for logistics has never chaired the meeting held in his office where 30 officers were present; that in his office he chaired the meetings attended by maximum 10 or so officers. In those meetings, neither he nor others present spoke that Ojdanić and Pavković were furious because the vehicles had not been still distributed.

9. The witness does not know of any order given to Djorović and Grigorije Spasojević after any meeting to formulate a decision to be signed by Ojdanić and Pavković. He does not know who could have given such order to them

**Exhibits to be tendered through or used with the witness**

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1.	P2671	1-Sep-2006	ICTY Witness Statement	