

**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: 29 May 2014

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC
WITH PUBLIC ANNEX A, and PUBLIC ANNEX B

**DEFENCE MOTION PURSUANT TO RULE 92TER TO ADMIT THE WRITTEN
TESTIMONY OF RATKO ADŽIĆ**

The Office of the Prosecutor:

Mr. Dermot Groome
Mr. Peter McCloskey

Counsel for the Accused:

Mr. Branko Lukić
Mr. Miodrag Stojanović

THE INTERNATIONAL CRIMINAL TRIBUNAL
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The Accused, **RATKO MLADIĆ**, by and through his counsel of record, hereby files the instant Motion pursuant to Rule 92ter 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 92ter of the Rules of Procedure and Evidence are to be filed at least 30 days before the anticipated testimony of a given witness. Witness RATKO ADŽIĆ is currently scheduled to testify approximately 30 June 2014, 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 92ter. 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, along with 2 associated exhibits. 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

6. In addition to meeting the requirements for admission under Rule 89, these “associated exhibits” must form an “inseparable and indispensable” part of the witness’s written evidence.³ A document falls into this category if the witness discusses the document in his or her written statement or transcript and if that written statement or transcript would become incomprehensible or have lesser probative value without its admission.⁴

III. Arguments and Submissions

a. The Chamber Should Admit the Witness Statement

7. The Defence seeks leave of the Chamber to call Ratko Adžić as a witness pursuant to Rule 92*ter*. The Defence submits that the proffered statement, (attached hereto as Annex A) and 2 associated exhibits meet the requirements of Rule 92*ter*, and thus should be admitted under that Rule.

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 Stanasic and Zupljanin Testimony for Admission into Evidence.” 8 September 2010, para. 5

³ *Id.*

⁴ *Prosecutor v. Lukic & Lukic*, Case No. IT-98-32/1-T, “Decision on Prosecution Motion for Admission of Evidence pursuant to Rule 92bis,” 22 August 2008, para. 21

8. Witness Adžić'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**, with corresponding 65ter number for the statement and Associated exhibits identified in the table in **Public Annex B**.

9. 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 92ter will be fulfilled, and fairness to the Prosecution will be observed.

10. Witness Ratko Adžić worked at the *Zrak* factory, which was a part of the special purposes industry of the former Yugoslavia as chief physicist in the department of the factory that worked on the development of optical instruments.⁵ On 1 January 1991, Adžić became President of the Ilijaš Municipal Assembly as a representative of the SDS Serbian Democratic Party. From 20 January 1993 until his resignation on July 1993 he was selected Minister of Police in the RS government.⁶ He now works as a physics teacher in a grammar school in Belgrade.⁷

11. 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.

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

- a. After the multiparty elections in 1990, the parties SDA, HDZ and SDS reached an agreement on the municipal level to divide power in Ilijaš, which led to a proportional distribution of posts in executive committees, at the local Municipal Assembly and the police.⁸
- b. The policy of division spread over to other municipalities and led to a referendum organized by the Muslims and the Croats about the secession

⁵ Statement, para. 1

⁶ Statement, para. 25

⁷ Statement, paras. 1-2

⁸ Statement, para. 4

of BH from the SFRY; this finally led to strong tensions among the population and even to the danger of an armed conflict.⁹

- c. Former Muslim officers of the Yugoslav People's Army had already formed the Patriotic League as a Muslim paramilitary formation with the aim of organizing a Muslim army and using armed force to carry out the secession without taking the will of the Serbian population into account.¹⁰
- d. The Serbian population faced the imminent danger of being the target of genocide and ethnic cleansing by the Muslims and Croats.¹¹
- e. Consequently, a Civilian Protection of the Serbian People was formed; however, they did not succeed in defending themselves, as today the area of Sarajevo is ethnically clean, only inhabited by Muslims.¹²
- f. Not only had the Patriotic League formed Muslim paramilitary units, but also the Croatian Defence Council with forces of the Croatian Defence Forces, HVO and the Patriotic League in BH, where the majority of the population was Muslim or Croat.¹³
- g. The Serbian people have been equipped with weapons, but only for the reason defend themselves.¹⁴
- h. Muslims and Croates intentionally went to the war in Croatia to get fighting experience, in order to use these abilities later in the war in BH.¹⁵
- i. On 4 April 1992, Muslim forces blockaded Sarajevo and other parts of BH, they took over barracks, police stations, arrested and killed Serbian army and police officers, and massacred young, unarmed soldiers in Dobrovoljačka Street in Sarajevo and in the Tuzla column.¹⁶
- j. Muslim forces drove Serbs out of the city, adopted a law proclaiming the SDS a terrorist organization, and arrested all members of the SDS including family members; many of them suffered in the dungeons underneath Bembaša.¹⁷

⁹ Statement, paras. 5-6

¹⁰ Statement, para. 7

¹¹ Statement, paras. 8

¹² Statement, paras. 8

¹³ Statement, para. 9

¹⁴ *Id.*

¹⁵ Statement, para 10

¹⁶ Statement, para. 11

¹⁷ Statement, para. 12

- k. The Muslims forbade the Serbian population to leave the city unless they paid a large amount of money (thousands of German marks).¹⁸
- l. About 6,000 Serbs were killed in Sarajevo; many have been imprisoned, tortured and killed in Muslim camps and private prisons.¹⁹
- m. Adžić agreed with the SDA and the HDZ to let the Muslim and Croat obtain responsibility of those areas with mostly Muslim and Croat inhabitants; however this agreement has been broken on 3 May 1992 by the Muslim forces, when they launched an offensive from the direction of Visoko and Breza.²⁰
- n. Between the offensive on 3 May 1992 until the offensive in 1995, the BH Army launched 34 attacks on the territory of Ilijaš.²¹
- o. From 3 May 1992 until the end of 1992, there were five offensives by the Muslim army, one named the heaviest one for life and death, forcing the Serbian side to order tanks from Radovan Karadžić to repulse the attack.²²
- p. The Serbian side had excellent cooperation with the UNPROFOR members and even saved the life of a Canadian member of the UNPROFOR.²³
- q. General Mladić visited the front two or three times in order to check, whether there were ceasefire agreements and to make sure they are being respected.²⁴

b. **The Chamber Should admit the Associated Exhibits.**

13. The associated exhibits are directly relevant to the case, and 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 they are also of importance to the Defence case. Therefore, it is submitted that it is in the interests of justice that they be admitted.

¹⁸ Statement, para. 13

¹⁹ Statement, para. 14

²⁰ Statement, para. 15-17

²¹ Statement, para. 19

²² Statement, para. 22

²³ Statement, para. 23-24

²⁴ Statement, para. 28

14. There is a total of 2 Associated Exhibit to this witness statement, as set out in the table that is attached at Annex B.

15. This exhibit has been discussed by the witness in his statement and expands upon the matters he has identified therein.

III. CONCLUSION

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

- a. Granting the Defence leave to present the evidence and the associated exhibits of Ratko Adžić pursuant to Rule 92*ter*.
- b. Granting the Defense leave to admit the proffered statement, (attached hereto as Annex A) under Rule 92*ter*.

Word Count: 1611

RESPECTFULLY SUBMITTED BY:



Branko Lukić
Lead Counsel for Ratko Mladić



Miodrag Stojanović
Co-Counsel for Ratko Mladić

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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PUBLIC

ANNEX A

**INTERNATIONAL 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: ADŽIĆ

Nickname: Ratko

Father's name:

Date of birth: 5 November 1948

Ethnic origin: Serbian

Date(s) of interview(s): 30 April 2014

Interviewer(s): Boris ZORKO, Saša LUKIĆ, Milenko DUNĐER,

Language(s) used in interview: Serbian

Signature of witness: _____

1. My name is Ratko ADŽIĆ. I was born on 5 November 1948 in the village of Kadarići in Ilijaš municipality in Sarajevo, and lived there until the beginning of the war. Today I live in Belgrade, where I work as a physics teacher in a grammar school. I am a physicist by profession and worked for many years in the *Zrak* factory, which was part of the special purposes industry of the former Yugoslavia. I was chief physicist in the department of the factory that worked on the development of optical instruments.
2. After the multiparty elections in 1990, I was elected President of Ilijaš SO /Municipal Assembly/ on 1 January 1991 as a representative of the SDS /Serbian Democratic Party/, which had won the most votes in the 1990 elections.
3. According to the 1991 census, the municipality of Ilijaš had about 25,000 inhabitants, of whom 11,700 declared themselves as Serbs, 10,500 were Muslims and about 2,000 Croats, while the rest were people who declared themselves as Yugoslavs. I know that many of my Serbian friends declared themselves to be Yugoslavs when the census was conducted.
4. After the conduct of multiparty elections, in line with an interparty agreement at the republican level in BH, an interparty agreement was reached at the municipal level between the national parties in the Ilijaš SO – the SDA /Party of Democratic Action/, HDZ /Croatian Democratic Union/ and the SDS – to divide power in Ilijaš. The SDS respected that power sharing agreement between the national parties to the end. The agreement implied the sharing of seats in the municipal assembly and places in the executive committees of Ilijaš SO, including the post of president and vice-president of the Ilijaš Municipal Assembly, and the police. These posts were distributed proportionally in keeping with the ethnic structure.
5. Since obvious divisions could be seen in the BH Assembly itself with regard to the political future of BH, there were obvious divisions between the Muslim and Croatian deputies of the HDZ and SDA on the one side and the Serbian deputies in the SDS on the other. This mechanism of division spread to all the municipalities, including Ilijaš. The divisions culminated when the HDZ and SDA deputies in the BH Assembly adopted a decision to hold a referendum on the secession of BH from the SFRY /Socialist Federative Republic of Yugoslavia/. The policy of the Serbian deputies in the BH Assembly and the SDS was that BH should not secede from the SFRY and the Serbian people should not take part in the referendum that the HDZ and SDA were organising in order to tear BH away from the SFRY. After the referendum that was organised by the Muslims and the Croats, the Serbs organised a plebiscite of the Serbian people in which Serbs were asked if they were in favour of BH remaining a part of the SFRY, which the Serbian people unanimously supported.
6. After the results of the referendum in which the Muslims and Croats voted for the secession of BH from the SFRY, and the conduct of the plebiscite among the Serbian people, strong tensions emerged in which the Muslim and Croatian side

tried to carry out their policy of secession by force of arms, which made it clear that armed conflicts could break out in BH.

7. This is proved by the fact that the Patriotic League had already been formed as a Muslim paramilitary formation. The Staff of the Patriotic league was made up of Muslim former officers of the JNA /Yugoslav People's Army/, while the Patriotic League's aim was to organize a Muslim army and use armed force to carry out their policy of secession without regard for the will of the third constitutive people, the Serbs.
8. A conclusion was reached in the SDS, especially because of the lessons of the Second World War, that this could lead to suffering, genocide and ethnic cleansing for the Serbian people, and political steps were therefore taken which dealt with self-organising of the Serbian people to defend itself in the event of armed conflict. That is how the Civilian Protection of the Serbian People was formed. Although the Civilian Protection of the Serbian People was formed to prevent ethnic cleansing and genocide against the Serbian people, we did not succeed in preventing ethnic cleansing and genocide against the Serbian People, as Sarajevo is today an almost ethnically clean city inhabited only mainly by Muslims.
9. The SDS conducted a policy of defending the Serbs against the genocide and ethnic cleansing that the Muslims and Croats, organised in the SDA, the Patriotic League, the Green Berets, the HDZ. The aforementioned organizations carried out ethnic cleansing in all municipalities where the objective conditions allowed them to do so. We had reliable information that the Patriotic League was forming paramilitary units, and the HVO /Croatian Defence Council/ also formed military units in places in BH where the majority of the population was Croatian or Muslim, with forces of the HOS /Croatian Defence Forces/, HVO and Patriotic League. We had reliable information about the arming of the Croats and the Muslims, so that we had to set about organising and arming the Serbian people so that the Serbian people would not find itself in the same position as in 1941 and would not be forced to wait unarmed and unprepared for what it had been through in 1941.
10. The arming of the Muslims and Croats in BH mainly took place in the period from July 1991 until April 1992. We received reports that certain Muslims and Croats from BH went to Croatia to be trained and actively took part in the war in Croatia, where they gained fighting experience that they later applied in the war in BH.
11. On 4 April 1992 the Muslim forces blocked Sarajevo, and the same happened in other parts of BH with a mainly Muslim population, and they proclaimed the independence of BH. Muslim forces took over army barracks and police stations, arresting, persecuting and killing Serbian army and police officers, as can be seen from the action by Muslim forces against a JNA column that was withdrawing from Sarajevo, when young, unarmed soldiers were massacred in Dobrovoljačka Street in Sarajevo, or in the example of the so-called Tuzla column in Tuzla.
12. When everything had already become clear in Sarajevo, the Muslim forces started driving the Serbs out of the city. The Muslim forces completely blocked the city

and all members of the SDS were specially arrested because the Muslim and Croatian part of the Assembly adopted a law proclaiming the SDS a terrorist organisation. On the basis of this law, they arrested all the members of the SDS in the city and members of their families, most of whom suffered in the dungeons underneath Bembaša.

13. The blockade of the city by the Muslims was reflected in restrictions on the movements of Serbs. In order to leave the city they had to pay hundreds or thousands of German marks to the Muslim forces to let them leave. This was not only the case with the Serbs; Muslims and Croats who wanted to leave Sarajevo fared the same. A false picture was created that we were blockading the city, but in fact it was the Muslims who would not allow anyone to leave the city. As I have said, civilians could leave only after they had paid heavily for their freedom. I learnt these things I have spoken about from people who fled from Sarajevo.
14. Some estimates and hearsay reports suggest that about 6,000 Serbs were killed in Sarajevo during the war. Many Serbs were imprisoned, tortured and killed in Muslim camps all over Sarajevo. Some Muslims even had private prisons in which they tortured and killed Serbs.
15. When the police force was divided at the BH level in April 1992 and the RS /Republika Srpska/ Ministry of Police was established, I agreed with the SDA and the HDZ that Croatian and Muslim members of the police force in Ilijaš would receive their personal weapons and equipment in keeping with the ethnic structure and form their own police station and control the part of the territory that was inhabited mainly by Croats and Muslims. They established police stations that were responsible for inhabited areas with a mainly Muslim or Croatian population. We resolved all disputes together through cooperation between the Serbian, Muslim and Croatian police. This manner of police operations was proposed by the SDS and accepted by the HDZ and SDA.
16. We also agreed that the Serbs would not search Muslims and Croats, and it was also agreed that the Muslims and Croats would not search Serbs. There was an agreement that the weapons distributed to police forces must not be used against the people, regardless of whether they were Muslims, Croats or Serbs. Although we knew that the Muslims in the village of Luka were armed and even had a recoilless cannon, no one searched them and no one took away their weapons.
17. This agreement was for the most part respected until 3 May 1992, when the Muslim forces launched their first offensive from the direction of Visoko and Breza. BH Army units formed in the municipalities of Visoko and Breza took part in this attack, but it was quickly and efficiently repulsed by the Serbian units that had been formed to defend and protect the Serbian part of the population.
18. Before the formation of the VRS, Serb units were commanded by the Crisis Staff. After the establishment of the VRS /Army of Republika Srpska/ and the Main Staff of the VRS, the Ilijaš Brigade of the VRS was formed from these units that had defended Ilijaš. The Ilijaš Brigade was established in the second half of May.

The commander of the Ilijaš Brigade was reserve Captain First Class Marko KOPANJA.

19. From the first offensive on 3 May 1992 until the June offensive in 1995, the BH Army launched a total of 34 attacks on the territory of Ilijaš municipality. More than a hundred shells a day often fell on the area of our municipality.
20. The Ilijaš Brigade held the line from the Nišići plateau, via Okruglica, Vareš and the village of Misoča. This means that the Ilijaš Brigade held a front from Olovo to Breza and Vareš, which was about 140 kilometres in length.
21. On one part of the front we faced the forces of the BH Army 2nd Corps, but on the other side we faced the BH Army 3rd Corps in the manner described in the prior paragraphs. In 1993, after reforms within the BH Army and the movement of parts of the BH Army 1st Corps outwards from Sarajevo, we also came into contact with the BH Army 1st Corps, which brought the Ilijaš Brigade in a undesirable position, because even before the movement of the BH Army 1st Corps we were surrounded, and with the movement of the BH ARMY 1st Corps their positions were additionally strengthened in this regard.
22. From 3 May 1992 until the end of 1992 there were five offences by the Muslim army from the direction of Visoko and Breza, the heaviest of which was in August 1992. One of these offensives was commanded in person by Alija IZETBEGOVIĆ and according to reliable information the Muslims named that offensive for life or death. On one occasion, because of all these attacks, I was forced to ask Radovan KARADŽIĆ for tanks and *Pragas* /vehicle mounted anti-aircraft machine guns/ in order to repulse the furious attacks of the Muslim forces, as can be seen from document number **65ter 03714**.
23. Early in the morning of 29 December 1992 a unit of the Travnik Corps, a battalion of Mujahedin fighting in coordination with a battalion from the Zenica Corps, broke through the line in the village of Bioča and the soldiers of the Ilijaš Brigade drove them back by the afternoon. More than a hundred dead members of the BH Army were left behind, including more than 40 Mujahedin. We saw from their documents that they were citizens of Pakistan, Palestine, Egypt and other Muslim countries. That unit of Mujahedin was part of the Travnik Battalion of the BH Army. We even told the UNPROFOR members about this at a meeting that we had with them after this offensive and asked them to react, but there was no reaction.
24. On our side in Ilijaš there were members of the UNPROFOR Canadian Battalion and we had excellent cooperation with them. They even praised us on a number of occasions. I would particularly stress the occasion when medical staff and members of the Ilijaš Brigade came to the aid of a wounded member of the Canadian Battalion, who would have died without their help. Due to the fact that we helped the wounded Canadian soldier I received, as President of Ilijaš municipality, the thank you letter which is document **65ter 1D05147** of 2 October 1994, and addressed from Lieutenant Colonel WLASICHUK for assistance provided to the wounded soldier. Although the letter is addressed to me, all the credit belongs to

the members of the Ilijaš Brigade, without whose timely aid the soldier of the Canadian Battalion would certainly have died of his wounds.

25. On 20 January 1993, at the proposal of the appointments commission of the SDS, I was selected to be Minister of Police in the RS Government. I remained in that post until I resigned in the middle of July 1993.
26. Like other institutions in that time of war, the RS MUP /Ministry of the Interior/ was not well organised due to the poor communications with remote parts of the RS, as a result of which most operative business within the jurisdiction of the RS MUP was performed by the Security Services Centres (CSB) and police stations in the municipalities. Every police station had a formation of police forces whose duty was to work alongside the VRS when that was necessary and if the military situation required it.
27. According to the Law on the RS MUP and its organisation, the Minister of the RS MUP determined the use of these units and of the Special Police Brigade. Because of the territorial disjointedness of the RS and poor communications between the RS MUP and the Security Services Centres, I transferred responsibility for the use of police units in joint operations with the army to the chiefs of the Security Services Centres. In the field the VRS corps commanders and CSB chiefs decided together on the use of police units in combat operations according to the given situation. Combat assignments were carried out in joint operations, but the police commander retained command of the police units and the commander of the military units retained command over his own units.
28. General MLADIĆ visited our front two or three times during the war. He always asked when there was a ceasefire agreement whether it was being respected by the VRS on that part of the front. According to my best recollection, our army on the Ilijaš front respected the existing ceasefire agreements.

WITNESS ACKNOWLEDGEMENT

I have read this statement which consists of _____ pages and it contains everything I said to the best of my knowledge and recollection. I have given this statement voluntarily and 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 and that I may be called to testify publicly before the Tribunal.

Signature: _____

Date: _____

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

IZJAVA SVEDOKA

PODACI O SVEDOKU:

Prezime: ADŽIĆ

Ime: RATKO

Ime oca: BRANKO

Datum rođenja: 05.11.1948. godine

Nacionalnost: Srbin

Datum(i) razgovora: 30.04.2014. godine

Razgovor(e) vodili: Boris Zorko, Saša Lukić, Milenko Dunder

Jezici korišćeni u toku razgovora: Srpski

Potpis svedoka:



1. Zovem se Ratko Adžić, rođen sam 05.11.1948. godine u selu Kadarići, opština Ilijaš, Sarajevo, gde sam živio do početka rata. Danas sam nastanjen u Beogradu gde radim kao profesor fizike u gimnaziji. Po zanimanju sam fizičar i dugo godina sam radio u fabrici „Zrak“ koja je bila deo namenske industrije tadašnje Jugoslavije. Bio sam šef fizičara na odseku fabrike koja se bavila razvojem optičkih uređaja.
2. Godine 1990. nakon višestranačkih izbora 01.01.1991. godine izabran sam za predsednika SO Ilijaš, kao predstavnik SDS koja je osvojila većinu glasova na izborima 1990. godine.
3. Prema popisu iz 1991. godine, opština Ilijaš je brojala oko 25.000 stanovnika, od čega se 11.700 lica izjasnilo kao Srbi, 10.500 lica kao Muslimani, oko 2.000 lica kao Hrvati, a ostatak su činila lica koja su se izjašnjavala kao Jugosloveni. Poznato mi je da su se mnogi moji prijatelji srpske nacionalnosti na sprovedenom popisu izjasnili kao Jugosloveni.
4. Nakon sprovedenih višestranačkih izbora, a prema međustranačkom dogovoru, kako na nivou Republike BiH tako i na opštinskim nivoima, postignut je međustranački dogovor nacionalnih stranaka SDA, HDZ i SDS oko podele vlasti. S obzirom na dogovor SDA, HDZ i SDS na republičkom nivou, taj dogovor je bio primenjen i na podelu vlasti na teritoriji opštine Ilijaš. Taj dogovor koji su postigle nacionalne stranke od strane SDS je do kraja ispoštovan. Dogovor je podrazumevao podelu odborničkih mesta u skupštini opštine Ilijaš, mesta u izvršnim odborima skupštine opštine Ilijaš, potom pitanja koja se odnose na mesto predsednika i potpredsednika skupštine opštine Ilijaš, kao i pitanja vezana za policiju. Kada su u pitanju prethodno pomenute funkcije iste su bile podeljene prema nacionalnom ključu, kao i nacionalnom sastavu.
5. S obzirom da se u samoj Skupštini BiH videla očigledna podela u projektovanju politike na nivou BiH, postojale su očigledne podele tako da su sa jedne strane bili poslanici muslimanske i hrvatske nacionalnosti, odnosno HDZ i SDA, a sa druge poslanici SDS i Srba iz drugih stranaka u Skupštini BiH. Taj mehanizam podele se prenosio na sve opštine, pa tako i na opštinu Ilijaš. Kulminacija te podele je nastala kada su poslanici HDZ i SDA u Skupštini BiH doneli odluku za raspisivanje referenduma o otcepljenju BiH iz SFRJ. Poslanici Skupštine BiH srpske nacionalnosti i SDS su zastupale politiku da se BiH ne otcepljuje od SFRJ i da srpski narod ne treba da izađe na referendum koji HDZ i SDA organizuju kako bi na taj način otrgli BiH iz SFRJ. Nakon referenduma koji su organizovali Muslimani i Hrvati, Srbi su

organizovali plebiscit srpskog naroda koji je održan sa pitanjem da li su Srbi za ostanak BiH u okviru SFRJ, što je srpski narod u potpunosti podržao.

6. Nakon rezultata referenduma na koji su izašli Muslimani i Hrvati koji su hteli da otcepe BiH od SFRJ i nakon sprovedenog plebiscita od strane Srba, nastaju snažne tenzije u kojima su muslimanska i hrvatska strana nastojale silom, oružijem, da sprovedu svoju politiku otcepljenja, što je bilo jasno da može dovesti i do oružanih sukoba na prostorima BiH.
7. Dokaz za prethodno pomenuto je već formirana Patriotska lige kao muslimanska paravojna formacija. Štab Patriotske lige su činili bivši oficiri JNA muslimanske nacionalnosti, a sam Patriotska liga je osnovana sa ciljem da se organizuje muslimanska vojska, te kako bi se nasilno, oružanim putem sprovedla politika otcepljenja bez poštovanja volje trećeg konstitutivnog naroda, odnosno Srba.
8. U SDS je donesen zaključak, zbog pouka iz II. svetskog rata i u slučaju da ponovo dođe do stradanja srpskog naroda, genocida i etničkog čišćenja, na osnovu kojeg su preduzeti politički koraci koji su se odnosili na samoorganizovanje srpskog naroda sa ciljem da se odbrani ukoliko dođe do oružanog sukoba. Tako je formirana Civilna zaštita srpskog naroda. Iako je formirana Civilna zaštita srpskog naroda sa ciljem da se spreči etničko čišćenje i genocid nad srpskim narodom u gradu Sarajevu, mi nismo uspeli da sprečimo genocid i etničko čišćenje nad Srbima jer je Sarajevo danas skoro etnički čist grad u kojem žive pretežno muslimani.
9. SDS je sprovodio politiku odbrane Srba od genocida i etničkog čišćenja kojim su pretili Muslimani i Hrvati organizovani u kroz SDA, Patriotsku ligu, Zelene beretke, HDZ. Prethodno pomenute organizacije su sprovodile etničko čišćenje u svim opštinama gde su za to imali objektivne mogućnosti. Mi smo imali pouzdane informacije da Patriotska liga stvara paravojne jedinice, a takođe je formirano HVO na nivou BiH gde su formirane vojne jedinice u mestima gde je živelo pretežno hrvatsko i muslimansko stanovništvo, sa snagama HOS, HVO i Patriotske lige. Imali smo pouzdane informacije o naoružavanju Hrvata i Muslimana, pa smo bili prinuđeni da se organizujemo kako i naoružamo kako srpski narod ne bi dospao u poziciju iz 1941. godine i kako ne bi bio primoran da goloruk i nespreman dočeka ono što mu se desilo 1941. godine.
10. Naoružavanje muslimana i Hrvata u BiH se uglavnom odvija tokom perioda jula meseca 1991. godine, pa do aprila meseca 1992. godine. Imali smo saznanja da su pojedini Muslimani i Hrvati iz BiH odlazili na obuku u Hrvatsku, kao i da su aktivno

učestvovali u ratu na prostoru Hrvatske gde su sticali ratno iskustvo koje su kasnije primenili u ratu u BiH.

11. 04.04.1992. godine, muslimanske snage blokiraju Sarajevo, a isto se dešava i u drugim delovima BiH sa pretežnim muslimanskim stanovništvom i proglašavaju nezavisnu BiH. Muslimanske snage preuzimaju vojne kasarne, stanice policije, pri čemu policajce, oficire i vojnike srpske nacionalnosti hapse, progone i ubijaju, što se moglo videti i iz akcija muslimanskih snaga na kolonu JNA koja se povlačila iz Sarajeva kada su golobradi i goloruki vojnici masakrirani u Dobrovoljačkoj ulici u Sarajevu, kao i iz primera u Tuzli tzv. „Tuzlanske kolone“.
12. Kada je u Sarajevu već sve postalo jasno, muslimanske snage su počele sa progonom Srba iz grada. Muslimanske snage su potpuno bolkirale grad. Do nas su dolazile informacije o progonu civila, posebno su hapšeni svi članovi SDS jer je muslimansko-hrvatski deo Skupštine doneo zakon kojim je SDS proglašen terorističkom organizacijom. Na osnovu tog zakona, u gradu Sarajevu, su hapsili sve članove SDS i članove njihovih porodica koji su uglavnom stradali u Kazanima iznad Bembaša.
13. Blokada grada od strane muslimana se ogledala u tome što je Srbima bilo onemogućeno kretanje. Da bi napustili grad morali su da plaćaju po više stotina i hiljada nemačkih maraka kako bi ih muslimanske snage pustile da izađu iz grada. Nije to bio samo slučaj sa Srbima, isto su prolazili i Muslimani i Hrvati koju su želeli da napuste Sarajevo. Stvorena je veštačka slika da mi držimo grad pod blokadom, a u stvari su muslimani bili ti koji nisu dozvoljavali nikome da napusti grad. Kao što sam rekao, civili su mogli da napuste grad tek nakon što debelo plate svoju slobodu. Ovo o čemu sam prethodno govorio, sam saznao od ljudi koji su bežali iz Sarajeva.
14. Neke procene i posredne informacije govore o tome da je u Sarajevu za vreme rata ubijeno oko 6.000 Srba. Mnogi Srbi su zatvarani, mučeni i ubijani po muslimanskim logorima po Sarajevu. Čak su neki muslimani imali privatne logore u kojima su mučili i ubijali Srbe.
15. Kada je došlo do podele policije na nivou BiH, u aprilu mesecu 1992. i kada je formirano Ministarstvo policije RS, ja sam se dogovorio sa stranakama SDA i HDZ da Hrvati i Muslimani kao pripadnici policije u Ilijašu dobiju svoje lično naoružanje i opremu prema procentu zastupljenosti i formiraju svoju policijsku stanicu i kontrolišu deo teritorije gde je naseljeno pretežno Hrvatsko ili Muslimansko stanovništvo. Oni su formirali stanice policije koje su bile nadležne za naselja sa većinskim muslimanskim ili hrvatskim stanovništvom. Sve sporne situacije smo

rešavali zajednički u saradnji srpske, muslimanske i hrvatske policije. Takav način funkcionisanja policije je bio predložen od strane SDS, a HDZ i SDA su to prihvatili.

16. Takođe, mi smo dogovorili da neće biti pretresa Muslimana i Hrvata od strane Srba, a isto tako je bilo dogovoreno da Muslimani i Hrvati neće pretresati Srbe. Postojao je dogovor da, oružije koje je podeljeno policijskim snagama ne sme biti upotrebljeno protiv naroda, bez obzira da li se radi o Muslimanima, Hrvatima ili Srbima. Iako smo znali da muslimani u selu Luka bili naoružani i da su čak imali i bestrzajni top niko nije pretresao i niko im nije oduzimao naoružanje.
17. Taj dogovor je uglavnom poštovan sve do 03.05.1992. godine kada je usledio prvi ofanzivni napad muslimanskih snaga iz pravca Visokog i Breze. U tom napadu su učestvovalе jedinice ABiH formirane u opštini Visoko i opštini Breza, ali taj napad je brzo i efikasno odbijen od strane srpskih jedinica koje su formirane u cilju odbrane i zaštite srpskog dela stanovništva.
18. Srpskim jedinicama je komandovao, pre formiranja VRS, krizni štab. Kada je formirana VRS i Glavni štab VRS, od tih jedinica koje su branile Ilijaš je formirana Ilijaška brigada VRS. Ilijaška brigada je formirana u drugoj polovini maja 1992. godine. Komadant Ilijaške brigade je bio Marko Kopanja rezervni kapetan prve klase.
19. Od prve ofanzive od 03.05.1992. godine, pa do junske ofanzive 1995. godine ABiH je izvela ukupno 34 napada na teritoriju opštine Ilijaš. Na područje naše opštine je neretko padalo preko stotinu granata dnevno.
20. Ilijaška brigada je držala liniju od Nišićke visoravni, preko Okruglice, Vareša, preko sela Misoča. Što znači da je Ilijaška brigada držala front od Olova, Breze, Vareš i to je činilo front dužini od oko 140km.
21. Sa jedne strane fronta smo bili u dodiru sa suprotstavljenim snagama Drugog korpusa ABiH, a sa druge strane smo bili u dodiru sa Trećim Korpusom ABiH na način opisan u prethodnom paragrafu. 1993. godine, nakon reforme ABiH i izmeštanja dela jedinica Prvog korpusa ABiH iz grada Sarajeva, smo bili u dodiru i sa snagama Prvog korpusa ABiH, što je Ilijašku brigadu dovelo u nepovoljan položaj jer smo i pre izmeštanja jedinica Prvog korpusa ABiH bili u okruženju, a izmeštanjem jedinica Prvog korpusa ABiH njihovi položaji su dodatno ojačani.
22. Dana 03.05.1992. godine, pa do kraja 1992. godine bilo je pet ofanzivnih napada Muslimanske armije iz pravca Visokog i Breze, od kojih je najintenzivniji bio

početkom avgusta 1992. godine. Jednom od ofanziva je komandovao lično Alija Izetbegović i prema pouzdanim podacima tu ofanzivu su muslimani nazvali na život ili smrt. Čak sam jednom prilikom, zbog siline napada, bio prinuđen da od Radovana Karadžića tražim tenkove i prage kako bi mogao da odbijem silovite napade muslimanskih snaga, što se može videti iz dokumenta broj **65ter 03714**.

23. 29.12.1992. godine jedinica Travničkog korpusa, Bataljon mudžahedina u sadejstvu sa bataljonom Zeničkog korpusa su proboili liniju u selu Bioča u jutarnjim časovima, koju su vojnici Ilijaške brigade do popodnevnih časova istog dana uspešno povratili. Tu je ostalo preko 100 poginuli pripadnika ABiH od čega preko 40 mudžahedina. Prema podacima iz njihovih dokumenata smo videli da se radi građanima Pakistana, Palestine, Egipta i dr. muslimanskih država. Ta jedinica mudžahedina je bila u sastavu Travničkog bataljona ABiH. O tome smo čak obavestili i pripadnike UNPROFOR na jednom sastanku koji smo imali nakon te ofanzive i tražili od njih da reaguju, ali reakcije nije bilo.
24. Sa naše strane, Ilijaške strane, bili su pripadnici Kanadskog bataljona UNPROFOR. Sa njima smo imali odličnu saradnju. Čak su nam se više puta zahvaljivali. Posebno bih istakao situaciju kada je medicinsko osoblje i vojnici Ilijaške brigade priskočili u pomoć teško ranjenom vojniku Kanadskog bataljona, bez čije pomoći bi podlegao ranama. Zbog činjenice da smo pomogli ranjenom kanadskom vojniku, ja kao predsednik opštine Ilijaš sam dobio smo zahvalnicu, dokument **65ter 1D05147** od 02.10.1994. godine, koju je uputio potpukovnik Wlasichuk zato što smo pomogli ranjenom kanadskom vojniku. Iako je zahvalnica upućena meni sva zasluga ide na račun pripadnika VRS Ilijaške brigade, bez čije bi blagovremene pomoći vojnik Kanadskog bataljona zasigurno podlegao ranama.
25. 20.01.1993. godine na predlog kadrovske komisije SDS izabran sam za ministra policije RS u Vladi RS. Na toj funkciji sam ostao do sredine jula 1993. godine nakon čega sam podneo ostavku.
26. MUP RS kao i druge institucije u to ratno vreme nije bilo kvalitetno organizovano zbog loših komunikacija udaljenih delova RS tako da su glavninu operativnih poslova iz nadležnosti MUP RS obavljali Centar službi Bezbednosti (CSB) policije i stanice policije u opštinama. U okviru policije u svakoj stanici policije organizovan je sastav policijskih snaga koje su bile po potrebi dužne sadejstvovati sa snagama VRS ukoliko je to bilo neophodno i ukoliko je vojna situacija to nalažala.

27. Po zakonu o MUP RS i njegovoj organizaciji upotrebu tih jedinica kao i specijalne brigade policije davao je ministar MUP RS. Zbog razuđenosti teritorije RS loših komunikacija između MUP RS i centara službi bezbednosti ja sam preneo nadležnost za upotrebu jedinica policije za sadejstvo sa jedinicama vojske na načelnike centra službi bezbednosti. Tako su na terenu komandanti korpusa VRS i načelnici CSB prema datoj situaciji zajednički donosili odluku o upotrebi jedinica policije u borbenim dejstvima. Borbeni zadaci su izvršavani u sadejstvu, s tim što je komandir policije zadržavao komandu na jedinicama policije, a komandant vojnih jedinica je zadržavao komandu nad svojim jedinicama.
28. General Mladić je naše ratiše za vreme rata obišao dva do tri puta. Uvek se raspitivao, kada je postojao sporazum o prekidu vatre, da li se isti poštuje od strane VRS na tom delu ratišta. Po mom najboljem sećanju naša vojska sa ilijaškog ratišta je poštovala postojeće sporazume o prekidu vatre.

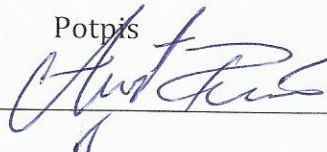
POTVRDA SVJEDOKA

Potvrđujem da mi je ova izjava na 7 strana pročitana i da je ista u potpunosti istinita. Navedenu izjavu dao sam slobodno i svestan sam da može biti upotrebljena u postupku pred Međunarodnim Krivičnim Tribunalom za gonjenje osoba odrovornih za teška kršenja međunarodnog humanitarnog prava počinjena na teritoriji bivše Jugoslavije, počev od 1991 god. sa sjedištem u Hagu.

Datum

27.05.2014

Potpis

A handwritten signature in blue ink, appearing to be 'Ante Rado', written over a horizontal line.

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

Case No. IT-09-92-T

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

ANNEX B

ADŽIĆ Ratko			
Witness Statement to be admitted pursuant Rule 92ter			
Statement	Date	65ter Number	Closed Session/Under seal
Witness Statement of ADŽIĆ Ratko		RM 65ter 1D01634	
Associated Exhibits wich the Defence seeks to tender pursuant to Rule 92ter			
Description	Paragraph Number/page in Statement	65ter Number	Doc ID (BCS/ENG)
Letter from Commander of VSN BiH Ilijas, Ratko ADZIC, to the President of the Presidency (KARADZIC, Radovan) to obtain weaponry	22/5	RM 65ter 03714	0084-5289 0089-2249
Letter of appreciation. R.S. Wlasichuk	24/5	RM 65ter 1D05147	1D09-1078 1D09-1079