

**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 Flüge

Registrar: Mr. John Hocking

Date Filed: 27 August 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 MILOŠ MILINČIĆ**

The Office of the Prosecutor:

Mr. Dermot Groome
Mr. Peter McCloskey

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, respectfully submits 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 MILOŠ MILINČIĆ is currently scheduled to testify approximately within 30 days and thus the Defense 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, with 1 associated exhibit. At this time the Defense estimates that the evidence-in-chief of this witness will last up to 30 minutes.

3. The Defense 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 or transcripts of a proceeding 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. DISCUSSION OF ARGUMENTS

a) The Chamber Should Admit the Witness Statement

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.

6. The Defence seeks leave of the Chamber to call Miloš Milinčić 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 Milinčić's statement is relevant, reliable and probative, as set forth in greater detail herein below.

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. Thereby the requirements of Rule 92*ter* will be fulfilled, and fairness to the Prosecution will be observed.

9. The Defense 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 Defense case.

10. Witness Milinčić graduated from the Faculty of Philosophy in Novi Sad, the department of Serbo-Croatian Language and Literature and he was a teacher at the secondary school in Srbac until 1990; afterwards, Milinčić was a member of the SDS (Serb Democratic Party).³ Miloš Milinčić became President of the Municipality of Srbac and he remained at this position until 1997.⁴ After his post as a President, witness Milinčić worked again as a secondary school teacher until 2001, when he was appointed Director of the Pedagogy Institute.⁵ In 2007 Milinčić became an advisor for the Serbian Language at the Institute until his retirement in 2008.⁶

³ Statement, para.1

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

11. Witness Milinčić's testimony is relevant to and probative of salient and material issues pertaining to the Indictment. The Defense is confident in that it will, among other things, establish the following:

- a. The functioning of the SDS party before the war and the organization of the Municipality of Srbac.⁷
- b. No intentions were drawn by the authorities regarding ethnic discrimination or threats to the minority people.⁸
- c. The multi-party elections.⁹
- d. The situation in the municipality of Srbac during the war.¹⁰
- e. The agreement between Srbac and Davor with full support from General Mladić and the subsequent relationship between those cities and their representatives and armies.¹¹
- f. The transfer of population from BiH to the Republic of Croatia (RH).¹²
- g. The exchange of prisoners and killed people.¹³
- h. The relationship between Srbac, his president and the General Mladić.¹⁴

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 is a total of 1 associated exhibit to this witness statement, as set out in the table that is attached at **Public Annex B**.

⁷ Statement, paras.2-5

⁸ Statement, paras.6, 9, 11

⁹ Statement, paras.7-8, 10

¹⁰ Statement, paras.13-14, 18

¹¹ Statement, para.15-16, 20-22

¹² Statement, para.17

¹³ Statement, para.19

¹⁴ Statement, paras.23-25

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

- a. No ethnic cleansing was allowed in the Municipality of Srbac as there were some Muslims joining the VRS.¹⁵

III. CONCLUSION

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

- a. Granting the Defense leave to call Miloš Milinčić as a witness pursuant to Rule 92*ter*.
- b. Granting the Defense leave to admit the proffered statement, (attached hereto as Annex A) under Rule 92*ter*.
- c. Granting the Defense leave to admit the list of associated exhibits, (attached hereto as Annex B) under Rule 92*ter*.

Word Count: 1,075

RESPECTFULLY SUBMITTED BY:



Branko Lukić
Lead Counsel for Ratko Mladić



Miodrag Stojanović
Co-Counsel for Ratko Mladić

¹⁵ Statement, para. 18

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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Case No. IT-09-92-T

THE PROSECUTOR

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PUBLIC

ANNEX A

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

WITNESS STATEMENT

WITNESS INFORMATION:

Surname: MILINČIĆ

Name: Miloš

Father's name: Drago

Date of birth: 15 December 1942

Ethnicity: Serb

Date(s) of interview(s): 17 April 2014

Interview(s) conducted by: Branko Lukić, Mikajlo Mitrović

Language used during the interview: Serbian

Signature of the Witness: _____

WITNESS STATEMENT – MILOŠ MILINČIĆ

PERSONAL INFORMATION

1. My name is Miloš MILINČIĆ (son of Drago). I was born on 15 February 1942 in Bajinci village, the Municipality (SO) of Srbac. I am married with two children. I have no criminal record. I graduated from the Faculty of Philosophy in Novi Sad, the Department of Serbo-Croatian Language and Literature. I am a secondary school teacher of Serbo-Croatian language, with permanent residence in my birthplace. Until 1990, I was a teacher at the secondary school in Srbac, and afterwards, as a member of the SDS /*Serb Democratic Party*/, I became President of the Municipality of Srbac. I remained at this post until 1997. After that, I again worked as a secondary school teacher until 2001, when I was appointed Director of the Pedagogy Institute. I remained at this post until 2007, when I became an advisor for the Serbian language at the Institute; I remained in this capacity until 2008, when I retired.

THE MUNICIPALITY OF SRBAC BEFORE THE WAR

2. I participated in and witnessed numerous important events in the pre-war, war and post-war periods, since the establishment of the SDS, including those concerning the functioning of the party and the organising of the Municipality of Srbac in view of the events that could be anticipated not long after the elections in 1990, and which actually happened afterwards. As a member of the SDS Main Board, I attended meetings in which decisions were analysed and adopted aimed at defence in the civil and religious war that was happening in BiH. The topics and priorities discussed in these meetings were mostly defence, refugees, and supply of military and civilian resources necessary for the tolerable functioning of life in municipalities.

3. The Municipality of Srbac is located on the right bank of the Sava River. The Sava separates the Municipality of Srbac from Croatia along a 50 km long stretch. On the other side of the Sava is a Croatian place called Davor.

4. The population of the Municipality of Srbac was around 22,000 (now it is around 19,000), where the Serbs accounted for 95%. At the beginning of the nineties, there were 79 Bosniak Muslim families in the Municipality of Srbac, most of them residing at a place called Kobaš. About fifteen families lived in a settlement called Crnaja, and there were also some living the town of Srbac. In addition, there were 66 families of the Roman Catholic

denomination: the Croats, Czechs, Ukrainians, and Slovaks. A total of 879 non-Serbs faced the nineties on their hearths. A small number of them, around 60 persons, moved out during the war, mainly for economic reasons. The situation is almost the same today – 100% of their property has remained in their possession.

5. The Municipality got its name - Srbac, after World War I.
6. With the establishment of authorities in 1990, there were no program secrets or public intentions related to ethnic discrimination and threats to the minority people – neither before the elections, nor in the post election period.
7. All documented information shows that the absolute winner of the first multi-party elections – the Serbian Democratic Party, nowhere in its documents or actions planned any ethnic parochialism or discrimination.
8. At a pre-election meeting in December 1990, in the centre of Srbac, in front of around 10,000 gathered citizens, President Karadžić received a huge applause for the following words: “Those who advocate war in these areas should ask Serb, Muslim and Croat mothers if they would give their sons for such crazy ideas?”
9. In my later contacts with President Karadžić, I received support for the policy of respect and non-endangering of the minority people in Srbac, in the spirit of tradition, or as he would like to say to me, as a literature teacher: in the spirit of thinking of Marko Miljanov on manliness and heroism. I remember him inquiring about the Muslim settlement of Crnaja, where there were around 15 Muslim houses at the time. He would say: “Protect those people and your inhabitants. The garden and the estate are the most beautiful when they are interwoven with different colours and flowers!”
10. At the first multi-party elections the Serbs had 42 deputies, while the Muslims had two; yet, the Serbs decided to appoint a Muslim – Halid Hadžiselimović, as the Vice-President of the Municipality.

THE SITUATION IN THE MUNICIPALITY OF SRBAC DURING THE WAR

11. I solemnly state that there was no ethnic cleansing in the Municipality of Srbac, and some of the Muslims even joined the ranks of the VRS */Army of Republika Srpska/*. Twenty-two of them were wounded while serving in the Srbac Brigade and they are still receiving

disability allowances from Republika Srpska. I have copies of decisions on their disability, which I enclose with this statement (65ter 1D02991). One of the Muslims was killed while serving in the Brigade and his name is engraved in the Brigade's memorial plaque.

12. The Srbac lpbr /*Light Infantry Brigade*/ was formed on 7 June 1992 and it was used outside the Municipality of Srbac.

13. Naturally, there were events or cases involving individuals who at those crazy times saw their chance and wanted "the war to be their brother!"

I will name a few incidents that upset the entire population of the Municipality:

- the murder of a Serb family Malešević in Donja Lepenica in 1993. The killers were discovered not long after. Those were four Serbs whose motive was a robbery.
- an armed robbery on 9/10 December 1992 of a Serb family of Teodor Vejinović of Mali Razboj and the wounding of a family member – Dragoljub Vejinović. The three perpetrators were never discovered. They asked the family members to surrender money and petrol.
- a fight in a cafe (*kafana*) at Bosanski Kobaš and the deadly wounding of Halid Hadžiselimović, a Muslim. He died in the hospital in Banja Luka. The murderer Ljubomir Stanković (son of Veljko) was convicted by the ruling of the Banja Luka Military Court No. IK-23/92.
- the murder and wounding of two Muslims (Bosniaks) at Kobaš committed by the same perpetrator who committed the previous crime. It was subsequently discovered that he had in the meantime also wounded two Serb children.

14. In the period from 1992 to 1995 there were numerous other misdemeanours and crimes in the municipality that involved robbery elements. Fear overcame all residents of the municipality. The few non-Serbs felt additional anxiety and fear because of war 'birds of prey' who did dishonourable deeds, especially under the cover of night.

PEACE BETWEEN DAVOR AND SRBAC

15. What I want to emphasise in particular and what I believe was the greatest success is the peace that lasted throughout the war between Davor and Srbac, in which General Mladić provided me his full support. Specifically, although Srbac was shelled three times – on 26 and 30 June and in early July 1992 – I, as the Chairman of the War Presidency, advocated that we should not respond with fire to the fire that had come from the Croatian side, believing that such response would only escalate the conflict and result in larger number of victims on both

sides. I managed to convince the Commander of the Srbac Brigade, Lieutenant Colonel Miodrag Suvajac, to accept this approach and to support me. Suvajac agreed with me. At the same time, I informed the Croats at Davor that they should no longer engage in action and that they should maintain the peace.

16. They accepted my proposal and thus the school in Srbac, as well as the textile factory started working again, agricultural and other works could be performed without interruptions, it was no longer necessary to engage forces to guard the banks of the Sava River, etc. This also enabled better supply of the Brigade.

17. At the same time, the transfer of the population from BiH to the Republic of Croatia (RH) (around 22,000 persons) was performed via Srbac and Davor in an organised and completely secure manner, and various talks were conducted between the representatives of Republika Srpska (RS) and the Republic of Croatia, including exchange of prisoners, etc.

18. In the period from 1992 to 1995, Srbac and the Croatian settlement of Davor across the Sava were venues of useful and significant meetings – in terms of high officials of civilian and military authorities of both states who attended them. For example, Bishop of Banja Luka Komarica met with the then Croatian Cardinal Kuharić (by crossing the Sava River from Srbac to Davor). Also, in 1994 in Davor, there was a meeting with delegations of Croatia represented by Dr Ivić Pašalić, Vice-President of the HDZ /*Croatian Democratic Union*/ and the Deputy Prime Minister of the Government, and Nadan Vidošević, President of the Croatian Chamber of Commerce and the subsequent candidate for the President of Croatia. Dr Mate Granić, the Minister of Foreign Affairs of Croatia, was absent due to unplanned circumstances. On our side there were: Dr Aleksa Buha, the Minister of Foreign Affairs of Republika Srpska, Kozić, the Prime Minister of the Government of Republika Srpska, Živko Rakić, the Minister of Interior, Vojo Mujčić, the Director of Brod Refinery, and others.

19. There were also several exchanges of prisoners and killed persons, as well as meetings between representatives of both armies.

20. Humanitarian representatives – Mr. Rebić and Lang – were frequent partners on our side in looking for solutions to enable families to reunite. In Banja Luka (the arrival via Davor and Srbac), there was a meeting between the Prime Minister of the Government of Republika Srpska, MSci Rajko Kasagić, and the Croatian state and economic delegation led by Dr Slobodan Lang, Advisor to the Croatian President.

21. On 12 October 1994, both Mr Karadžić and Momčilo Krajišnik met in Banja Luka (at the *Ambalažerka* packaging factory) with the Croats who arrived there through the safety of Srbac.

22. Of course, such activity in this border place caused suspicion and often provoked open threats to both sides that sometimes even came from high ranking military and civilian officials on both sides. Everything was done (by some Croats and by some of our Serbs) to involve the Srbac-Davor area in the war combat zone. In the attempts to trigger a fierce conflict, Srbac was shelled three times at the end of June and the beginning of July 1992, from the highway in the area of Slavonski Brod, probably with the aim of provoking our side to retaliate against innocent Croatian population and the neighbouring Davor. It might sound immodest, but the citizens of Srbac (and Davor) know that I personally prevented this diabolical plan and catastrophe.

MEETING WITH GENERAL MLADIĆ

23. Some Serbs did not like this peaceful state in Srbac so rumours spread that I was a traitor, a Croat spy, a war profiteer, etc. These rumours about me also reached General Mladić who in August 1993 invited me for a talk at the Military Club (*Dom Vojske*).

24. After General Mladić had told me of the rumours about me, I presented to the General all the positive results of not responding with fire. Mladić then told me that he fully supported my actions and that I should keep the peace. He told me: "Nowadays each raw Serb (*Srbenda*) knows how to provoke a conflict, how to mess things up, and when they are responded back, when they are slapped in the face, they ask for help and call the 'red' colonels." By the expression 'red' he wanted to say that some Serbs did not trust the officers of the former JNA /*Yugoslav People's Army*/ as they considered them communists who were still advocating joint life with other nations.

25. I went to this conversation with great fear, but I took the General's support as a great acknowledgement for my work and I understood that General Mladić was before all supporting peace and not war. Otherwise, he could have ordered that Davor be levelled with the ground as the conditions existed for such an action.

WITNESS CONFIRMATION

I have read this statement comprising ____ pages, and it contains all that I said to the best of my knowledge and recollection. I have given this statement voluntarily, and I am aware that it can be used in the proceedings before the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian 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: MILINČIĆ

Ime: Miloš

Ime oca: Drago

Datum rođenja: 15.12.1942.

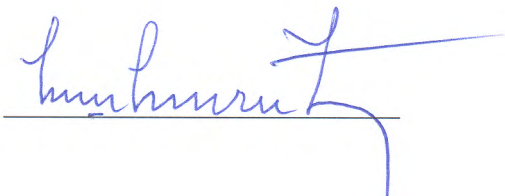
Nacionalnost: Srbin

Datum(i) razgovora: 17.04.2014.

Razgovor(e) vodili: Branko Lukić, Mikajlo Mitrović

Jezici korišćeni u toku razgovora: Srpski

Potpis svedoka:

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

IZJAVA SVEDOKA – MILOŠ MILINČIĆ

LIČNI PODACI

1. Zovem se MILINČIĆ (Drago) Miloš, rođen sam 15.12.1942. godine u selu Bajinci, SO Srbac, Srbin sam, oženjen, otac dvoje dece, neosuđivan, završio sam filozofski fakultet u Novom Sad, smer srpsko-hrvatski jezik i književnost. Profesor sam srpsko-hrvatskog jezika, stalno nastanjen u mestu rođenja. Do 1990. godine bio sam profesor u školi u Srpcu, a od tada sam, kao član SDS-a, postao predsednik opštine Srbac. Na toj dužnosti sam bio do 1997. godine. Posle toga sam do 2001. godine ponovo radio kao profesor u školi, da bih tada bio postavljen za direktora pedagoškog zavoda. Tu dužnost sam obavljao do 2007. godine, a zatim sam do 2008. godine bio savetnik za srpski jezik u zavodu, a onda otišao u penziju.

OPŠTINA SRBAC PRE RATA

2. Bio sam učesnik i svedok brojnih i bitnih događanja u predratnom, ratnom i poratnom periodu, od osnivanja SDS-a, stranačkom funkcionisanju, organizovanju Srbačke opštine za događaje koji su se, nedugo posle izbora 1990. naslućivali, a potom i dogodili. Kao član Glavnog odbora SDS-a, prisustvovao sam sastancima na kojima su se analizirale, a i donosile odluke sa ciljem odbrane u građansko-verskom ratu koji se desio u BiH. Tematika i prioritet tih sastanaka uglavnom je bio: odbrana, izbeglice, snadbevanje potrebnim vojničkim i civilnim resursima za podnošljivo funkcionisanje života u opštinama.

3. Opština Srbac se nalazi na desnoj obali reke Save. Reka Sava deli Srbačku opštinu, u dužini od 50 km, od Hrvatske. Sa druge strane reke Save je hrvatsko mesto Davor.

4. Opština Srbac je imala oko 22.000 stanovnika (sada oko 19.000), od čega su 95% bili Srbi. Početkom devedesetih godina XX veka, u Srbačkoj Opštini bilo je 79 muslimansko-bošnjačkih porodica, naseljenih uglavnom u mestu Kobaš. Petnaestak porodica živi u naselju Crnaja, a ima ih i u samom gradu Srpcu. Katoličke veroispovesti: Hrvata, Čeha, Ukrajinaca, Slovaka, bilo je 66 porodica. Ukupno 879 lica nesrpske pripadnosti, dočekalo je na svojim ognjištima te devedesete godine. Neznatan broj, oko 60-ak lica u toku rata bilo se iselio,

uglavnom iz ekonomskih razloga. I danas je stanje skoro isto, a imovina je 100% u njihovom vlasničkom posedu.

5. Opština je dobila ime Srbac nakon Prvog svetskog rata.

6. Konstituisanjem vlasti 1990. godine ni pre izbora, a ni u postizbornom formiranju vlasti nije bilo nikakvih programskih tajni ni javnih namera nacionalne diskriminacije i ugrožavanja manjinskog naroda.

7. Svi dokumentovani podaci ilustruju da apsolutni pobednik prvih višestranačkih izbora, Srpska demokratska stranka, nigde u svojim dokumentima niti u postupcima nije planirala bilo kakvu nacionalnu uskogrudost i diskriminaciju.

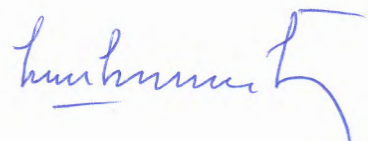
8. Na predizbornom skupu, u centru Srpca decembra 1990-te godine, pred oko 10.000 građana, predsednik Karadžić dobio je buran aplauz na sledeće reči: „Oni koji zagovaraju rat na ovim prostorima, neka pitaju srpske, muslimanske i hrvatske majke da li bi dale svoje sinove za te sulude ideje?”

9. U kasnijim kontaktima sa predsednikom Karadžićem, dobijao sam podršku da politika uvažavanja i neugrožavanja manjinskog naroda i u Srpcu bude u duhu tradicije, kako je volio da meni, prof. književnosti kaže: u duhu misli Marka Miljanova, o čojstvu i junaštvu. Sećam se da se raspitivao za muslimansko naselje Crnaju, u kojoj je tada bilo 15-ak muslimanskih kuća. Govorio je: „Čuvajte te ljude i svoje stanovnike. Bašta i vrt najlepši su kad su izmešani različitim bojama i cvetovima!”

10. Pri prvim višestranačkim izborima Srbi su imali 42 poslanika, a Muslimani 2, ali su Srbi odlučili da ipak za potpredsednika opštine postave Muslimana Halida Hadžiselimovića.

STANJE U OPŠTINI SRBAC U TOKU RATA

11. Odgovorno tvrdim da u opštini Srbac nije bilo etničkog čišćenja, a neki od Muslimana su se čak uključili u VRS. Njih 22 je ranjeno u Srbačkoj brigadi i dan danas primaju invalidnine od Republike Srpske. Ja imam kod sebe kopije njihovih rešenja o invalidnosti,



koje prilažem kao prilog ovoj izjavi (65ter 1D02991). Jedan od Muslimana je poginuo u brigadi i njegovo ime se nalazi uklesano na spomen ploči brigade.

12. Srbačka lpbr je formirana 07. juna 1992. godine i upotrebljavana je van opštine Srbac.

13. Naravno, da je i u Srbačkoj opštini bilo događaja, slučajeva, pojedinaca koji su u onom sumanutom vremenu videli svoju šansu da im „Rat bude brat!”

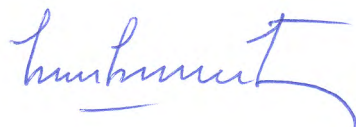
Navešću neke događaje koji su uznemiravali celokupno stanovništvo opštine:

- Ubistvo srpske porodice Malešević u Donjoj Lepenici 1993. Nedugo posle toga otkrivene su ubice. Bila su to četvorica Srba čiji je motiv bio pljačka.
- Oružano razbojništvo, 9/10.12.1992.godine, nad srpskom porodicom Teodora Vejinović iz Malog Razboja i ranjavanje člana porodice Dragoljuba Vejinović. Trojica počinioca nisu otkrivena. Tražili su od ukućana novac i benzin.
- Kafanska tuča u Bosanskom Kobašu, smrtno ranjavanje Halida Hadziselimovića, Muslimana. Preminuo je u bolnici u Banjoj Luci. Ubica Stanković (Veljke) Ljubomir, osuđen presudom Vojnog suda Banja Luka, br. IK-23/92.
- Ubistvo i ranjavanje dvoje Muslimana (Bošnjaka) u Kobašu, isti izvršilac kao i za prethodno krivično delo. Otkriveno je naknadno da je on u međuvremenu ranio i dvoje srpske dece.

14. U opštini je 1992-95. bilo još brojnih prekršaja i krivičnih dela koji imaju pljačkaških elemenata. Strah je bio prisutan kod svih stanovnika opštine. Dodatnu zebnju i strah su imali malobrojni nesrbi od ratnih lešinara koji su naročito pod okriljem noći vršili nečasne radnje.

MIR IZMEĐU DAVORA I SRPCA

15. Ono što posebno ističem i smatram najvećim uspehom je mir koji je sve vreme rata vladao između Davora i Srpeca, a u čemu mi je punu podršku pružio general Mladić. Naime, iako je Srbac tri puta granatiran, 26. i 30. juna i početkom jula 1992. godine, ja sam se kao predsednik ratnog predsedništva zalagao da se ne odgovori vatrom na ovu vatru koja je došla sa hrvatske strane, smatrajući da bi odgovaranje vatrom samo dovelo do veće eskalacije sukoba i većih međusobnih žrtava. Sa ovim svojim stavom sam uspeo da ubedim i komandanta Srbačke brigade potpukovnika Miodraga Suvajca da mi i on da podršku. Suvajac



se složio sa mnogim. Istovremeno sam ja obavestio i Hrvate u Davoru da više ne dejstvuju i da održavaju mir.

16. Taj moj predlog su i oni prihvatili, pa je u Srpca mogla da radi škola, fabrika trikotaže, da se nesmetano obavljaju poljoprivredni i drugi radovi, te nije bilo neophodno da se angažuju snage za čuvanje obale Save itd. Time je i brigada dobila kvalitetnije snabdevanje.

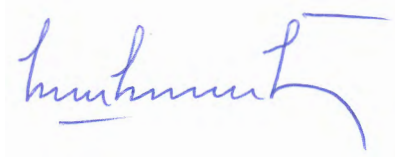
17. Istovremeno se preko Srpeca i Davora vršilo organizovano, potpuno bezbedno, prebacivanje stanovništva iz BiH u RH (oko 22.000 lica), obavljani su razni pregovori predstavnika RS i RH, razmena zarobljenika i dr.

18. U periodu (1992.-1995.) u Srpca, odnosno prekosavskom hrvatskom Davoru održavali su se važni, po zvaničnim, i visokim licima, civilne i vojne vlasti obe države, vrlo značajni i korisni susreti. Npr. banjalučki biskup Komarica sastao se (prelaskom Save: Srbac-Davor) sa tadašnjim hrvatskim kardinalom Kuharićem. Takođe u Davoru, 1994. godine, održan je sastanak između delegacija Hrvatske sa predstavnicima: dr Ivić Pašalićem, potpredsednik HDZ-a i Vlade, Nadanom Vidoševićem, predsednik privredne komore Hrvatske i kasnijim kandidatom za predsednika Hrvatske. Nepredviđeno je odsustvovao dr Mate Granić, ministar inostranih poslova Hrvatske. Sa naše strane bili su: dr Aleksa Buha, ministar inostranih poslova RS, Kozić predsednik Vlade RS, ministar policije Živko Rakić, direktor rafinerije Brod Vojo Mujčić i drugi.

19. Bilo je takođe i nekoliko razmena zarobljenih, poginulih kao i susreta predstavnika obe vojske.

20. Humanitarci, gospodin Rebić i Lang, bili su česti partneri našoj strani u traganju za rešenjima i omogućavanju spajanja porodica. U Banja Luci je (dolazak preko Davora i Srpeca) održan sastanak predsednika vlade RS, mr Rajko Kasagić sa hrvatskom državno-privrednom delegacijom koju je predvodio dr Slobodan Lang, savetnik hrvatskog predsednika.

21. I gospodin Karadžić kao i Momčilo Krajišnik su 12. oktobra 1994. godine imali sastanak u Banja Luci (Ambalažerka) sa Hrvatima koji su tamo stigli u Banja Luku preko sigurnog Srpeca.



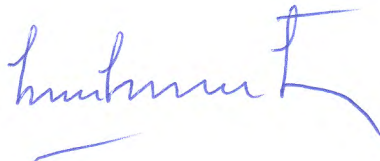
22. Naravno, da je takva aktivnost na ovom pograničnom mestu izazivalo podozrivost, a često i neprikrivenu pretnju obema stranama, čak i od visokopozicioniranih vojnih i civilnih lica, sa obe strane. Sve se činilo (i kod nekih Hrvata kao i naših Srba) da srbačko-davorski prostor uđe u zonu ratnih dejstava. U pokušaju izazivanja žestokog konflikta, Srbac je tri puta krajem juna i početkom jula 1992. granatiran sa Autoputa iz slavonskobrodskeg područja, verovatno s ciljem da se naša strana isprovocira i izvrši odmazdu po nedužnom hrvatskom, susednom Davoru. Zvuči neskromno, ali javnost Srpsca (a i Davora) zna da sam lično sprečio taj pakleni plan i katastrofu.

SUSRET SA GENERALOM MLADIĆEM

23. Nekim Srbima se nije dopadalo ovakvo, mirno stanje, u Srpcu, pa su počele priče da sam ja izdajnik, hrvatski špijun, ratni profiter i sl. Takve priče o meni su stigle su i do generala Mladića, koji me je avgusta 1993. godine pozvao na razgovor u Domu Vojske.

24. Nakon što mi je General Mladić izneo šta se o meni priča, ja sam izneo Generalu sve pozitivne rezultate neuzvraćanja vatre. Mladić mi je tada rekao da u potpunosti podržava moj postupak i stav i da sačuvam taj mir. Rekao mi je: „Svaka Srbenda danas zna da izazove sukob, hoće da zakuva, a kad im se uzvрати, kada dobiju po nosu, onda traže pomoć i prozivaju “crvene“ pukovnike.“ Izrazom „crveni“ mislio je na to da neki Srbi nisu imali poverenja u oficire bivše JNA pošto su ih smatrali komunistima i ljudima koji još uvek zagovaraju zajednički život sa drugim narodima.

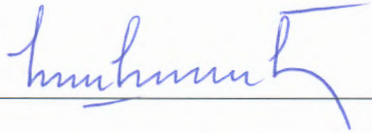
25. Ja sam na razgovor došao sa velikim strahom, ali ovu podršku sam shvatio kao izuzetno priznanje za svoj dotadašnji rad, te shvatio da je general Mladić pre svega opredeljen za mir, a ne za rat. U suprotnom mogao je da naredi da se Davor zбриše sa lica zemlje, jer su za to postojali svi uslovi.



POTVRDA SVEDOKA

Pročitao sam ovu izjavu od 6 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: _____

12.07.2014.

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

Case No. IT-09-92-T

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

ANNEX B

MILINCIC Milos			
Witness Statement to be admitted pursuant Rule 92ter			
Statement	Date	65ter Number	Closed Session/Under seal
Witness Statement of MILINCIC Milos	12 July 2014	65ter 1D01726	/
Associated Exhibits wick the Defence seeks to tender pursuant to Rule 92ter			
Description	Paragraph Number/page in Statement	65ter Number	Doc ID (BCS/ENG)
Republic of Srpska, Municipality Srbac, Department of General Administration - Rescript of disability Muslims	11/4	RM 65ter 1D02991	1D09-2914