

**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: 15 May 2014

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

**DEFENSE MOTION PURSUANT TO RULE 92TER TO ADMIT THE WRITTEN
TESTIMONY OF MILORAD ŠHOVAC**

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 92*ter* of the Rules of Procedure and Evidence, and in support thereof states as follows:

I. INTRODUCTION

1. Pursuant to the Guidance previously expressed by the Trial Chamber, motions offering written statements under Rule 92*ter* of the Rules of Procedure and Evidence are to be filed at least 30 days before the anticipated testimony of a given witness. Witness Milorad Šehovac is currently scheduled to testify the week starting 16 June 2014 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 92*ter*. This Motion is filed publicly, as the witness does not require protective measures.

2. Herein this application is made to tender one written witness statement of the witness, with 29 associated exhibits. At this time the Defense estimates that the evidence-in-chief of this witness will last up to 1 hour and 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 92ter 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 92ter 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

6. Witness Šehovac's statement is relevant, reliable and probative, as set forth in greater detail herein below.

¹ Rule 92ter 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

7. 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.

8. The Defense submits that due to the nature of the Witness's testimony 1 hour and 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.

9. Witness Šehovac served as the Chief of the Brčko Military Department and Chief of Staff of the 1st Posavina Brigade in 1992. In the same year he took the position of Commander of the 2nd Sarajevo Light Infantry Brigade (2nd Slpbr) in the Sarajevo-Romanija Corps until 1995 when he became an operations officer in the Command Staff of the SRK. He was later assigned to the command staff of the Novi Sad Corps of the Yugoslav Army as Chief of Infantry.

10. Witness Šehovac'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 SRK set two basic objectives for the city of Sarajevo, to protect the territory and to protect the population. It was strategically important to seal off the corresponding forces of the 1st Corps of the BH Army so as to prevent attacks against other forces of the VRS.³
- b. Neither the superior commands or civilian authorities never ordered attacks against civilians in Sarajevo, or against means of public transport. Members of the 2nd Slpbr did not intend to create any

³ Statement para. 4, 5

psychological harm for civilians and did not have the resources for psychological warfare.⁴

- c. Verbal and written orders were issued by superior command that civilians in Sarajevo under the control of the Muslim authorities were not to be an object of attack.⁵
- d. Officers and soldiers of the SRK and VRS were informed of the laws of war by superior commands and civilian authorities. It was stressed and commanded that all soldiers were to act in accordance with the Geneva Conventions.⁶
- e. The 2nd Slpbr had information that the brigades of the 1st Corps of the BH Army had positions in civilian zones, particularly in Hrasnica. They used civilian buildings and houses to deploy machine guns, sniper fire and anti-aircraft guns. Other civilian facilities, including the school and post office were also being misused for military purposes.⁷
- f. Civilians in the Serbian controlled defence zone were subjected to direct sniper, mortar and artillery fire by the Muslim forces both day and night. Children, civilians and soldiers were killed by snipers of the 1st Corps of the BH Army.⁸
- g. There was a shortage of professional command personnel in the 2nd Slpbr which affected the exercise of control over subordinate units. There were also very few active-duty officers in the brigade.⁹
- h. Weapons for the use of the 1st Corps of the BH Army were smuggled through humanitarian convoys.¹⁰
- i. Humanitarian aid was received by the BH Army rather than civilians. There existed a black market, particularly in Hrasnica and Dobrinja,

⁴ Statement para. 21, 22, 25

⁵ Statement para. 26

⁶ Statement para. 11

⁷ Statement para. 18, 19, 27

⁸ Statement para. 24, 37

⁹ Statement para. 32, 63

¹⁰ Statement para. 39

where goods from humanitarian convoys were sold in the parts of the city controlled by Muslim forces.¹¹

- j. Serbian civilians living in areas of Sarajevo controlled by Muslim forces were not allowed to leave the city.¹²
- k. There were no aerial bombs in the artillery of the 2nd Slpbr and there were no fuel air bombs in the SRK arsenal.¹³

B)The Chamber Should Admit the Associated Exhibits

11. 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.

12. There are a total of 29 Associated Exhibits to this witness statement, as set out in the table that is attached at **Public Annex B**.

- 13.** The Associated Exhibits are a range of documents including;
- a. Maps showing the Zone of Responsibility of the 2nd Slpbr;¹⁴
 - b. Documents pertaining to the use of civilian facilities for training centres by the BH Army;¹⁵
 - c. Orders of the Brigade Command relating to the systematic training of snipers and the use of sniper weapons;¹⁶

¹¹ Statement para. 39, 40

¹² Statement para. 44

¹³ Statement para. 45, 46

¹⁴ Statement para. 9, 13

¹⁵ Statement para. 19

¹⁶ Statement para. 34, 35

- d. Documents relating to the size of the 2nd Slpbr in terms of active servicemen and tactical positions and measures employed to prevent indiscipline in the brigade;¹⁷
- e. Documents pertaining to the operations of the 1st Corps of BH Army, their position and artillery;¹⁸
- f. Orders directing the 2nd Slpbr to fire at identified military targets under the control of the BH Army and to respond to enemy fire only;¹⁹
- g. Orders pertaining to the responsible conduct in relation to civilians in the military zone of the 2nd Slpbr and when firing at targets;²⁰
- h. Documents showing the lack of control by UNPROFOR over the BH Army;²¹
- i. Documents illustrating that the 1st Corps of the BH Army fired at civilians and civilian facilities in Sarajevo.²²

III. CONCLUSION

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

- a. Granting the Defense leave to call Milorad Šehovac 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: 1326

¹⁷ Statement para. 54, 55, 63, 66, 69

¹⁸ Statement para. 57, 67

¹⁹ Statement para. 59, 62, 65, 68

²⁰ Statement para. 65

²¹ Statement para. 58, 60

²² Statement para. 59, 61

RESPECTFULLY SUBMITTED BY:

Branko Lukić
Lead Counsel for Ratko Mladić



Miodrag Stojanović
Co-Counsel for Ratko Mladić

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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 DETAILS:

Last name: ŠEHOVAC

First name: Milorad

Father's name: Marinko

Date of birth: 10 November 1951

Ethnic origin: Serbian

Date(s) of interview(s): 23 Feb 2014

Interviewer(s): Boris ZORKO and Milenko DUNĐER

Language(s) used in interview: Serbian

Signature of witness: _____

**INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER
YUGOSLAVIA**

WITNESS STATEMENT – MILORAD ŠEHOVAC

PERSONAL DETAILS

1. My name is Milorad ŠEHOVAC. I was born on 10 November 1951 in the village of Presjenica, Trnovo municipality, Bosnia and Herzegovina. I graduated from the Land Forces Military Academy in Belgrade, specialising in infantry, and also from the Command Staff Tactical Training School in Belgrade in 1990. I have served as platoon commander, company commander, deputy battalion commander, motorised battalion commander, deputy border battalion commander, chief of the Military Department and brigade chief of staff.

2. In the period between 30 August 1991 and 16 July 1992 I served as the Chief of the Brčko Military Department. In addition to serving as the Chief of the Military Department, I also served as the Chief of Staff of the 1st Posavina Brigade in the period between 23 May and 5 August 1992. On 18 August 1992, I took up the duty of commander of the 2nd Sarajevo Light Infantry Brigade (2nd Slpbr) in the SRK /Sarajevo-Romanija Corps/. Between 9 June and 3 July 1995 I was at the VMA /Military Medical Academy/ in Belgrade where I underwent a spine operation. From 3 July until early September 1995 I was on sick leave, of which about 20 days were spent at home, one month at Banja Dvorovi and one month at Banja Vilina Vlas in Višegrad. In mid-September 1995 I was reassigned (due to my impaired health) to the command of the SRK to serve as an operations officer on the command staff, where I remained until mid-July 1996, when the SRK was disbanded. From mid-July 1996 to 2 October 2001 I was reassigned to the GŠ /Main Staff/ of the VRS /Army of Republika Srpska/, where I worked as a desk officer and after 1997 as the chief of the training department. In the period between 2 October 2001 and 15 April 2002 I was reassigned to the Yugoslav Army, where I served as the chief of infantry on the command staff of the Novi Sad Corps. On 15 April 2002 I was retired with the rank of colonel due to illness, and my active-duty military service was terminated by order of the GŠ VJ /Yugoslav Army General Staff/.

3. In the period between April 1992 and December 1995, the 1st Corps of the BH Army was in the city of Sarajevo under the control of the Muslim authorities. It numbered between 44,000 and 64,000 soldiers in the city itself. Together with the outer ring and with reinforcements, the number of soldiers was about 100,000. The SRK was surrounded by the BH Army. The 2nd Slpbr had between 1,100 and 1,300 soldiers. There were periods when it was reinforced and had about 2,500 men. The SRK had between 22,000 and 25,000 soldiers.

4. The SRK set two basic objectives regarding the city of Sarajevo: to protect the territory and to protect the population. I knew that one of the SRK objectives was to seal off the /?corresponding/ forces of the 1st Corps of the BH Army in the city in

order to prevent them from leaving and being used on other fronts in BH. Blockading the forces of the 1st Corps of the BH Army inside the city under the control of the Muslim authorities created a clear military advantage for the SRK and the VRS.

5. A breakthrough by the 1st Corps of the BH Army out of the city of Sarajevo under the control of the Muslim authorities would have had an impact on other fronts and on the course of the war in BH. It would have had a significant impact. If they had broken through the blockade, there would have been a mass exodus of the Serbian population, and they would have linked up with the Muslim forces in Eastern BH and reached the Drina River. Republika Srpska would have been split, and the Herzegovina Corps of the VRS would have been isolated. In addition, large forces would have been freed up for offensive operations on other fronts. In other words, the whole 1st Corps of the BH Army and parts of the other corps of the BH Army would have been available for manoeuvres against other forces of the VRS.

6. The SRK carried out active defensive operations. My brigade partly carried out offensive operations. This involved the tactical correction of positions in terms of ensuring better conditions in the defence zone of the brigade; for example, offensive operations against Kijevo or participation of part of the brigade forces in Operation *Lukavac 93*.

7. When carrying out combat operations, opening fire or returning fire that came from the city of Sarajevo, neither I personally nor my brigade viewed these actions as part of a systematic or widespread attack on civilians.

8. The ultimate objective of the Serbian authorities regarding Sarajevo was certainly for the Serbs to hold on to a part of the city, but the final status was to be decided by political means, which was outside my authority. I have heard about offers by the GŠ and the civilian authorities for the city of Sarajevo to be completely demilitarised, but I do not know the details. With regard to my knowledge of the reasons for handing over control of the airport to the UN in June 1992, I know that before my arrival the 2nd Slpbr had held Butmir airport, which was handed over to the UN forces.

9. In documents **65ter 1D02200** – Map of Zone of Responsibility of 2 Slpbr Brigade and **65ter 1D02204** – Zoom Map of Zone of Responsibility of 2 Slpbr Brigade, I have marked with a red line the zone of responsibility of my brigade towards the inner ring, that is, towards the city, in August 1992, when I took up the duty of commander. This remained more or less unchanged until August 1993. This comprised part of Dobrinja 4, Dobrinja 1, Krtelji and Sarajevsko Polje towards Butmir, Vojkovići, the *Famos* engine factory, and the village of Grlica.

10. After August 1993 the right border of the defence zone was the Željeznica River, and the Dobrinja 1 and Dobrinja 4 parts of the defence zone were transferred to the responsibility of the 1st Sarajevo Motorised Brigade (1st Sمبر), in accordance with a decision by the SRK Command. The part of the suburban settlements towards Butmir and the part towards Hrasnica from the south-western side remained in my defence zone. In the outer ring, the defence zone changed depending on combat

operations and represented more than 80% of the length of the brigade's front, that is, it ranged from 10 to 40 km.

11. Superior commands or civilian authorities informed my brigade about the provisions of the international law of war and humanitarian law. First of all, this was part of my curriculum at the academy, where I studied the international law of war. During the war we educated officers and soldiers alike through various forms of training, the most common of which were printed brochures, meetings and talks by the assistant commanders for moral guidance and legal affairs. Instructions concerning the treatment of captured enemy troops and civilians reached every soldier, and these were presented in a suitable way; troops at all levels, from privates to the brigade commander, i.e. me, were familiarised with these brochures. At consultations and meetings I attended, it was stressed and ordered that one was to act in accordance with the Geneva Conventions and the provisions of the international law of war and humanitarian law. Both the military and political leaders insisted on this every time.

12. The command of my brigade had reports and information about the zone of responsibility of the brigades of the 1st Corps of the BH Army which were opposing us (including the depth of the territory, which covered civilian zones of the city under the control of the Muslim authorities). We knew the disposition of the forward end of the brigades of the 1st Corps of the BH Army /?and/ in depth, their forces for support, logistical support forces and reserve forces. We gathered information through reconnaissance and from the intelligence and security forces of superior commands and other organs dealing with this, such as the MUP /Ministry of the Interior/, and so on.

13. My brigade was in contact with the 4th (104th) Brigade in Hrasnica and the 5th (155th) Mountain Brigade in Dobrinja 1 and Dobrinja 4. I have marked the zone of responsibility of these brigades on document **65ter 1D02201** – Map of Zone of Responsibility of 104 and 155 bbr.

14. The enemy forces had units on the forward defence line in contact with my brigade, and then artillery support forces (which were between one and five kilometres behind the forward defence line), reserve forces, forces for command, logistical forces, anti-armour combat forces, anti-aircraft defence forces and other forces of the brigades' combat disposition.

15. The 104th and 155th Brigades of the 1st Corps of the BH Army were located on the following dominant elevations in and around the city under the control of the Muslim authorities: Igman and Mojnilo.

16. We had intelligence about the composition and structure of the forces with which we were in direct combat contact. The size of the 104th Brigade ranged between 4,000 and 5,000 soldiers, while the parts of the 155th Brigade which were in contact with my brigade were about one battalion in strength.

17. We had information that the opposing units of the 1st Corps of the BH Army had heavy weapons, but their quantity was variable. These two brigades were particularly strengthened in the second half of 1993 and during 1994 and 1995. By way of illustration, for each one of my shells these two brigades responded with five shells. They had 82 mm and 120 mm mortars, 105 mm and 155 mm howitzers, and mountain guns.

18. We had information that the opposing brigades of the 1st Corps of the BH Army had positions in civilian zones. For example, already on the first line of contact they deployed machine-guns in basements, garages and high-rise buildings, both in the apartments and on balconies and roofs, and this was particularly prominent in Hrasnica. The flat part of Sarajevsko Polje facing the positions of my brigade enabled better use of the firing capabilities of infantry weapons from high-rise buildings, the roofs of houses, and balconies, which was not the case on our side. This was especially used for sniper fire of all calibres, machine-guns, light machine-guns, 12.7 mm machine-guns, 20 mm anti-aircraft guns, and artillery for direct fire against armoured equipment, fortified firing positions and bunkers.

19. They also had mortars in the populated area of Hrasnica itself. The Command of the 104th Brigade was in the post office in the centre of Hrasnica. The IKM /forward command post/ was at Hrasnički Stan. A training centre was located in *Aleksa Šantić* School, and shells were produced at the same place. I wrote about this in document **65ter 1D02050**.

20. With regard to the 155th bbr, in Dobrinja the front line went between the buildings. The forward end of the 155th bbr was fortified in residential buildings, from basements through apartments to the roofs. They had mortars about 500 to 700 metres from the line of disengagement around the playground at Dobrinja.

21. There were no exclusively civilian zones in either Hrasnica or Dobrinja in which there were no firing positions or enemy military units. My brigade took precautionary measures to avoid opening fire on civilian facilities. We did not open fire on civilians, and firing was directed against observed combat positions and units which were firing at units of my brigade. Through observation we prevented civilians from coming under our fire.

22. I allow for the possibility that there could have been collateral civilian casualties, but there was no intention or orders to subordinate units to open fire on civilians. I rule out any intention on the part of the brigade command or me personally to cause civilian casualties during fighting or terrorise civilians who were under the control of the Muslim authorities.

23. I never had any information that members of my unit or those of the lower or higher commands had any intention of causing civilian casualties during fighting or terrorising civilians who were under the control of the Muslim authorities. With regard to subordinate units, by acting preventively through orders, training and education of soldiers and officers, we avoided civilian casualties on the other side.

24. I rule out the possibility that members of my brigade, or of the lower or higher commands, had any intention of creating, during or outside combat operations, a psychological effect on civilians under the control of the Muslim authorities. My brigade did not have forces for psychological warfare. We never had any intention of creating any psychological effect on civilians of the opposing side. On the other hand, civilians in my defence zone, that is, in the territory under the control of the Serbian authorities, were subjected to direct sniper, mortar and artillery fire by the Muslim forces from the city, every day, both day and night, and we buried the dead only at night for safety reasons. We did not open fire on civilian targets, and if I learned that there was a danger of causing civilian casualties, fire was stopped.

25. Neither the superior commands nor the civilian authorities ever ordered me personally or my brigade, either verbally or in writing, to carry out attacks against civilians in the city under the control of the Muslim authorities. I never gave any verbal or written orders to carry out attacks against civilians in the city under the control of the Muslim authorities. Neither the superior commands nor the civilian authorities ever ordered me personally or my brigade, either verbally or in writing, to carry out attacks against means of public transport, such as trams or buses, in the city under the control of the Muslim authorities. It is worth mentioning that there were no means of public transport in my zone of responsibility.

26. The superior command ordered us that civilians in the city under the control of the Muslim authorities were not to be an object/target of attacks. I also issued verbal and written orders that civilians in the city under the control of the Muslim authorities must not be an object/target of attack. For example, in Hrasnica, Muslim funerals in broad daylight were particularly noticeable when crowds of civilians gathered on the Muslim side and, although my brigade had the chance to cause a large number of civilian casualties, we never did that, whereas, on the other side we had to bury the dead only at night.

27. The brigade command had information that behind the lines in the territory held by the units opposing us there were military targets, such as units, military installations, command headquarters, weapons, including heavy weapons, communications equipment and so on, and that civilian facilities were being misused for military purposes by the 1st Corps of the BH Army. We had this information even before carrying out combat operations, and we obtained more detailed information during combat operations and through reconnaissance-in-force. The brigade informed the superior command that there were military targets in civilian zones, and the SRK Command informed the UN by lodging protests.

28. Through direct reconnaissance during combat operations and when firing on military targets located in civilian zones, we took measures to reduce collateral civilian casualties. This was especially pronounced in the populated areas of Hrasnica, Butmir and Dobrinja 4, where we prohibited the use of mortar, artillery and small arms fire whenever civilians were seen on streets, intersections and squares. In implementing this order, at certain times we would desist from firing on identified military targets that were firing at the Serbian side if civilians had been observed in the vicinity of these enemy firing positions.

29. The superior commands or civilian authorities ordered my brigade that, if civilians were to come under fire in the city under the control of the Muslim authorities, an investigation had to be carried out and the perpetrators punished, but we had no such cases. Such orders were passed on to subordinates, and we issued both verbal and written orders and verified them. In my zone of responsibility, there were no Muslim civilian casualties about which I could have had any knowledge.

30. Most units in my brigade were from the reserve force, and there were very few professional servicemen. One of the three battalion commanders was a professional serviceman, while the other two were from the reserve force. The situation was the same in other brigades.

31. The level of training of members of my brigade depended on the period of the war. In tactical actions, such as an attack, raid or ambush, where a unit's proficiency was required, there were quite considerable weaknesses. Only some command personnel of my brigade were professional officers – only the brigade commander, one battalion commander and the chief of artillery. The situation was similar in other brigades.

32. The shortage of professional command personnel affected the quality of control, command and inspection in the brigade. There were problems, such as inability to exercise effective control over members of subordinate units, indiscipline, disobedience, failure to follow orders and so on. These problems were caused by the lack of experience on the part of some officers, and this required my greater engagement and the greater engagement of some active-duty officers in the Brigade.

33. My brigade did not have artillery weapons. The heaviest weapon was a 120 mm mortar. The ammunition level was critical, ammunition was used sparingly, replenishment was irregular, and we targeted military targets selectively. Orders from higher commands on the consumption of ammunition, for artillery in particular, constantly insisted on sparing use and highly economical consumption.

34. I did not have specially organised sniper units in my brigade. In one company we had three or four snipers. During the periods of ceasefire and minor combat operations, we trained snipers systematically in accordance with the order of the Brigade Command of 30 July 1994 (Document **EXH P04463**). Neither the brigade command nor I personally had any information that the task of snipers was to open sniper fire on civilians in the city under the control of the Muslim authorities.

35. I issued an order on the use of sniper weapons, and this can be seen from document number EXH P04463. This document shows that it was ordered that sniper weapons may engage exclusively enemy military targets. The majority of sniper weapons were used in combat operations in the uninhabited territory (the slopes of Igman, Bjelašnica and Treskavica) in order to put the combat characteristics of the sniper rifles to the best possible use. As far as I recall, I had only two snipers were deployed in Sarajevsko Polje because the combat characteristics and capabilities of these snipers could only be used there to some degree. On the lines of separation, as

was the case in Sarajevo where there was up to 150 meters between their lines and ours, the use of snipers was uneconomical because in such situation automatic weapons fire a greater number of bullets and have greater odds of hitting and neutralizing enemy personnel.

36. We had information that there were snipers in the opposing units of the 1st Corps of the BH Army. In one period of the war the 104th Brigade even deployed snipers on elevations above Grlica village, who opened fire on targets automatically as soon as a person came into the infrared beam. Several civilians and soldiers, including the commander of the 2nd Battalion, Miloš ČANČAR, were killed in this way. These weapons did not exist in the arsenal of the former JNA /Yugoslav People's Army/.

37. Snipers of the 1st Corps of the BH Army opened fire on civilians in the city under the control of the Serbian authorities, and such fire killed children, civilians and soldiers. There were rumours that snipers of the 1st Corps of the BH Army opened fire on civilians in the city under the control of the Muslim authorities, but I had no direct information.

38. I had information about the position of higher commands on the question of supplying humanitarian aid to civilians in the city under the control of the Muslim authorities. My brigade rarely had contact with humanitarian convoys, but it let civilians pass through, for example Croats, when the conflict between the Muslim and Croatian forces broke out. When Vareš fell into Muslim hands, a column of Croatian refugees went through our zone of responsibility, we gave them help, provided tea, food and security for them, and escorted them to the zone of responsibility of the Herzegovina Corps and, finally, to territory under the control of the Croatian authorities. I have information that adjacent brigades, especially the Ilidža Brigade, enabled the passage of humanitarian convoys for civilians in the city.

39. I also had information about the abuse of humanitarian convoys for military purposes, for the benefit of units of the 1st Corps of the BH Army. Most humanitarian aid went to the 1st Corps of the BH Army, instead of to civilians. In addition, weapons for the use of the 1st Corps of the BH Army were smuggled through humanitarian convoys.

40. We also had information about the existence of a black market, where goods from humanitarian convoys were sold in the city under the control of the Muslim authorities, and this was particularly well developed in Hrasnica. The black market also figured prominently in the transport of goods through the tunnel under Butmir airport. We received this information from defectors, through intelligence organs, and from captured members of the 104th Brigade of the 1st Corps of the BH Army. The situation was the same in Dobrinja under the control of the 155th bbr of the 1st Corps of the BH Army.

41. The command of my brigade and I personally had information about the position of higher commands on the question of enabling civilians to use water, electricity and gas in the city under the control of the Muslim authorities, but this was

the domain of the civilian authorities. As far as I know, efforts were made to enable the flow of electricity, gas and water to civilians in Sarajevo.

42. Through meetings, consultations and orders, I know that the position of higher commands was to provide normal living conditions for all, Serbs, Muslims or Croats who were in our territory. The same efforts were made to ensure the same living conditions for Muslims on the other side of the front. In addition, the Serbian side did not deny civilians freedom of movement to and from the city.

43. I had information that there were Serbian civilians in the city under the control of the Muslim authorities who were not allowed to leave the city. Every day five or six people escaped through the Željeznica river valley from the general sector of Hrasnica to our territory. These were mostly Serbian civilians. At the distance from the city under the control of the Muslim authorities where my brigade was usually located, it was not possible to distinguish between Serbian and Muslim civilians.

44. I had no direct information that there were criminal groups in units of the 1st Corps of the BH Army, but we heard that they were terrorising the city, with Serbian civilians digging trenches and performing forced labour in dangerous zones. We received this information from defectors.

45. I had information about the existence and production of modified aerial bombs for striking targets on the ground, which were in the SRK arsenal, but my brigade did not have them. I had no information about the reasons why aerial bombs were being modified for striking targets on the ground, or about the accuracy of modified aerial bombs, or about control of the flight/trajectory of aerial bombs after they were launched.

46. I know that there were no fuel air bombs in the SRK arsenal, nor did the former JNA have them, nor did I learn about that at the military academy.

47. We had information about the modification of projectiles for the purpose of engaging targets on the ground by units of the 1st Corps of the BH Army, because the 104th Brigade fired ball-shaped modified naval shells, filled with over 100 kg of high-impact explosive, at us from Mt Igman, causing considerable civilian casualties and the destruction of houses in Krupac village.

48. There were no paramilitary units in the area of responsibility of my brigade. I had information about the position of superior commands and the civilian authorities on the matter of the existence of paramilitary units. They were vigorously opposed to it, especially the commander of the GŠ, General Ratko MLADIĆ.

49. I had good cooperation with Ilidža municipality from August 1992 to the end of the war, and with Trnovo municipality from the end of 1993. Neđo PRSTOJEVIĆ and Ilidža municipality provided logistical support in food, clothes and quartermaster supplies. I never obtained information that there was a Serbian municipal policy of persecution, killings or discrimination based on religion or ethnicity in the zone of responsibility of my brigade.

50. I had incomplete information about relations between the SRK/GŠ, on the one side, and the republican civilian organs of government. During one period of the war they were tense.

51. Only in the second half of the war did we begin to follow TV and radio reports, because we had no electricity in 1992. We only watched Republika Srpska Radio-Television, and we could also receive Sarajevo TV, but I did not watch Muslim propaganda.

52. I have been shown document **65ter 1D02527**. This is my document and I confirm its content.

53. I have been shown document **65ter 1D02528**. This is a document from the SRK Command which was sent to the 2nd Slpbr Command, and I confirm its content.

54. I have been shown document **65ter 1D02191**. This document is about the situation in the unit due to the shortage of combatants; units were replenished with young women who had undergone a month or more of training, and they did the job successfully. The document also shows that the brigade had a tactically unfavourable position. There were not enough commanding officers, and there was some indiscipline. There were great losses and problems in the brigade. It also shows which sources were used to obtain information about the enemy.

55. I have been shown document **65ter 1D02192**. This document is about the very small number of active servicemen. Milan MALJKOVIĆ handed over the duty of brigade commander to me.

56. I have been shown document **65ter 1D02193**. There were cases of enemy sabotage groups carrying out raids and massacring civilians in our territory. Hence this preventive activity.

57. I have been shown document **65ter 1D02194**. This is my document about the operations of the 1st Corps of the BH Army.

58. I have been shown document **65ter 1D02195**. At the positions described, from which the 1st Corps of the BH Army operated, UNPROFOR was supposed to exercise control, but this control was poor. Fire came from the slopes of Igman.

59. I have been shown document **65ter 1D02196**. This document illustrates that the 1st Corps of the BH Army opened fire on medical institutions, and that my brigade opened fire on military targets.

60. I have been shown document **65ter 1D02197**. This document illustrates how we did not return fire on the 1st Corps of the BH Army because UNPROFOR was nearby. It also shows UNPROFOR's inactivity in preventing provocations by the 1st Corps of the BH Army.

61. I have been shown document **65ter 1D02198**. This document illustrates that the 1st Corps of the BH Army opened fire on civilians and that UNPROFOR members were wounded by Muslim forces.

62. I have been shown document **65ter 1D02050**. This document, which I drafted, is about military targets in the centre of Hrasnica. In connection with this document I have been shown document **EXH P00592**, which pertains to the military targets that I identified in document **65ter 1D02050**. According to my information, a modified aerial bomb was fired on *Aleksa Šantić* School, where shells were being produced for the use of the 1st Corps of the BH Army. General MILOŠEVIĆ issued his order of 6 April 1995 because constant attacks on the defence zone of my brigade had resulted in a large number of military and civilian casualties. The attacks came from the direction of Hrasnica and with artillery fire from Sokolović Kolonija. Both UNPROFOR and we were well aware that the Muslim side had all types of heavy weaponry in Hrasnica, Butmir and Sokolović Kolonija, and that they were obliged to withdraw these and place them under the control of UNPROFOR, as is indicated by document P2120, which has been shown to me. The SRK Command and my brigade had known for a long time that BH Army artillery forces were deployed in the sector of Mt Igman and Hrasnica, as is attested to by document P5981, which has been shown to me. General MILOŠEVIĆ's order, which was to respond to enemy fire from Sokolović Kolonija and Hrasnica by firing an aerial bomb, is also explained by document D782, which has been shown to me. This document was issued two days before MILOŠEVIĆ's order to fire an aerial bomb, and it concerns neutralisation in the event of fire from enemy mortars and artillery. It is a rule that larger-calibre artillery weapons are used to neutralise smaller-calibre artillery in combat operations. My knowledge is that when this aerial bomb was fired, it landed in the immediate vicinity of *Aleksa Šantić* School, in which ammunition was being produced and in whose immediate vicinity there were mortar and artillery firing positions.

63. I have been shown document **65ter 1D02199**. The document proves that there were very few active-duty officers in the brigade and in the SRK in general.

64. I have been shown document **65ter 10830**. The document shows that I was on leave in the stated period, and there were periods when I did not see my family for up to six months.

65. I have been shown document **EXH P04463**. This is my document about the military targets of our snipers and about the responsible conduct of the brigade command toward civilians in our zone of responsibility. I avoided placing combat units in positions in civilian zones in order to prevent unnecessary civilian casualties. The order shows that I explicitly ordered my subordinates to use extreme caution in choosing targets, to target enemy officers and soldiers and to use ammunition sparingly and to make careful preparations when choosing sniper positions in order to avoid negative repercussions in terms of fire by enemy forces on our units, civilians, and especially children in the brigade's defence zone.

66. I have been shown document **65ter 11913**. With respect to item 9 of this document, the brigade had no artillery units, but it had a chief of artillery who is

ordered to establish coordinated action with artillery units of the superior command and the mad /mixed artillery battalion/ of the 1st Smbbr and to plan fire on the eastern slopes of Mt Igman and the Sarajevsko Polje sector on axes from which we expected attacks by enemy forces. Item 12 of this document orders the battalion commanders to prepare and open fire exclusively on observed military targets of the enemy carrying out attack operations on the brigade's defence zone.

67. I have been shown document **65ter 1D02202**. This is a combat order for defence and conducting further combat operations from the commander of the 3rd pb /Infantry Battalion/ within my brigade. Information about the enemy, the task of the battalion and the battalion commander's decision for further operations may clearly be seen from this document. The battalion was facing enemy forces with respectable artillery support assets of the following calibres: 130 mm guns, 105 mm and 122 mm howitzers, and 128 mm VBR /multiple rocket launchers/. In item 9.1 the battalion commander orders that the battalion's defence sector be held at all cost, thus making a direct contribution to the blockage of enemy forces in Sarajevo and preventing the consequences that would arise if the enemy were to break through to the Trnovo and Goražde sectors, whereby the territory of Republika Srpska would be cut in two, and the Herzegovina Corps isolated and encircled by enemy forces.

68. I have been shown document **65ter 1D02187**. This is an order dated 14 August 1994, when the enemy was preparing an offensive under the name "Step by Step". In order to prevent lifting of the blockade of the BH Army forces from Sarajevo, I placed all units of the brigade at full combat readiness. Because there was a shortage of troops in the brigade's defence zone, in addition to the brigade units, parts of the MUP and compulsory work service units from the territory of Trnovo municipality and the eastern part of Ilidža municipality were also mobilised and platoons were formed and the battalions were reinforced. Item 9 of this order establishes coordinated action with the MAD of the 1st Smbbr and specifies the tasks of artillery units and ARJ PVO /anti-aircraft defence artillery and rocket units/. Item 12 specifies the tasks of snipers and machine-gunners for successfully eliminating enemy snipers and firing on observed enemy targets attacking the brigade's defence sector. In other words, the order rules out fire on civilian targets.

69. I have been shown document **65ter 1D02203**. This is a document of 15 August 1994 that clearly shows which measures were to be taken to boost morale and improve the combat motivation of officers and soldiers, eliminate negative occurrences in the units and strengthen cooperation with the organs of government and MUP organs in the brigade's defence zone. Item 6 particularly specifies the tasks of subordinate officers for preventing occurrences of indiscipline and for greater engagement by subordinates in taking preventive action and, in cases of severe violations, imposing severe penalties.

70. I have been shown document **65ter 1D02188**. This document shows that the superior command monitored the observance of the truce in the defence zone of the brigade and determined that the command of the 2nd Slpbr had relayed, from the brigade commander down to the last soldier, the order regarding the ceasefire and respecting the truce, that the units of the brigade were fully observed the truce and

successfully cooperating with UN forces and that not a single case of violation of the truce had been registered on our side. All of this is stated in writing in a report by the authorised person who informed the SRK Command. The report also shows that the Muslim forces deployed towards the brigade's defence zone had violated the truce, something which was typical of nearly all the truces signed.

71. Profile of the 2nd Slpbr:

a) Brigade establishment and situation as found

According to its establishment structure, the brigade was to have a command, a headquarters administration staff, a reconnaissance platoon, a communications platoon, three infantry battalions, a 120 mm mortar company, a 128 mm light rocket launcher battery, a mixed anti-armour platoon, a PVO /anti-aircraft defence/ light artillery rocket platoon, a pioneer platoon and a logistics company. According to the establishment structure, the brigade was to have 82 officers, 74 non-commissioned officers and 1,515 soldiers, for a total of 1,671 people. In August 1992 the brigade had about 1,100 people organised into companies based on the territorial principle, as follows: nine incomplete companies numbering from 60 to 100 people, the brigade command, the headquarters administration staff and seven independent platoons. In terms of heavy weaponry, the brigade was equipped with three 120 mm MB /mortars/, twelve 82 mm MB, ten 60 mm MB, one 76 mm ZIS /field gun/, three 9K 11 launcher systems, seven 82 mm recoilless guns, one 20/1 mm anti-aircraft gun and four armoured personnel carriers. In terms of troops, the brigade was manned at 65.8%, of which: 70% were soldiers, 50% were non-commissioned officers and 57% were officers. The average age of troops in the brigade was 36. There were 36 persons over the age of 60. Depending on the period of the war, the number of women in the brigade was between 83 and 140.

b) Breadth of the front

Depending on the period of the war, the length of the front ranged between 13 and 52 km. Excluding non-combatants, between 40 and 60 people were deployed per kilometre of the front. The defence zone of the brigade was not a populated area, apart from the settlements of Vojkovići, Krupac and Grlica, which numbered 4,855 inhabitants, including refugees. Following the liberation of Trnovo, after July 1993 the municipality numbered between 900 and 1,100 inhabitants.

c) Losses in the brigade

In total, the brigade lost 166 people, or 12.78% (153 were killed, 12 died of their wounds, and one disappeared), and 680 people were wounded, of whom 450 were combatants, which is 34.6% of the average numerical strength of the brigade. Some were wounded two or three times. Due to the unfavourable tactical position and constant offensive operations by the enemy, every eighth soldier of the brigade was killed and every third wounded.

WITNESS ACKNOWLEDGEMENT

I have read this statement which consists of 18 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 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 SVEDOK

PODACI O SVEDOKU:

Prezime: ŠEHOVAC

Ime: MILORAD

Ime oca: MARINKO

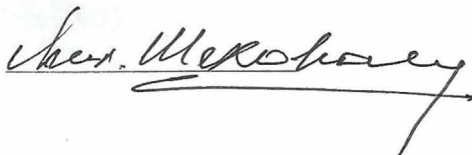
Datum rođenja: 10.11.1951.godine

Nacionalnost: Srbin

Datum(i) razgovora: 23 Feb 2014

Razgovor(e) vodili: Boris ZORKO, Milenko DUNĐER

Jezici korišćeni u toku razgovora: Srpski

Potpis svedoka: 

IZJAVA SVEDOKA - MILORAD ŠEHOVAC

1. Zovem se Milorad Marinka Šehovac, rođen sam 10. novembra 1951. u selu Presjenica, opština Trnovo, Bosna i Hercegovina. Završio sam Vojnu akademiju kopnene vojske, smer pešadija, u Beogradu, kao i komandno-Štabnu školu taktike u Beogradu 1990. godine. Obavljao sam dužnost komandira voda, čete, zamenika komandanta bataljona, komandanta motorizovanog bataljona, zamenika komandanta graničnog bataljona, načelnika Vojnog odseka, načelnika štaba brigade, komandanta brigade i operativac u korpusu.

2. Od 30.08.1991. godine do 16.07.1992. godine bio načelnik Vojnog odseka Brčko. Pored dužnosti načelnika Vojnog odseka obavljao sam dužnost zastupnika Načelnika štaba 1. posavske Brigade u vremenu od 23.05. do 05.08.1992. godine. 18. avgusta 1992. primio sam dužnost komandanta 2. Sarajevske lake pešadijske brigade (2. Slpbr) u SRK. Od 9. juna do 3. jula 1995. godine operisao sam kičmu na VMA u Beogradu. Od 3. jula do početka septembra 1995. godine proveo sam na bolovanju, od čega oko 20 dana na kućnom bolovanju, jedan mesec u Banji Dvorovi i jedan mesec u Banji Vili na Vlas u Višegradu. Polovinom septembra 1995. godine prekomandovan sam (zbog ograničene zdravstvene sposobnosti) u komandu SRK, na dužnost operativca u štabu komande, gde sam ostao do polovine jula 1996. godine, kad je i rasformiran SRK. Od polovine jula 1996. godine do 2. oktobra 2001. godine prekomandovan sam u GŠ VRS, na dužnost referenta, a od 1997. godine načelnika odeljenja za obuku. Od 2. oktobra 2001. godine do 15. aprila 2002. godine prekomandovan sam u Vojsku Jugoslavije, na dužnost načelnika pešadije u štabu komande Novosadskog korpusa. 15. aprila 2002. godine penzionisan sam u činu pukovnika po osnovu bolesti, kad mi je i prestala aktivna vojna služba naredbom GŠ VJ.

3. U gradu Sarajevu pod kontrolom muslimanskih vlasti se nalazio 1. Korpus ABiH u periodu april 1992. - decembar 1995. godine. Njegova brojnost je bila od 44000-64000 boraca u samom gradu. Zajedno sa spoljnim prstenom i sa ojačanjima ta brojka je bila oko 100000 boraca. SRK se nalazio u okruženju od strane ABiH. 2. Slpbr je imala od

1100 do 1300 boraca. Bilo je perioda kada je bila ojačana, pa je imala i oko 2500 ljudi. SRK je imao oko 22000-25000 boraca.

4. Postojala su dva osnovna cilja koje je SRK postavio u vezi grada Sarajeva: zaštita teritorije i zaštita stanovništva. Imao sam saznanja da je jedan od ciljeva SRK bio blokada respektivnih snaga 1. Korpusa ABiH u gradu kako bi im se onemogućio izlazak i njihova upotreba na drugim frontovima u BiH. Blokiranje snaga 1. Korpusa ABiH u gradu pod kontrolom muslimanskih vlasti je stvaralo očiglednu vojnu prednost na strani SRK i VRS.

5. Probijanje 1. Korpusa ABiH izvan grada Sarajeva pod kontrolom muslimanskih vlasti bi imalo uticaja na ostale frontove i tok rata u BiH. Imalo bi značajnog uticaja. Da su probili blokadu došlo bi do masovnog iseljavanja srpskog stanovništva, spajanja sa muslimanskim snagama u Istočnoj BiH i izbijanja na reku Drinu. Došlo bi do cepanja Republike Srpske a Hercegovački korpus VRS bi ostao u izolaciji. Takođe bi velike snage bile oslobođene za ofanzivna dejstva na drugim frontovima. Drugim rečima, kompletan 1. K. ABiH i delovi drugih korpusa ABiH bi bili slobodni za manevar na druge snage VRS.

6. SRK je izvodio aktivna defanzivna dejstva. Moja brigada je delimično izvodila aktivna borbena dejstva. Radilo se o taktičkom popravljaju položaja u smislu obezbeđenja boljih uslova zone odbrane brigade. Npr. napadna dejstva na Kijevo ili učešće dela snaga brigade u operaciji „Lukavac 93“.

7. Ni ja lično ni moja brigada prilikom izvođenja borbenih dejstava, otvaranja vatre ili odgovora na vatru iz grada Sarajeva te akcije nismo shvatali niti su bile deo sistematskog ili rasprostranjenog napada na civile.

8. Konačan cilj srpskih vlasti za Sarajevo je bio svakako da Srbi zadrže deo grada, a konačan status je trebalo da se odredi političkim sredstvima, što je bilo izvan mojih ingerencija. Čuo sam o ponudama GŠ i civilnih vlasti da se grad Sarajevo u potpunosti demilitarizuje ali ne znam detalje. Što se tiče mojih saznanja o razlozima predavanja kontrole nad aerodromom snagama UN-a u junu 1992. znam da je 2. Slpbr pre mog dolaska držala aerodrom Butmir koji je kasnije predat snagama UN.

9. U dokumentima **65ter 1D02200** - Map of Zone of Responsibility of 2 Srpbr Brigade i **65ter 1D02204**- Zoom Map of Zone of Responsibility of 2 Srpbr Brigade sam crvenom linijom ucrtao zonu odgovornosti moje brigade prema unutrašnjem prstenu tj. prema gradu u avgustu 1992. kada sam primio dužnost komandanta, a koja je ostala manje-više nepromenjena do avgusta 1993. Radilo se o delu Dobrinje 4, Dobrinje 1, Krteljima, Sarajevskom polju prema Butmiru, Vojkovićima, fabrici motora Famos i selu Grlica.

10. Od avgusta 1993. desna granica zone odbrane je bila reka Željeznica, a deo zone odbrane Dobrinja 1 i Dobrinja 4 je predata u nadležnost L. Sarajevske motorizovane brigade (1. Sbr) odlukom komande SRK. U mojoj zoni odbrane je ostao deo prigradskih naselja prema Butmiru i deo prema Hrasnici sa jugozapadne strane. U spoljnjem prstenu se zona odbrane menjala u zavisnosti od borbenih dejstava, predstavljala preko 80% širine fronta brigade, odnosno od 10-40 km.

11. Moja brigada je upoznavana sa odredbama međunarodnog ratnog i humanitarnog prava od strane više komande. Kao prvo tako sam školovan na akademiji gde sam izučavao međunarodno ratno pravo. U toku rata edukovali smo i oficirski i vojnički sastav kroz različite forme obuke, a najzastupljenije su bile štampane brošure, sastanci i predavanja pomoćnika komandanata za moral i pravne poslove. Do svakog vojnika su stigla uputstva o postupcima sa zarobljenim neprijateljem i civilima i to je prezentovano na prigodan način a sa tim brošurama su upoznavani svi nivoi od vojnika do komandanta brigade, tj. mene. Na savetovanjima i sastancima na kojima sam ja prisustvovao potencirano je i naređivano je da se postupa u skladu sa ženevskim konvencijama, sa odredbama međunarodnog ratnog i humanitarnog prava. Na tome je svaki put insistiralo, kako vojno, tako i političko rukovodstvo.

12. Komanda moje brigade je imala saznanja i podatke o zoni odgovornosti brigada 1. Korpusa Armije BiH koja su nam bile suprotstavljene (uključujući i dubinu teritorije koja je obuhvatala civilne zone grada pod kontrolom muslimanskih vlasti). Znali smo raspored prednjeg kraja brigada 1. K ABiH, po dubini, njihovih snaga za podršku, snaga za pozadinsko obezbeđenje i rezervnih snaga. Podatke smo prikupljali izviđanjem, kao i od obaveštajnih i bezbedonosnih snaga pretpostavljenih komandi i drugih organa koji su se time bavili, poput MUP-a itd.

13. Moja brigada je bila u dodiru sa 4. (104.) brigadom u Hrasnici i 5. (155.) brdskom brigadom u Dobrinji 1 Dobrinji 4. Obeležio sam zonu odgovornosti ovih brigada na dokumentu **65ter 1D02201** - Map of Zone of Responsibility of 104 and 155 bbr.

14. Neprijateljske snage su imale jedinice u prednjem kraju odbrane u dodiru sa mojom brigadom, zatim snage za artiljerijsku podršku (koje su se nalazile od 1-5 km iza prednjeg kraja odbrane), rezerve, snage za komandovanje, snage za logističku podršku, snage za protiv-oklopnu borbu, snage za protiv-vazдушnu odbranu i ostale snage borbenog rasporeda brigade.

15. 104. i 155. brigade 1. K ABiH su se nalazile na sledećim dominantnim visokim tačkama u i oko grada pod kontrolom muslimanskih vlasti: Igman i Mojmilo.

16. Imali smo obaveštajne podatke o sastavu i strukturi snaga sa kojima smo bili u neposrednom borbenom dodiru. Brojnost 104. brigade se kretala od 4000-5000 boraca a delovi 155. brigade koji su bili sa mojom brigadom u dodiru su bili snage oko jednog bataljona.

17. Imali smo saznanja da su nama suprotstavljene jedinice 1. Korpusa ABiH raspolagale teškim naoružanjem, a količina je bila promenljiva. Ove dve brigade su naročito ojačale u drugoj polovini 1993. i tokom 1994-1995 godine. Slikovitije rečeno, na jednu moju granatu ove dve brigade su odgovarali sa 5 granata. Imale su minobacače 82 i 120 mm, haubice 105 i 155 mm, brdske topove.

18. Imali smo saznanja i podatke da su brigade **1.** Korpusa Armije BiH koje su nam bile suprotstavljene imala položaje u civilnim zonama. Primera radi već na prvoj liniji fronta su imale raspoređene mitraljeze u podrumima, garažama i soliterima kako u stanovima tako i balkonima i krovovima a ovo je naročito bilo izraženo u Hrasnici. Ravan deo Sarajevskog polja prema položajima moje brigade omogućavao je bolje iskorišćavanje vatrenih mogućnosti pešadijskog naoružanja sa solitera, krovova kuća i balkona što nije bio slučaj sa naše strane. Ovo je posebno bilo korišćeno za snajperska dejstva svih kalibara, mitraljeza, puškomitraljeza, mitraljeze kalibra 12.7 mm, protiv-avionskih topova 20 mm i oruđa za neposredno gađanje oklopnih sredstava, utvrđenih vatrenih tačaka i bunkera.

19. Takođe su imali minobacače u samom naseljenom mestu u Hrasnici. Komanda 104. brigade se nalazila u pošti u centru Hrasnice. IKM se nalazio na Hrasničkom stanu. U školi Aleksa Šantić se nalazio centar za obuku a na istom mestu se vršila i proizvodnja granata. O tome sam napisao i dokument **65ter 1D02050**.

20. Što se tiče 155. bbr u Dobrinji linija frontaje išla između zgrada. Prednji kraj 155. bbr je bio utvrđen u stambenim zgrada od podruma, preko stanova do krovova. Imali su minobacače oko 500-700 m od linije razdvajanje oko igrališta na Dobrinji.

21. Ni u Hrasnici ni u Dobrinji nije postojala nijedna isključivo civilna zona u kojoj nije bilo nikakvih vatrenih položaja ili vojnih jedinica neprijateljskih snaga. Moja brigada je preduzimala mere predostrožnosti kako bi se izbeglo otvaranje vatre po civilnim objektima. Vatru nismo otvarali na civile a delovano je na uočene vatrene tačke i jedinice koje su ispoljavala vatrena dejstva po jedinicama moje brigade. Putem osmatranja smo sprečavali da se civili nađu pod našom vatrom.

22. Dozvoljavam mogućnost da je moglo doći do kolateralnih civilnih žrtava ali bez namere ili naređenja potčinjenim jedinicama da se na civile otvara vatra. Isključujem postojanje namere kod komande brigade i mene lično da se tokom borbi izazovu civilne žrtve ili sprovodi teror na civilima koji su se nalazili pod kontrolom muslimanskih vlasti.

23. Nisam nikada imao saznanja da je kod pripadnika moje jedinice, ili nižih ili viših komandi, postojala namera da se tokom borbi izazovu civilne žrtve ili sprovodi teror na civilima koji su se nalazili pod kontrolom muslimanskih vlasti. Što se tiče potčinjenih jedinica preventivno smo naređenjima i obukom i edukacijom vojničkog i starešinskog sastava sprečavali civilne žrtve druge strane.

24. Iskjučujem mogućnost da je kod pripadnika moje brigade, ili nižih ili viših komandi, postojala namera da se prilikom ili van borbenih dejstava ostvari neki psihološki uticaj na civile pod kontrolom muslimanskih vlasti. Moja brigada nije ni imala snage za psihološka dejstva. Nikada nismo ni imali nameru da ostvarimo bilo kakav psihološki uticaj na civile protivničke strane. S druge strane civili u mojoj zoni odbrane tj. na teritoriji pod kontrolom srpskih vlasti su bili izloženi neposrednoj snajperskoj, minobacačkoj i artiljerijskoj vatri muslimanskih snaga iz grada, svakodnevno, i danju i noći, a mrtve smo sahranjivali isključivo noću iz razloga bezbednosti. Mi nismo otvarali vatru na civilne ciljeve a ukoliko bih saznao da postoji opasnost od civilnih žrtava vatra je obustavljana.

25. Nikada ni meni lično ni mojoj brigadi nije usmeno ili pismeno naređivano od strane viših komandi ili civilnih vlasti da se vrše napadi na civile u gradu pod kontrolom muslimanskih vlasti. Nikada nisam izdavao usmena ili pismena naređenja da se vrše napadi na civile u gradu pod kontrolim muslimanskih vlasti. Nikada ni meni lično ni mojoj brigadi nije usmeno ili pismeno naređivano od strane viših komandi ih civilnih vlasti, da se vrše napadi na sredstva javnog prevoza, poput tramvaja i autobusa, u gradu pod kontrolim muslimanskih vlasti. Vredno je spomena da u mojoj zoni odgovornosti nije bilo sredstava javnog prevoza.

26. Pretpostavljena komanda nam je naređivala da civili u gradu pod kontrolim muslimanskih vlasti ne smeju biti predmet/cilj napada. Ja sam takođe izdavao usmena i pismena naređenja da civili u gradu pod kontrolim muslimanskih vlasti ne smeju biti predmet/cilj napada. Npr. u Hrasnici posebno su bile izražene muslimanske sahrane u sred belog dana, gde su se sakupljale mase civila na muslimanskoj strani i iako je moja brigada imala priliku da izazove veliki broj civilnih žrtava, to nikada nismo uradili, a sa druge strane mi smo mrtve morali da sahranjujemo isključivo noću.

27. Komanda brigade je imala saznanja da se u dubini teritorije nama suprotstavljenih jedinica nalaze vojni ciljevi, poput jedinica vojnih instalacija, komandi, naoružanja, uključujući i teško naoružanje, sredstva komunikacije itd. kao i da se civilni objekti zloupotrebljavaju u vojne svrhe od strane 1. K ABiH. Ova saznanja smo imali i pre izvođenja borbenih dejstava a do još potpunijih saznanja smo dolazili u toku borbenih dejstava kao i putem nasilnog izviđanja. Brigada je obavještavala pretpostavljenu komandu o postojanju vojnih ciljeva u civilnim zonama, a komanda SRK je putem protesta obavještavala UN.

28. Mi smo putem neposrednog osmatranja u toku borbenih dejstava i otvaranja vatre na vojne ciljeve koji su se nalazili u civilnim zonama, preduzimali mere da se smanje kolateralne civilne žrtve. Ovo je posebno bilo izraženo u naseljenom delu Hrasnice, Butmiru i Dobrinji 4 gde smo zabranjivali upotrebu minobacačke, artiljerijske i streljačke vatre kad god su uočeni civili na ulicama, raskrsnicama i trgovima. U realizaciji ovog naređenja, u pojedinim momentima odustajali smo od gađanja uočenih vojnih ciljeva koji su dejstvovali po sprskoj strani, ako su uočeni civili u blizini navedenih vatrenih tačaka neprijatelja.

29. Mojoj brigadi je naređivano od strane viših komandi ili civilnih vlasti da se u slučaju otvaranja vatre na civile u gradu pod kontrolim muslimanskih vlasti mora sprovesti istraga i počinioci kazniti ali takvih slučajeva nismo imali. Takva naređenja su prenošena na potčinjene a i mi smo izdavali i usmena i pismena naređenja i kontrolisala ta naređenja. Ja u svojoj zoni odgovornosti nisam imao civilne muslimanske žrtve za koje sam mogao da imam saznanja.

30. Većina jedinica u mojoj brigadi su bili rezervni sastav a jako je malo bilo profesionalnih vojnih lica. Od tri komandanta bataljona jedan je bio profesionalno vojno lice a ostala dva su bila iz rezervnog sastava. Ista situacija je bila i u drugim brigadama.

31. Stepen obučenosti pripadnika moje brigade je zavisio od perioda rata. U taktičkim radnjama poput napada, prepada, zasede gde se traži uvežbanost jedinica bilo je dosta izražene slabosti. Komandni kadar moje brigade je samo delimično činio

profesionalni oficirski kadar, samo komandant brigade, jedan komandant bataljona i načelnik artiljerije. Sličan slučaj je bio i sa drugim brigadama.

32. Nedostatak profesionalnog komandnog kadra je uticao na kvalitet rukovođenja, komandovanja i kontrole u brigadi. Problemi, poput nemogućnosti da se ostvari efektivna kontrola nad pripadnicima potčinjenih jedinica, nediscipline, neposlušnosti, nepridržavanja naredbama itd. su bili izraženi. Ti problemi su bili izraženi usled neiskustva jednog dela starešinskog sastava, što je tražilo moje veće angažovanje kao i veće angažovanje dela aktivnih starešina koji su bili u Brigadi.

33. Moja brigada nije imala artiljerijsko naoružanje. Najteže oružje je bio minobacač 120 mm. Stanje municije je bilo kritično, štedelo se a neredovno se popunjavalo a po vojnim ciljevima smo dejstvovali selektivno. Naređenja viših komandi o utrošku municije, naročito artiljerijske su bila takva da je stalno potencirano na štednji i krajnje racionalnom trošenju.

34. U mojoj brigadi nisam imao posebno organizovane snajperske jedinice. U jednoj Četi smo imali 3-4 snajpersta. U periodima prekida vatre i manjim borbenim dejstvima obuku snajperista izvodili smo planski u skladu sa naređenjem komande brigade od 30. 7. 1994. (Dokument **EXH P04463**). Nikada komanda brigade niti ja lično nismo stekli saznanja da je zadatak snajperista bio otvaranje snajperske vatre na civile u gradu pod kontrolom muslimanskih vlasti. U Brigadi sam imao ukupno 17 snajperskih pušaka kalibra 7,9 mm M76.

35. Svojim naređenjem sam regulisao upotrebu i dejstva snajperskog oružja, što se vidi i iz dokumenta broj **EXH P04463**. Iz ovog akta se vidi da se naređuje da dejstva snajperskim oružjem bude usmereno na isključivo neprijateljske vojne ciljeve. Većina snajperskog oružja upotrebljena je u borbenim dejstvima na teritoriji koja nije naseljena (na padinama Igmana, Bjelasnice i Treskavice), kako bi se maksimalno iskoristile borbene osobine snajperskih pušaka. Koliko se sjećam, u Sarajevskom polju imao sam raspoređena samo 2 snajpera, zato što su se jedino tu koliko-toliko mogle iskoristiti

borbene osobine i mogućnosti snajpera. Na linijama razdvajanja, kao što je to bilo u Sarajevu gdje je između naših i njihovih linija bilo do 150 metara razdaljine, upotreba snajpera je neracionalna zato što u takvim situacijama automatsko naoružanje ispaljuje veći broj metaka i veća je vjerovatnoća da ćete pogoditi neprijatelja i time neutralisati vojnu neprijateljsku živu silu.

36. Mi smo imali saznanja o postojanju snajperista u nama suprotstavljenim jedinicama 1. K. ABiH. Čak je 104. brigada na visovima iznad sela Grlice postavila u jednom periodu rata snajpere koji su otvarali vatru na cilj automatski čim bi osoba ušla u laserski snop. Na taj način je poginulo nekoliko civila i vojnika, uključujući i komandanta 2. bataljona Miloša Čančara. Ovo naoružanje nije postojalo u arsenalu bivše JNA.

37. Snajperisti 1. K. ABiH su otvarali vatru na civile u gradu pod kontrolom srpskih vlasti, od takvih dejstava su stradala i deca i civili i vojnici. Bilo je glasina da snajperisti 1. K. ABiH otvaraju vatru na civile u gradu pod kontrolom muslimanskih vlasti, ali ja nisam imao neposredna saznanja.

38. Imao sam saznanja o stavu viših komandi po pitanju dotura humanitarne pomoći civilima u gradu pod kontrolom muslimanskih vlasti. Moja brigada je ređe imala kontakt sa humanitarnim konvojima, ali je propuštala civile recimo hrvatske nacionalnosti kada je izbio sukob između muslimanskih i hrvatskih snaga. Kada je Vareš pao u muslimanske ruke, kolona hrvatskih izbeglica je prošla preko naše zone odgovornosti, pružili smo im pomoć, dali im čaj, hranu i obezbeđenje i ispratili ih do zone odgovornosti Hercegovačkog korpusa i na kraju na teritoriju pod kontrolom hrvatskih vlasti. Imam saznanja da su susedne brigade a naročito Ilidžanska brigada omogućavale prolazak humanitarnih konvoja civilima u gradu.

39. Takođe sam imao saznanja o zloupotrebama humanitarnih konvoja u vojne svrhe za račun jedinica 1. Korpusa ABiH. Humanitarna pomoć je umesto civilima u velikoj meri išla 1. K. ABiH. Takođe je putem humanitarnih konvoja švercovano naoružanje za potrebe 1. K. ABiH.

40. Imali smo saznanja i o postojanju cmog tržišta na kojima je prodavana roba iz humanitarnih konvoja u gradu pod kontrolom muslimanskih vlasti i to je posebno bilo razvijeno u Hrasnici. Takođe je cmo tržište bilo izraženo kroz transport robe kroz tunel ispod aerodroma Butmir. Ova saznanja smo dobijali od prebega, preko obaveštajnih organa, kao i od zarobljenih pripadnika 104 brigade I.K ABiH. Isti je slučaj je bio i sa Dobrinjom pod kontrolom 155. bbr. I.K ABiH.

41. Komanda moje brigade i ja lično smo imali saznanja o stavu viših komandi po pitanju omogućavanja civilne upotrebe vode i sa naše strane je činjeno sve, u tehničkom smislu, kako bi se civilnom stanovništvu obezbedila voda, struja ili plin, bilo u delu grada pod srpskom ili u delu grada pod muslimanskom kontrolom. Kontrola nad strujom, vodom i plinom je bila u rukama civilnih vlasti. Koliko je meni poznato činjeni su napori da se omogući protok struje, gasa i vode civilima u Sarajevu.

42. Kroz sastanke, savetovanja i naredbe znam da se je stav viših komandi bio da se svima omoguće normalni uslovi života, bilo Srbima, Muslimanima ili Hrvatima koji su se nalazili na našoj teritoriji. Isti napori su ulagani kako bi se isti uslovi života obezbedili muslimanskom življu s druge strane fronta. Pored toga nije onemogućavana sloboda kretanja civila ka i izvan grada od strane srpske strane.

43. Imao sam saznanja o postojanju srpskih civila u gradu pod kontrolom muslimanskih vlasti kojima nije bio dozvoljen izlazak iz grada. Po pet-šest ljudi je bežalo dolinom reke Železnice iz šireg rejona Hrasnice na našu teritoriju. Ugtavnom se radilo o srpskim civilima. Sa razdatjine na kojoj se moja brigada uobičajeno nalazila u odnosu na grad pod kontrolom muslimanskih vlasti, nije bilo moguće razlikovati srpske od muslimanskih civila.

44. Neposrednih saznanja o postojanju kriminainih grupa u okviru jedinica 1. Korpusa ABiH nisam imao, ali smo čuli da vrše teror u gradu, u smislu da srpski civili kopaju rovove i prisilni rad u opasnim zonama. Ove informacije smo dobijali od prebega.

45. Imao sam saznanja o postojanju i proizvodnji modifikovanih avio-bombi za gađanje ciljeva na zemlji a koje su se nalazile u arsenalu SRK, ali ih moja brigada nije imala. Nisam imao saznanja o preciznosti modifikovanih avio-bombi, kao ni o kontroli leta/putanje avio-bombe nakon njenog ispaljenja.

46. Znam da aerosolne bombe nisu postojale u arsenalu SRK niti ih je imala bivša JNA niti sam o tome učio na vojnoj akademiji.

47. Mi smo imali saznanja o modifikovanju projektila za gađanje ciljeva na zemlji od strane jedinica 1. Korpusa ABiH, jer je sa Igmana 104. brigada na nas lansirala modifikovane mornaričke mine, loptastog oblika, punjene sa preko 100 kg razornog eksploziva, čime su naročito nanosile civilne žrtve. Od jačine eksplozije u selu Krupac se se reušile kuće. Radi sprečavanja dejstva mornaričkih mina od strane muslimanskih snaga, morali smo da izrađujemo fortifikacijske prepreke od zemlje, drveta, kamena, koje su zaustavljale mine, pre nego bi došle do naseljenog mesta i pre nego što bi izazivale eksploziju.

48. U zoni odgovornosti moje brigade nisu postojale paravojne jedinice. Imao sam saznanja kakav je bio stav viših komandi i civilnih vlasti po pitanju postojanja paravojnih jedinica. Energično se tome suprotstavljalo, a naročito se tome suprotstavljao komandant GŠ general Ratko Mladić.

49. Imao sam korektnu saradnju sa opštinom Ilidža od avgusta 1992. do kraja rata, a od kraja 1993. i sa opštinom Tmovo. Neđo Prstojević i opština Ilidža su pružali pozadinsko obezbeđenje u hrani, odeći i intendanskim materijalnim sredstvima. Nikada nisam stekao saznanja o postojanju srpske opštinske politike progona, ubistava ili diskriminacije na osnovu verske ili etničke pripadnosti u zoni odgovornosti moje brigade.

50. Imao sam delimična saznanja o odnosu SRK GŠ sajedne strane i republičkih civilnih organa vlasti. U određenom periodu rata su bili zaoštreni.

51. Tek u drugoj polovini rata smo počeli da pratimo TV i radio izveštavanja jer 1992. godine nismo imali struju. Pratili smo samo Radio-televiziju Republike Srpske a imali smo prijem i TV Sarajevo, ali nisam gledao muslimansku propagandu.
52. Pokazan mi je dokument **65ter 1D02527** - Radi se o mom dokumentu i potvrđujem njegov sadržaj.
53. Pokazan mi je dokument **65ter 1D02528** - Radi se o dokumentu komande SRK koji je upućen komandi 2. Slpbr i potvrđujem njegov sadržaj.
54. Pokazan mi je dokument **65ter 1D02191** - Dokument govori o stanju u jedinici usled nedostatka boračkog sastava išlo se na popune jedinicama devojkama koje su prolazile kroz mesec i više dana obuke a zadatke obavljale uspešno. Takode se vidi iz dokumenta da je brigada imala taktički nepovoljan položaj. Nije bilo dovoljno komandnog sastava a nedisciplina je bila delimična. Bilo je velikih gubitaka i problema u brigadi. Takođe se vidi koji su bili izvori saznanja o neprijatelju.
55. Pokazan mi je dokument **65ter 1D02192** - Dokument govori o izuzetno malom broju aktivnih vojnih lica. Milan Maljković mi je predao dužnost komandanta brigade.
56. Pokazan mi je dokument **65ter 1D02193** - Bilo je slučajeva upada diverzantskih grupa neprijatelja koje su činile masakre nad civilima na našoj teritoriji. Otuda ova preventivna aktivnost.
57. Pokazan mi je dokument **65ter 1D02194** - Radi se o mom dokumentu koji govori o dejstvima 1. K. ABiH.

58. Pokazan mi je dokument **65ter 1D02195** - Na pozicijama koje su opisane a sa kojih je delovao 1. K ABiH je trebalo da kontroliše UNPROFOR ali je ta kontrola bila slaba. Vatra je otvarana sa padina Igmana.

59. Pokazan mi je dokument **65ter 1D02196** - Ovaj dokument je primer daje 1. K ABiH otvarao vatru na medicinske ustanove a da je moja brigada otvarala vatru po vojnim ciljevima.

60. Pokazan mi je dokument **65ter 1D02197** - Ovaj dokument je primer kada nismo odgovorili na vatru I. K ABiH zbog blizine UNPROFOR-a. Takođe pokazuje neaktivnost UNPROFOR-a u sprečavanju provokacija od strane 1. K. ABiH.

61. Pokazan mi je dokument **65ter 1D02198** - Ovaj dokument je primer otvaranja vatre 1. K ABiH na civile i ranjavanja pripadnika UNPROFOR-a od strane muslimanskih snaga.

62. Pokazan mi je dokument **65ter 1D02050** - Dokument koji sam sastavio govori o vojnim ciljevima u centru Hrasnice. U vezi sa ovim dokumentom mi je pokazan i dokument **EXH P00592** koji se odnosi na vojne ciljeve koje sam ja identifikovao u dokumentu **65ter 1D02050**. Modifikovana avio bomba je po mojim saznanjima ispaljena na školu Aleksa Šantić gde su se proizvodile granate za potrebe 1. K ABiH. Povod za naređenje generala Miloševića od 6. aprila 1995. godine su bili konstantni napadi na zonu odbrane moje brigade što je pouzrokovalo veliki broj vojnih i civilnih žrtava. Napadi su vršeni iz pravca Hrasnice i artiljerijskim dejstvima iz Sokolović Kolonije. I UNPROFOR i mi smo dobro znali da je muslimanska strana imala sve vrste teškog naoružanja u Hrasnici, Butmiru i Sokolović Koloniji i da je njihova obaveza bila da istu stave izvuku i stave pod kontrolu UNPROFOR-a o čemu govori i dokument P2120 koji mi je pokazan. Komanda SRK i moja brigada smo odavno znali da su artiljerijske snage ABiH raspoređene u rejonu Igmana i Hrasnice, o čemu svedoči i dokument P5981 koji mi je pokazan. Naređenje generala Miloševića da se odgovori na neprijateljsku vatru iz Sokolović Kolonije i Hrasnice ispaljenjem jedne avio-bombe, rasvetljava i dokument D782 koji mi je pokazan. Ovaj dokument, izdat je dva dana pre Miloševićevog naređenja o dejstvu avio-bombom, a odnosi se na neutralisanje u slučaju dejstva neprijateljskih minobacača i artiljerije. Inače je pravilo da se oruđima većeg kalibra neutrališu oruđa

manjeg kalibra u borbenim dejstvima. Imam saznanja da je ispaljena avio-bomba pala u neposrednoj bilizini škole Aleksa Šantić, u kojoj je proizvođena municija i u čijoj neposrednoj blizini su bili vatreni položaji minobacaća i artiljerije.

63. Pokazan mi je dokument **65ter 1D02199** - Dokument dokazuje izuzetno mali broj aktivnih oficira u brigadi i u SRK uopšte.

64. Pokazan mi je dokument **65ter 10830** - Dokument pokazuje da sam u navedenom periodu bio na odsustvu, a i inače se događalo da ne vidim porodicu po šest meseci.

65. Pokazan mi je dokument **EXH P04463** - Radi se o mom dokumentu koji govori o vojnim ciljevima naših snajperista kao i o odgovomom odnosu komande brigade prema civilima koji su se nalazili u našoj zoni odgovornosti. Ja sam izbegavao da razmeštam borbene položaje jedinicama brigade u civilnim zonama kako bih sprečio nepotrebne civilne žrtve. Iz naređjenja se vidi kako izričito naređujem potčinjenim, da strogo vode računa o izbom cilja, da to budu neprijateljske starešine i vojnici, da štede municiju, pažljivo izvrše pripreme po pitanju izbora položaja za snajperiste, čime izbegavaju negativne povratne efekte dejstva neprijateljskih snaga po našim jeđinicama, civilima, a posebno deci u zoni odbrane brigade.

66. Pokazan mi je dokument **65ter 11913** - Vezano za tačku 9 ovog dokumenta brigada nije imala artiljerijske jedinice, ali je imala načelnika artiljerije, kome se naređuje da uspostavi sadejstvo sa artiljerijskim jedinicama pretpostavlje komande i mad/I. Smbr i planira vatre po istočnim padinama Igmana i rejonu sarajevskog polja na pravcima sa kojih smo očekivali napade neprijateljskih snaga. Tačkom 12 ovog dokumenta naređuje se komandantima bataljona da pripreme i otvaraju vatre isključivo po uočenim vojnim ciljevima neprijatelja, koji izvodi napadna dejstva na zonu odbrane brigade.

67. Pokazan mi je dokument **65ter 1D02202** - Ovaj dokument je borbena zapovest za odbranu i izvođenje daljih borbenih dejstava komandanta 3. pb iz sastava moje brigade. Kroz dokument se jasno vide podaci o neprijatelju, zadatak bataljona i odluka komandanta bataljona za dalja dejstva. Pred bataljonom su raspoređene neprijateljske

snage koje raspoložu respektivnim sredstvima za artiljerijsku podršku i to sledećim kalibrima: topovima 130 mm, haubicama 105 mm i 122 mm i VBR-ovima 128 mm. Komandant bataljona u tački 9.1. naređuje da se rejon odbrane bataljona drži po svaku cenu, čime se daje direktan doprinos blokadi neprijateljskih snaga u Sarajevu i sprečavaju posledice koje bi nastale prodorom neprijatelja u reon Tmova i Goražda, čime bi teritorija Republike Srpske bila presečena a Hercegovački korpus izolovan i doveden u okruženje od strane neprijateljskih snaga.

68. Pokazan mi je dokument **65ter 1D02187** - Naređenje datira od 14. avgusta 1994. godine kada neprijatelj priprema ofanzivu pod nazivom "Korak po korak", a radi sprečavanja deblokade snaga ABiH iz Sarajeva, ja stavljam sve jedinice brigade u punu borbenu gotovost. Pored jedinica brigade, zbog nedostatka ljudstva u zoni odbrane brigade mobilišu se delovi MUP-a, jedinice radne obaveze sa teritorije opština Tmovo i istočnog dela opštine Ilidža, formiraju vodovi i ojačavaju bataljoni. Tačkom 9 ovog naređenja uspostavlja se sadejstvo sa mad/1. Smbr i preciziraju zadaci artiljerijskih jedinica i jedinica ARJ PVO. Tačkom 12 preciziraju se zadaci snajperistima i nišandžijama mitraljeza radi uspešnog uništenja neprijateljskih snajperista i dejstvo po uočenim ciljevima neprijatelja koji budu napadali na reon odbrane brigade. Naređenjem se drugim rečima isključuje dejstvo po civilnim ciljevima.

69. Pokazan mi je dokument **65ter 1D02203** - Radi se dokumentu od 15. avgusta 1994. godine iz kojeg se jasno vidi koje mere treba preduzeti na jačanju morala, preduzimanju mera na boljoj motivaciji starešinskog i vojničkog sastava za borbu, eliminisanju negativnih pojava u jedinicama i jačanju saradnje sa organima vlasti i organima MUP-a u zoni odbrane brigade. Tačkom 6 se posebno preciziraju zadaci potčinjenim starešinama, na sprečavanju pojava nediscipline i većem angažovanju potčinjenih na preventivnom delovanju a u slučajevima težeg namšavanja da se izriču energične sankcije.

70. Pokazan mi je dokument **65ter 1D02188** - Ovaj dokument pokazuje da je pretpostavljena komanda izvršila kontrolu poštovanja primirja u zoni odbrane brigade i ustanovila da je komanda 2. Slpbr prenela naređenje od komandanta brigade do poslednjeg vojnika o prekidu vatre i poštovanju primirja, da jedinice brigade u potpunosti poštuju primirje, uspešno sarađuju sa snagama UN-a i da sa naše strane nije

zabeležen nijedan slučaj kršenja primirja. Sve ovo se konstatuje u izveštaju ovlaštenog lica koji je pisanim putem obavestio komandu SRK. Iz izveštaja se takođe vidi da su muslimanske snage raspoređene ispred zone odbrane brigade kršile primirje, što je bilo uobičajeno u skoro svim potpisanim primirjima.

71. Lična karta 2. Slpbr:

a) Formacija brigade i zatečeno stanje

Po formacijskoj strukturi brigada je trebalo da ima: komandu, komandu stana, izviđački vod, vod veze, tri pešadijska bataljona, četnu minobacača 120 mm, bateriju lakih raketnih bacača 128 mm, mešoviti protiv-oklopni vod, laki artiljerijski raketni vod PVO, pionirski vod i pozadinsku četnu. Po formacijskoj strukturi brigada je trebalo da ima: 82 oficira, 74 podoficira i 1515 vojnika, što ukupno iznosi 1671 ljudi. U avgustu 1992. godine brigada je imala oko 1100 ljudi formiranih u četne sastave po teritorijalnom principu od čega: devet nepotpunih četa koje su brojale od 60 do 100 ljudi, komandu brigade, komandu stana i sedam samostalnih vodova. Od težeg naoružanja brigada je bila popunjena sa: 3 MB 120 mm, 12 MB 82 mm, 10 MB 60 mm, 1 ZIS 76 mm, 3 lansima kompleta 9K. 11, 7 bestrzajnih topova 82 mm, 1 protivavionsku top 20/1 mm i 4 oklopna transportera. Brigada je ljudstvom bila popunjena u procentu od 65,8% od čega: 70% vojnika, 50% podoficira i 57% oficira. Prosečna starost ljudstva u brigadi je bila prosečno 36 godina. Preko 60 godina imalo je 36 lica. U zavisnosti od perioda rata broj žena u brigadi je bio od 83-140.

b) Širina fronta

U zavisnosti od perioda rata širina fronta iznosila je od 13-52 km. Kada se odbije neboraćki sastav na 1 km fronta bilo je raspoređeno od 40 do 60 ljudi. Zona odbrane brigade bila je nenaseljena, osim naselja Vojkovići, Krupac i Grlica čiji je broj sa izbeglicama iznosio 4855 stanovnika. Po oslobođenju Tmova od jula 1993. godine opština je brojala od 900-1100 stanovnika.

c) Gubici brigade

Brigada je imala ukupne gubitke od 166 ljudi ili 12,78% (153 poginula, 12 umrlih od posledica ranjavanja i 1 nestao), 680 ranjavanja od čega je ranjeno 450 boraca ili 34,6% od prosečnog brojnog stanja brigade. Neki su ranjavani dva do tri puta. Zbog nepovoljnog taktičkog položaja i stalnih napadnih dejstava neprijatelja u brigadi je svaki osmi borac poginuo a svaki treći ranjen.

POTVRDA SVEDOKA

Pročitao sam ovu izjavu od 18 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: Ben. McFarlane

Datum: 13.05.2014.g.

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

Case No. IT-09-92-T

THE PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

ANNEX B

ŠEHOVAC Milorad			
Witness Statement to be admitted pursuant Rule 92ter			
Statement	Date	65ter Number	Closed Session/Under seal
Witness Statement of ŠEHOVAC Milorad	23 Feb 2014	RM 65ter 1D01626	-
Associated Exhibits wich the Defence seeks to tender pursuant to Rule 92ter			
Description	Paragraph Number/page in Statement	65ter Number	Doc ID (BCS/ENG)
Map of Zone of Responsibility of the 2nd Light Infantry Brigade	9/3	RM 65ter 1D02200 (Karadžić EXH D02648)	1D08-0660
Zoom map of Zone of Responsibility of the 2nd Light Infantry Brigade	9/3	RM 65ter 1D02204 (Karadžić EXH D02664)	1D08-0677
Map of Zone of Responsibility of 104 and 155 BBR	13/4	RM 65ter 1D02201 (Karadžić EXH D02649)	1D08-0661
2nd SLPBR Command Report. Strictly confidential no 1608-1, dated 5 August 1994. Re: analysis of the defence line. Signed by SEHOVAC Milorad	19/5 62/11	RM 65ter 1D02050 (Karadžić EXH D02649)	1D08-2574 1D08-2575
Document Summary: Order of 2nd Light Infantry Brigade of Army of Republika Srpska, # 1545-1, dated 30 Jul 94. Order, in keeping with orders 20/15-402 and 405 of 29 July 1994 on procedures of reporting military and sniping activity to Sarajevo Romanija...	34/7	RM EXH P04463 (Karadžić EXH P01208)	R108-2875 0110-8080

	35/7 65/11		
2nd Sarajevo Light Infantry Brigade Command Regular Combat Report. Confidential no 2294, dated 1 November 1994. Enemy attacks on sectors of Siljak, Stari Konac and Gojcinova. Signed by SEHOVAC, Milorad	52/10	RM 65ter 1D02057 (Karadžić 65ter 1D08424)	
SRK Report. Strictly confidential no 20/15-1145. Response to the 2nd Sarajevo Light Infantry Brigade Command, strictly confidential no 1833, concerning replenishment. Signed by MILOSEVIC, Dragomir	53/10	RM 65ter 1D02058 (Karadžić 65ter 1D08425)	
2nd Sarajevo Light Infantry Brigade Command Report. Strictly confidential no 1127, dated 14 June 1993. Report on combat readiness. Signed by SEHOVAC Milorad	54/10	RM 65ter 1D02191 (Karadžić EXH D02639)	1D08-2781 1D08-2798
2nd Sarajevo Light Infantry Brigade Command Report. Strictly confidential no 194, dated 31 August 1992. Referencing strictly confidential no 09/17-3, concerning active servicement assigned to the 2nd	55/10	RM 65ter 1D02192 (Karadžić EXH D02640)	1D08-0638 1D08-0640
2nd Sarajevo Light Infantry Brigade Command Report. Strictly confidential no 427-1, dated 9 January 1993. Referencing strictly confidential no 10/74-789 from SRK command, concerning order for anti-sab	56/10	RM 65ter 1D02193 (Karadžić EXH D02641)	1D08-0642 1D08-0643
2nd Sarajevo Light Infantry Brigade Command Report. Confidential no 2352, dated 08 November 1994. Signed by	57/10	RM 65ter 1D02194 (Karadžić EXH D02642)	1D08-0645 1D08-0646

SEHOVAC Milorad			
2nd Sarajevo Light Infantry Brigade Command Report. Confidential no 2344, dated 07 November 1994. Fire from infantry and snipers against Lukavica-Trnovo road. Signed by SEHOVAC Milorad	58/10	RM 65ter 1D02195 (Karadžić EXH D02643)	1D08-0648 1D08-0649
2nd Sarajevo Light Infantry Brigade Command Report. Confidential no 2306, dated 03 November 1994. Enemy sniper fire, mortars near Famosa and Grlica. Signed by SEHOVAC Milorad	59/10	RM 65ter 1D02196 (Karadžić EXH D02644)	1D08-0651 1D08-0652
2nd Sarajevo Light Infantry Brigade Command Report. Confidential no 2299, dated 02 November 1994. Enemy opened fire at Vojkovici. Did not return fire due to the proximity of UNPROFOR. Signed by SEHOVAC	60/10	RM 65ter 1D02197 (Karadžić EXH D02645)	1D08-0654 1D08-0655
2nd Sarajevo Light Infantry Brigade Command Report. Confidential no 2447, dated 29 November 1994. Civilian wounded by enemy infantry fire in Krupac sector. Two UNPROFOR members injured in Krupac quarr	61/11	RM 65ter 1D02198 (Karadžić EXH D02646)	1D08-0657 1D08-0658
Sarajevo Romanija Corps order of Dragomir MILOSEVIC no. 20/04-118 to the Ilidza Brigade to prepare a launcher with an aerial bomb and transport the bomb for launching and to select the most profitable target in Hrasnica or Sokolovic colony where the greatest casualties and material damage would be inflicted.	62/11	RM EXH P00592 (Karadžić EXH P01201)	0529-2925 0529-2925-ET

List of active SRK officers for the month of September 1994	63/11	RM 65ter 1D02199 (Karadžić EXH D02647)	1D08-3499 1D08-3500
Order from Gen Stanislav GALIC relating to the leave schedule for Brigade Commanders	64/11	RM 65ter 10830 (Karadžić EXH D02638)	0040-2304 0041-0282
2nd Sarajevo Light Infantry Brigade document implementing an Sarajevo Romanija Corps Command order for placing units at combat readiness.	66/11	RM 65ter 11913 (Karadžić EXH P01614)	0106-5917 0106-5917
Command order for continuation of the combat activities, Signed by ADNJIC Risto	67/12	RM 65ter 1D02202 (Karadžić EXH D02650)	1D08-0662 1D08-0667
Report, str. conf. No.1684-1, 14-08-1994, Signed by SEHOVAC Milorad	68/12	RM 65ter 1D02187 (Karadžić EXH D02634)	1D08-0625 1D08-0627
Report, str. conf. No. 1601-2, 15-08-1994, Signed by SEHOVAC Milorad	69/12	RM 65ter 1D02203 (Karadžić EXH D02657)	1D08-0673 1D08-0675
Report to the Chief of Staff of the SRK signed by Milivoj SOLAR	70/12	RM 65ter 1D02188 (Karadžić EXH D02635)	1D08-0630 1D08-0631