

**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:** 2 May 2014

**THE PROSECUTOR**

**v.**

**RATKO MLADIĆ**

***PUBLIC***

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**DEFENCE MOTION PURSUANT TO RULE 92TER TO ADMIT THE WRITTEN  
TESTIMONY OF DRAGAN LALOVIC**

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***The Office of the Prosecutor:***

Mr. Dermot Groome  
Mr. Peter McCloskey

***Counsel for the Accused:***

Mr. Branko Lukić  
Mr. Miodrag Stojanović

THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

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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 Dragan Lalovic is currently scheduled to testify the week starting 2 June 2014 and thus the Defence hereby files the instant motion in compliance with the Chamber's guidance, and applying for the evidence of this witness to be heard pursuant to Rule 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, without any associated exhibits. At this time the Defense estimates that the evidence-in-chief of this witness will last up to 30 minutes.

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

## II. APPLICABLE LAW

4. Under Rule 92*ter* of the Rules of Procedure and Evidence (hereinafter "Rules") a Trial Chamber is permitted to admit the evidence in whole or in part in the form of a witness statement 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.<sup>1</sup>

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.<sup>2</sup>

## III. DISCUSSION OF ARGUMENTS

### A)The Chamber Should Admit the Witness Statement

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

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<sup>1</sup> Rule 92*ter* of the Rules of Procedure and Evidence.

<sup>2</sup> *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 Defence submits that due to the nature of the Witness's testimony 45 minutes will be necessary in order to conduct a limited and focused direct examination of the witness to clarify, expand on, and contextualize aspects of his evidence directly relevant to the Defence case.

9. Witness Lalovic was Chief of Staff of the 65<sup>th</sup> Motorised Protection Regiment of the 5<sup>th</sup> Military District which was integrated into the structure of the 2<sup>nd</sup> Military District in December 1991 in Kiseljak, Bosnia-Herzegovina. He was later stationed at the Butile Barracks in the vicinity of Sarajevo. From 15 February 1997 to 31 August 1998 Lalovic was the Commander of Military Police Security Detachment stationed at Crna Rijeka.

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

- a. JNA facilities, barracks and personnel were attacked by Croats and Muslims from 6 April 1992 near Sarajevo.<sup>3</sup>
- b. JNA units did not respond to the Muslim forces after attacks on 22 April 1992 at the centre of Sarajevo, nor did they provoke the attacks.<sup>4</sup>

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<sup>3</sup> Statement para. 9

<sup>4</sup> Statement para. 12

- c. The JNA Officer's Club in Sarajevo was attacked by Muslim forces on 2 May 1992. The JNA convoy of the 65<sup>th</sup> Motorised Protection Regiment sent to rescue people from the JNA Club was also attacked.<sup>5</sup>
- d. The Muslim forces used chemical warfare in their attack against members of the JNA convoy and as such the members of the JNA unit surrendered to Muslim forces. From the period of their capture until their exchange on 13 May 1992 they were imprisoned by paramilitary forces in Sarajevo.<sup>6</sup>
- e. The JNA requested help from international forces to intervene when they were under attack from Muslim forces however there was no response.<sup>7</sup>
- f. Colonel Šuput had attempted to negotiate with Zoran Čegar on 3 May 1992 and requested him to cease the attack on the JNA.<sup>8</sup>
- g. General Mladic told members of the JNA to treat the enemy in accordance with the Geneva Conventions.<sup>9</sup>
- h. General Mladic did not give orders to harm civilians.<sup>10</sup>

#### 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 Defence case, and therefore it is submitted that it is in the interests of justice that they be admitted.

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

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<sup>5</sup> Statement para. 13, 14,

<sup>6</sup> Statement para., 14, 16

<sup>7</sup> Statement para. 15

<sup>8</sup> Statement para. 17, 18

<sup>9</sup> Statement para. 20

<sup>10</sup> Statement para. 20

13. The Associated Exhibits are documents showing Lalovic's appointment to duty as Chief of Staff of the 7<sup>th</sup> Corps of the VRS, an organizational chart of the main staff of the VRS as well as a document showing the field positions of the Muslim and JNA forces.<sup>11</sup> They will help assist the Chamber in understanding the evidence of this witness.

### III. CONCLUSION

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

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

*Word Count: 997*

**RESPECTFULLY SUBMITTED BY:**



Branko Lukić  
*Lead Counsel for Ratko Mladić*



Miodrag Stojanović  
*Co-Counsel for Ratko Mladić*

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<sup>11</sup> Statement para. 23, 28, 29

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**ANNEX A**

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**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: Lalović

Name: Dragan

Father's name: Mato

Date of birth: 14 June 1953

Ethnicity: Serb

Date of interview: 23 April 2014

Interview conducted by: Branko Lukić

Language used during the interview: Serbian

Signature of the Witness: \_\_\_\_\_

**WITNESS STATEMENT BY LALOVIĆ DRAGAN**

1. I was born on 14 June 1953 in Vlaholje village, the Municipality of Kalinovik. I graduated from the Military Academy of Belgrade in 1976.
2. During 1990, I was stationed in the Republic of Croatia and had the rank of Major. I served in Zagreb for a total of 15 years.
3. Until 31 August 1990 I was the Commander of 284<sup>th</sup> Military Police Battalion at the 5th Military District (VO) of the JNA, at the Marshall Tito Barracks in Zagreb. On 1 September, I was sent for training to the Command Staff School in Belgrade.
4. Due to the situation in the Republic of Croatia and constant threats to the military personnel and their families, on 31 July 1991 I moved my family out of Zagreb and relocated to Čuprija, the Republic of Serbia.
5. As a result of the new developments in the Socialist Federal Republic of Yugoslavia (SFRY), my training was disrupted and on 20 September 1991 I was sent to the training range at Slunj to be appointed Chief of Staff at the 65<sup>th</sup> Motorised Protection Regiment (65<sup>th</sup> ZMtP) of the 5<sup>th</sup> Military District. I stayed there until November 1991, whereupon I went with the Regiment to Mrakovica, Mountain Kozara, near Prijedor, Bosnia-Herzegovina. I remained at that location until December 1991.
6. In December 1991, pursuant to an order by the 5<sup>th</sup> Military District Command I went with the unit (the 65<sup>th</sup> ZMtP) to the barracks in Kiseljak, Bosnia-Herzegovina, where the unit and I were integrated into the structure of the 2<sup>nd</sup> Military District.
7. I spent the period from December 1992 to February 1992 with the unit in Kiseljak, near Sarajevo.

8. Afterwards, from February 1992 to May 1992, I was stationed at the Butile Barracks in the vicinity of Sarajevo, still performing the duties of Chief of Staff of the 65<sup>th</sup> Motorised Protection Regiment of the 2<sup>nd</sup> Military District.

9. In the period from 6 April 1992 through to the unit's evacuation to Han Pijesak / Crna Rijeka, I witnessed the Muslim and Croat authorities utilising the scenario that had already been applied in Croatia. The roads were blocked, the JNA facilities were blocked, the barracks were blocked. The JNA personnel and their vehicles were attacked. There were also full blown attacks on the JNA.

10. It should be noted in this regard that the Protection Regiment, to which I belonged to, had members of Muslim ethnicity in its ranks. They stayed in the unit until the Bayram Holiday 1992, which was celebrated in late March that year. On Bayram, all the personnel of Muslim ethnicity who had not left the unit beforehand, applied for discharge from the Protection Regiment. Among them were Esad Tokić, Commander of the Military Police Battalion; Našid Agić, Deputy Commander of the Military Police Battalion; Ćeško Refik, Commander of Traffic Military Police Company, as well as a number of other commissioned and non-commissioned officers. The above group left the Protection Regiment the same evening.

11. On 22 April 1992, a non-provoked attack was launched on the 2<sup>nd</sup> Military District Command, located at the centre of Sarajevo. The attack was performed by the Muslim paramilitary formations.

12. The Commander of the 2<sup>nd</sup> Military District, General Kukanjac, requested Ejup Ganić to end the attacks on the JNA and threatened that the JNA would respond to the fire. I would like to emphasise that General Kukanjac did not take measures he was entitled to, i.e. he did not respond to the attacks by the Muslim forces. Neither the 2<sup>nd</sup> Military District Command, nor my unit did anything to provoke this attack by the Muslim forces.

13. On 2 May 1992, the Muslim forces launched an armed attack on the edifice of the JNA Officers' Club (*Dom Vojske*) in Sarajevo. The head of the JNA Officers' Club, Lieutenant Colonel Božinovski, and another soldier were wounded in the attack. It was madness, and none of us could believe that it had happened. There was always a host of civilians at the JNA Club, including waiters and cooks, and unarmed officers who had coffee there or dined with their families.

14. Colonel Šuput, the Commander of the 65<sup>th</sup> Motorised Protection Regiment, was sent to rescue the people who had been surrounded at the JNA Club and under fire, and to evacuate the wounded. He set off in a convoy or column of three personnel carriers and two Puch vehicles, with about 30 personnel. The column was also attacked on its way to the JNA Club, the vehicle at the helm of the column being hit by a rocket propelled grenade. Sergeant Magazin was wounded in the vehicle, and three soldiers were killed. The column came to a halt and the members of the unit, headed by Commander Šuput, managed to withdraw to the Đuro Salaj Adult Education Centre (*Radnički Univerzitet*), where they barricaded themselves. Following this, a fight with the attackers ensued for the entire day and night, and the next day, on 3 May 1992, all of the members of the unit surrendered to the Muslim forces because the attackers used chemical warfare and rendered the unit unable to provide further resistance.

15. I know that General Kukanjac asked the international forces to intervene and buffer between the JNA personnel and the Muslim forces. None of the international forces personnel showed up or attempted to divide the parties in this conflict.

16. The Protection Regiment pulled out of Sarajevo to Han Pijesak (Crna Rijeka) on 7 May 1992. I met with Colonel Šuput after 13 May 1992, when he had been exchanged. I know that in the period from his capture until the exchange he was imprisoned by the paramilitary forces in Sarajevo.

17. When I met with Colonel Šuput, he told me that on 3 May, when they had been blocked and surrounded at the Adult Learning Centre, he had spoken with Zoran Čegar

who led the attack on our soldiers, and that he had requested Čegar to cease the fighting and negotiate. Colonel Šuput requested the negotiations when they had been attacked by chemical weapons. Čegar promised him that they would be escorted to the barracks in Lukavica, if they surrendered their weapons. Instead of Lukavica, the Muslim forces took our forces to a prison kept by the paramilitaries.

18. From 11 June 1992 to 9 March 1993 I served at the Military Police Affairs Department of the Security Administration of the Main Staff of the JNA in Belgrade.

19. From 10 March 1993 to 31 August 1994, I was the Commander of the 3<sup>th</sup> Herzegovina Light Infantry Brigade, and from 1 September 1994 to 25 May 1995 I performed the duties of Commander of the 1<sup>st</sup> Motorised Guard Brigade at the Kalinovik Garrison. From 26 May 1995 to 6 April 1993, I served as the Chief of Military Police Affairs at the Security Department of the Herzegovina Corps Command. On 7 April 1996 I was transferred to the Main Staff of the VRS, to the Security Administration, as Chief of the Military Police Affairs Department.

20. During the war, I had a chance to speak with General Mladić on several occasions. He would ask what was the situation with the defence of the Brigade. He would say that we had to protect our soldiers and see that we suffer minimum losses; also, he would emphasise that we should treat our enemy in accordance with the conventions. He would also say that not a single hair may be touched on the heads of civilians on any side.

21. I also had an opportunity to see General Mladić during the action of liberating the villages at the foot of Mountain Bjelašnica in 1993, in action *Lukavac 93*. The forward command post for the action was at Kalinovik.

22. From 15 February 1997 to 31 August 1998 I was the Commander of Military Police Security Detachment. The Detachment was established and stationed at Crna

Rijeka, and its duty was to secure war command post of the VRS and General Ratko Mladić. On 1 September 1998 I went to the National Defence School in Belgrade. The training was interrupted due to the breakout of war in the Federal Republic of Yugoslavia (FRY) and the bombing that commenced on 24 March 1999. Thereupon I was sent to the Priština Corps Command, where I stayed until the signing of the Technical Agreement of 10 June 1999. Following the Agreement, I returned to Belgrade and continued my professional training in late June 1999. The training ended on 31 August 1999.

23. On 1 September 1999, I was again engaged in Crna Rijeka, where I stayed until 24 February 2001. From 25 February 2001 to 14 May 2002 I served as Chief of Staff of the 7<sup>th</sup> Corps of the VRS in Bileća. My appointment to this duty is reflected in the document bearing ERN 0363-4562-0363-4568, which also shows that my appointment was approved by SFOR.

24. From 15 May 2002 to 11 July 2003 I was the Commander of 5<sup>th</sup> Corps of the VRS; the Command of the Corps was situated at Sokolac.

25. On 11 July 2003, the SFOR Commander relieved me of the above duty, because I allegedly assisted General Ratko Mladić in his hiding. That was certainly not true, but since it was not possible to appeal a decision of the SFOR Commander, I was left without employment. The decision by the SFOR Commander read that "... General Major Lalović Dragan is to be immediately and permanently relieved of the duty of Commander of the 5<sup>th</sup> Corps of the VRS, and to be prohibited from any further engagement in the VRS and the Ministry of Defence of Republika Srpska". Thus, I was banned from working in the profession for which I had been trained.

26. It is true I was at the helm of the unit that provided security for General Mladić, but this duty had ended before the decision made by the SFOR Commander. Moreover, I by no means chose to be in that capacity. I was selected and appointed by the order of the competent body of the General Staff of the VRS. The security unit was established pursuant to a decision of the VRS Commander. One of the duties of the Military Police is

to protect high military officials. At that time, we provided security for General Mladić against criminals and individuals who would attempt to cause him harm in any manner. It should be noted that General Mladić was not hiding at that time, nor was he an individual under search warrant in the territories of BiH and FRY. Moreover, no law on the cooperation with the ICTY was adopted or in effect at that time. The relevant law was adopted in June 2001, when I was no longer involved in securing the General.

27. General Mladić was not hiding at the time I was the head of the unit responsible for his security. I was never accused as an accessory in hiding General Mladić, because it was established that I had no role in securing General Mladić after it was prohibited by the law.

28. I have been shown document ERN 0704-1105-0704-1105; it is an organisational chart of the Main Staff of the VRS. The chart depicts me as a member of the Main Staff in 1995. This is not true. I came to the Main Staff as late as April 1996.

29. I have also been shown document ERN 0529-0633-0529-0757; the document shows, *inter alia*, the actual situation in the field, i.e. that in 1994 the Muslim forces were much better equipped than the VRS, and that they were taking the initiative in the field. It is only thanks to the bravery of our soldiers that we managed, to an extent, to keep the lines we had attained.

**WITNESS CONFIRMATION**

I have read this statement comprising 7 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 1992, 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: Lalović

Ime: Dragan

Ime oca: Mato

Datum rođenja: 14.06.1953.

Nacionalnost: Srbin

Datum(i) razgovora: 23.04.2014.

Razgovor(e) vodili: Branko Lukić

Jezici korišćeni u toku razgovora: Srpski

Potpis svedoka: \_\_\_\_\_

**IZJAVA SVEDOKA - LALOVIC DRAGAN**

1. Rođen sam 14.06.1953. u selu Vlaholje, opština Kalinovik. Završio sam Vojnu akademiju 1976. godine u Beogradu.
2. Tokom 1990. godine sam se nalazio u republici Hrvatskoj i imao sam čin majora. U Zagrebu sam bio na službi ukupno petnaest godina.

3. Tokom 1990.godine do 31.08. obavljao sam dužnost komandanta 284. bataljona vojne policije 5. Vojne oblasti (VO) JNA, u kasarni Maršal Tito, u Zagrebu. Dana 01.09.1990. godine upućen sam na školovanje u Komandno štabnu školu u Beograd.

4.Zbog nastale situacije u republici Hrvatskoj i stalnih prijetnji vojnim licima i njihovim porodicama dana 31.07.1991. iselio sam porodicu iz Zagreba i preselio se u Čupriju.

5. Zbog novonastalog stanja u SFRJ prekinuto mi je školovanje nakon čega sam dana 20.09.1991. godine upućen na poligon Slunj gde sam raspoređen na dužnost načelnika štaba u 65. zaštitnom motorizovanom puku 5.VO. Tu ostajem do novembra 1991. Kada sa tim pukom odlazim na Mrakovicu, na Kozari, kod Prijedora, BiH. Na toj lokaciji ostajem do decembra 1991.

6. U decembru 1991.godine, po naređenju komande 5. VO, sa jedinicom /65.zmtp/ odlazim u Kiseljak u Bosni i Hercegovini, u kasarnu, koja se tamo nalazila i uključjem se zajedno sa jedinicom u sastav 2 VO.

7. Period od decembra 1991. godine do februara 1992. godine sam, sa jedinicom, proveo u Kiseljaku, u blizini Sarajeva.

8. Zatim sam se od februara 1992. godine do maja 1992. godine nalazio u kasarni Butile, kod Sarajeva, i dalje na dužnosti načelnika štaba 65.zaštitnog motorizovanog puka 2.VO.

9. U periodu od 6. aprila 1992. godine pa sve do izlaska jedinice na Han Pijesak/ Crna Rijeka/ bio sam svedokom situacije u kojoj muslimanske i hrvatske vlasti primenjuju scenario koji je već viđen u Hrvatskoj. Blokiraju se putevi, blokiraju se objekti JNA, blokiraju se i kasarne. Napadaju se pripadnici i vozila JNA. Dolazi i do otvorenih napada na JNA.

10. Vezano za ovo treba pomenuti da su se u Zaštitnom puku, jedinici kojoj sam i ja pripadao, nalazili pripadnici muslimanske nacionalnosti. Oni su u jedinici ostali sve do bajrama 1992. godine, koji je bio krajem marta te godine. Na bajram su svi pripadnici muslimanske nacionalnosti, koji pre toga nisu napustili jedinicu, podneli zahtev za napuštanje Zaštitnog puka. Među njima su bili Esad Tokić, komandant bataljona vojne policije, Našid Agić, zamenik komandanta bataljona vojne policije, Češko Refik komandir saobraćajne čete vojne policije, kao i još nekoliko drugih oficira i podoficira. Ova grupa je isto to veče napustila Zaštitni puk.

11. Dana 22. aprilu 1992. godine došlo je do, ničim izazvanog, minobacačkog napada na komandu 2. Vojne oblasti, koja se nalazila u centru Sarajeva. Napad su izvele muslimanske paravojne formacije.

12. General Kukanjac, komandant 2. Vojne oblasti, je tražio od Ejupa Ganića da se prekinu napadi na JNA i zapretio je da će JNA da odgovori na vatru. Istakao bih da general Kukanjac nije preduzimao mere na koje je imao pravo, odnosno nije odgovarao na napade muslimanskih snaga. Komanda 2. Vojne oblasti, kao ni moja jedinica, nijednim svojim postupkom nije isprovocirala ovaj napad muslimanskih snaga.

13. Dana 2. maja 1992. Godine, muslimanske snage su oružano napale Dom JNA u Sarajevu. U napadu je ranjen načelnik doma JNA potpukovnik Božinovski i jedan vojnik. To je bilo ludo i nismo mogli da verujemo da se to desilo. U Domu JNA su se nalazila uvek masa civila, konobari, kuvari, nenaoružani oficiri koji su tu pili kafu ili ručali sa porodicama.

14. Pukovnik Šuput, komadant 65. Zaštitnog motorizovanog puka, je upućen da deblokira opkoljene ljude u Domu JNA na koje se pucalo, te da izvuče ranjene. Krenuo je u koloni od 3 transportera i dva puha sa oko 30 ljudi. Ta kolona je na putu prema Domu JNA takođe napadnuta, i prvo vozilo, koje je išlo na čelu kolone, je pogodeno ručnim raketnim bacačem. U vozilu je ranje vodnik Magazin, a tri vojnika su poginula. Kolona je stala i svi pripadnici jednice, na čelu sa komandantom puka pukovnikom Šuputom

izvukli su se u radnički univerzitet đuro Salaj, gdje su se zabarikadirali. Nakon ovoga borba sa napadačima je trajala ceo dan i noć, a sutradan, 3. maja 1992. godine, su se svi pripadnici jedinice predali muslimanskim snagama, nakon što su napadači upotrijebili hemijska sredstva i pošto više nisu mogli da pružaju otpor.

15. Znam da je General Kukanjac tražio od međunarodnih snaga da intervenišu i stanu između pripadnika JNA i muslimanskih snaga. Niko od pripadnika međunarodnih snaga se nije pojavio i nije ni pokušao da razdvoji strane u ovom sukobu.

16. Zaštitni puk je izašao iz Sarajeva na Han Pijesak/ Crna Rijeka/ 07. maja 1992.godine Pukovnika Šuputa sam sreo nakon 13. 5.1992. godine kada je on razmenjen. Znam da je od zarobljavanja pa do razmene bio u zatvoru paravojnih snaga u Sarajevu.

17. Pukovnik Šuput mi je rekao, kada smo se sreli, da je on trećega maja, kada su bili blokirani i opkoljeni u Radničkom univerzitetu, pregovarao sa Zoranom Čegarom, koji je vodio napad na naše vojnike, te da je od njega tražio prekid borbi i pregovore. Pukovnik Šuput je pregovore zatražio kada su na njega i naše vojnike bačena hemijska sredstva. Čegar mu je obećao da će ih sprovesti do kasarne u Lukavici, ukoliko predaju oružje. Umesto na Lukavicu, muslimanske snage su naše vojnike odvezle u zatvor koji su držale te paravojne formacije.

18. Od 11.juna 1992. godine do 09.marta 1993. godine nalazio sam se na službi u Odelenju za poslove Vojne Policije Uprave bezbednosti GŠ JNA, u Beogradu

19. Od 10.03.1993. godine do 31.08.1994. godine obavljao sam dužnost komandanta 3. hercegovačke lake pešadijske brigade, a od 01.09.1994. godine do 25. maja 1995. godine dužnost komandanta 1. gardijske motorizovane brigade u garnizonu Kalinovik. Od 26. maja 1995. godine do 06.aprila 1996. godine proveo sam na dužnosti načelnika Odseka za poslove Vojne Policije, u Odelenju bezbednosti, u komandi Hercegovačkog korpusa. Dana 07.aprila 1996. godine prešao sam u Glavni Štab VRS, u Upravu bezbednosti na dužnost načelnika Odelenja za poslove Vojne Policije.

20. U toku rata sam imao priliku da nekoliko puta razgovaram sa Generalom Ratkom Mladićem. Raspitivao bi se uvek kakva je odbrana brigade. Govorio je da moramo da čuvamo naše vojnike, da gledamo da imamo što manje gubitaka, ali je naglašavao da se i prema neprijatelju odnosimo u skladu sa konvencijama. Govorio je i da civilima, sa bilo koje strane, ne sme ni dlaka sa glave da fali.

21. Generala Mladića sam video i prilikom akcije oslobađanja podbjelašničkih sela 1993. godine u akciji Lukavac 93. Istureno komandno mesto za tu akciju je bilo u Kalinoviku.

22. Od 15.02.1997. do 31.08.1998. postavljen sam za Komnadanta Odreda vojne policije za obezbeđenje. Odred je formiran i stacioniran u Crnoj Rijeci, a zadatak mu je bio obezbeđenje ratnog komandnog mjesta VRS i generala Ratka Mladića. Dana 01.09.1998. godine odlazim u školu nacionalne odbrane u Beograd. Školovanje mi je bilo prekinuto zbog početka rata u SRJ i bombardovanja koje je počelo 24.03.1999. godine. Tada sam upućen u komandu Prištinskog korpusa. Tu sam ostao do potpisivanja tehničkog sporazuma 10.6.1999. Nakon potpisivanja sporazuma vraćam se za BGD i nastavljam školovanje krajem juna 1999. godine. Ovo školovanje se završilo 31. avgusta 1999. godine.

23. Dana 01. septembra 1999. godine ponovo sam postavljen na dužnost u Crnu Rijeku . Tu ostajem do 24.02.2001. godine. Od 25.02.2001. godine do 14.05.2002. godine provodim na dužnosti Načelnik Štaba 7. Korpusa VRS u Bileći. Moje postavljenje na ovu dužnost se vidi iz dokumenta koji nosi ERN broj 0363-4562-0363-4568 i vidi se da je moje postavljenje na tu dužnost odobrio i SFOR

24. Od 15.maja 2002. do 11.07.2003. vršim dužnost Komandant 5. Korpusa VRS, čija komanda je bila na Sokocu.

25. Dana 11.07.2003. Komandant SFORA-a me smenio sa te dužnosti, pošto sam navodno pomagao Generalu Ratku Mladiću u skrivanju. To naravno nije bilo tačno, ali nije postojalo pravo žalbe na odluke Komandanta SFOR-a. Ostao sam te prilike bez zaposlenja. Tom odlukom Komandanta SFOR-a je bilo rečeno: “.. da se General Major Lalović Dragan trenutno i trajno razreši dužnosti komandanta 5. Korpusa VRS i da mu se zabrani svako dalje angažovanje u VRS i u Ministarstvu Odbrane RS.” Dakle, bilo mi je onemogućeno da radim u struci za koju sam se školovao.

26. Ja jesam bio na čelu jedinice koja je obezbeđivala Generala Ratka Mladića, ali se taj zadatak završio pre odluke Komandanta SFOR-a. Pored ovoga, ja nisam ovu funkciju izabrao. Izabrao me je i naredbom postavio nadležni organ iz Generalštaba VRS. Jedinica za obezbeđenje je formirana po odluci vrhovnog komandanta VRS. Jedan od zadataka Vojne policije je i obezbeđenje visokih vojnih rukovodilaca. Mi smo , u to vrijeme, generala Mladića obezbeđivali od kriminalaca i raznih nasrtljivaca koji bi eventualno pokušali na bilo koji način da ga ugroze. Treba naglasiti da se general Mladić u to vreme nije krio. Nije bila raspisana ni potraga za njim na teritoriji BiH niti na teritoriji SRJ. Nije bio donet ni zakon o saradnji sa Haškim Tribunalom u SRJ. Zakon je donet u junu 2001. godine, a ja tada više nisam obezbeđivao GRM.

27. General Mladić se u vreme kada sam ja bio na čelu jedinice za njegovo obezbeđenje nije ni krio. Ja u Srbiji nisam ni optužen kao jatak generala Mladića, pošto je utvrđeno da ja nisam imao udela u čuvanju generala Mladića kada to zakon više nije dozvoljavao.

28. Pokazan mi je dokument ERN broj 0704-1105-0704-1105, i radi se o p  
šematskom prikazu strukture Glavnog Štaba VRS. Na toj šemi sam predstavljen i ja kao pripadnik GŠ u 1995. godini. To nije tačno. Ja sam u GŠ došao tek u aprilu 1996. goidne.

29. Pokazan mi je i dokument ERN broj 0529-0633-0529-0757  
Iz ovog dokumenta se vidi i stvarno stanje na terenu, odnosno u 1994. Godini muslimanske snage su bile mnogo bolje opremljene od VRS i preuzimale su inicijativu

na terenu. Samo hrabrošću vojnika mi smo uspevali donekle da održavamo dostignute linije.

### **POTVRDA SVEDOKA**

Pročitao sam ovu izjavu od \_\_\_\_\_ 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: \_\_\_\_\_

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

**Case No. IT-09-92-T**

**THE PROSECUTOR**

**v.**

**RATKO MLADIĆ**

***PUBLIC***

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**ANNEX B**

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<b>LALOVIC Dragan</b>			
<b>Witness Statement to be admitted pursuant Rule 92ter</b>			
<b>Statement</b>	<b>Date</b>	<b>65ter Number</b>	<b>Closed Session/Under seal</b>
Witness Statement of <b>LALOVIC Dragan</b>	23 April 2014	RM 65ter 1D07027	No
<b>Associated Exhibits wich the Defence seeks to tender pursuant to Rule 92ter</b>			
<b>Description</b>	<b>Paragraph Number/page in Statement</b>	<b>65ter Number</b>	<b>Doc ID (BCS/ENG)</b>
Letter from S for appointment to duty.	23/6	<b>RM 65ter 1D7025</b>	1D13-0746 1D13-0752
Organisation chart of the Main Staff of the VRS.	28/7	<b>RM 65ter 26016</b>	0704-1105 0704-1105
Archive extract SRK command showing the real situation in the terrain.	29/7	<b>RM 65ter 1D07026</b>	1D13-0753 1D13-0877