

Genocide against Bosniacs of Bosnia and Herzegovina in the UN Safe Area Srebrenica, July 1995.*

(Case reconstruction)

The Serb aggressor (Federal Republic of Yugoslavia – Serbia and Montenegro) with the participation of their (Serb) collaborationists in Bosnia and Herzegovina, in and around Srebrenica – UN safe area in July 1995, during one week **killed thousands of Bosniacs and buried them in the mass graves; buried alive hundreds; mutilated and slaughtered men, women, and children; killed children in front of their mothers; forced a grandfather to eat liver of his grandchild; raped women and girls; deported around 30,000 people, mainly women and children**, played the scenes from the Dante hell. There are numerous pieces of evidence in support of this, including mass graves, covered by grass, while the beasts carried away the bodies left on a surface or shallowly buried. According to the ICTY, these are **“the scenes from hell, written in the darkest pages of the human history”**.

Podrinje area (Bijeljina, Zvornik, Bratunac, Srebrenica, Vlasenica, Rogatica, Višegrad, Goražde, Čajniče, and Foča) was predominantly populated by Bosniacs. That territory is of **“huge strategic importance”** for the great Serbian ideology, politics, and practice. Therefore, in accordance with the establishment of **“Great Serbia”**, ethically clean Serb state, **“elimination of the Drina river as a boundary between Serb states”** is one of the **strategic goals of Serb people**. In accordance with the Serb great state project, the plan was to **“have in the territory, 50 kilometers to the west from the Drina river, everything Serb, purely Serb”**.

One of the top priority strategic goals of the expansion of Serb living space and the sites of the versatile crimes, including genocide, was **Podrinje**. It has been hot as such ever since the recognition of Serbia and the Berlin Congress in 1878, and it has been based on Garašanin set up formulated in *Načertanije* of 1844, that **“Serbia cannot stay small”** and that it has to **“spread”**.¹ Even at that time, Jovan Cvijić was not satisfied that Serbia was a **“surrounded country”**, and **“Serbs arrested people”**.² At the time annexation crisis in Bosnia and Herzegovina in 1908, Cvijić formulated the proposal for Podrinje. As the Serbian

* This problem was studied based on numerous relevant sources of different provenience, kept in the Archive of the **INSTITUTE FOR RESEARCH OF CRIMES AGAINST HUMANITY AND INTERNATIONAL LAW OF THE SARAJEVO UNIVERSITY** and other results, including the Research of the Republika Srpska Government from 2004 and 2005. Due to limited space, the text is shortened, and the scientific apparatus is mainly removed from the body text.

¹ Dušan Stranjaković, *KAKO JE NASTALO GARAŠANINOVO NAČRTANIJE*, Spomenik Srpske kraljevske akademije, XCI, Beograd, 1939, str. 76-102.

² Jovan Cvijić, *ANEKSIJA BOSNE I HERCEGOVINE I SRPSKI PROBLEM*, u: *SRPSKI NAUČNICI O BOSNI I HERCEGOVINI*, Službeni list Savezne Republike Jugoslavije, Beograd, 1995, pp. 41-73, especially p.45.

consent that Austro-Hungarian Monarchy for the annexation of Bosnia and Herzegovina, Cvijić proposed that Serbia gets Podrinje and/or corridor along its eastern border, about 50 kilometers long, with 12 counties of over 10.000 km² in space. As for the western border of Podrinje, Cvijić compared it with the river flow of the rivers Drina and Bosna. Considering this fact, he insisted that this is done due to “**specified reasons**”. Namely, southern part of “Corridor” along the road Foča – Trebinje ended with the access to the Adriatic sea in Sutorina, which was a part of the Trebinje county. Serbia would get much more with the “Corridor”. The ally, Kingdom of Montenegro would then be isolated from the Austro-Hungarian Monarchy, and the Novi Pazar Sandžak would be isolated from Bosnia and Herzegovina. Cvijić finished his expose with the statement: “**Serb problem has to be resolved by force**”.³

Six years later, at the beginning of the First World War, Army of the Kingdom of Serbia tried to do that. Around the mid 1914, Serbian and Montenegrin troops (Užice and Sandžak Army) started the offensive across the Drina river. The crimes committed intensified the resistance of defenders, and on 24 October 1914 the offensive ended with the defeat and retreat, so that even after the First World War the border between Serbia and Bosnia remained on the Drina river. The collaborationist regime of Nedić, during the WWII, tried to move the borders of Bosnia from the Drina river. Not even the genocide committed by the Chetnic movement of Draža Mihailović against Bosniacs succeeded in changing the border on the Drina river, despite numerous attempts to change the ethnic composition with the genocide.

Continuity of the conquering expansionistic and genocidal politics and the blooded practice against Bosnia and Bosniacs has unfortunately been present even at the end of the 20th century, when the great Serbian aggressor (Federal Republic of Yugoslavia / Serbia and Montenegro) started an armed aggression against the Republic of Bosnia and Herzegovina, and the conquering war for the territory, for the “*living space*“ (*lebensraum*), stealing the territory. The armed aggression against the Republic of Bosnia and Herzegovina has been an

³ Ibid, p. 73. Jovan Cvijić was in favor of the thesis that the Serbs were **race** and superior **Dinarides**, as the core of the Serbian people. Suggesting the importance of Bosnia and Herzegovina for Serbs, and the need of its unification with Serbia and Montenegro, he claims that “**Bosnia and Herzegovina are only the regions of purely Serb race**” (Ibid). these positions were later on formulated in the concept of homogenous “Great Serbia”.

Advocating the thesis of superiority of everything Serbian, Jovan Cvijić gave the primacy even to the Serbian language, claiming that “**there is no such an ethnic language which is so much formulated and developed for the literature as the Serbian language...**” (Ibid).

According to the 31 March 1991 census in Bosnia and Herzegovina, there were 599,833 citizens of the “Corridor”. Podrinje (16 municipalities) had 522,556 citizens, and Herzegovina region (4 municipalities) without Foča 77,277 citizens. Podrinje ethnic composition was 277,825 Bosniacs/Muslims or 53.18%, 223,578 Serbs or 42.77%, and Others 20,153 or 4.05%.

important part of the Serbian great state Nazi project and genocidal plan – **unification of all the Serb territories and Serb people** and an important determinant of the Milošević state policy, thanks to which the biggest part of the Republic of Bosnia and Herzegovina was occupied,⁴ and Bosniacs, with the purpose of their extermination, massively (and individually) killed, expelled, raped, injured, taken to the concentration camps and other places of incarceration, while their property, housing and other facilities looted and destroyed. Their religious and cultural monuments were destroyed and religious personnel killed.

Genocide against Bosniacs of Bosnia and Herzegovina in and around UN safe area Srebrenica in July 1995, by its extent is a paradigm of the suffering of Bosnia and Bosniacs. The character of armed conflict and the nature of crimes were particularly expressed in Srebrenica – UN safe area in July 1995. The aggression (international armed conflict) was heinous, brutal – and of conquering and genocidal character. In the presence and complicity of the UN soldiers (Dutch battalion) the genocide against Bosniacs was committed.

Great Serbian aggressor in the period **April 1992 to July 1995 initiated several massive and brutal offensives against this free territory**. These offensives included directly the **regular units of the Serbian and Montenegrin armies, especially Užice Corps, special forces from Niš, Belgrade and other places**, as well as numerous Serb armed formations from Serbia (Arkan and Šešelj troops...), including also the Serb collaborationists from Bosnia and Herzegovina. During these offensives, the aggressor killed, in a greater central Podrinje, a large number of civilians, and looted and destroyed their property, devastated and burnt religious and cultural facilities.

In the spring and summer 1992, Yugoslav National Army / Army of Yugoslavia, following the orders of the leadership of the great Serbian movement, occupied a major part of Podrinje and almost all its towns and committed genocide and other forms of crimes against humanity and international law against Bosniacs. Almost one third of Bosniac population (over 100,000) remained in several enclaves (Goražde, Žepa, Srebrenica, and triangle Cerska

⁴ Criminal Biljana Plavšić at the XVII session of the “Assembly of Serb people“, 24-26 July 1992, stated that **70% of the territory of Bosnia and Herzegovina was conquered**. To this end, she stated: “65% of the Serb territory by cadastre belongs to our people, and 70% was conquered, which is only 5% in our favor in relation to the previous figure. If we start from the fact that the enemy /Bosniacs – note by S.Č./ gets as much as we can give as a gift, who would dare then to explain to our people that they should vacate what they already have, which is a compensation for what was destroyed, burnt or from which they were expelled.” On 15 April 1994, Slobodan Milošević, at the session of the Supreme Council of Defense of the Federal Republic of Yugoslavia among other things stated: “... **our forces control 72% of the territory of Bosnia and Herzegovina**. According to General Zdravko Tolimir, at the 53rd session of the “Assembly of Republika Srpska”, held on 28 August 1995, great Serbian aggressor and their collaborationists occupied “**more than 70% of the territory of the Republic of Bosnia and Herzegovina**, in which during 1991 **more than 65% of non-Serb population lived**, mainly **Bosniacs**.”

- Kamenica –Konjević Polje).

In early 1993, “Army of Republika Srpska”, together with the regular forces of the Army of Yugoslavia took over in the offensive the places Kamenica, Cerska, and Konjević Polje, and reduced the size of the Srebrenica enclave from 900 to around 150 km². Bosniacs from the neighboring regions came to Srebrenica and its surrounding, which increased the population there to around 60,000 people,⁵ and the density of civilians populating the enclave turned into an unbearable burden for local infrastructure. General Philippe Marillon played his role here, who around the mid March 1993, came to Konjević Polje, Cerska, and Kamenica, and suggested the population to go towards Srebrenica. Losing 90% of the villages, any possibility of organizing food was lost, and Srebrenica had to receive tens of thousands of new residents. After that, the UNPROFOR Commander, General Philippe Marillon, came to Srebrenica in March, and saw for himself the horrible conditions of the siege (no water, electricity, food, medications, and other living supplies, and the great Serbian forces prevented all of them) and stated that the population was under the protection of the United Nations, which would not abandon them.

On 16 April 1993, UN Security Council, acknowledging Chapter VII of the UN Charter adopted a Resolution (No. 819) declaring that **“all parties and others should treat Srebrenica and its surrounding as UN ‘safe area’ which has to be spared from any armed attack or any other act of hostility”**. This document set the demand to **“immediately stop all the armed attacks ... against Srebrenica and immediate withdrawal from the area around Srebrenica”**.

UN Secretary General Boutros Ghali, after the adoption of the Resolution 819 (1993), sent a Directive to the UNPROFOR Commander, General Wahlgren, in which he informed him that in his opinion, Resolution **“does not understand the duty of military engagement of UNPROFOR in the protection of safe area”**. This Directive was in contravention of the Resolution 819, which nowhere mentioned that it **“does not understand the duty of military engagement of UNPROFOR in the protection of safe area”**. However, not even all the members of the UNSC were informed of this Directive. This made the Resolution on the safe areas a mere farce. The role of UNPROFOR was interpreted and directed towards providing humanitarian aid, with the consent of the aggressor, perpetrator of genocide and other forms of crimes. Thus the UNSC Resolution 819 (1993), just like many others, were a complete fraud since the day one: an exclusive declarative approach to the responsibilities imposed by the UN Charter, and the corpus of the international (primarily humanitarian) law

⁵ Significant number (almost 50,000) of men, women, and children escaped to the central free territory in Tuzla or UNHCR evacuated them as injured, sick, or exhausted people.

in terms of protection of peace and security and/or civilians was followed by a complete lack of political will, at the international level, to implement them.

Yet, General Wahlgren, UNPROFOR Commander, contrary to the UNSC Resolution 819, declared a complete demilitarization of town (not the enclave) and force General Sefer Halilović to sign on 18 April 1993, together with Ratko Mladić, **Agreement on demilitarization of Srebrenica**, in other words the agreement on capitulation. This agreement demanded the disarmament of Bosniacs.

Even though Srebrenica was declared *UN safe area*, all this time until the take over of the region in July 1995, the isolated Bosniac population there was subjected to special forms of war and genocidal destruction, such as: deprivation of water, electricity, preventing the humanitarian aid from entering the enclave, as well as medications, and everything else which was required in terms of biological survival. Such a situation, according to *Convention on prevention and punishment of crime of genocide*, is one of the elements of genocide (“**imposing upon a group such severe conditions of living calculated to bringing to their destruction in whole or in part**”). Great Serbian aggressor “**made the life miserable**” to Bosniacs and it constantly kept brutally violating the status of “safe area”, by shelling Srebrenica, whereby many civilian were killed or injured.

On 8 March 1995, Radovan Karadžić, president of a para-state and collaborationist creation Republika Srpska, “**very urgently**” issued “**DIRECTIVE FOR FURTHER ACTIONS NUMBER 7**” to the Army of Republika Srpska in relation to its long-term strategy against Srebrenica and Žepa, UN safe areas, aimed at “**definitive liberation of Podrinje**”, according to which, it was necessary to use “**daily planned and well envisaged combat activities to create the conditions of complete insecurity, hopelessness among the residents of Srebrenica and Žepa**”. This order, among other things, envisaged and confirmed once again the specific intention (*dolus specialis*) to exterminate Bosniacs and commit genocide. This strategy specifically stated that the “Republika Srpska Army” needs “**to physically separate Srebrenica from Žepa as soon as possible**”.⁶

Worsen from the beginning of the year, around the mid 1995, the humanitarian situation for the Bosniac civilians and military personnel in the enclave became, as scheduled in the Karadžić Directive of 8 March 1995, catastrophic. **Civilians died of hunger.**

In early July 1995, the Command of the Second Drina Corps started the preparations for

⁶ Four days earlier, on 4 March, at the Jahorina mountain, the content of Directive was thoroughly analyzed by the military and political leadership of Republika Srpska and Federal Republic of Yugoslavia, whereby the special attention was paid to Podrinje.

the military operations against UN safe area Srebrenica. Operation was named “**Krivaja -'95**”.

The offensive of the Armed forces of “Republika Srpska”, supported by the units from the Federal Republic of Yugoslavia and volunteers from Russia and Greece, started on 6 July 1995 against the UN safe area Srebrenica. Bosniacs asked UNPROFOR to “**return them their weapons, which they surrendered as part of the agreement on demilitarization from 1993**”. However, the request was denied with the explanation that “**UNPROFOR is accountable for the defense of the enclave, not them**”.

By the evening of 9 July, “Army of Republika Srpska” penetrated four kilometers inside the enclave, stopping only one kilometer away from Srebrenica.

On 9 July (in early evening hours), Radovan Karadžić, having finished the discussion on the “**events**” in Srebrenica with Momčilo Krajišnik and Jovica Stanišić (State security of the Ministry of Interior from Serbia) announced the great Serbian genocidal intentions to exterminate Bosniacs. In his contact with Miroslav Deronjić, and upon his question “**What do you, Miroslav, think to do with this population there?**”, meaning in Srebrenica, UN safe area, Karadžić stated, having heard Deronjić that he could not even in his **dreams** foresee “**the developments of the situation upon entering Srebrenica**”: “**Miroslav, they should all be killed ... all that you can**”.

In the morning on 10 July, the situation in Srebrenica was very tense. Serb forces for the active military operations, “**especially around Srebrenica**”, executed “**their combat tasks as scheduled**”, whereby they shelled Srebrenica, while the town was “**full of people**”, then the UN base in the northern part of the town., which was full of refugees, and where several people were injured, as well as hospital, where around 2,000 people found shelter, and killed six people there. People came to the streets and started running towards Potočari, UN base. Colonel Karemans sent urgent messages, asking for the NATO air support. Even though the situation deteriorated in UN safe area, General Janvier did not, even on 10 July, approve the air support. Dutch battalion commander in the night 10/11 July 1995, at the meeting in Srebrenica, informed the Bosniac political and military leadership that he gave an ultimatum to the great Serbian aggressor to withdraw out of the UN safe area, and that they have to inform him about their response by 11 July at 06:00 hours. In the event that the aggressor rejects the ultimatum, the air strikes would follow against the aggressor targets, “**and the area south of town until Zeleni Jadar was declared ‘death area’ in which everything that moves would be targeted**”. He suggested Bosniacs that the “**civilians should be as far as possible from the confrontation line**” (from the “**current front line and keep safe at home**”), and he “recommended” to the defense forces to vacate their

positions. After that, the Command of the defense forces in Srebrenica made the decision to stop the planned counter attack in the early morning hours, which was tragic for the defense of the enclave. Great Serbian forces took advantage of this and continued towards the town.

On 11 July 1995, “Republika Srpska Army” took over Srebrenica, first UN safe area. At 14:07 hours, they raised the Serb flag above the bakery in the southern part of town. Around 14:30 hours, company “B” of the Dutch battalion left the base in Srebrenica. The population joined them towards Potočari, including refugees who found shelter in the company “B” base. By then, several requests for air support were denied at various levels of the UN system of command. General Janvier, despite the formal insisting to stop the shelling of civilians and violation of the UN safe area, “**acknowledging the operations**” undertaken by General Mladić “**in the territory of Srebrenica**”, worried about comfort of 30 “captured” Dutch officers. Dutch battalion “**did not fire a single bullet at the coming Serb forces**”. At 16:20 hours, “**Srebrenica was full of Serbs**”. Around 16:30 hours, thousands of refugees tried to escape towards Potočari. In late afternoon hours, Generals Ratko Mladić, Milenko Živanović, Radislav Krstić, and other officers of Republika Srpska Army “victoriously” walked along Srebrenica streets, while thousands of refugees walked towards Potočari, desperately asking for the protection of the Dutch battalion. At the main square in Srebrenica, General Ratko Mladić stated: “**Here we are, 11 July 1995 in Serb Srebrenica. In the eve of the Serb holiday, we give Serb people this town as a gift. Finally, the time has come that we can revenge here to Turks after the rebellion against the invaders.**” Karadžić personally (“**marketing purposes**”, “**he needs it for some reasons**”) ordered that a Greek flag be raised next to the Serb flag in Srebrenica, whose citizens (Greeks), in addition to Russians and other, took part in the attack and the take over of Srebrenica.

In the even and after the take over of Srebrenica, UN “safe area”, civilian population was in panic and they were running towards Potočari, waiting for the expected help in and around the UN base. By the evening of 11 July 1995, there were between 20,000 and 25,000 refugees in Potočari, mainly women, children, the elderly, and those not capable for army.

Several thousand of people entered the UN base through the opening made by cutting the wire, when they sought shelter in warehouses, while others remained outside the base – in the factories and fields. There were between 1,000 and 2,000 men among women and children. None of them had any weapons.

Conditions in Potočari were dreadful. There was no water, food, medicines, toilettes, and the July heat was intolerable. Situation was chaotic. Hungry and thirsty, people were squeezed, in fear. Sharp shooters shot at them, set houses on fire, which increased the fear in

people, who were horrified.

During the morning of 12 July 1995, General Ratko Mladić showed up in Potočari, accompanied by high-ranking officers of the Main Staff of the “Republika Srpska Army” and TV crews which recorded him giving sweets to children and falsely convincing people that nothing would happen to them.

On 12 and 13 July 1995, Serb military and police forces, including the **units from Serbia and “Republika Srpska Krajina”**, in summary proceedings, in various places around the UN base in Potočari **liquidated** Bosniac men, even some women.

Terror was intensified during the night. Cries, screaming, shooting and other intimidating sounds echoed throughout the night. Soldiers were taking out and away people from the crowds.

The following day, in the morning of 13 July 1995, some refugees, looking for water, found heaps of bodies near a creek, a heap of slaughtered people (according to some witnesses – more than 300 of them), including some women among them (“**decapitated or they did not have heads on their shoulders**”).

During 12 and 13 July 1995, “Republika Srpska Army” organized and executed the planned **deportation** of women, children, and the elderly from Potočari towards Kladanj. Around the noon of 12 July 1995, according to the previous plan, a number of buses and trucks, including **vehicles from Serbia**, started arriving to Potočari to deport women, children, and the elderly.

Loading on the buses was carried out in the presence and under the control of Army and the special police units of “Republika Srpska”, with the support of the Dutch battalion.

On 12 and 13 July 1995, in Potočari, there was the most systematic **separation of men and boys** from women and children. In the morning of 12 July, the great Serbian forces, in the presence started in the presence and upon the order of Ratko Mladić, and with the participation of police officers with dogs, picked and separated men and children from other refugees and took them, apprehended, and kept them in separate places in and around Potočari. On one side there were women and children who cried and screamed, especially children who watched their father being taken away, and on the other side the screaming, crying, yelling and shots were heard. This continued throughout the night of 12 July 1995. They took the separated individuals to a location in front of the Zink factory, and then during the same night they transported them on trucks to other places of incarceration. Once the refugees started embarking the buses, Serb police officer and soldiers systematically separated men who tried to sneak into the buses, depriving them of their personal property (personal documents and valuables). They also took those people to a building known as “White house” (in the immediate vicinity of the UN base), where they made them, before

entering the building, leave their personal belonging, including money, personal ID's, which they burnt later on. All the separated men were kept in very inhuman conditions, while some of them were tortured and killed. There were boys among them. The separation continued during the embarking the vehicles and the deportation.

The largest number of separate Bosniacs in Potočari (**over 1,000**), starting on the 12 July afternoon throughout 13 July 1995, were loaded into separate vehicles and they were transported from Potočari to the **places of incarceration** in Bratunac. There, they also brought people who tried to escape on a column, and from there they took them all to the site of execution.

The complete deportation of Bosniacs civilians from Potočari was finished in the evening of 13 July 1995, by 20:00 hours. That was the time when the Dutch battalion officers ordered refugees to leave their base.

A number of Srebrenica UN "safe area" residents (between 10,000 and 15,000), trying to escape from the enclave, after the takeover of Srebrenica, gathered in the evening of 11 July 1995 in Šušnjari, looking for salvation in the free territory. Around one third of men were members of the 28 Division, of which majority were unarmed. Others were civilians, including women and children. They started **running away**, in a long column through the forests towards Tuzla.

Great Serbian forces, on 12 July, continued their **military operation as scheduled**. Army and the Ministry of Interior of "Republika Srpska" shelled the refugee column from all the directions. The artillery was engaged from different locations, including the systems of large caliber. Around 10:00 hours, once the column was ambushed, they engaged the mortars. There were many injured and killed in the area of **Hajdučko groblje**, below Bokčin potok. Around 100 people were killed in only one valley.

Forces of the "Republika Srpska" Army and the Ministry of Interior captured, during the afternoon and early evening hours, in the area of **Ravni Buljim** a larger number of people from the end of the column. "Republika Srpska" Army and police used different heinous means (ambush, calling people to surrender, and alike), including the use of stolen uniforms and vehicles of the UN and ICRC to deceive and capture people in the column, promising that they would protect them, take them to Tuzla and that they guarantee their safety, and also that UNPROFOR and ICRC have the mandate to transfer them to Tuzla. **Number of captives on 12 July was around 1.000.**

On 12 July 1995, all the Drina Corps units took **"all the steps to prevent any surprise, and engaged all the available units in accomplishing the mission of the operation 'KRIVAJA-95"**, and according to plan **"executed all the combat tasks"**. Along

the **evaluated avenues of attack**, Army and police units of “Republika Srpska” **organized ambushes attempting to destroy Bosniacs who did not surrender and who tried to escape with “women and children towards Ravni Buljim and Konjević Polje”**, where they encountered a “**mine field**”.

In the early morning hours of the 13th July, in the area of Pobude (a forest around Konjević Polje), between the roads **Bratunac – Konjević Polje – Nova Kasaba**, around **8,000 people** were blocked, whose execution was planned by “Republika Srpska” army and police.

The largest groups of men and boys from the column were captured by the “Republika Srpska” army and police on 13 July along the road Bratunac – Konjević Polje – Milići, while the soldiers and police used megaphone to invite people to surrender, promising that they would treat them in accordance with the Geneva Conventions. During that day, by 17:30 hours, **at least 6,000 people were captured**, who were later on closed in several locations. The biggest number of them was taken to the collective centers in **Nova Kasaba** – between 1,500 and 3,000 people, then **Sandići** on a field – between 1,000 and 4,000 people. Controlling the operation of capturing and giving support to his subordinates to complete the mission, General Ratko Mladić deceived captives in both locations, telling them that nothing would happen to them and that they would be exchanged as prisoners of war, and also that their families were already transported to Tuzla.

A number of those captured near Nova Kasaba and Konjević Polje was killed in the morning of 13 July 1995 at the banks of the river **Jadar**.

During the same day in the afternoon hours, (around 16:00 hours) “Republika Srpska” army and/or police transported a group of Bosniacs in three buses to **Cerska** and executed them there. There were at least 149 people, 14 to 50 years of age, executed there, of which 147 were in civilian clothes. Majority of victims had ligatures made of wire on their hands.

Several dozens of captives were killed on the site along the road Kravica - Milići (Konjević Polje, Pervani, Lolići...).

A number of captives from Konjević Polje, including boys, were taken to Jahorina and Trnovo, where the **Republic of Serbia** Ministry of the interior Special Forces executed them, what was recorded on TV.

On 13 July 1995 in late afternoon, between 1,000 and 1,500 captives from Sandići were taken to **Kravica** and they were forced to enter the Farming cooperative, where a huge massacre was committed. Around 18:00 hours, they were all executed (RPG, hand held rocket launchers, hand grenades, bullets).

“Republika Srpska” Army and Ministry of Interior, and other armed units including

those from Serbia and “Republika Srpska Krajina”, in the period from 22:00 hours of the 12th until approximately 15th July, and especially on the 13th July 1995, based on well designed plan on separation, temporary incarceration (in Bratunac) and organized and systematic execution of the captives, in several locations in Bratunac killed **thousands** of captives. Following the order of the “Republika Srpska” leadership, captives were brought to Bratunac. That town, on 13 July, was full of captives, who were brought from the road Bratunac – Milići. Captives were taken to the stadium, schools, military prison, police, hangar, garages, and other facilities; they were also kept in vehicles (buses and trucks) parked in town and along the roads, and the Bratunac residents knew all of that. The captives were severally tortured and beaten in Bratunac, and their cries of men echoed, who were later on taken away and killed. They did not receive any food or water

A large number of captives were killed in the *Vuk Karadžić* school in Bratunac and in other locations along the road Kravica – Milići, as well as Konjević Polje. Colonel Ljubomir Beara came to Bratunac in the morning of 13 July 1995 and he gave the order to soldiers **to kill all the captives (the order came from top to kill all the captives)**.

In the late evening hours, on 13 July 1995, he started with the execution of the instruction which he received from Radovan Karadžić and **the order of General Mladić to take all the captives to Zvornik and kill them**. During the night between 13 and 14 July 1995, around 2,000 – 5,000 men, previously separated in Potočari and elsewhere, were transported from Bratunac (in around 30 buses) to the gym of the **elementary school in Grbavci (near Orahovac)** and other schools, where some of them were killed behind the school while others were taken elsewhere and killed. On 14 July 1995, in the early morning hours, soldiers of the “Republika Srpska Army” blindfolded men in the Grabovica school, about 1,000 of them, loaded them on trucks and took them to a neighboring field near Orahovac, ordered them to come down from trucks, and killed them in summary execution from the automatic weapons. They were all blindfolded. General Ratko Mladić personally observed the execution. Immediately after their execution, the killed were buried in mass graves (14 and 15 July).

On 14 July 1995, Republika Srpska Army and/or police took between 1,500 and 2,000 captives from Bratunac and took them to **Petkovci**, imprisoned them in the gym of the **elementary school**, where they beat them up, ill-treated and shot at them from the automatic rifles. They tied the hands of the captives behind their back, made them take off their shoes, and during the night of the 14th and in the morning of 15 July 1995 transported them a place near the **Dam by Petkovci**. There were already many killed people there, with their face

down and hands tied behind their back. They gathered these people below the dam, and killed in the summary execution in groups of 10-15. in the morning of the 15 July 1995, “Republika Srpska Army” used the diggers and other machines to bury the victims, while the executions were still in progress.

On 15 July 1995 in Belgrade, at the time while the aggressor and its collaborationists carried out the operation of the execution of the captives, Slobodan Milošević held a **secret meeting** with Carl Bildt (EU peace envoy), Thorwald Stoltenberg (UN representative at the International conference), Yasushi Akashi (UNSG special envoy), and Rupert Smith (Commander of the UN forces in Bosnia and Herzegovina). Upon the request of Bildt, General Mladić attended the meeting as well, who was in command of the operation against Srebrenica and the genocide against Bosniacs. Unfortunately, none of participants was interested in the captured Bosniacs.

The operation of killing captives, according to the plan ‘to kill captives’ was pursued on 14 and 15 July 1995 in the area of responsibility of the 1st Zvornik brigade. At the same time, **‘there were huge problems related burial of the executed and safeguarding of those who were supposed to be executed’**.

On 16 July 1995, at the **Military Farm Branjevo**, following this pattern, around 1,200 captives were killed, who were taken to Pilice on 14 July 1995. Then, they called them out of the school, loaded them on trucks with the hands tied behind their back and transported them to the Military Farm Branjevo, where they lined them up in groups of ten and then killed them. Then, the digger picked the bodies of the killed.

On the same day (around 15:00 hours) another execution was carried out. The soldiers of the Bratunac brigade, together with other members of the “Republika Srpska” army and police, in the building of **Cultural center in Pilice** in summary execution killed with the automatic weapons about 500 people. The following day, soldiers of the Zvornik brigade collected the mortal remains, transported them to the military farm Branjevo and buried them in a mass grave.

Also on 16 July 1995 “Republika Srpska Army” killed several hundreds of captives (around 500) in an isolated location near **Kozluk** and buried them in a nearby mass grave.

Numerous units of the “Republika Srpska” army and police during the July and August 1995, and also later on, **“searched the terrain and used ambush”** to prevent **“passage of Muslims going from the former enclave Srebrenica towards Tuzla and Kladanj”**, while many Bosniacs were captured and systematically killed on site.

Smaller groups of Bosniacs wandered days and months through the forests, trying to

reach Tuzla (last group reached Tuzla on 16 April 1996).

On **23 July 1995**, military police, following the order of General Mladić, killed a certain number of injured from Srebrenica, who were treated in Zvornik.

“Republika Srpska” armed forces, in cooperation with the units from Serbia and “Republika Srpska Krajina”, foreign mercenaries, following the great Serbian ideology, politics and practice **deported “all Muslim women and children”** from Potočari, while they **captured, imprisoned and killed** thousands of men and boys, who tried to escape after the fall of Srebrenica, UN safe area, and **buried** them in mass graves in hidden locations.

About the slaughter of Bosniacs of Bosnia and Herzegovina in and around UN safe area Srebrenica in July 1995, told a surviving victim of genocide, seventeen year old boy, Prosecution witness in ICTY in the case against *Radoslav Krstić*. Specifically, after the fall of Srebrenica, UN safe area in July 1995, he **“surrendered to the Bosnian Serbs who were in camouflaged uniforms”**. **“He was ordered to undress as his clothes stunk like dried urine”** and **“to stand by the edge of valley covered with bodies of the killed:**

‘There were several Serb soldiers there ... They were behind us ... I though I would die quickly, that I would not suffer. I thought that my mother would never find out how I ended ...

Someone said: ‘Lie down’. Once we started falling down ... shooting started ... I do not know what happened. I did not think about anything ... I thought it was the end. I do not know if I fainted at that moment, I may have been still conscious ... All I know is that I, while on the ground, felt pain in the right side of my chest ...

I though, maybe I could call them to finish me off, as I felt strong pain. I thought if I do not die here, I could survive, and that I would be taken away alive and that my agony would continue. ... At one moment ... next to my face, there was a military boot. I continued watching, I did not close my eyes. That many walked over me – he was a soldier – and he fired a bullet to a head of a man next to me. At that moment I closed my eyes; I was hit to my right shoulder ...

I was, almost, between life and death. I was not sure if I wanted to die or to stay alive. I decided not to call them to kill me, but at the same time I prayed to my God that they come and kill me ...’.

After the butchers drove away”, the boy “lifted his head and he saw another survivor among the dead. He called him, and crawling across the bodies, tried to reach him, and then he somehow managed to bring his tied hands to his mouth so that he can cut with his teeth the ropes: ‘That many had a shirt without any sleeves, green color, and a

sweater ... He took it off and tore it apart ... Having dressed my wound, I fell asleep on his knees, as I did not sleep for long ... We stayed there until the morning, and with the daylight, he woke me up and asked: 'Where shall we go?' I told him: 'I do not know'".⁷

As for the execution of Bosniacs (men and boys) in and around this UN safe area, "brought the death fields which were already full of dead bodies", it is important and incredible what a driver "supplier of the Bosnian Serb army", stated, who is one of the Prosecution witnesses in ICTY case against *Popović at al.*, who "at the time of Srebrenica slaughter transported food and drink for the military units". He described "that he witnessed execution of Muslim boys and men brought to the death fields which were already full of dead bodies":

"From that heap, a pile of dead bodies which did not resemble human bodies any longer ... but only a pile of flesh in pieces ... a man crawled out. I say a man, but in fact it was a boy, five or six years old. It is incredible. Incredible.

A man /in fact a child – by author S. Č./ crawled out and started towards a path, a path with people armed with automatic rifles who carried out their mission. And that child crawled towards them. All these soldiers and police officers there, those people who did not have any problems with killing ... all of a sudden ... put down their rifles and all of them, every single one of them, simply froze. There, it was a child ... an innocent, cute child ... covered with pieces of flesh of other people ...

One officer ... I am sure he was a colonel or lieutenant ... And he was ... incredibly arrogant ... turned towards people, soldiers and told them: 'What are you waiting for? Come on, finish him off.' And those people, who just a second ago did not have any problem to kill people told him: 'Sir, you have a pistol, why don't you finish him off? Please, go ahead, we cannot do that'. They all ... were simply speechless; then, that officer stated: 'Take a child, put him on a truck and drive him away; and then bring him here again with a new group and then we shall finish him off'.

I was there. I was completely helpless. I was an outsider ... someone from logistics ... I had nothing to do with what was going on there. They were killing people, and my task was to bring them supplies; then, they took the child, not the men who were killing people, no. Others took the child by his hand. ... The child was saying, *Babo*, that is how they call father. He was saying, '*Babo*, where are you?' The child was in a shock.

⁷ C. Del Ponte – Ch. Sudetic, MADAM PROSECUTOR: FACING THE WORST WAR CRIMES AND CULTURE OF NON-SANCTIONING, Buybook, Sarajevo, 2008, pp. 17-18.

They put him on a truck. The child, knowing that he was previously on a truck, began trembling. He was trembling and saying, ‘No, no. I won’t’.

Then, I interfered ... I told them: ‘Listen, I will turn on lights in my van and I will turn on some music to attract his attention so that he does not pay attention to what is going on here. I will turn on radio’, because I wanted the child to recover. He was completely lost, he did not know what was going on there, or who he was. I said: ‘I will try to give him a lift wherever he wants me to take him’. I entered my van and turned on lights ... and that helped this child, because everything was dark around him ...

I told him: ‘Come here, come here, come to me’. I told him: ‘Look. I turned on lights and music’. All of a sudden he took my hand and came to me. ... I do not want anyone to go through this. I used to be strong. I used to be tough. That was my reputation. But, I do not wish anyone to get this grip, his grip of my hand, and I was surprised with his strength. The strength of that child. And then, I entered my vehicle, and – and left the boy alone for a moment, just because I had to turn on engine, and I turned on music, and then I returned with the others – you know what this others means – so that the next group can be executed”.⁸

In this ruthless “operation of killing”, mainly during four days, with the intention and based on exactly defined pattern, in a horrific way, more than 8,000 captured and detained Bosniacs were killed, which was motivated by their national, ethnic, religious background and the attempt to take over their living space, marked in great Serbian plans as territory of strategic relevance. Three generations of men were exterminated. This is the biggest individual and in short time committed massacre and a complete persecution of people in Europe ever since WWII. Exactly fifty years since the end of the Nazi Holocaust, the same crime was repeated in Europe, whose brutality and lack of reaction is “a synonym of huge failure of the international community”.

The takeover of Srebrenica, deportation of civilian from Potočari and the operation of capturing, detention, and execution of Bosniacs are the acts of genocide, well planned, envisaged, efficiently organized, widespread, ordered from the top political and

⁸ Ibid, pp. 331-332. Four days after this testimony, on 26 February 2007, the trial from the courtroom 1 was played again on the internal screen in the Office of the Tribunal Prosecutor, Carla Del Ponte “**One young man testified in camera session: a young man, who as the seven year old boy, covered in blood, dust, covered with feces crawled out of the pile of dead bodies and approached butchers who killed his father**” (Ibid, p. 332).

Carla Del Ponte, sad, “sat in her office and listened to his words, she could almost hear a collective sigh of relief and the burst of evil laughter from Serbia” (Ibid).

military leadership, and executed systematically according to the plan.

Number of the killed and the short period of execution, quick formation of mass graves, quick burials in mass graves, dislocation of mortal remains to secondary and tertiary mass graves suggest that the **political, military, administrative, and police potential** of the Serb forces supported by a large number of disciplined perpetrators took part in the plan, preparation, execution and the cover up of genocide. According to the research of the Republika Srpska Government, more than 25,000 people took part in the genocide against Bosniacs of Bosnia and Herzegovina in and around the UN safe area in July 1995. Ideological, political, and military leader in genocide was the state Federal Republic of Yugoslavia (Serbia and Montenegro), and the great Serbian regime of Slobodan Milošević, while the key executors were the Army of (Federal Republic) Yugoslavia, Republic of Serbia Ministry of the Interior, collaborationist units of the great Serbian aggressor in the Republic of Bosnia and Herzegovina (“Republika Srpska Army”, “Republika Srpska Ministry of the Interior” and other organs of the executive and administrative authorities of the para-state Republika Srpska), mercenaries from Greece and alike.

Perpetrators of crime took all the steps, including the systematic digging, transfer, and reburial of the victims’ bodies, so as to cover up the genocide and prevent the justice, which constitutes yet another systematic form of crime committed against the killed, which has not been known in history. This speaks of the perpetrators as being aware of the criminal character of their actions, and there is no dilemma related to their subjective accountability and liability and/or firm intention related to the perpetration of this graves form of crime.

Mass graves of the genocide victims in the UN safe area Srebrenica in July 1995 are apparent evidence of the planned and organized system of crimes, which resulted in genocide – the worst form of crimes against humanity and international law. Simultaneously, they are also one of the ways of concealing and destruction of clues of crimes. Unfortunately, International Court of Justice in The Hague in the case *Bosnia and Herzegovina vs. Federal Republic of Yugoslavia* (Serbia and Montenegro), did not mention at all the mass graves of the genocide victims in the UN safe area Srebrenica in July 1995.

The massive crime against Bosniacs of Islamic religion was committed in and around Srebrenica in July 1995. That crime is an act of genocide against Muslims. The area where the crimes were committed, speed of execution of several thousands of people, territory in which the bodies were buried, multiple transfer of mortal remains, and the number of individuals who took part in the execution and the covering of the crime absolutely indicate that the crimes were known to a large number of people and that they were persistently concealed.

Imprecise mandate of the UN is one of the elements of proof that there was no political will to protect lives of civilians and prevent the worst crime, so that the UN could act decisively in accordance with the UN Charter and the spirit of the international law.

Genocide against Bosniacs of Bosnia and Herzegovina in and around UN safe area Srebrenica in July 1995 was committed before the eyes of the world public, along with the clear assistance and criminally passive attitude of the UN and their “peace” forces, which were supposed to protect the population in the UN safe area. This was a part of direct preparation for the Dayton Accord following the traditional manner of placing everyone before the final act while securing strategically important border area to Serbia. This crime of genocide is only a tip of the iceberg within the crimes against humanity and international law committed continuously in the period of four years in the territory of three quarters of the state territory of the Republic of Bosnia and Herzegovina – in all the occupied places and towns under the siege.

2. Testimony of the UN Ambassador, Diego Enrique Arria⁹

⁹ Diego Enrique Arria (born in 1938 in Caracas – Venezuela), politician, diplomat, Ambassador, Advisor, and Visiting Scholar at the Columbia University in New York. He worked as a Governor of Caracas in Venezuela.

Witness Statement

1. My full name is Diego Enrique Arria Salicetti. I am a native of Caracas, Venezuela. I was the Permanent Representative of Venezuela at the United Nations (UN) from January 1, 1992 to September 1, 1993. In March of,1992 I served as President of the United Nations Security Council. In April of 1993 I was the coordinator of the Caucus of the Non Aligned countries represented in the Security Council.

....

1. Introduction

Attitudes towards the crisis in Bosnia

8. During my tenure within the UNSC I was actively involved in many different matters including El Salvador, Mozambique, Somalia, Cambodia, Libya, Angola, Iraq, Haiti, South Africa and the former Yugoslavia. At the time, consensus general prevailed in the Security Council except in the case of the former Yugoslavia, which deeply divided the UNSC

He was a minister of Information, minister of tourism, and a Congressman, editor and founder of a daily newspapers El Diario de Caracas (ICTY, STATEMENT Diego Enrique Arria, 11 and 14 April 2003 and 22, 23, 24, and 25 September 2003, BCS 0348-7807-0348-7876, par. 1-4). Diego Enrique Arria was from 1 January 1992 to 1 September 1993 a permanent representative of Venezuela in the United Nations. In March 1992, he was a Chairman of the UN Security Council. In April 1993, he was a Coordinator of the Nonaligned Countries in the UNSC, and he was the leader of the Mission of the UNSC to Bosnia and Herzegovina, “and in former Yugoslavia and Croatia”. Mission had a task to visit Bosnia and Herzegovina and review “the situation in the field” and inform UN and the world with the extent and scope of the crimes against humanity and international law. That was the “first time in the history of the UN that the Mission of the UNSC visited a region caught in conflict” (that was “the first Mission of the UNSC ever sent anywhere by the United Nations”. (ICTY, STATEMENT Diego E. Arria, 11 and 14 April 2003, and 22, 23, 24, and 25 September 2003, BCS 0348-7807-0348-7876, par. 1-2 i 291; ICTY, PROSECUTOR VERSUS NASER ORIĆ, TESTIMONY OF THE AMBASSADOR DIEGO E. ARRIA, 5 December 2005, pp. 14335 and 14337). While in the UN, he took part in the work of the Group of friends of the UN Secretary General “during the peace process and negotiation on restoration of democracy in Haiti, El Salvador, and Guatemala” (ICTY, STATEMENT Diego E. Arria, 11 and 14 April 2003, and 22, 23, 24, and 25 September 2003, BCS 0348-7807-0348-7876, par. 3). Diego Enrique Arria testified in ICTY in the case against Slobodan Milošević (Prosecution witness) and against Naser Orić (Defense witness), in capacity of an Ambassador in the UN, and a witness and participant in detrimental, shameless, and capitulating politics of the so-called international community, especially United Nations (Secretary General, Security Council, and Secretariat), against the Republic of Bosnia and Herzegovina, that is, the aggression against the Republic of Bosnia and Herzegovina and genocide against Bosniacs, which, unfortunately, gave its support to the aggressive and genocidal ideology, politics, and practice of the Federal Republic of Yugoslavia (Serbia and Montenegro) and their collaborationists and fifth column from Bosnia and Herzegovina, and he presented extremely important facts, without which it is not possible to elaborate this relevant matter, whereby it is more than apparent that there was no political will to stop the aggression against the Republic of Bosnia and Herzegovina and prevent the genocide against Bosniacs. This text highlighted only important parts of the Arrie’s testimony, especially the activities of the Mission of the UN Security Council, which on 25 April 1993 managed to visit Srebrenica, and then prepared the Report, and provided arguments and evidence relative to a “slow genocide”.

becoming the most controversial issue on the agenda attracting the focus of the world media and many resolutions.

9. For years the Bosnians innocently believed that they were Europeans and as such they were reluctant to request aid from outside Europe even from the UN. Naively they thought that in a conflict between a democratic state and an opposing regime, Europe would not hesitate to help them.

10. As developments evolved the Bosnians paid dearly for having placed their trust and hope in their neighbors. When nothing happened after the European community (EC) Representatives Cutileiro and Carrington failed, Europe deposited in the doorsteps of the UN in New York a badly mauled body-with arms and legs missing. The case was already too deteriorated and the United Kingdom (UK), France and Russia were calling the tune in the Security Council.

11. **Some of the ‘principals’ in the Council feared the emergence of a Muslim state in the heart of Europe.** The same can be said about the Former President of Croatia, Franjo Tuđman, who expressed the same fears to me when the UNSC visited him in Zagreb. Why would the EU push for the admittance of these new countries in the UN? Why did the UNSC approve Bosnia Herzegovina admission to the UN? Why did the UNSC delegate ex officio the main responsibility for handling the crisis to the EU (David Owen) and the United States (Cyrus Vance)?

12. I believed then, and now, that had the UN Secretary-General assumed an independent role from the Principals of the Security Council, and used the moral power of his office, events could have been significantly different. Maybe today the Muslim world would be appreciative of the role of the international community in Bosnia instead of being enraged by their callous attitude towards the ethnic cleansing, rape and genocide (I use the term “*genocide*” in this statement as this accurately reflects the terminology I used in my speeches and writings at the time of the events) of one of the newest members of the UN taking place a couple of hours away from London, Paris and Moscow.

13. Secretary-General Boutros-Ghali told me, and other members of the Non Aligned group represented in the UNSC, that “If he expressed himself more forcefully on Bosnia he would lose its neutrality, and therefore the efficacy of the UN” and that: “he did not have the luxury of personal feelings on these issues”.

14. “The Europeans expected me to concentrate on Bosnia...in fact the Security Council had required the UN to become massively unbalanced in favor of the problems of the former Yugoslavia, and I found myself increasingly thinking about Somalia”.*

15. **Such moral indifference and insensitivity was not only contagious, but greatly contributed to reinforce in the Serbs mind that “This was a rich people’s war”, as the Secretary-General himself had defined the Bosnian tragedy, and, as such, was of little concern to the international community.**

16. **Neutrality was not the issue as claimed by Boutros-Ghali. The issue was Bosnia and Herzegovina, a member country of the UN, being ravaged by the Bosnian Serbs with the assistance of the Belgrade government who were providing full military and financial support. There was no question of risking, neutrality. Neutrality was used as a cover for indifference.**

17. Boutros-Ghali told members of the Non Aligned group in the Security Council that he always asked Arab and Muslim countries for money to finance the peacekeeping efforts, but would not let them send their armies to help. He wanted financial contributions from them, but not political contributions. Of course this was unacceptable for those countries. The UN allowed the presence of Russian forces, which were evidently aiding the Serb side, as their historical patrons. Russia and Muslim countries share an interest in the fate of Chechnya.

....

20. Bosnia Herzegovina irritated not only the Secretary-General but also most of the Security Council members because the Bosnians were not playing the role assigned to them from the day the arms embargo resolution was imposed in 1991. **They were expected to surrender without of a fight, and to acquiesce quietly in the ethnic partition of their country. To sort of roll down and play dead. This was a tall order for any country to accept especially when that country is in the middle of Europe, and is a victim of genocide.**

21. It was always alarming to witness **the dismissive attitude by prominent members of the Security Council towards the Republic of Bosnia Herzegovina, even though their people were being ethnic cleansed, massacred and raped.**

22. **Bosnia Herzegovina was admitted to the UN in the spring of 1992, at the recommendation of the Security Council. But within a couple of months the UN and the EU were actively cooperating in its dismemberment on ethnic criteria in a sort of a new apartheid modality.**

**(Unvanqished a US – UN saga – Boutros – Ghali, 1999).*

23. **There was reluctance in referring in the Councils resolutions to Bosnia Herzegovina as a republic. Clearly not wanting to give it the proper respect due to a member country of the organization, and neither the protection owed as a fully-fledged member.**

24. **Only a year before the Council acted when another UN member country (Iraq) invaded another member country (Kuwait). The double standard applied by the international community in the case of the invasion of Bosnia Herzegovina could not have been more evident and shameful.**

25. **There was an attempt to treat this republic as just “a party” similar to the other party — the Serb aggressors. I recall that I had to ask permanently in the Council to correct the record to make sure that when the Bosnians were mentioned they should be treated like any other member *country*. The UN Secretary-General Kofi Annan called this practice “The amoral equivalence of the parties;” victims and aggressors being considered alike.**

26. **Had the Council acknowledged the quality of Bosnia Herzegovina, as a sovereign member of the United Nations its behavior towards that nation should have been different. It was more convenient to treat it as “The Muslim side”- a sort of a non - state, otherwise the obligation to act to defend the territory invaded by the Serbs with the support of another member country, the Federal Republic of Yugoslavia (FRY), would have been considered.**

....

46. On 25 September 1991, when the fighting in Croatia was at its height, **the Security Council, by its resolution 713 (1991),* decided, “all States shall immediately implement a general and complete embargo on weapons and military equipment to Yugoslavia until the Security Council decides otherwise following consultation between the Secretary-General and the Government of Yugoslavia.”** The resolution was adopted unanimously, though several observers noted at the time that the major effect of the embargo would be to freeze the military holdings of each of the parties - a move which would overwhelmingly benefit the Serbs, who were dominant both in the Yugoslav military and, to a lesser extent, in the arms industry.

47. The resolution reflected the views of the European Community (EC) and of the States participating in the Conference on Security and Cooperation in Europe who were at the time

* *United Nations Security Council Resolution 713.*

ERN: 0057-0233-0057-0234

Tab 1

leading the political negotiation process and the several cease fire agreements, with the full support of the UNSC to the so-called Conference on Yugoslavia.

48. It intended to strengthen the hand of the European States in the negotiations with all the parties involved.

49. **The resolution was a notably bland decision, really a meaningless one and also irrelevant since of course I believed it was totally violated.** The States negotiating the conflict did not want to rock the boat and limited themselves to providing rhetorical support to try to stop the crisis, instead of using their collective pressure to force a political option, which, in my view, would have been possible to achieve then.

50. For a resolution that recognized “that the fighting in Yugoslavia is causing a heavy loss of human life and material damage and that its continuation constitutes a threat to international peace and security...that no territorial gains or changes within Yugoslavia brought about by violence are acceptable,” resolution 713 could not have been any weaker.

51. **It set a dangerous precedent in the way the international community acted from then on during the conflict.** Such weakness did not go unnoticed by the parties and proved to be extremely detrimental for the peace negotiations carried under the European banner, and after their failure, to the UN itself. It was clear that the orientation of the political process was defined early on in the conflict.

....

60. When the resolution was passed I remember the satisfaction that the Non Aligned members of the Council felt for having approved a resolution to impose an arms embargo. We thought that the embargo was going to help to stop the war, not to exacerbate the problem. Little did we know then that with that resolution we were involuntarily deciding the outcome of the conflict; **that we were sealing the fate of the Bosnian Republic; that we were taking away from this member country the right of self defense enshrined in the UN Charter. What seemed a moral act was in effect the equivalent of what, with hindsight, looks like a premeditated death sentence for the Bosnian Muslim “side” of the Bosnia and Herzegovina Republic.**

61. I believed this because the non-permanent members were the only ones in the Security Council who did not know that the Government of President Alija Izetbegović was the only side without armaments, and even less, without regular armed forces.

62. **The Secretariat failed to provide information on the embargo issue prior to this decision, and the members of the Council who had the information did not explain the implications of the resolution.**

63. Had we been informed, such a resolution or rather such a condemnation would have been rejected by most of the non-permanent members of the Council, and above all the reality of the situation: that only the Bosnians were disarmed, would have been known by international public opinion.

64. The resolution has rightly been called “The Rape of Bosnia.” Undoubtedly a major cover-up operation was in motion. The Bosnians were expected to roll over and play dead, but they surprised all and did not.

65. Why, if the situation was known by the permanent members and the UN, and by the Secretariat, was the resolution presented to the Security Council?

66. I have never heard a satisfactory explanation for this terrible and unfortunate decision. It increasingly looked like a premeditated action that would allow Belgrade to win the war rapidly so that Bosnia, in the words of a former European colleague at the Council, “would not become the tar baby of Europe”

67. It took only a few weeks for all to see that the military contingents from the FRY were changing uniforms and carrying with them Serbian tanks, planes and heavy weapons to become the “other side” of the conflict — what later was called the Republika Srpska, supported financially and militarily by Slobodan Milošević in Belgrade, and becoming the only side with a full military capacity which allowed them to proceed to attempt to exterminate the “Muslim side”, a goal in which they were significantly successful.

68. It is remarkable to note that no monitoring efforts were made at the time by the international community to prevent the transfer of arms, supplies and even soldiers and officers from Belgrade to the Bosnian Serbs. I considered the Bosnian Serbs to be proxies of the Belgrade based government.

69. To compound the plight of the Bosnian Muslims the Security Council opposed the lifting of the arms embargo to Bosnia Herzegovina, thus continuing to ensure their victimization by the paramilitaries who were armed and financed by Belgrade.

....

106. To call both aggressors and victims, on the same level as “the parties” is the traditional diplomatic language of UN resolutions. But in this case its use was certainly abused. The Council knew full well who was armed, as well as who was committing the atrocities. The Council knew who was financing and supplying the arms, the munitions, the heavy armaments, the food, the fuel, etc to the Serb paramilitary. The Council knew fully well which people were being raped and uprooted in a horrendous ethnic cleansing

practice. The Council knew who had the tanks, the planes and the heavy weapons, but kept asking the victims for restraint, and doing very little, too late to stop the genocide.

107. The Council imposed sanctions on Belgrade precisely because it knew who was behind these massacres, but even though, it continued to use the term “all the parties” giving the impression that both sides were at fault and on the same level, conveniently forgetting that FRY was acquiring by force the territory of another UN member territory through the Bosnian Serbs, and forgetting that Bosnia Herzegovina was a UN member country that could hardly defend itself.

108. Belgrade could have easily prevented the application of the sanctions but I believed it (Belgrade) was intent on creating a Greater Serbia and would not be stopped by UN resolutions.

....

March 1993 - Safe Areas

128. By March 1993 Safe Areas was really a non-issue even though the Secretariat knew (as we now have found out) that the situation clearly merited its full and urgent attention as well as the Security Council’s involvement.

129. Four months had elapsed since the President of the International Committee of the Red Cross (ICRC) and the United Nations Special Rapporteur on Human Rights in the Former Yugoslavia, had requested that safe heavens or protected areas should be created to cope with the emergencies that were already taken place.

130. Also three months had passed since the UNSC “invited the UN Secretary-General in consultation with the UN High Commissioner for Refugees, to study the requirements needed for the promotion of Safe Areas”. But no action was taken until April 1993 when Srebrenica made its appearance in the international scene.

131. Now with recent information I understand why the permanent members opposed the resolution. I now believe that they already knew that Srebrenica had effectively already fallen.

....

148. Definitely the Secretary-General should have used the moral and political power of his office to generate a reaction-at least of public opinion. But he remained sphinx like. It is not necessary to speculate much on the reason to reach the following conclusion: Negotiations were ongoing at the time under the leadership of David Owen and Cyrus Vance. A territorial division of an apartheid character was being proposed by them and by Mr. Mi loevid on what, according to the UN was, “The sovereign Republic of Bosnia and Herzegovina”.

149. In that ethnic division Srebrenica, in the eastern part of Bosnia and Herzegovina and close to the border of the Federal Republic of Yugoslavia, remained in what was proposed to be Muslim territory—largely isolated from Sarajevo. This was always rejected by the leaders in Belgrade and Pale: Milošević and Karadžić.

150. The conclusion that emerges when you are aware of this situation as well as a - number of other occasions is described in this statement.

151. The surrender of Srebrenica to the Serbs was of strategic importance — both for the Serbs and for the UN negotiators — because Srebrenica had to be in Serb held territory in order to be able to secure a peace ‘deal’.

152. It would become part of the Greater Serbia. The enclave was never joined to the main body of Government-held territory further west, leaving it vulnerable to isolation and attack by Serb forces.

153. Such a premeditated course of action can be easily established by just following the reports that Secretary-General Boutros-Ghali never shared with the Council nonpermanent members — who were the only ones that would have opposed such a course — as well as by reading **the directives he provided to UNPROFOR not to assist in the protection** of the enclaves. The infamous Safe Areas resolutions we have now learned were a total sham from day one.

154. What the Secretary-General, the UN negotiators nor the permanent members of the UNSC failed to consider was the potential cost of such a course of action, that would eventually lead to the massacre of almost eight thousand innocent people who had the misfortune to live in the neighboring side of Serbia proper.

....

192. We reiterated that in order to stop the Serb aggression against Bosnia Herzegovina the UNSC should implement measures to achieve the immediate immobilization of heavy weapons and place them under effective international control; **lifting of the arms embargo that continued to hamper the right to self-defence of the Government of Bosnia and Herzegovina; and extremely important to effectively interdict arms supplies to the Bosnian-Serb party coming from the FRY and to effectively enforce comprehensive sanctions on the FRY (Serbia and Montenegro). None of this took place in a significant manner.**

193. We drew the attention of the UNSC to the provisional order of the International Court of Justice calling Serbia and Montenegro to immediately take all measures within its powers (which were unlimited) to prevent commission of the crime of genocide in Bosnia-Herzegovina. They did not prevent, nor stop even though as I believe it was well known they had full control (financial, commercial, militarily, weaponry, fuel, and logistical) of the Bosnian Serbs.

....

Creation of the UN Safe-areas - Resolution 819

204. On 16 April 1993 I attended the UNSC, and on behalf of my country voted in favor of UNSC Resolution 819.*

205. Prior to the vote on this resolution there was no formal debate, there were only informal private consultations by members of the UNSC - mainly of a bilateral nature, between the Non Aligned members who tabled the draft resolution and the permanent members of the Council.

....

219. Around midnight when the UNSC was about to proceed to a vote for the resolution, the Secretary-General's spokesman, Ambassador Chinmaya Gharekhan, from India, surprisingly intervened to inform the members that he had just received an urgent message from the force commander, General Wahlgren expressing that he was in the process of negotiations with "the parties", at the Sarajevo Airport, and that the resolution if approved, would undermine his negotiations and recommended its postponement.

220. Such intervention at that point was judged unacceptable by the Non Aligned members, and was seen as equivalent to the throwing of a monkey wrench at the last moment to stop the approval of the resolution. We immediately rejected such a move, and demanded to put the resolution to a vote, which was approved with Russia abstaining.

221. A few days later I met with General Wahlgren in Zagreb and told him how surprised we had been in the Council with his late hour call to request us to delay the approval of the resolution. General Wahlgren was startled by my statement and told me: "I never called that night to anyone in the UN," but instead he had received a call from a senior UN official, "but I assure you that I did not raise such objection, neither did I call."

222. Taking advantage that the very much respected Representative of Pakistan, Ambassador Jamsheed Marker was presiding the UNSC on behalf of the Non Aligned countries, I proposed that a UNSC mission be sent to Srebrenica to ascertain the real situation on the ground.

223. Such a proposal was not welcomed by the permanent members, but we were finally able to persuade them and the mission was approved. The Council President Jamsheed Marker proposed my name to head the mission, which was unanimously approved.

* *United Nations Security Council Resolution 819.*
 ERN: 0007-0426-0007-0428
 Case ff-02-54 Exhibit 547 Tab 19

224. When the Non Aligned presented the draft for the creation of the Protected Area of Srebrenica, the full implication of the difference between ‘safe’ and ‘protected’ areas was not clearly understood, nor discussed, nor defined at the time.

225. Semantics then played a role. Each one in the Council interpreted or translated ‘safe’ or ‘protected’ according to their different agendas, or political preferences.

226. Regardless of whether they should have been called protected areas (a more robust concept as we found out later) or safe (an ambiguous concept which was precisely the policy followed) the fate of Srebrenica had been sealed probably since October 1992, which rendered this, and many other resolutions, completely irrelevant.

227. According to the Secretary-General’s report on the fall of Srebrenica : “After extended debate, the Council on 16 April adopted a draft resolution tabled by the Non Aligned members, as resolution 819 (1993) in which it demanded that “all parties and others treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act”.

228. Following the adoption of resolution 819 (1993), and on the basis of consultations with members of the UNSC, the Secretariat informed the UNPROFOR Force Commander that, in its view, the resolution, calling as it did for the parties to take certain actions, created no military obligations for UNPROFOR to establish or protect such a safe area.”

229. During the discussions concerning UNSC draft Resolution 819 as one of the resolution sponsors, I was not aware of this Secretariat Directive.

230. I have recently received information that this extremely relevant Secretariat Directive was sent to General Wahlgren, the UNPROFOR Commander, the day before the draft resolution was even voted on and adopted, which compounds even more the behind the scene plot to effectively render irrelevant the resolution.

231. It also serves to illuminate the kind of role that UNPROFOR played during the next two years until 1995; a role that made its code name, UN Protection Forces, a real oxymoron.

232. I find it extremely disturbing that a Chapter VII UNSC resolution approved by the fifteen members was interpreted by the Secretariat to the UNPROFOR force commander in such a minimalist way and without informing the UNSC of such directive. The report states that the Secretary-General “consulted with Security Council members,” but non-permanent members were not included.

233. Only “the principals” seemed to have been consulted which of course was not the correct procedure, especially when the Non Aligned members were the sponsors of the resolution in question.

234. The reference to “calling the parties to take certain actions” referred exclusively to the Bosnian Serb military who had prevented the safety and freedom of movement of UNPROFOR personnel; who were attacking Srebrenica and brutally forcing the displacement of civilians, in particular women, children and the elderly. The only other party was to the FRY (Serbia and Montenegro) demanding that it immediately cease the supply of military arms, equipment and services to the Bosnian Serb paramilitary units in the Republic of Bosnia and Herzegovina. The resolution reiterated its condemnation of the abhorrent campaign of “ethnic cleansing” carried on by the Bosnian Serbs, and reaffirmed that those who committed such acts will be held individually responsible for such acts.

235. Nowhere in the resolution was there an exception or even a mention that stated that the resolution “did not create military obligations for UNPROFOR to establish or protect such Safe Areas.”

236. This directive would have been absolutely unacceptable and considered a mockery by the Non Aligned countries that tabled the draft resolution with the purpose of saving lives in Srebrenica. We would not have been a voluntary party to what obviously was a total charade.

237. Meanwhile the resolution allowed the permanent members of the Security Council (mainly France, the United Kingdom, Russia and the United States of America) to preserve a public image of concern for the people in the Safe Area by acting under Chapter VII of the Charter and implying that forceful actions would be taken. In short the resolution provided political cover for the benefit of international public opinion, but no real protection for the people of Srebrenica.

238. We now know better, that Resolution 819 was a total farce since day one. A sham that I believe could not have been concocted without the support of permanent members of the Council and of the Secretary-General of the United Nations himself.

239. The open question is: If there were not military obligations to defend Srebrenica, what then was the purpose of the resolution to “treat Srebrenica as a Safe Area”?

April 17, 1993 — Events on the Ground

240. While we were debating how to ensure the safety of the poor people of Srebrenica the village had already capitulated. Vice President Ganić of Bosnia Herzegovina told me a few days later in Zagreb that the UN and UNPROFOR had convinced them to accept the rendition and demilitarization of the enclave as the only available option for them to survive. They were told that they could not expect any assistance from outside.

241. The euphemistically called “Agreement for the Demilitarization of Srebrenica” was agreed on April 17, 1993, and signed two hours after midnight, at 0210 hours, April 18.*

242. This means that when the Security Council was debating draft resolution 819 which ended around 0100 hours USA EST on April 18, the Force Commander already had “mediated” and assisted in an “agreement” equivalent to a capitulation of Srebrenica without taking into consideration the terms of our resolution. Our resolution in no way mentioned the demilitarization component, which prevailed in the UNPROFOR mediated act.

243. It also means that while the Council was holding its official meeting on Saturday, 17 April 1993 the capitulation agreement was being signed at 0200 hours Sarajevo time, 2020 hours. New York time. Two hours before the UNSC even started the meeting. Another kind of a “deal” had completely replaced the UNSC resolution and in full disrespect of nothing less than the UNSC.

244. I believe that such behavior could only have been tolerated because the principal members of the Council were in the “know” and counted with the complicity of the Secretary-General who managed to evade questions, that would have been addressed to him by the Non Aligned countries, by his complete absence from meetings.

245. The UNPROFOR commander could not have proceeded without instructions from capitals and from the Secretariat given to him days before we even had a draft resolution.

246. It defies the imagination to accept that the Secretary-General was not aware of UNPROFOR mediation activities, and that the governments of the main permanent members were not aware either.

247. This was obviously a well-orchestrated mockery and a cynical charade at the expense of the poor people of Srebrenica and of the Non Aligned members of the Council. It is clear that the efforts to stop or to postpone the resolution by some Council members and by the Secretariat, was an attempt not to discover their act of duplicity and disinformation.

248. The only thing that they did not anticipate was the fact that the Non Aligned were able to persuade the Council to send the mission to Srebrenica without which the charade would have never been discovered.

....

* *Signed agreement for the demilitarization of Srebrenica*

ERN: R004-5287-R004-5289

Tab 14

UNSCR 819 “takes note” of the International Court of Justice’s order of 8 April 1993.

252. Even though the Court order was of the highest political and juridical importance —genocide was the issue — the Council waited eight days before it decided to acknowledge such an unprecedented act by the highest international court.

253. And it did so in the blandest terms in the introduction of UNSC Resolution 819 and I quote: “The Security Council, taking note that the International Court of Justice... that the Federal Republic of Yugoslavia (Serbia and Montenegro) take all measures to prevent the commission of crime of genocide.” Even to include such a bland mention was quite a struggle with some of the permanent members who wanted to ignore the Court order completely.

254. The resolution continued to reaffirm the sovereignty, territorial integrity and political independence of Bosnia and Herzegovina while at the same time negotiations for its ethnic partition were actively pursued. The aggressors (Bosnian Serbs) were recognized by the UN and the UNSC as “the parties” on an equal footing with the victims (the citizens of the Republic of Bosnia and Herzegovina), a fully-fledged UN member, or so they innocently believed.

....

258. The inhuman practice of ethnic cleansing consisted basically in redrawing the map of Bosnia and Herzegovina by the following methods: Burning of Bosnian Muslim homes, burning of their mosques, rape and murder. The accumulation of these depraved and brutal practices was meant to terrorize the civilian population to evacuate their villages, to redraw the map of a UN member country: The Republic of Bosnia and Herzegovina.

259. A week later in the Srebrenica area we saw with our own eyes the tragic meaning and horrendous consequence of this inhuman practice. What used to be beautiful villages had been burned down. House roofs were bombed to prevent people from using them.

....

262. The UNSC mission to Bosnia Herzegovina to ascertain the situation on the ground was an initiative from the Non Aligned members of the Council that belatedly came to realize that they were being sidelined and misinformed about the real circumstances in Bosnia.

263. I believe that the President of the UNSC honored me by designating me to head the mission because of my vocal history on the issue of the FRY from 1991 onwards. Another additional consideration must have been that I was a catholic and not a Muslim as three of my colleagues in the Non Aligned group in the Council were Pakistan, Djibouti and Morocco.

April 17, 1993 — imposition of further sanctions on the FRY

264. On 17 April 1993 I attended the UNSC. I spoke and on behalf of my country, I voted in favor of UNSC Resolution 820.*

265. I reminded the Council that the world had not forgotten the fact that a year and a half ago when the Serb leaders in Belgrade began the destruction of the historic city of Dubrovnik it was the time to take a firm stand, but the timid reaction of the international community was taken advantage of. From Dubrovnik the Serbs carried on to Vukovar-and now we are facing the devastation and subjugation of Srebrenica.

266. I likened the Serb forces to the Nazis: “a policy of ‘ethnic cleansing’ has been outdone by a policy of ethnic extermination, or what the Nazis called ‘Endlösung’: final solution. The world has been watching all this with horror but the international community, however, seems not to have fully grasped the future consequences of the barbaric acts committed in the middle of Europe - of Maastricht - consequences which are not limited to the military sphere, but also extend into moral and ethical dimensions.”

267. I claimed that the slowness and timidity with which the international community has reacted has set a very dangerous precedent, as Serbian leaders see that “no matter what they do, nobody will lay a finger on them.”

268. I also stated that the support of the FRY (Serbia and Montenegro) had been “clearly evident,” as it has contributed to grave human and material damage in Bosnia Herzegovina. While we supported the resolution, I cautioned that economic sanctions would achieve little if the UNSC did not truly control the heavy arms that are being supplied by Belgrade to the Serbs in Bosnia.

269. In addition, I stated that: “Venezuela believes it essential to discourage the illusion that war and genocide, carried out with impunity, are legitimate means of manifesting the right to self-determination.” I noted the International Court of Justice judgment on 8 April 1993, which implied that the Federal Republic of Yugoslavia is “possibly responsible for committing crimes of genocide.” If there were negligence or, worse, omission, the Federal Republic of Yugoslavia would be responsible for genocide.

270. Genocide is the worst crime against humanity, and everyone must understand it as such. I concluded stating that the credibility and legitimacy of the international system,

* *United Nations Security Council Resolution 820*
ERN: 8299-1360-0299-1366
Case IT-02-54 Exhibit 547 Tab 20

and its judicial system would be profoundly and seriously compromised if the international community could not meet the concerns expressed by the International Court of Justice.

....

284. Belgrade continued to (falsely) hold that the conflict in Bosnia and Herzegovina was an ethnic and religious civil war, and not the war it really was - of aggression against a sovereign member of the UN by another UN member, the FRY.

285. I believe that without the military support of FRY as well, as their financial support, the Serb paramilitary contingents could not have succeeded in their crimes. There is no way they could have gathered the enormous amounts of fuel and ammunition used for the offensive without the committed aid of the FRY.

286. Given the well-known strength of Mr. Milošević's intelligence work and capabilities, I believe that he (Milošević) and the FRY had to be aware of what was happening in terms of ethnic cleansing, crimes and executions in general. (Ignorance cannot be argued; if anything escaped their attention it would certainly be brought very quickly to their attention by the international media that was constantly reporting the crimes).

287. It must be strongly underlined that both General Ratko Mladić and Radovan Karadžić dispatched and operated publicly and officially from Belgrade - their sponsor and patron state. They also met constantly, and publicly with, what I and many others believed to be, the regime leader in Belgrade Mr. Milošević.

....

UNSC Mission to the former Yugoslavia in accordance with UNSC resolution 819

291. In accordance with UNSC resolution 819 I had the privilege to lead the mission, dispatched to the Republic of Bosnia and Herzegovina with a view to ascertaining the situation on the ground and reporting thereon. This was the first UNSC mission ever sent by the UN anywhere.*

292. The other mission members were: Ambassadors Hervé Ladsous (France), André Erdos (Hungary), Terence O'Brien (New Zealand), Sher Afgan Khan (Pakistan) and Vassily Sidorov (Russian Federation).

293. As an Introduction to my comments on the Mission I believe it to be important to underline the following points:

* *Report of the Security Council Mission established pursuant to Resolution 819.*

ERN: 0342-3312-0342-3330

Tab 15

294. The plurality of the Mission made the Mission report a remarkable one. Even though the Russians and the French had opposed many of the Non Aligned members as well as those positions taken by Hungary and New Zealand (not members of the Non Aligned group), the report whose draft I had the honor to prepare was unanimously approved by all.

295. More remarkable were the representatives of France and Russia who had dissenting positions within the UNSC with the other members of the Mission, for example on choosing 'safe' areas instead of 'protected' areas as promoted by the Non Aligned together with Hungary and New Zealand.

296. By sharing the views expressed in the report many of them appeared to be in conflict with the positions held by their governments in the Council. The representatives of France and the Russian Federation were courageous anti honorable and deserve recognition and admiration.

297. The representatives of Hungary, and of New Zealand, who shared the Non Aligned views on the fundamental issues in Bosnia and Herzegovina were extremely supportive in attempting to stop Serb brutality, and played a very significant role in the Council initiatives and resolutions.

298. The Pakistani representative in the Mission, together with the Permanent Representative of Pakistan (who was acting as President of the Security Council while we were in Bosnia) were extremely active throughout the painful process. It is remarkable that even though they were Muslims their objectivity was never questioned in the Council and their views were always considered with great respect.

April 23, 1993 - The Security Council Mission to Bosnia Herzegovina and Croatia

299. The Mission also visited the cities of Zagreb and Split in Croatia, and Belgrade in the FRY (Serbia and Montenegro)

300. The actual terms of reference were left to the Mission Members to agree among themselves. Accordingly we decided to meet the leaders of the three parties in conflict: President Alija Izetbegović of the Republic of Bosnia and Herzegovina, Dr. Radovan Karadžić, the Bosnian Serb leader, and Mr. Mate. Boban, leader of the Bosnian Croats. The Mission also met Vice-President Ejup Ganić of Bosnia Herzegovina, and President Franjo Tuđman of Croatia.

301. We agreed not to meet with President Slobodan Milošević in order not to interfere with Cyrus Vance and David Owen who had been entrusted by the EC and the UNSC to negotiate with Belgrade. In the case of General Mladić we were not willing to visit him in Pale as suggested to us inasmuch as we did not recognized the so-called Srpska Republika.

302. On 23 April 1993 the delegation arrived to Zagreb and was briefed at UNPROFOR headquarters by General Lars Eric Wahlgren and General Philippe Morillon.

303. In that meeting the Mission (to our major surprise) learned from General Wahlgren that these negotiations (The Demilitarization Agreement of Srebrenica) had been initiated at least a month before the Security Council was informed of “the imminent fall of the city and.... that negotiations were taking place at the Sarajevo Airport... to reach a cease fire.” (*Report of the Mission*)

304. The Mission indicates in its report to the UNSC that the Security Council should take note that when it was discussing resolution 819(1993) it did not know that negotiations involving the Force Commander of UNPROFOR had been taking place and that UNPROFOR had participated actively in the process of convincing the Bosnian Commander to sign the agreement.

305. In fact both the President and the Vice-President of the Republic of Bosnia and Herzegovina informed the Mission that UNPROFOR officers had reminded them: “that no outside support would be forthcoming and that they were defenseless.” The Bosnian leaders added that they had to sign the agreement under duress.

306. The mission felt that lessons should be drawn from the previously mentioned experience both in terms of the need for adequate and opportune information and on the hard choices that may have to be considered. Once more the failure of the Secretariat to report to the UNSC reveals the serious implications of the covert policy that was followed during.

307. In our report we stated that the alternative to that agreement could have been the massacre of 25,000 people. It was definitely an extraordinary emergency situation that had prompted UNPROFOR to act and that had UNPROFOR not reached such an agreement, most probably a massacre would have taken place, which justified the efforts of the UNPROFOR Commander.

308. The above mentioned statement seemed to us at the time as a valid one to make, but after all the information that we now have come to know it is clear that UNPROFOR had informed the Secretariat of this crisis long before the UNSC became appraised of the imminent fall of Srebrenica.

309. The Secretariat chose not to inform the Council — at least not the non-permanent members — a month before of this very significant initiative that was being carried out by UNPROFOR — which implied nothing less than the capitulation of part of the territory of a member country of the UN. This set the precedent for action in other places, and ultimately for the fall and massacre of the people of Srebrenica itself only two years later.

April 24, 1993

310. On 24 April 1993 the delegation traveled to Sarajevo and met with President Alija Izetbegović to appraise ourselves of the situation on the ground from the victims' perspective. From Sarajevo we traveled to UNPROFOR headquarters in Kiseljak and to Vitez where we received briefings from UNPROFOR personnel.

311. "On the way to Kiseljak the Security Council Mission was held up at gunpoint for an hour and a half, with a tank's sub-machine gun pointed at Diego Arria, the Venezuelan ambassador and coordinator of the Security Council Mission. The fact that only five Serb soldiers were able to defy a large group of soldiers and officers who were traveling with the UNSC mission should be noted by the Council in order to understand the actual conditions that UNPROFOR faces. The attitude of defiance of the Serbs towards the United Nations in general is a matter that should concern the Council. The Serbs obviously have little respect for UNPROFOR's authority" (*Report of the Mission*)

312. In Kiseljak we had briefings by (UK) Brigadier General W. Hayes, Chief of Staff of Bosnia and Herzegovina Command; Jose Maria Mendiluce, Coordinator of UNHCR in former Yugoslavia, and Urs Boegli, Coordinator of ICRC — the International Red Cross.

313. Besides the conventional military briefings we were shocked by Brigadier Hayes comment that he considered the UNSC resolution creating the Srebrenica safe are as, "woolly-headed, imprecise, vague and not actionable." Such opinions by the Chief of Staff of UNPROFOR helped us to understand immediately why the UNSC resolutions regarding Bosnia and Herzegovina had not been implemented, and that the new one on Srebrenica did not have much of a chance, if any, to be implemented either.

314. I have commented before that when officers from the permanent members of the UNSC are deployed their main allegiance is to their capitals and not to the UN. Srebrenica, unfortunately would not be an exception to this practice, which is so damaging to the effectiveness and prestige of UN contingents. Officers often behave more like representatives of their countries instead of UN representatives. When things go well, their nationalities are hailed, and when things turn sour the UN is left alone to be blamed.

April 25, 1993

315. On the 25th Brigadier Hayes informed me that we would not be able to travel to Srebrenica. Nor would he allow access for the international journalists who flew from New

York with us. We had a very tense situation in which Hayes finally offered to take me first to Srebrenica, leaving the other Council members and the press behind. After conversations with my UNSC colleagues we agreed to proceed in such an unexpected fashion where the officer in charge of our official travel to Srebrenica, was acting like our headmaster and above all making what I believed to be every effort to prevent us from accomplishing our mission.

316. It was not an encouraging start for a mission sent by the most important international political body of the international community. But it was clear to me that that this United Kingdom military officer was not about to change his instructions and adapt to the mission's mandate. It was only after our visit to the field was over that we were able to understand the motivations behind this incident, of which more below.

317. Finally I left with Brigadier Hayes, but to my surprise the UN helicopter landed in the soccer field of Zvornik - I had not been informed of this. As soon as I came out of the helicopter a Serb militia officer (Colonel Rodić) approached and welcomed us on behalf of the "Republika Srpska." I responded that the UN had never recognized a country with such a name. There followed a long conversation between Hayes and Rodić.

318. I continued to insist on continuing the trip to Srebrenica but it soon became clear that Brigadier Hayes was not acting on his own initiative, but was rather following instructions I believe, either from London or from New York, or both. He was in no rush to continue the trip, nor to fly in the rest of the mission members. It was clear that he was scripting a "tour" and not a "visit to ascertain the situation" as the UNSC had resolved.

319. Time of course was only of the essence for the Mission members and not for UNPROFOR. The less time we were on the ground, and the less we saw, the better it was. This perception was amply reinforced after the day was over.

320. Again Brigadier Hayes insisted that I travel alone with him and promised to send a helicopter to pick up my colleagues as well as the journalists. Placed alone in Zvornik, I did not know whether I was a hostage of UNPROFOR or a hostage of the Serb paramilitary Colonel Rodić, or, as was really the case of both of them. They appeared and acted very comfortably in that situation while trying to prevent the UNSC delegates from reaching Srebrenica.

321. I had no option but to adapt to Hayes. handling of the situation We visited Srebrenica believing that the enclave was besieged but had not fallen.

322. Rodić's presence and behavior towards Hayes and us should have made it clear to me of the reality to be found on the ground. But many more surprising and disturbing developments would take place during the visit.

323. Finally we landed in the “Safe Area of Srebrenica.” Approximately one hour later the other members of the UNSC delegation also arrived. Even though Brigadier Hayes had agreed with me to fly in the journalists, he actually had prevented them from flying from Zvornik to Srebrenica.

324. It should be noted that UNPROFOR personnel asked the member of the Mission to surrender their photo cameras to them “because the Serbs would not allow them in Srebrenica.” As head of the UN mission I refused to do so and thanks to that Reuters was able to publish my photos the day after we had left Srebrenica - showing the dire situation of the poor people of the enclave. These were the first photos to come out of Srebrenica for a long time until the 1995 massacre took place.

325. It was not until I set foot on the ground in Srebrenica that I saw, first hand, what the policy of “ethnic cleansing” meant. Wanton destruction, terrorized human beings, women and children reduced to inhuman conditions. And all this violence and brutality happening two hours away from Paris or London.

326. In the Safe Area we met with senior representatives of the Republic of Bosnia Herzegovina Army’s and of the Bosnian Serbs. We were also briefed by UNPROFOR personnel and Mr. Claude Amiot of UNHCR, Mr. Francois Bellon the head of the ICRC Task force on the former Yugoslavia and Mr. Jose Maria Mendiluce the UN coordinator for humanitarian assistance in the former Yugoslavia, from whom we received the best briefings and information.

327. If it had not been for Mr. Mendiluce from UNHCR we would not have seen most of the most important things we observed in Srebrenica. His honest reporting was of great value to the Mission.

328. The conclusions of our report were reflected in the Secretary-General report, The fall of Srebrenica: “On arrival in Srebrenica, the mission members noted that whereas the Council in resolution 819 (1993) had demanded that the Bosnian Serbs take certain steps, the UNPROFOR-brokered agreement of 18 April 1993 had required the Bosnians to disarm.

329. “In its report the Security Council mission noted the discrepancy between the Council resolutions and the situation on the ground. It stated that “even though Security Council resolution 819 (1993) declared the city of Srebrenica a safe area, the actual situation obviously does not correspond to either the spirit or the intent of the resolution.”

April 26, 1993 — Visit to Belgrade to meet with Dr. Radovan Karadžić

330. On 26 April 1993 the delegation traveled to Belgrade, where we arrived precisely on the first day that the sanctions imposed on the Federal Republic of Yugoslavia (resolution 820) entered into effect.

331. The delegation met with Dr. Radovan Karadžić at the Belgrade Airport. He told us that he was just arriving from one of his regular meetings with President Milošević.

332. All the Mission members expressed in very specific, strong and unambiguous language our serious concerns about the tragic situation in Srebrenica and what it meant for the Security Council in terms of violation of resolution 819.

....

April 28, 1993 - Meeting in Zvornik with international media

342. After the visit we returned to Zvornik where the delegation gave a press conference to the assembled journalists. The conference was recorded and reported on in the world's media over the coming days. The fact that a UNSC Mission was taking place did not go unnoticed by the international media. Attached are a number of their reports including some from Belgrade based publishers.*

343. I made some statements that day which I will summarize:*

344. Srebrenica is an open jail where Serbian forces were planning "slow-motion genocide". Srebrenica is far from being "the safe area" that the Council wants it to become although the cease-fire there was holding. Serb forces are effectively in control of Srebrenica. Serbs did not allow foreign correspondents who accompanied the Mission to enter the town. Serbs have cut the water and electricity creating a risk of epidemic disease. Serbs have failed to pull back their encircling forces and increased the deployment of heavy weapons. They are keeping out doctors, including the French medical relief group "Medicins sans Frontiers". (Doctors without

* "Borba" press report on the UNSC mission

ERN: 0342-1636-0342-1636

Tab 16

Transcript of UNSC press conference conducted in Zvornik

ERN: 0342-1840-0342-1844

Tab 17

"Borba" press report on the UNSC mission visit to Srebrenica

ERN: 0342-1635-0342-1635

Tab 18

"Politika" press report on the UNSC mission visit to Srebrenica

ERN: 0342-1633-0342-1633

Tab 19

"New York Times" press report on the UNSC mission visit to Srebrenica

ERN: 0036-5496-0036-5496

Tab 20

"Borba" press report on the (UNSC mission)

ERN: 0342-1634-0342-1634

Tab 21

"Politika" press report on the UNSC mission

ERN: 0342-1632-0342-1632

Tab 22

* Selection taken from the New York Times, BBC, The Washington Post, CBS, Toronto Star and others.

Borders) In Srebrenica there is an open defiance of the international community. The town is seriously overcrowded with refugees from other villages victims of the Serb's abhorrent policy of "ethnic cleansing" - the people are living in the ruins of a bombed out city with houses destroyed. People are cooking on the streets. There is terrible devastation of what used to be a winter spa. Although the Serbs remain outside the city its people are exhausted and in despair and can be overrun at anytime. The Serbs are effectively running a concentration camp policed by UNPROFOR while they act as wardens of this open jail. Meanwhile the slow - motion genocide to kill them gains speed. Srebrenica is a symbol of resistance. A symbol of defiance by their courageous people. The failings in Srebrenica are not the failings of UNPROFOR but of the international community that provides directives to them, but not the proper mandate and commensurate resources to effectively protect the safe area.

April 30, 1993

345. The report of the mission was circulated within the UN on 30 April 1993 as a consensus report.

346. It was allocated distribution "General" status and was subsequently reported widely in the world's press. Its conclusions (in bullet format) are summarized below:

- **Srebrenica is today the equivalent of an open jail in which the people wander around but are controlled and terrorized by the increasing presence of Serb tanks and other heavy weapons in its immediate surroundings.**
- **The actual situation of Srebrenica obviously did not correspond to either the spirit or the intent of UNSCR 819 (1993).**
- **The Commander of the Canadian Battalion informed us that the Serbs "had their own interpretation of the demilitarization agreement." Brigadier Hayes added, "even though the Security Council is obviously an important organ of the United Nations it is of no importance to the Serbs in the area."**
- **Having heard from Brigadier Hayes his opinion of the UNSC as a producer of "woolly headed resolutions" it was no surprise that such interpretation would find fertile ground in the Serb militia.**
- **The UNHCR, Mr. Mendiluce described the town as a "bad refugee camp." Inhuman conditions prevailed, with potentially catastrophic consequences.**

- Serbs were not allowing surgeons to enter the enclave, and the only surgeon in Srebrenica has not been authorized to stay by the Serbs.
- To impede medical assistance is a crime of genocide. This action, together with the cutting of supplies of water, gas and electricity, has put into effect a slow motion process of genocide.
- The mutilated remains of fifteen children who had been blasted by Serb mortar fire while playing in the schoolyard still remained while we visited the site. It was the most painful and disturbing sight that we experienced during our mission.
- The sick and the wounded could only be evacuated after a “triage” done by Serbian doctors in the presence of Red Cross doctors.
- The tents to shelter refugees brought by UNHCR were confiscated by the Serb checkpoint in Srebrenica who consider them “military equipment”
- The Serbs had dug 47 new trenches during the last week. Tanks could be seen at a distance of no more than 900 meters. Evidently their forces were not withdrawing as demanded by resolution 819(1993) but are increasing their pressure on the town.
- The Serb forces must withdraw to points from which they cannot continue to attack, harass or terrorize the town.
- The Mission believes, as does UNPROFOR, that the actual 4.5 by 0.5 kilometers delimited as a safe area should be greatly expanded.
- On this point again it was another shock to find out that the safe area had been decided by the Serbs — with or without the cooperation of UNPROFOR is not known, but the issue was not included in the agreement. The fact that UNPROFOR agreed with the mission on the need to expand the area leads anyone to conclude that the extension was decided by the Serbs when the capitulation of the town took place.
- The Mission reported that if an agreement had not been reached the alternative could have been a massacre of 25,000 people. It was an extraordinary emergency situation and UNPROFOR had to act.
- We were not aware at the time that the Srebrenica situation had been a major issue for UNPROFOR and for the Secretariat since October 1992 - almost six months before it was brought to the attention of the Council.

- **According to this information there was really not an “extraordinary emergency that forced UNPROFOR to act” as we innocently stated, because, if the situation had been put to the Security Council since the beginning of the crisis, maybe the situation would not have become the emergency that we wrongly were informed had been the case.**

347. **What occurred was a covert operation that ended badly and not an emergency. Srebrenica became an emergency because the international community allowed it to turn into one. When the permanent members decided to keep it for themselves and not share information about the unfolding crisis with the Council they then became responsible and accountable for the decision. If they could not solve the issue, which was a matter of life and death, they should have shared it with the full Security Council.**

348. **Secretary-General Boutros-Ghali did not have the right to expose and risk the United Nations in covert operations done behind the back of the full UNSC.**

349. **This was one of the reasons the Mission felt that the UNSC should be kept more fully informed of developments and consulted accordingly; not with a view to micromanaging but in order to be in a position to discharge its responsibilities effectively. The Mission report—a consensus one, could not be so explicit as I am being now.**

350. The Mission concluded with the following statements:

- Sarajevo a symbol of plurality where Croats, Serbs, Jews and Muslims had coexisted for centuries, should immediately become a safe area. The one-year siege must be terminated and its multicultural character must be guaranteed as a message of hope to the whole country.
- The outcome in Gorazde, Žepa and Tuzla could be similar to that in Srebrenica. They should also be declared Safe Areas.
- The Mission believes that the Council should deploy UNPROFOR forces with a revised mandate if we want to protect the Safe Areas, and that the designation of certain towns as Safe Areas deserves serious consequence as an act of Security Council preventive diplomacy.
- Designation of Security Council Safe Areas would have to be done with the clear intent that they would once established, be enforced or defended if need be.

351. The Mission Report took note that the Mayor and authorities of Srebrenica had expressed a feeling of encouragement by the visit, and that the President of Bosnia and Herzegovina, Alija Izetbegović had said that the Mission’s visit “represented a symbol of hope for all of his people”.

352. President Izetbegović and his people, soon and very painfully, learnt that to place their hopes in the international community had been a major mistake. The Mayor of Srebrenica and many of the authorities whom we met, and who had felt encouraged by our visit to their city, paid with their own lives within the next to years.

353. While in Srebrenica I understood why there were no UNSC missions sent to the field when tragic development are taking place.

354. The reason in this case was that because the UNSC permanent members together with the Secretariat were working covertly and without informing the other Council members of what was going on (until the tragedy was known by the international media) it was not in their interest to get other objective and independent parties such as the Non Aligned members, to take a close look on the ground.

355. The parties acting under the table (some UNSC members and the Secretary- General) did not anticipate that a mission would be sent to Srebrenica. Nor did they anticipate that even representatives of the same governments who were party to this covert activity publicly came to the same conclusions that the Non Aligned had also reached.

356. Amazingly the only photos that were published all over the world were the photos that I took which I gave to a Reuters journalist who had been prevented from joining us in Srebrenica. It is unbelievable but true that censure had been applied by UN officers (UNPROFOR) to a UNSC mission.

357. There is no doubt in my mind that the visit to Bosnia and Herzegovina changed the outlook and feelings of the Mission members. The consensus report is but one proof of this conclusion. The most important conclusion of our experience in Srebrenica was to clearly foresee that given the situation a step by step a massacre would take place: what I defined during our visit as “slow-motion genocide” because it was evident that the Serbs not only had full control of the town, but were following different means to accomplish the ethnic cleansing and the gradual elimination of the villagers who stayed in their ruined homes or survived in the streets.

358. The difference between the July 1995 massacre and the Srebrenica slow-motion genocide that started in 1993 is that in a couple of days in 1995 Mladić and his militia managed to massacre almost eight thousand Muslims who were carried away to be murdered secretly. Whereas from late 1992 until July 1995 thousands were either ethnic cleansed or murdered in a slow massacre process but the numbers of victims were even larger in this case.

359. For anyone who visited Srebrenica it was very simple to anticipate what eventually happened there, both in the first phase of the massacre, which began in 1993, as well as the second phase, which took place in July 1995.

360. Defenseless civilians were surrounded by heavy weapons and without doctors, water, gas and electricity. Surviving in the streets because their homes had been bombed. With very limited access to food and medicines and without effective protection by the international community.

361. By adding all of these circumstances together, it was clear as day light that it was only a matter of when and how long it would take until they were all gone. We did not have to anticipate the massacre: it was happening in real time before our eyes when the UNSC mission visited Srebrenica.

362. The UNSC was made aware of this situation through our report as well as through the briefings that I provided to the full Council in informal and private consultations.

363. I hold that only one massacre took place in Srebrenica, but that it was accomplished in a barbaric and progressive fashion by the Bosnian Serb militia headed by Mr. Karadžić and Mr. Mladić, financed, and supported by the leader of Belgrade, Serbian President Slobodan Milošević.

364. The Serbs could not have massacred the villagers of Srebrenica in April 1993 when the world media was centered on that town-but as time passed the I believe the trio of Milošević-Karadžić-Mladić realized that even though Srebrenica had caught the world's attention during a short span of time, no one in the international community did much about it.

365. Such a passive posture by the UNSC definitely encouraged them to continue the slow motion massacre until July 1995, when they were convinced that they could not only get away with slow motion genocide anti murder but that they could even get away with murder in a monumental scale.

May 6, 1993 - Resolution 824

366. On May 6, 1993 I attended the UNSC, and on behalf of my country and spoke and voted in favor of UNSC Resolution 824 declaring additional Safe Areas in Bosnia and Herzegovina and incorporating the UNSC Mission report to Bosnia and Herzegovina.*

* *United Nations Security Council Resolution 824*
ERN: 0299-1357-0299-3359
Case IT-02-54 Exhibit 547 Tab 21

367. I indicated that since Venezuela coordinated the UNSC mission sent to Bosnia and Herzegovina on 28 April 1993, Venezuela was pleased that the mission's report was incorporated into the resolution, and that some of its recommendations were being acted upon, particularly the declaration of Safe Areas.

368. I stated that UNSC Resolution 819 (declaring Srebrenica a Safe Area) had prevented at the time the massacre of the people of Srebrenica. This new resolution attempts to anticipate the same extreme Situation in Srebrenica, "where conditions still do not exist for it to be considered a Safe Area."

369. Based on our mission experience, I affirmed that "Srebrenica remained a sort of open jail," where the Serbian paramilitary forces obstruct essential services (such as water, electricity and medical care), and were in absolute control of the city.

370. I reiterated that, "these acts constituted crimes of genocide for which...those responsible will have to answer." I claimed that only the presence of the Canadian battalion "separates (Srebrenica's people) from a greater tragedy," and that, "the Serbian party's intolerance and its disrespect for the international community has once again stood in the way of implementing the peace plan."

May 14, 1993 Caucus of the Non Aligned Members of the UNSC Memorandum on The Situation in the Republic of Bosnia-Herzegovina

371. On 14 May 1993 the Group of the Non Aligned Countries represented in the UNSC produced a "Memorandum on the situation in the Republic of Bosnia-Herzegovina".* The signatories included the Permanent Representatives from Cape Verde, Morocco, Djibouti, Pakistan and Venezuela, for which I signed.

372. The Non Aligned Members believed we had a moral and political obligation to state clearly and publicly our views, and our position on the collective security issue as envisaged in the Chapter VU of United Nations Charter and its effect on the situation in Bosnia and Herzegovina.

373. We wanted to publish and circulate the arguments that we had been raising in the private meetings of the Council (informal consultations) because no records are formally kept of these meetings and we wanted to be once more on the record on these issues.

* *Caucus of the Non-Aligned members of the UNSC "Memorandum on the situation in the Republic of Bosnia-Herzegovina*

ERN: 0345-0661-0345-0665

Tab 23

374. We underlined that: “It was in this context that the Caucus proposed the concept of guaranteed and protected safe-areas which, were regrettably not accepted at the time of the consideration of Resolutions 819 (1993) and 824 (1993). We reiterated, “that such guarantees and protection are indispensable. Without them, as has been proven by recent developments, such Safe Areas provide no help to their inhabitants but rather force them into helpless submission.”

375. The memorandum recommended as an interim measure, “predicated on the exceptional circumstances of the situation and not in order to perpetuate the gains of ethnic cleansing,” a number of points including a new UNPROFOR mandate, the right to self defense, which meant the lifting of the arms embargo which had rendered defenseless Bosnia, and the possible extension of sanctions to Croatia.

376. In regard to the FRY involvement in the Bosnia Herzegovina war, the memorandum reiterated:

377. “Since April 1992, Serbia had already embarked on a policy to carve out a Greater Serbia from the territory of former Yugoslavia. It is thus clear that this is not a civil war but rather it is an international conflict in which a state enjoying international recognition has been subjected to external aggression.”

378. The Secretary-General report, The fall of Srebrenica summarized: “The memorandum presented the argument that the safe area concept would fail unless the security of those areas was “guaranteed and protected” by UNPROFOR. Without those guarantees and protection, the memorandum stated, such Safe Areas would “provide no help to their inhabitants but rather force them into helpless submission.”

379. “Referring to UNPROFOR, the memorandum stated, “in spite of the fact that the force was established under Chapter VII, its functions have been narrowly interpreted and its focus limited to the provision of humanitarian assistance and that, too, based on the consent of the perpetrators of the aggression. This restrictive interpretation, coupled with the denial of the inherent right of Bosnia and Herzegovina to invoke Article 51 of the Charter [self-defence], has encouraged the Serbs to continue with their aggression”

380. “Despite these concerns, the Secretary-General advised against redefining the mandates “commensurate with the resources the international community is prepared to make available to UNPROFOR”. He noted with some optimism “the close collaboration that has developed between the United Nations and NATO with regard to the former Yugoslavia”. In particular, he noted that the threat of NATO air power was effectively used to bring about a positive result in the safe area of Sarajevo. He therefore concluded, “Soldiering on in hope seems preferable to withdrawing in abdication”.”

381. **This attitude on the part of Secretary-General Boutros Ghali was defeatist and inappropriate. The issue at stake was not withdrawal but rather the proper interpretation and implementation of the Security Council's wishes.**

May 25, 1993 — Creation of the ICTY

382. On 25 May 1993 I attended the UNSC. On behalf of my country I spoke and voted in favor of UNSC Resolution 827 to establish an International Tribunal to prosecute violators of international humanitarian law.*

383. On that occasion I stated the following:

384. **“Not quite 48 years after the beginning of the Nuremberg trial, the world is horrified to see that organized barbarism-which, it was thought, was possible only in that age and could never be repeated-has come again, this time before the eyes of all mankind. And unlike the experience of the past no one can escape his responsibility by claiming ignorance of the atrocities.**

385. **“The policies of scorched earth, of what was initially called “ethnic cleansing” and today can more accurately be called “ethnic extermination”, of concentration camps and of torture carried out by the Serb militias, who resort even to the savage policy of raping women as a technique of war, have attained sinister levels previously unthinkable to mankind.**

386. **“Rapes and crimes have become for the Serbs militia an instrument of war, not a consequence of war. The Sarajevo siege has lasted ten terrible months; the cemetery cannot hold all the dead, and it is now necessary to bury them in the sports stadium.”**

May 28, 1993

387. According to the Secretary-General report, The fall of Srebrenica, on 27 May 1993 the UNSC asked the Secretariat to prepare within 24 hours a working paper on Safe Areas, which was presented to the UNSC, the next day, on 28 May 1993.

388. Actually the working paper was withdrawn by the Secretariat from the UNSC table the day that it should have been considered by its members. Copies that were on the table in the

* *United Nations Security Council Resolution 827*

ERN: 0342-3281-0342-3283

Tab 24

informal consultations room (The Council's private room) were hastily picked up the members of the Secretariat. I actually managed to keep mine because I had arrived before the meeting started.

389. The paper was never officially presented. The UN must have it in their non-public files, otherwise Secretary-General Annan would not have mentioned it.

390. I remember the United Kingdom permanent representative arguing that day that the Security Council had not asked the Secretariat to prepare such a paper. In fact the paper had been requested by the Non Aligned members who wanted to make sure that the new resolution under discussion would not have the serious shortcomings that we had discovered during our visit to Srebrenica and other cities in Bosnia Herzegovina,

391. Furthermore I personally called Madame Ogata in Geneva and asked also for her assistance in preparing adequate parameters to define Safe Areas, which she did, and sent me material. This was later incorporated in the Secretariat non-official paper.

392. The unexpected and irregular procedure to “eliminate” the paper was ordered by Secretary-General Boutros-Ghali, who was at the time in London, after complaints and a request from the representatives of two Council permanent members. Secretary-General Boutros Ghali did not comment - nor reacted, to such arbitrary demand by those Council members, who did not want to leave behind “a paper trail”

393. The paper was a constructive one and would have been helpful to really create safe and protected areas but the principals in the UNSC did not want to adapt their capabilities to the UN Secretariat's rational parameters, and thus once more the Safe Areas concept turned into a monumental sham.

394. To my intervention that day in the Council addressed this matter. The “vanished paper” incorporated recommendations formulated by UNHCR at my request.

395. Obviously the “UN non paper” had to disappear, otherwise it would have exposed the fact that the Council members were acting in complete contradiction with the Secretariat and UNHCR pretending as though they were doing something for the people in the Safe Areas but not really doing anything significant as events proved to be the case.

396. The unofficial working paper stated (quoting from Secretary-General report, The fall of Srebrenica), “Any concept of Safe Areas must assume the cooperation of the warring parties. Without a cease-fire in the region of the Safe Areas, the concept of Safe Areas is virtually impossible to implement”. The paper laid out the argument that peacekeeping operations could only succeed with the consent of the parties, and that the Serbs would certainly not consent to any arrangement, which put UNPROFOR in the way of their military objectives. Having said that, the paper then stated, “If UNPROFOR is given the task to enforce the

establishment of a safe area (i.e., Chapter VII) it is likely to require combat support arms such as artillery and perhaps even close air support". The Secretariat paper laid out a number of options for the size and composition of United Nations units in each safe area.

....

CONCLUDING REMARKS

Could the July 1995 Srebrenica Massacre have been foreseen and prevented?

475. Absolutely. In my view there are several groups, apart from the Serb militias that carried out the massacres, that deserve special blame for the failure to protect the people of Srebrenica. Foremost and above all the leaders of the government of the FRY who started the aggression. Then the EC; the UNSC permanent members and the UN secretariat. The failure of these four to abide by the UN charter has had consequences beyond the thousands of dead people and motherless children.

UNSC Permanent Members and the EC

476. The record on the Bosnians Muslims tragedy is unquestionable: Srebrenica and other abuses should have been prevented by the international community, mainly its European component that took the political decision for Yugoslavia's fragmentation without assuming the inherent responsibilities that were easy to avoid then. The concern for the emergence of a Muslim country in their midst influenced the mistaken course of their actions. As described by Mr. Akashi the UN Secretary-General's representative in Bosnia and Herzegovina, "Forceful passivity" was the policy followed by the international community.

477. Racial and religious persecution and extermination; aggression and armed violence; concentration camps; breaches of human rights; war crimes; genocide; violation of sovereignty; conquest of territory by force; devastation of cities: These were the causes that galvanized the world into establishing the United Nations in San Francisco. The leading countries who gathered in 1945 proclaimed: "Never Again".

478. Almost fifty years later the world saw the re-enactment of all kinds of atrocities and, despite the legacy of Nuremburg which obliged the UN to uphold the charter, key member states were not willing to take action to stop the Serbians from the FRY and

their Bosnian Serb partners within Bosnia and Herzegovina. Ignorance could not be claimed as an alibi. We all saw these atrocities in full color, and in real time.

479. Such an attitude was a major blow for international law, for human rights and for the UN itself. The leaders of the free world agreed among themselves not to stand up for Bosnia and Herzegovina in the face of crimes against humanity, clearly demonstrating that they would, only take a firm stand in cases where their sense of human solidarity or of their national interests so demanded. The Bosnians did not fit the bill, and were treated as Muslims but definitely not like Europeans. The Muslim factor should not be overestimated, nor put aside in an analysis of the history of Srebrenica.

480. After I left the Council I had the opportunity to interview some of my colleagues for a paper that I was preparing on major powers behavior in armed conflicts situations. I asked one of them, a very talented Ambassador with whom I had strongly disagreed during the Bosnian process: Why did your country take such a passive position and impede a robust reaction to stop the massacre of the Bosniaks when you knew perfectly well the situation? My colleague responded: “We did not want Bosnia to become the tar baby of Europe.”

481. I mentioned this conversation just to illuminate the point that all the UNSC members knew what was going on in Bosnia. Some knew more; some were more concerned, some more indifferent, and some more active. But all were aware that the death toll was huge and that there was no stopping it with resolutions alone. No one could claim surprise or shock at the final phase of the massacre in July 1995.

482. There was no need to foresee anything. The massacre in Srebrenica started in April 1993 before the eyes of the UNSC Mission that visited the enclave. I myself publicly stated there, that a process of “slow motion genocide” had been put into place by the Serb militia that besieged the town. Such a conclusion was included in the mission’s report to the Security Council that was circulated to the whole UN membership. Everybody was fully aware of the dire situation in Srebrenica and its imminent and progressive consequences: the extermination of their inhabitants.

483. What could not be envisaged in 1993 that two years later they would have the temerity to kill over seven thousand people in three days. The blatant and brash disregard for the will of the international community shown by the leaders of Belgrade and Pale can only be explained by the fact that they knew they could get away with it. The UN had given them a green light by clearly signaling that it would not intervene.

484. Many members of the UNSC, the Secretariat and national governments are responsible for guilty silence. Others considered and treated criminals and their victims alike in what Kofi Annan called “Amoral Equivalence”.

The UN Secretariat and the Secretary-General

485. The independence of the UN secretariat was significantly compromised by the Secretary-General Boutros-Ghali’s accommodation of the policies of the UNSC Permanent Members, including actions that can only be described as covert. Such actions were unbecoming and irregular for the United Nations. The consequences of such behavior were fatal for thousands of innocent people; people who did not even count on the moral support of his office. “There are ten more places worse than Sarajevo,” he memorably said in the besieged capital of Bosnia and Herzegovina in 1992. He reflected a degree of indifference never displayed by any of his predecessors.

486. The Secretary-General report, *The fall of Srebrenica* states that after resolution 819 that created the safe area of Srebrenica, Boutros-Ghali sent a directive to the UNPROFOR Force Commander Lt. General Wahlgren “that, in its view, the resolution, created no military obligations for UNPROFOR to establish or protect such a safe area”. This directive was never shown to the full Security Council and contradicted the letter and spirit of resolution 819.

487. The same report states that despite concerns expressed by the Non Aligned members of the Council as well as by the Mission to the field which I headed, the Secretary-General advised against redefining the mandates “commensurate with the resources the international community is prepared to make available to UNPROFOR”.

488. Secretary-General Boutros-Ghali therefore concluded, “Soldiering on in hope seems preferable to withdrawing in abdication.” Actually the international community had already surrendered. The choice was not between soldiering on and withdrawal but between protecting or not protecting innocent people. Even when the massacre in the enclave had already started in 1993 - Secretary-General Boutros-Ghali refused to change the mandate of UNPROFOR and the “Safe Area” concept remained unchanged.

489. With such directives how can anyone say it was not possible in 1993 to anticipate that massacres would occur? Ironically those who, like the Secretary-General, knew more than anyone opted for “soldiering in hope of saving lives.” Such remarkable comment speaks volumes of the Secretary-General’s attitude and lack of commitment.

490. The UN and UNPROFOR kept the Secretariat and the permanent members well informed (in contrast the non-permanent members). The main and most credible source for the non-permanent members continued to be the international media. The French and the British media played a significant and admirable role in informing the world. Almost exactly the opposite of what their governments in the UNSC did.

491. We should not refer to the July 1995 Srebrenica massacre, as if only one massacre took place. The fact is that the Srebrenica massacre was in process for about three years since 1993 to the last phase in July 1995. Not to understand this would mean that the rape of Muslim women and the lost of lives of at least 100,000 people, and the uprooting through ethnic cleansing of about 2 million people were not major components of the accumulated massacre that took place in the middle of Europe during those years. We must add to the abhorrent crime of genocide the loss of lives of thousands of people: children and women who died for lack of doctors, medicines or suffered epidemics for the lack of water in the so called Safe Areas were they were trapped like animals by the Bosnian Serbs who subjugated and humiliated them for over three years. Who would not even allowed doctors to come into the "Safe Areas".

492. The Secretary-General report, The fall of Srebrenica states that the "Serb militia in Srebrenica and its immediate surroundings killed 20,000 people". This means that the Serb militia killed 14,000 people during the previous two and a half years - or almost 8,000 killed per year-more than 20 persons killed daily. This macabre average of murders climaxed in the last phase of the ongoing massacre process when the Serb militia managed - in cold blood to murder more than 7,500 people - in just three days in mid July 1995 - equivalent to the same number of people than they had been able to massacre in the previous whole year.

493. With such directives how can anyone say it was not possible in 1993 to anticipate that massacres would occur? Ironically those who, like the Secretary General, knew more than anyone opted for "soldiering in hope of saving lives". Such remarkable comment speaks volumes of the Secretary-General's attitude and lack of commitment.

The Government of the FRY

494. I believe that because of the homogenous relationship between Belgrade and the Bosnian Serbs, that those in Belgrade were in an excellent position to know what would eventually occur in Srebrenica. Belgrade had access to the required information in real

time and were supporting the whole process. Pale was supported by Belgrade for the huge military expenditures that their conquest required.

495. Belgrade supplied the ammunition, the fuel and the armaments indispensable for the siege while at the same time its leader artfully maneuvered to prolong the endless negotiations, providing time to allow the progressive degeneration of the conditions in the enclave. The Serbs forced on the town's people a dilemma: to struggle to survive in sub human conditions in the so-called "safe area" (which they did for almost three years) or face incremental extermination.

(ICTY, **WITNESS STATEMENT**: Diego Enrique Arria, 14 April 2003 and 22, 23, 24 and 25 September 2003, BCS 0348-7807-0348-7876, par 1-495)

3. Documents

3.1 Beginning of the aggressor's offensive against Srebrenica, UN safe area

- Report of the Headquarters of Police Forces - Pale, 6 July 1995 -¹⁰

REPUBLIKA SRPSKA
 MINISTRY OF THE INTERIOR
 HEADQUARTERS OF POLICE FORCES – PALE

No. 56/95

6 July 1995

Public Security Center Sarajevo, Headquarters of police forces Vogošća

We inform you that the offensive activities of the Herzegovina corps are ongoing at the plateau of Treskavica. The topographic points reached until yesterday are: Lupoč, a major part of Nikoline stijena and Surdup, Malo Vratilo, Stražnica – where the lines were moved forward for about 1.5 kilometers, Ljeljen, Kula Lukavac, Hreljići, Kula, Kondžilo, Brda, etc. In the operation of liberation of Ljeljen, the enemy was inflicted significant human losses, approximately 50 – 100 enemy soldiers, and 23 were captured. On 5 July 1995, in the afternoon hours, our forces started from Ljeljen and Kula in the attempt to take over the enemy positions at Mali and Veliki Konik. During the operation, they encountered strong mine fields and heavy artillery and infantry fire, for which reason they were forced to return to the initial positions. We lost three soldiers during the last two days, and 18 combatants were injured.

In the area of responsibility of police, from Šiljevica to Rujevica, during the last five days, there were no enemy attacks. **Special units of the Ministry of Interior from Republika**

¹⁰ During the aggression against the Republic of Bosnia and Herzegovina and the genocide against Bosniacs at the end of the 20th century, in addition to the Yugoslav Army (Federal Republic of Yugoslavia – Serbia and Montenegro) and their collaborationists and fifth column from the Republic of Bosnia and Herzegovina, as well as foreign mercenaries, the forces of the Republic of Serbia Ministry of the Interior special units took part as well, and this document speaks about it too. More specifically, these are the detachments “KAJMAN”, “PLAVI” and “ŠKORPIJA”, that is “SCORPIONS”, as well as the police units from Serbia, under the command of Vasilije Mijović, who, as it is the case with “Scorpions”, participated in the direct execution of Bosniacs in July 1995. (See: AIIZ, No. 2-27-23, and the Republika Srpska Government Report, that is the Working Group for the enforcement of conclusions from the final report of the Commission for the research of events in and around Srebrenica, between 10 and 19 July 1995 (“ADDENDUM TO THE REPORT OF 30 MARCH 2005”, Banja Luka, 30 September 2005, pp. 9-11). Unfortunately, ICJ in the case *Bosnia and Herzegovina v. Serbia and Montenegro* took the positions that these were paramilitary units (ICJ JUDGMENT IN THE CASE: *BOSNIA AND HERZEGOVINA V. SERBIA AND MONTENEGRO*, 26 FEBRUARY 2007, AIIZ, Sarajevo, 2008, (Para. 289), which is persistently pursued by the judicial authorities in Republic of Serbia. That is wrong and in contravention of relevant documentation.

Srpska, Serbia, and Republika Srpska Krajina, together with the intervention units of the Republika Srpska Army carried out offensive activities against the topographic point Lisičija Glava, with the intention of further advancement and taking over the river Bijela canyon and the place of Mijanovići. During the liberation of the elevation Gradina 939, Lučevika, Obornice, Hrastovca, Gradine 1118, and Čeružići the enemy was inflicted significant human losses, and a significant quantity of equipment was captured. Two police officers from Special police brigade were injured during the liberation of these elevations.

On 4 July 1995, the units of the 5th Corps of the enemy army broke through our lines and advanced towards Novi and Dvor na Uni. On 5 July 1995, the forces were consolidated and the enemy offensive was stopped. The activities of retrieving the lost territories are ongoing.

On 6 July 1995, in early morning hours, an offensive against Srebrenica commenced, and we will inform you accordingly about all the interesting events in that part of the frontline.

Headquarters Commander

Tomislav Kovač

(Archive of the Institute for Research of Crimes against Humanity and International Law of the University of Sarajevo – hereinafter referred to as: AIIZ -, Sarajevo, No. 2-1653)

3.2 Between 1,000 and 1,500 Bosniacs killed

- Regular combat report of the 5th Engineering battalion Command to the Drina Corps Command, 14 July 1995 -¹¹

COMMAND

“MILITARY SECRET”

5 ENGINEERING BATTALION

“CONFIDENTIAL”

Str. pov. br. 38-56

“Copy No. 2“

14 July 1995

“BY COURIER”

Regular combat report

Attn. Drina Corps Command

1. Enemy:

- A fairly large group of enemy infiltrated in the area of Pobuđe brdo and Konjević Polje; 5th Engineering battalion and police units were successful in contact with the enemy. About 1,000 to 1,500 enemy civilians and soldiers arrested and killed.

2. Combat readiness:

- Battalion carries out the mission.

a) – **1st pioneer company**: Fights the enemy in the area of Pobuđe, fortifies the line in the area of “*Vis*”, removes the mine fields in the area of Derventa – Sastavci to support 1st Mixed Light Infantry Brigade. Squad for removing the mine fields in the area of Zeleni Jadar – Skelani returned after the completed task

¹¹ Apparent evidence of genocide against Bosniacs. According to our information, ICTY has not yet, unfortunately, used this document in prosecution of crimes against humanity and international law. Major Mile Simanić, Deputy Commander of the 5th Engineering battalion of the Drina Corps still lives a normal life in Bosnia and Herzegovina, and he is a businessman. Judicial authorities have not found it necessary to invite him for an interview.

b) – **communication-bridge company**: Carries out the tasks at the TV relay Pogledi to support postal communications in Vlasenica, fortifies the front line in area of “*Vis*”, prepares the ambush and fights the enemy.

c) – **engineering company**: carries out the construction works in Crna Rijeka, barracks “BIŠNA”, and the limestone mine Sas, Zaklopača upon the Drina corps command order.

d) – **pontoon company**: secures pontoons along the Drina river in the villages of Osamsko, Fakovići, Petrići, and Sopotnik.

e) – **rear platoon**: rear security of the units, organizes activities against enemy.

f) – **police company**: carries out tasks upon the superior command order, organizes activities against the enemy together with the 5th Engineering battalion.

3. Situation with security and morale:

- enforced security measures in the greater Konjević Polja territory, due to the infiltrated enemy civilians and soldiers; morale of the soldiers during the execution of arrests and combat activities against the enemy is good.

4. Situation in the field:

- a fairly large group of enemy soldiers infiltrated from Srebrenice to the area Pobude – Konjević Polje.

5. Extraordinary events:

- on 13 July 1995, during the combat activities with the enemy at the guards post No. 6 in Konjević Polje, around 08:00 hours, guards were injured by the enemy soldiers; soldiers on duty were SPASO BANĐUR, son of Trifko and VASILIJE ORAŠANIN, son of Milan. They were allegedly injured by pistol to their legs.

6. Rear security:

- it is necessary to prepare loader which will cover up the killed enemy soldiers; issue 50 liters of oil for this task

- due to the increased manpower engaged in Konjević Polje, fod should be secured.

7. Losses

- none.

8. Conclusions, anticipations, and decisions:

- continue with the ambushes and fighting the enemy infiltrated at the hill of Pobude; focus of the activities is to destroy the enemy as soon as possible and liberate the hill Pobude. Continue with construction works by the 5th engineering battalion, increase awareness and safety in the area of Konjević Polje.

9. Requests:

- issue 50 liters of oil for the assignment *.(Done)*

- issue food due to the increased manpower.

MB/MB

DEPUTY COMMANDER

MAJOR

Mile Simanić

(AIIZ, No. 2-3419)

3.3 Genocide was carried out according to the plan, systematically and well organized

- Report of UN Protection Force, Headquarters North-East– Tuzla, civilian and military affairs to the UNPROFOR Command in Sarajevo, Tuzla, 16 July 1995. - *

**UNITED NATIONS
PROTECTION FORCE**

HQ SECTOR NORTH EAST - TUZLA

G5 CIVIL MILITARY OPERATIONS

TO: SEE DISTRIBUTION (FAX)
Staff, G5

FROM: Major Guy Sands-Pingot, Asst Chief of

DATE: 16 July 1995

FILE: 5000

SUBJECT: Srebrenica Displaced Population Situation at Tuzla Air Base

1. The purpose of this memorandum is to give an immediate update on the humanitarian relief situation at Tuzla Air Base, Bosnia and request immediate assistance in form of personnel, resources, and supplies as stated below. As the only military Civil affairs Officer in UNPROFOR. I am stating this request as a list of urgent requirements this Sector needs immediately in order to cope with the immense flux of expelled people from the Bosnian Serb occupied UN Protected Area of Srebrenica, and with the expected expulsion of up to 15,000 from the Žepa Protected Safe Area. The contents of this report are based upon my

* This documents presents “the latest records on the humanitarian situation in the Air base Tuzla” in order to ensure urgent assistance for the forcibly expelled population from the UN “safe areas” Srebrenica and Žepa, including also a large number of deported people to Tuzla.

To this end, it is mentioned that they are mainly elderly women and men, women – mothers of children under 14, the deportation of civilians from Srebrenica, and/or the expelling of population, according to the document, is a planned and effectively executed activity, corroborated by numerous facts which confirm that this was genocide, which was planned, systematically and executed in an organized manner, ordered from the relevant political and military positions.

It is also specified that the genocide in Srebrenica, that is, “ethnic cleansing”, as the document reads, is carried out just before the overall international public that did not take any steps to stop the attack and take over of the enclave or to prevent genocide.

own observations both on the scene, and reports that I have received from UNPROFOR, UNHCR, IORC, and the survivors themselves.

2. Within the past 72 hours over 22,000 people out of the total population of between 38,000 to 42,000 previously counted in the Srebrenica Enclave have arrived through the Bosnian Government held side of the Confrontation Line. Almost all of them are elderly women and men, and women who are mothers with children under 14 years of age, who have been forcibly put at gunpoint on Serbian buses near the DUTCHBAT compound at Potočari in the Srebrenica Enclave and moved to a point 4 or 5 kilometers from the Confrontation Line at the road junction Tišća on the Bosnian Serb held side. From there. they are forced to walk until they reach the ruins of the town Turalići in the vicinity of Kladanj. From that point they are met by ABiH relief contingents which are provided by the Cantonal Ministry of Civil Defense and Emergency Operations as well as UNPROFOR and UNHCR humanitarian assistance elements.

3. Busing of the vulnerable population from Srebrenica, across Serbian held territory has been systematic, brutal and non-negotiable. It has not been a spontaneous undertaken by the Pale regime rather it was preplanned, and efficiently executed in terms of provisioning buses, routes, manpower to carry it out, and precise timetables to be followed for the population transfer. Another unnoticed, but critical aspect of this expulsion is that the continual refusal by Bosnian Serb authorities over the past 4 months to allow the regular delivery of essential food stuffs, fuel, and other humanitarian relief through UNHCR and DUTCHBAT convoys was a deliberate policy of keeping the population in a weakened physical and mental state that would make them more vulnerable and less resistant to any incursion against the enclave. Nor was the civil population the only victims of this policy. For almost three months, DUTCHBAT personnel totaling almost one-fourth of the UNPROFOR strength in the Enclave were not allowed to the center into the Safe Area. Since this refusal was promulgated following the last DUTCHBAT leave convoy allowed out-but not back in since April, it appears that planning for the reduction or destruction of the UNPROFOR presence has been taking shape since that time.

4. Survivors of this latest ordeal of ethnic cleansing, whether old women, nursing mothers, or children - speak of being punched being and kicked when being put on board the Serbian driven buses. They were given no food or water for the 70 kilometer trip through the rugged mountainous terrain of Eastern Bosnia. It is apparent they had no choice but to get on the buses. As a result of the repeated Serbian refusal to allow humanitarian relief convoys the population of Srebrenica has been undernourished for many months now. Therefore the

affected population's resistance - whether in terms of physical, mental and morale - was low, and have been traumatized by the most recent fighting in Srebrenica.

5. During the Bosnian Serb attack against the UN Protected Sale Area, houses, schools, hospitals and other clearly civilian facilities were deliberately targeted. Once within the surrounding villages, Serbian forces set fire or destroyed the remaining houses that stood, thus leaving nothing for the population to go back to. In order to frighten the populace into moving onto the buses, the Serbs surrounded the, estimated 30.000 people who fled from other parts of the enclave to the vicinity of the DUTCHBAT compound earlier this week, with fully visible weapons systems such as quad-four anti-aircraft guns, mortars, tanks and dismounted infantry. The Serbs also made repeated fire power displays in the vicinity of the totally exposed civilian population with live mortar and heavy machine gun rounds in order to totally terrorize the already vulnerable population into absolute submission. The only water or food the fleeing residents received came from the stocks the DUTCHBAT could provide.

6. Remaining elements of the male population between the ages of 16 and 60 (estimated between 7,000 to 8,000) either escaped into the surrounding mountains (perhaps 2,000 or 3000 in total) or were rounded up (perhaps 4,000 or 5,000) and sent to the Serbian town of Bratunac for examination for "committing war crimes" by the Serbs. Despite repeated requests by both DUTCHBAT, SNE, ICRC, UNHCR and HQ UNPROFOR about their fate, the Bosnian Serb forces have refused to disclose any information or allow any outside contact with the men. Reports by UNPROFOR elements within the Potočari compound report sporadic bursts of gunfire in consistent streams having taken place from 13 July onwards from beyond the sight or influence of the UN elements being held within the Potočari compound.

7. It took a total of 72 hours for the Bosnian Serbs to up root, round up, arrest, expel and possibly kill (both outright and through denial of water, medical treatment, or exposure to 36-40 degree temperatures) the entire Bosnian population of Srebrenica. With the exception of the DUTCHBAT therefore, the Srebrenica Protected Area has ceased to exist through a deliberate and planned execution of an "ethnic cleansing" operation which UNPROFOR and the community of nations have watched with little or no response against the Bosnian Serb regime.

8. Although better now, the initial physical and mental state of the Displaced Civilians (DC) who survived the forced expulsion was very low. Most arrived literally with only the shirt or dress on their backs. Many had no shoes. Nursing mothers had no means to carry their babies other than their arms and thus could carry nothing else. Old women, young children and women who are able to carry only a blanket or hastily wrapped sack as they streamed through the narrow road at Turalici

which is bounded by a river to the north and mountains to the south arrived at the reception station established by elements of PAKBAT 2 in a state of exhaustion and collapse.

9. From the reception area in the vicinity of Turalići, the DC's were given water, immediate medical attention and sorted out in some way on buses chartered by the Tuzla Cantonal Ministry of Civil Defense, which took them directly to Tuzla Air Base. The first stream of buses came to the Air Base at 2200 hrs, 12 July carrying over 1.000 DC's. That first wave did not cease until 0300 hrs, 13 July. The movement began again by 0800 hrs 13 July until 0100 hrs last night. For the next two days a continuous stream of buses delivered a total of 19,800 displaced civilians from Kladanj up to Tuzla Air Base.

10. The decision that Tuzla Air Base be chosen for the DC's to come to was not one which UNPROFOR made. At several meetings on 12 July, the Bosnian Government's Minister for UN Relations, Mr. Muratović stated that both he and President Izetbegovic hold the UN responsible for not acting to safeguard and save the Protected Areas. In their view therefore the UN had an obligation to continue to safeguard and take care of the affected population. Thus, at a final meeting at 1800 hours, 12 July he stated to the Acting SNE Commander that Tuzla Air Base was where the DC's would come. Alternative sites, including delivering the DC's to approximately 11,000 other places within existing UNHCR sponsored, but Bosnian government controlled collection centers and camps were rejected by Mr. Muratović. The position of his government is clear. In short, the UN error in Bosnia has failed in safeguard and protect and the people who were entrusted to them in the Protected Area of Srebrenica (and now in Žepa), therefore, UNPROFOR must safeguard and protect them in other UN installations until conditions change wherein the DC's can return to their own homes. This view has been reinforced continually throughout various meetings held with the Minister of Refugees and the Cantonal Governor, Mr. Hadžić and other leaders. As a result both UNPROFOR and UNHCR have responded to an emergency situation for which it neither fully foresaw nor was prepared to handle in the way it emerged.

11. With this as a background to the existing situation, SNE has responded by setting up a joint military-civilian-governmental Crisis Management Task Force with the cooperation of the UNHCR and other organizations such as the ICRC. Commander, UNPROFOR has appointed Commander, Sector NE to be the head of the initial relief effort, and has designated that Sector NE be responsible for management of the relief effort in regards to the arrival and care of time Displaced Civilians from the Eastern UN Protected Sale Areas. Tuzla UNHCR Chief of Mission, Mr. Demasso Fetei is the Director, with Commander, SNE, Brigadier General Haukland acting as Refugee Task Force Commander. Overall Coordinator for Civil-Military UN Cooperation is the Sector Civil Affairs Officer, Mr. Ken Biser. Refugee Camp Commander is Tuzla Air Base

Commander, Colonel Stale Botten who is assisted by an Emergency Operations Coordination Staff headed by Deputy Commander, SNE Colonel Charles Brantz. The SNE General Staff has been tasked organized to work closely with UNHCR sponsored NGO's/PVO's which are the lead elements for long term relief. Until they can fully mobilize their resources, UNPROFOR elements are filling the immediate life sustaining requirements of providing food, water, medical aid, transport and shelter construction.

12. The main site for the emerging DC camp is the western approach of the Airfield. Rudimentary water, sanitation, and food/personal demand item distribution points have been constructed along with a grid of UNHCR emergency 8 person tents set up in groups of 50, separated by 30 meters between. These will continue to be built indefinitely until the stockage is exhausted. These are far from ideal however since they are only 3 feet off the ground, are small and must be pitched in the middle of an open run way area which offers no protection from the sun. Additionally many of the DC's are elderly people who have great difficulty in getting up or bending over as they must in order to enter or exit the small tents. It is imperative that an intermediate solution be the immediate construction of large RUB HALLS to both shelter the DC's and give them protection from the blistering sunlight. Unfortunately SNE has only two available to raise presently, however requests for thirty have been sent forward to UNPROFOR for immediate delivery. Additionally 10,000 cots (collapsible field beds) have also been requested so that the DC population might have something to lay on other than the ground.

13. The construction of the camp has proceeded rapidly after an initial period of slow starts due to a lack of personnel, equipment and appropriate shelters. Additionally, humanitarian aid organizations have geared themselves up for the reception, registration and provisioning of life saving aid to the DC's, whose arrival into the AO has not yet fully ceased. Now that adequate supplies of water, food, shelter and medical care has been given to the 6,700 Displaced Civilians who have been processed and become resident within the camp, the focus can be shifted from life saving, to life sustaining. A schematic diagram of the camp layout can be found at Annex A. Until the late evening of 14 July it appeared that Tuzla Airbase would have to absorb the total DC population of nearly 20,000 people. However, the Cantonal Ministry of Civil Defense arranged for the movement of over 12,000 people to 7 other emergency settlement sites within the Tuzla Canton between 17.00 hrs 14 July and 03.00 hrs 15 July. The breakdown of where this first wave of nearly 23,000 DC's from Srebrenica have been placed and sheltered is shown at Annex B. In order to fully support the humanitarian relief effort in SNE, a complete listing of those NGO/PVO, military units and other agencies providing assistance is shown at Annex C.

14. The immediate need now is for the delivery of at least 15 large RUB HALLS to Tuzla Air Base for housing the DC population, 10,000 cots (field beds) for the immediate use of the elderly and nursing mothers, 10 large lighting sets (generator powered), 20 water tank trucks (for water at the other DC sites), 500 wooden pallets.

15. The next step from life sustaining for the maintenance of the DC population at Tuzla Air Base Camp is the development of a life enhancement phase, wherein those people who cannot be immediately placed with families or sponsors in to actual homes or collection centers, will see an increase in the quality of life for the period of time they must stay at the Camp. This will include recreational activities, religious services and activities, family tracing operations and permanent housing placement. The ultimate goal in the next several weeks will be the transfer of responsibility and running of the Camp to UNHCR and the eventual dismantlement of the camp as people are placed into better accommodations.

GUY SANDS - PINGOT

Major, US Army

Chief, G5

3.4. Secret meeting in Belgrade, 15 July 1995

- Report of Akashi to Kofi Annan, Zagreb, 17 July 1995 -*

OUTGOING CODE CABLE

MOST IMMEDIATE

TO: ANNAN, UNATIONS, NEW YORK ONLY

INFO: STOLTENBERG, ICFY, GENEVA ONLY

FROM: AKASHI, UNPF – HQ, ZAGREB

NUMBER: Z- 1175

DATE: 17 JULY 1995

SUBJECT: MEETING IN BELGRADE

Mr. Carl Bildt, Mr. Thorvald Stoltenberg and myself met in Belgrade with President Milosevic on Saturday, 15 July. I was accompanied by General Rupert Smith. Milosevic, at the request of Bildt, facilitated the presence of General Mladić at the meeting. Mladić and Smith had a long bilateral discussion. Despite their disagreement on several points, the

* On 15 July 1995, in Belgrade, while the Serbian-Montenegrin aggressor and its collaborationists and fifth column from the Republic of Bosnia and Herzegovina slaughtered Bosniacs, Slobodan Milošević held a secret meeting with Carl Bildt, EU Peace Envoy, Thorwald Stoltenberg, UN representative at the International conference, Yasushi Akashi, Special Representative of the UN Secretary General, and Rupert Smith, British General, Commander of the UN Forces in Bosnia (January – November 1995). The war criminal Ratko Mladić also attended the meeting, the commander of the General Staff of the 30th Personnel Center in the Yugoslav Army General Headquarters, who commanded the take over of the UN safe area Srebrenica and genocide against Bosniacs. It was agreed in the secret meeting that the Dutch hostages will be released, which was done the same day, and that the Dutch battalion will be allowed to leave Potočari on 21 July 1995. These arrangements were supposed to be approved in the meeting scheduled for 19 July 1995 between General Mladić and General Smith (AIIZ, No. 2 – 1643). These arrangements were so important for General Mladić, given that this also meant that he would have a significant number of “hostages” for another week, and he could use this time to take over Žepa, as he was sure now that the UN would not engage the airstrikes against his troops. In that meeting, the criminal Mladić insisted that UNPROFOR reimburses him with the fuel which he used to “evacuate” civilians from Potočari. Although General Smith refused this request, the Dutch battalion delivered 30,000 liters of fuel to the Serbs in Bratunac. Then, it was “agreed” in Belgrade that the Red Cross would be granted an access to the “captured Muslim men” (J.W. Honig-N. Both, SREBRENICA – CHRONICLE OF WAR CRIMES, Ljiljan, Sarajevo, 1997, pp. 71 – 72)

meeting re-established dialogue between the two Generals. Informal agreement was reached in the course of the meeting on a number of points between the two Generals which will, however, have to be confirmed at their meeting scheduled for 19 July. In view of the highly sensitive nature of the presence of Mladić at the meeting, it was agreed by all participants that this fact should not be mentioned at all in public.

Please find attached summary of main points discussed.

Regards

SRS

No Internal Distribution

(AIIZ, No. 2-1530)

3.5 Letter of Resignation due to the UN inactivity to prevent the genocide in Srebrenica

- Letter of Tadeusz Mazowiecki to the Chairman of the Commission on Human Rights, Geneva, 17 July 1995 -*

E/CN.4/1996/9

Annex I

LETTER DATED 27 JULY 1995 ADDRESSED BY MR. TADEUSZ MAZOWIECKI TO THE CHAIRMAN OF THE COMMISSION ON HUMAN RIGHTS¹

Dear Mr. Chairman,

Events in recent weeks in Bosnia and Herzegovina, and above all the fact that the United Nations has allowed Srebrenica and Žepa to fall, along with the horrendous tragedy which has beset the population of those "safe havens" guaranteed by international agreements, oblige me to state that I do not see any possibility of continuing the mandate of Special Rapporteur entrusted to me by the Commission on Human Rights.

On accepting the mandate which was given to me for the first time in August 1992, I declared unequivocally that my goal would not simply be writing reports but helping the people themselves. The creation of "safe havens" was from the very beginning a central recommendation in my reports. The recent decisions of the London conference which accepted the fall of Srebrenica and resigned itself to the fate of Žepa are unacceptable to me. Those decisions did not create the conditions necessary for the defense of all "safe havens".

These events constitute a turning point in the development of the situation in Bosnia. At one and the same time, we are dealing with the struggle of a State, a member of the United

* Tadeusz Mazowiecki has as the result of the UN inefficiency, lack of consistent policy, and courage of the international community just before the take over of the UN safe areas, Srebrenica and Žepa, and genocide against Bosniacs, resigned from his office of Special Rapporteur of the Human Rights Commission, and on 27 July 1995, he informed about it the Chairman of the UN Human Rights Commission in Geneva and the UN Secretary General, Boutros Ghali, and he gave his reasons for resignation.

Mazowiecki evaluated the "events" Srebrenica and Žepa as a turning point in the "development of the situation in Bosnia" and the attitude of Europe and the world towards Bosnia. However, he was not convinced that the turning point will actually take place, and he therefore resigned, as he could not continue "playing the role in pretending that the human rights are protected".

Starting from the position that the "violation of human rights are openly continued", and that "the crimes are committed quickly and brutally, unlike the reaction of the international community, which is slow and inefficient", Mazowiecki, instead of "describing crimes and violations of human rights", pointed out and advised of the need to understand the genuine nature of crimes in Bosnia on the one hand, and "liability of the international community for its own helplessness to react" on the other hand. "Stability of the international order and principles of civilization" are "at stake because of Bosnia", Mazowiecki wrote.

¹ A similar letter dated 27 July 1995 was addressed to the Secretary-General from Mr. Tadeusz Mazowiecki.

Nations, for its survival and multi-ethnic character, and with the endeavor to protect principles of international order. One cannot speak about the protection of human rights with credibility when one is confronted with the lack of consistency and courage displayed by the international community and its leaders. The reality of the human rights situation today is illustrated by the tragedy of the people of Srebrenica and Žepa.

Human rights violations continue blatantly. There are constant blockades of the delivery of humanitarian aid. The civilian population is shelled remorselessly and the "blue helmets" and representatives of humanitarian organizations are dying. Crimes have been committed with swiftness and brutality and by contrast the response of the international community has been slow and ineffectual.

The character of my mandate only allows me to further describe crimes and violations of human rights. But the present critical moment forces us to realize the true character of those crimes and the responsibility of Europe and the international community for their own helplessness in addressing them. We have been fighting in Poland against a totalitarian system with a vision for the Europe of tomorrow. How can we believe in a Europe of tomorrow created by children of people who are abandoned today?

I would like to believe that the present moment will be a turning point in the relationship between Europe and the world towards Bosnia. The very stability of international order and the principle of civilization is at stake over the question of Bosnia. I am not convinced that the turning point hoped for will happen and cannot continue to participate in the pretence of the protection of human rights.

Mr. Chairman, please understand the motives behind my decision and convey them to the members of the Commission on Human Rights. I will submit my final eighteenth report based on my recent mission to Tuzla to the Commission in the near future.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Tadeusz Mazowiecki
Special Rapporteur on the situation
of human rights in the territory
of the former Yugoslavia

(AIIZ, No. 2-1648)

3.6 General Ratko Mladić, Yugoslav Army officer*

Notification on the change in the group

For Ratko Mladić, son of Ratko, Colonel General

The nominee is credited the points
for the salary in the 1st (first)
group as of 16 June 1997

Personal ID Number 1203942430010
Registration number MNR 1203421

0	1		1	6	0	6	9	7
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Rank to which he was promoted
(the date of promotion) 16 June 1994

The conclusion of the latest evaluation and
the date of evaluation EXCELLENT – 4.88; 10 January 1995

Position to which he was appointed, rank and
the group Commander of the Main Staff of the 30th
Personnel Center of the Yugoslav Army
General Headquarters; Full Colonel; PG 2

Letter of appointment, number and date Decree 1-21-252; 25 December 1992

Date of assuming the duty 20 May 1993

Previous appointments to a position or a
group (if it adds up to the current position)
Reason for determining the group for the
salary Number of points for the salary in the 1st (first)
PG is determined pursuant to Article 3(1) of
the Decree on salaries and other monetary
emoluments of professional soldiers in the
Yugoslav Army General Headquarters.

cc:

1. Personnel of the Yugoslav Army
General Headquarters
2. Command for DPP and
updating records
3. Finance (for the Yugoslav Army
General Headquarters)
4. Original in archive

/LS/

CHIEF OF THE GENERAL
HEADQUARTERS OF THE
ARMY OF THE FEDERAL
REPUBLIC OF YUGOSLAVIA
Colonel General
Novica Simić
/signed/

VERIFIED CORRECTNESS OF THE COPY

(AIIZ, No. 2 - 3246)

* As of 20 May 1992, General Mladić was an officer in the Yugoslav Army as **Commander of the General Staff of the 30th Personnel Center of the Yugoslav Army General Headquarters**, which indicates that the Republika Srpska Army de facto and de iure an integral part of the Yugoslav Army, that is, it is a single armed force of the Federal Republic of Yugoslavia (Serbia and Montenegro) – Yugoslav Army.

3.7 Decree on extraordinary promotion of the General Ratko Mladić¹²

DECREE No. 1/2-01-001/94-22
OF THE PRESIDENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA
DATED 16 JUNE 1994

Pursuant to Article 136 of the Constitution of the Federal Republic of Yugoslavia (*Official Gazette of FRY* No. 1/92) and Article 46(1) of the Law on the Army of Yugoslavia (*Official Gazette of FRY* Nos. 67/93 and 24/94)

I hereby order an extraordinary promotion

Type of change 0.5

TO THE RANK OF COLONEL GENERAL
Lieutenant General

1. RATKO MLADIĆ son of Neđo
Commander of the Main Headquarters of the
30th Personnel Center

3 47

Born on 12 March 1942
Shall be promoted as of 16 June 1994

M N R 1 2 0 3 4 2 1
1 6 0 0 9 4

President
Zoran Lilić

Correctness of the copy verified by colonel
Slobodan Tadić
/signed and seal affixed/

(AIIZ, No. 2 - 3243)

¹² President of the Federal Republic of Yugoslavia, Zoran Lilić, has on 16 June 1994, promoted extraordinarily Ratko Mladić, Commander of the Main Headquarters of the 30th Personnel Center of the Army of Yugoslavia to the rank of Colonel General

3.8 Recognition of the rights to pension insurance in double duration to the General Ratko Mladić¹³

MILITARY POST
BELGRADE
Conf. No. 15-395
28 February 2002

MILITARY SECRET
CONFIDENTIAL

Personal ID number: 120394230010

Pursuant to Articles 156 and 157 of the Law on the Army of Yugoslavia (*Official Gazette of FRY* No. 67/93), ruling *ex officio* in the legal matter of recognition of the rights to pension insurance in double duration, the Military Post 3001 Belgrade, hereby passes

DECISION

RATKO MLADIĆ, son of Nedo, Colonel General from the Military Post 3001 Belgrade, **shall be recognized** the right to pension insurance in double duration fro the period from 29 June 1991 to 14 December 1995.

Reasons

By the Republika Srpska President Decree No. 01-111-114/02 dated 7 March 2002, the professional military service of the above mentioned person was terminated, and it was necessary *ex officio* based on data in the military records to rule on the pension insurance contribution period in double duration.

Having reviewed the official records, it was established that the requirements under Article 264(3) of the Law on the Army of Yugoslavia have been met required for the recognition of the rights to pension insurance in double duration, and it was ruled as stated in the enactment clause hereof.

This Decision is final in the administrative procedure and no appeal can be filed from this Decision. Administrative dispute may be initiated against this Decision within 30 days from the receipt of the Decision hereof with the Supreme Military Court in Belgrade.

An application shall be filed in two copies to the court registry or by registered mail.

CHIEF
Colonel
Miloš Biga
/sealed and signed/

(AIIZ, No. 2 - 3244)

¹³ Army of Yugoslavia recognized the pension insurance right to General Ratko Mladić in double duration for his service in the Army of Yugoslavia for the period from 29 June 1991 to 14 December 1995

4. *Research of the Republika Srpska Government*¹⁴

BOSNIA AND HERZEGOVINA

REPUBLIKA SRPSKA

REPUBLIKA SRPSKA GOVERNMENT

COMMISSION FOR THE RESEARCH OF EVENTS

IN AND AROUND SREBRENICA BETWEEN 10 AND 19 JULY 1995

EVENTS IN AND AROUND SREBRENICA BETWEEN 10 AND 19 JULY 1995

Banja Luka, June 2004

.....

Destiny of Bosniacs in and around Srebrenica between 10 and 19 July 1995

On 6 July 1995 RS Armed Forces (military and police) started the attack on Srebrenica, the UN “safe zone” which was by the Resolution of the UN Security Council (no: 819) of 16 April 1993 and the Agreement of 17 April and 8 May 1993 demilitarized, but never implemented.

By the evening of 9 July, the RS Army penetrated about 4 km within the enclave, stopping only one kilometer from the city of Srebrenica.

In the morning of 10 July the situation in Srebrenica was very tense. The streets of Srebrenica were overflowed with citizens who were running towards the UN base in Potočari.

¹⁴ These are the results of the Research of the Republika Srpska Government, 2004 and 2005, that is, the *Commission for the research of the events in and around Srebrenica between 10 and 19 July 1995 and the Working Group for the Implementation of Conclusions from the final Report of the Commission for Srebrenica*.

We report in this document about the parts of results from the research of the Republika Srpska Government, that is, the first chapter of the results of the research (“**DESTINY OF BOSNIACS IN AND AROUND SREBRENICA BETWEEN 10 AND 19 JULY 1995**“), as well as **Conclusions** dated 30 June 2004 (“**EVENTS IN AND AROUND SREBRENICA BETWEEN 10 AND 19 JULY 1995**“).

Results of the research of the Republika Srpska Government, 2004 and 2005, are of the historic relevance: numerous documents of various provenance have been obtained; reconstruction of crimes was carried out which identified that the genocide against Bosniacs was committed – this was a planned and intentional execution of thousands of Bosniacs; numerous even unidentified mass graves were found; a number and identity of victims was established (**8,742** genocide victims: for 7,108 names the dates of disappearance or death are within the period 10 – 19 July 1995, including 10 and 19 July 1995; for 698 names at least one date of disappearance is outside the period of 10 – 19 July 1995, but the date is still within July 1995, and for 936 persons, for whom the date of disappearance is still within this specified period, 10 – 19 July 1995, and as for others the dates are outside July 1995), as well as number and identity of perpetrators (over 25,000) in this crime. The entity Republika Srpska recognized in 2004 its responsibility for genocide against Bosniacs of Bosnia and Herzegovina in and around the UN safe area Srebrenica in July 1995.

Colonel Karemans requested the urgent air support from the NATO. On 11 July 1995 the NATO Air Force attempted to bomb the RS Army artillery positions above Srebrenica. After the RS Army threatened to kill all Dutch soldiers “captured by the RS Army”, and to grenade the UN base in Potočari and the surrounding area where there were 20.000-30.000 civilians, the NATO air support stopped.

On 11 July 1995 the RS Army invaded Srebrenica. In the late afternoon Generals Ratko Mladić, Radislav Krstić and other officers took a walk down the empty streets of Srebrenica, while a large number (thousands of refugees) were moving towards Potočari, looking for salvation with the Dutch Battalion (A/8, Paragraphs 14-15, 18-20, 26-30, 33-36 and 268; B/1-65).

a) In Potočari

Faced with the fall of Srebrenica, the civilian population fled to Potočari situated about 5 km northwest of the town, hoping to find protection at the Headquarters of the United Nations. By the evening of 11 July 1995, between 20.000 to 25.000 had gathered to seek refuge, they were mainly women and children, elderly and “below military age” males. Several thousands of them entered the Headquarters of the United Nations, by cutting open the fence at the side less visible to the members of the Republika Srpska Army and less exposed to fire, while others remained around the base in the factory halls and in the fields. Among the mass of those who sought refuge at the base, at least 300 inside, and 600 to 900 outside, were males of “military age”. Nobody was armed. That is how such a large number of those who sought refuge gathered in a small area. Conditions were terrible because of heat, lack of water, food and medicines. They were densely crowded, hungry, thirsty, panicking and horrified.

Aware of the reality, during the evening of 11 July 1995, those who sought refuge in Potočari publicly requested from members of the Dutch battalion to go out from “this hell”. Colonel Karemans was informed of this and, through him at a meeting held in the Hotel “Fontana”, so was the Commander of the Headquarters of the Republika Srpska Army, Lieutenant General Ratko Mladić.

At a second meeting, held the same day at 23.00 hours, in the same hotel, Colonel Karemans informed General Mladić and others present (officers of the Headquarters of the Republika Srpska Army and representative of the civilians seeking refuge Mr. Nesib Mandžić) of the gathered mass of people and the humanitarian crisis which threatened those who sought refuge in Potočari. On that occasion, General Mladić said that Bosniacs should

decide on their own whether they would like to stay in the enclave or if they wanted to leave (and where they wanted to leave), and he would check males of military age present in Potočari, to confirm if there are war criminals among them. He explicitly requested that members of the 28th Division of the RBiH Army from the Srebrenica enclave lay down their arms. Officers of the Dutch battalion, unaware at this stage of whereabouts of these forces, informed General Mladić at the third meeting held on 12 July 1995 at 10.00 hours in the same hotel in Bratunac, stating that they failed to establish contact with members of the 28th Division of the RBiH Army. At this third meeting, three representatives of those seeking refuge were also present (Mr. Nesib Mandžić, Ms. Čamila Osmanović and Mr. Ibrahim Nuhanović). Even though information was given and at the same time representatives of those who sought refuge provided an explanation (that they did not know the whereabouts of the 28th Division and that they did not make contact with members of the same), General Mladić repeated his request for laying down arms with a promise that he would provide transport for all civilians from the Srebrenica enclave, but that males from age 17 to 70 would be first separated to check on their potential participation in war crimes.

Representatives of international humanitarian organizations in Srebrenica sent a report to their Headquarters on 12 July 1995, in which they stated that the humanitarian situation in the early hours of the morning on that day was “worse than ever”, there was lack of food, medicines and clothes, and that, according to their estimate, around 30.000 persons were in and around the Dutch battalion base, while around 8000 people were trying to break through from Gornji Potočari to the UNPROFOR base. It was explicitly stated that among the population gathered there was not even one armed soldier of the RBiH Army.

In the early morning hours (from 6 to 7 hours) on 12 July 1995, special forces of the Ministry of Interior (squad of the special police for antiterrorist actions from Jahorina, first squad of the special unit of the police of Center for Public Safety in Zvornik, parts of the second special squad from Šekovići and unit with dogs from Sarajevo), parts of the Bratunac brigade and units of the military police of Bratunac brigade of the Republika Srpska Army, entered in the United Nations Headquarters in Potočari, with aim to “maintain the order”, to find and separate males of “military age”, all in accordance with verbal command given by Lieutenant Colonel Ratko Mladić at the meeting held in Hotel “Fontana” in Bratunac on 11/12 July 1995, when, among the other things, it was agreed that civilians who sought refuge will be evacuated from Potočari to the territory under control of the RBiH Army in Tuzla direction, with separation of males of “military age”.

This separation caused additional fear, uncertainty and anxiety. In fact, it caused state of trauma, having in mind in addition to the above, presence of the mentioned units and their actions and behavior as well as presence of strong forces of the Republika Srpska Army around the Dutch battalion base.

That is how in the afternoon of 12 July 1995 situation in Potočari was becoming worse. At this stage, Commander of the Headquarters of the Republika Srpska Army, Lieutenant General Ratko Mladić arrived, accompanied by senior officers of the Headquarters and TV crews, who, at the first sight, gave certain hope to the gathered people (by sharing sweets to children, and on that day they handed out bread as well), promising that they will be transported to wherever they want.

Difficult conditions in Potočari became even worse on 12 July 1995, because of the terror, humiliation and tortures during separations of males of “military age” and because of sporadic murders behind zinc Factory, by the stream and behind “white house”. As the day passed by, such difficult conditions became even worse among those who sought refuge as well as among the members of the Dutch battalion. Terror increased during the night. Soldiers were pulling out and taking away people from the mass. There were screams, cries for help and platoons. During the night and in the early next morning the stories spread on rapes and killings, so the mass of people was taken by bigger fear. Some of those who sought refuge saw tortures, rapes and murders, and some found bodies of those killed. Several civilians committed suicide and hanged themselves.

The conditions were so unbearable, with fear, panic and bitterness among those who sought refuge, that all the time while they were in Potočari they were looking forward to run away from this place by any means as soon as possible. Members of the Dutch battalion of the United Nations felt the same.

In the early morning of 12 July 1995, command of the Drina Corps ordered to all its units and the Ministry of Defense, to mobilize all means of transportation and to gather them on football stadium in Bratunac on the same day by 16.30 hours.

Around the noon of 12 July 1995, buses and trucks begun to arrive in Potočari for transportation of women, children, and old people to Tuzla direction. Those who sought refuge rushed to board, although most of them did not know where they would be going.

Arrival of large number of buses and trucks in Potočari was in accordance with established plan of the Headquarters of the Republika Srpska Army and its Commander.

Boarding into the buses was conducted in presence and under supervision of the members of Special Forces of the Police and Army of Republika Srpska and with assistance of the members of the Dutch battalion of the United Nations.

During that day, around 8500 persons were evacuated on the territory under control of the RBiH Army. The evacuation stopped during the evening, and it continued in the morning of 13 July 1995.

Commander of the Headquarters of the Republika Srpska Army, certain number of the officers of this Headquarters, of the Drina Corps command and representative of the Bratunac brigade command were seen between 12th and 13th July 1995 in the base of the Dutch battalion of the United Nations in Potočari.

During the transportation, the buses and trucks were overloaded, and weather was unbearably warm. The first convoy was escorted by the members of Dutch battalion and on the way, until they reached Tišća, there was no separation of males of “military age”. Later on, the soldiers of Dutch battalion were prevented by the soldiers of the Republika Srpska Army to continue escorting the convoy and in the further course of the evacuation, on different spots and most often in Tišća separations took place. Upon the arrival in Tišća, those who sought refuge continued on foot towards Kladanj, few kilometers through “no men land”, between Serb and Bosniacs frontlines.

Complete evacuation of civilian Bosniacs who sought refuge – from Potočari and implementation of agreement of 11th and 12th July 1995, was completed on 13 July 1995 by 20.00 hours.

Around 22.000 of those who sought refuge were accommodated at the Dubrave airport while several thousands were accommodated elsewhere and stayed with family and friends.

Fear and chaos generally in the enclave and particularly in Potočari, with mentioned happenings and circumstances caused mass fled of civilian population from safe area Srebrenica which is characteristic for many other earlier events and conquering of a territory.

The most dramatic was systematical separations of males of “military age” from their families on 12th and 13th July 1995 in Potočari. This started in the morning of 12 July 1995 after the mentioned units of Police and Army of Republika Srpska arrived. Those who were separated were kept on isolated locations (in front of the zinc Factory and in the “white house”). The most painful fact was that among them there were many “below military age” males and minors. The separation continued during boarding and during evacuation.

Those who were separated in Potočari first had to leave their belongings in front of the “white house” and then they were kept in terrible conditions.

In the vicinity of the “white house”, behind “Transport” and close to the stream, in the following days there were sporadic murders what the members of the Dutch battalion of the United Nations saw and reported to Colonel Jozef Kingory – military observer of the United Nations in the area of Srebrenica. He heard shoots and tried to investigate what is happening but the soldiers of Republika Srpska Army prevented him. The members of these forces testified on this before the ICTY.

Bosniac males of “military age” separated from the mass of civilians in Potočari (at least 1000) were taken from Potočari to other detention facilities in Bratunac on 12 and 13 July 1995, where they also brought detainees from mixed column from the forest and from there to places of execution. Huge pile of their personal belongings and documents stayed behind them which were burned during the late evening of 13 July 1995. This proves that stories that they wanted to check if there were war criminals among them do not make any sense.

International Committee of Red Cross evacuated on 16 July 1995 from Potočari base to Bratunac 87 wounded people and among them there were also separation of those of “military age”. That is how 23 wounded people were separated who later became war prisoners. From there they were taken away after which their fate became unknown. (A/8, paragraphs 31-59, 126-131, 135-136, 140-141, 145, 157, 160 i 209-295; B/16, 22, 44-45, 49-50, 53, 65a, 65b, 66-69, 72-73, 75, 80, 83, 88, 91-92, 109 i 226).

b) In the mixed column

After the invasion of Srebrenica, part of the population (between 10.000 and 15.000) gathered in villages Jaglič and Šušnjari looking for way out towards the territory under control of the RBiH Army. About one third of men were soldiers of 28th Division, but not all of them were armed. Units of the 28th Division were leading the column of civilians (women, children and old men), while the Independent Battalion of the 28th Division was on the rear of the column.

The front of the column started moving from Šušnjari over Jaglič and Buljima towards Kameničko Brdo on 12 July 1995 at 00.30 am. Sometime during the night, due to poor visibility, danger of mines and panic, the column was split apart, and the movement was stopped. The column started moving again only after day-break.

The RS Army was shelling the column from different directions, which was, according (and agreed upon by military experts of Prosecutor’s Office and Defense Lawyers in the trial of General Krstić) to regulations of the RS Army representing a ”legitimate military target”.

Main part of the column continued the movement sometime during the afternoon, and later on the first group crossed over the road of Konjević Polje-Nova Kasaba. Sometime around 18.00, the RS Army located the exact position of refugees on Kameničko Brdo (outside the village Pobuđe), where the large part of the column manage to arrive.

The column of refugees led by the municipal authorities, with wounded men in the front started to descend the Kameničko Brdo towards Krajinovički potok sometime around 20.00. After just few men crossed over Krajinovički potok, they ran into the soldiers of the RS Army, which were coming on the trucks and armored vehicles (and a white vehicle with UNPROFOR symbols) from the direction of Kravica, and calling out for Bosniacs over the loudspeaker to surrender.

Sometime in the late afternoon and the early evening, most of the men on the rear of the column were captured by the RS Army and the Ministry of Interior in the area of Ravni Buljim. The RS Army used many ways, including the equipment of the UN and the Red Cross, to deceive people from the column, by promising them protection and safe transportation towards Tuzla, saying how the UNPROFOR and the Red Cross would be in charge of their transportation. There were around 1000 persons imprisoned on 12 July 1995. During the capture the RS Army was confiscated personal belongings, and some of prisoners were executed on the spot.

On 12 July 1995 the Drina Corps units “undertook all measures to prevent surprises by engaging the units for carrying out the operation KRIVAJA ’95” by executing all assignments. The RS Army alongside with the Ministry of Interior organized “ambush tactics with the purpose of destruction” on estimated directions where the members of the column tried “to breach towards Tuzla”. The members of the column alongside with “women and children” tried to pull out “towards Ravni Buljim and Konjević Polje” where they came upon “mine field”.

Special Units were also engaged by the Republika Srpska in order to block and imprison refugees from Srebrenica. Following that a large number of refugees were blocked in the region of villages Brezanci-Bokčin Potok at 15.55. According to the orders in possession of the Commission, certain smaller units of Police from Republika Srpska Krajina and Republic of Serbia also should have participated in these activities. However, by analyzing the entire documentation we have not found any substantial evidence on participation of these units in the events in and around Srebrenica between 10th and 19th July 1995.

The second location of imprisonment was in the region where the column was split apart in the base of Kameničko Brdo and a little place called Krajinovići in the village Pobuđe (A/8, Paragraphs 60-63; B/66-77).

Split groups from the column continued their movement towards road Konjević Polje-Nova Kasaba on 13 July 1995 at 01.00 am, and managed to cross it just before the dawn. The crossing over mentioned road was constantly under heavy fire from the RS Army. Around 06.00 am when the last bigger groups crossed over the asphalt road in Svilani, it was impossible to cross that road, due to heavy reinforcement placed there by the RS Army.

8000 people were blocked in the wider area of Pobuđe between road Bratunac-Konjević Polje-Nova Kasaba.

During the day until 17.30 at least 6000 men were imprisoned and placed in several locations, most of them, (1500-3000 persons), were taken away in collective centers in Nova Kasaba, and some of them were taken on one field in the village Sandići, where there were between 1000-4000 men.

Some of the prisoners at Nova Kasaba and Konjević Polje were killed on the riverside of Jadar in the morning of 13 July 1995.

On the same day in the late afternoon (approximately 16.00) the RS Army took three buses of Bosniacs prisoners to Cerska where they were all executed by shooting.

There were at least 149 prisoners executed on that day, (age of 14-50), of which 147 wore civilian clothes, and at least 48 had their arms tied on the back with wire.

Some of the prisoners on the road Kravica-Milići (Konjević Polje, Pervani, Lolići...) were killed on the spot.

Over 1000 prisoners from village Sandići were taken to Kravica and held in warehouse of Cooperators Organization "Kravica" (farmers' cooperative) in the late afternoon of 13 July 1995.

After the incident where one police officer was killed by a prisoner, "the enraged members of the Ministry of Interior started killing the prisoners at 18.00" (using "wasps", hand grenades, bombs and gun shells).

The RS Army located a large group of men, 5000 to be exact, on the mountain Udrč, and opened fire on them at 16.00. The column continued its movement towards the village of Kamenica and further towards Tuzla.

The column was stopped in the village of Glodi, due to an ambush placed by the RS Army in the village of Velja Glava since they were probably expecting that the column will use the shortest way towards Tuzla over Caparde. Units of 1st Bratunac Brigade were attacking (by ambushing in the region of Bračan and Podravanje) the split column from Pobuđe and part of civilians in that column that were trying to find rescue in Žepa (A/8, Paragraphs 66, 171,196, 201-207; B/78-121).

The RS Army placed an ambush on the object Velja Glava and broke the column on 14 July 1995. After that the column returned and went towards Mladenovac. The head of the column stopped in Jošanica Gaja, where they stayed until 16.00 waiting for the rest of the column, after which they continued their movement. On the region of villages Marčići-Snagovo, the RS Army alongside with the Special Forces of the Ministry of Interior placed an ambush, with use of tanks and armed vehicles. In that conflict the commander of a unit of Special Forces was captured. The column of 5000 people continued their movement towards Tuzla at 16.00, when they were attacked by artillery from object Velja Glava and Kula Grad outside of Zvornik.

Captured commander established contact over the radio with Major Obrenović from the RS Army Zvornik Brigade, after which the artillery attack stopped.

During the night between 14th and 15th July 1995 the column of 4000 people was moving towards the road Zvornik-Tuzla. After opening the passage way in the region of village Marčići, the head of the column was conjoined by those that were able to breach from the area of Konjević Polje and Nova Kasaba.

On 14 July 1995, Armed Forces of Republika Srpska - especially 1st Milići brigade, 1st Bratunac brigade, and Independent Battalion Skelani, were “searching the area” and capturing large number of Bosniacs. 6-7 Bosniacs were captured in the village of Lijesanj. The people from the split part of the column in the area of Pobuđe, Konjević Polje, Cerska, Kamenice, Džafin Kamen, Snagovo, Marčići, and Han Pogled (on the ridge between Vlasenica and Han Pijesak), were constantly under the threat of persecution, imprisonment and executions by the members of the Police and Army of Republika Srpska.

Between 2000-2500 men were transported from Bratunac to Zvornik on 14 July 1995. The prisoners were held in the hall of primary school in Grbavci (near Orahovac) and in other schools as well. There were approximately 1000 prisoners in Grbavci, which were transported by trucks to the execution sites in Orahovac. They were all blind folded. The executions were carried out on two meadows. Killed prisoners were immediately buried in mass graves, which were later relocated by the RS Army (to locations Lazeta 1 and Lazeta 2, and then relocated once more on location near the road towards Hodžići).

At the same day the RS Army transported 1500-2000 prisoners from Bratunac to Petkovci, and held them in the hall of primary school. The prisoners' hands were tied in the back with wire, and were forced to take off their shoes.

They were transported to Petkovci dam, and were executed by shooting in groups of 5-10 men (two prisoners survived the shooting).

On 14 July 1995 a number of prisoners were transported by buses from Bratunac in Pilica (and held in the hall of the primary school), where they spent two nights (A/8, Paragraphs 220-221,226-228 and 233; B/121-143).

During the night between 14th and 15th July 1995 the main part of the column continued, with their wounded, towards Crni Vrh and crossed over the Zvornik-Tuzla road. Sometime during the morning the column crossed over the asphalt road and started moving towards the locality of Križevačke njive, where the column conjoined.

In the morning of 15 July 1995 the column crossed over the Zvornik-Caparde road, and up to that point had no contact with the first line of the RS Army, considering it was 3-4 km further from Baljkovica.

The second part of the column was at that time still located under the mountain Udrč and was moving towards Kamenica and Tuzla.

The Commander of Bratunac brigade Vidoje Blagojević was in charge of “clearing and searching the area”. Those units were “searching the area” in the next few days. The part of the column was moving towards Kravica and Konjević Polje, with attention of crossing into region of Udrč Mountain, and afterwards towards Tuzla and Živinice. On 15 July 1995 many groups of that kind surrendered to the RS Army.

The 1st Zvornik Infantry Brigade had, alongside with “additional reinforcement” prepare to block and surround “the enemy soldiers” on their way from the village of Planinci towards Križeviči. The 1st Milići Brigade and the Independent Infantry Battalion Skelani were also “searching the area in order to locate any enemy groups that were left behind”.

The forces of the RS Army blocked the wider area of Crni Vrh and Planinci, and partly the region of Kamenica and Glođansko brdo, in order to stop the crossing of these groups. There were 3000 people located in the region of Pandurice, Planinci, Crni Vrh, Kamenice and Glođansko brdo.

There were great problems about burials, executions and guarding prisoners “which supposed to be executed” in the zone of responsibility of the 1st Zvornik Brigade on 15 July 1995. Dragan Obrenović who was informed about executions, and other officers took away people “where they wanted”. They did not keep record about their activities and were advised not to talk about “the operation of killing” on radio.

Senior Officer of the Zvornik Brigade informed Drina Corps Headquarters that additional problem was great number of prisoners placed in schools in the zone of responsibility as well as guarding and collection of the surface remains because his entire forces were engaged and he did not have reserve.

After consultation with certain General from the RS Army General Headquarters, Obrenović suggested to let the column pass. However, that General did not approve that and ordered to stop and destroy the column. Adviser of the Ministry of Interior (name unknown), agreed to Miletić's advice and ordered to use all available forces including air force in order to kill everyone in column.

Senior Officer of the Centre for Public Safety Zvornik informed Obrenović about situation in Bratunac regarding great number of imprisoned Bosniacs and pointed that made dangerous situation. They did not have enough place to put all prisoners so some of them spent night in buses. They got upset and swung the buses.

Great number of Bosniacs were captured while they were crossing the line at the route Konjević Polje.

According to order of Drina Corps Headquarters no: 05/ 1- 241 dated 15 July 1995 and "need", Secretariat of the Ministry of Defense in Zvornik ordered mobilization of all persons liable for military service from the territory of the municipalities of Vlasenica, Milići, Skelani, Bratunac and Šekovići in order to search the terrain and ruin the column on that day. Besides Army, RS Police Forces were actively involved in arrest and imprisonment.

Front of the column came into conflict with RS Ministry of Interior Units in village Marčići in direction of movement of column on 15 July 1995 (at 17.15). Direct conflict between the front of the column and ambush of the RS Ministry of Interior Forces whose units were situated in the area from Srebrenica towards Tuzla (Zvornik Centre for Public Safety and Army) happened then for the first time. There were victims on both sides.

The Drina Corps Units, particularly 1st Bratunac and 1st Milići Brigades and Skelani Independent Battalion were imprisoning and executing Bosniacs refugees, which, among the others, Senior Officer confirmed in the Proposal sent to Corps Headquarters, who suggested higher officer to be the Commander of all forces which were doing these jobs.

The column safely passed part of the route Križevačke njive-Baljkovica during the night between 15th and 16th July 1995, where it hid in some stream waiting for the result of battles in Baljkovica which were going on by Army of the RBiH 2nd Corps Forces from Tuzla and a group of armed soldiers which was moving on the front of a column at that time.

The Zvornik Brigade Units reinforced and organized ambushes at several places in the area of Baljkovica.

The RS Armed Forces engaged 500 soldiers and policemen in the area of Marčići-Crni Vrh in order to stop split part of column (about 2500 people) which was moving from direction of Glodi towards Marčići.

According to order of Drina Corps Headquarters no: 01/ 4- 157- 5 dated 13 July 1995, Bratunac Brigade Units “researched the field” on 15 July 1995, while part of the forces was sent to the area of Zvornik Brigade (60 persons liable for military service). On 15 July 1995 around 11.00 am, Senior Officer informed General Krstic that he “had another 3500 parcels” which he had to share for which he did not have any solution.

Obrenović found out about executions of Bosniacs in many places, particularly in Kravica, during conversation with two Senior Officers. He was sure that all the present were informed about the plan of execution of the exile from Srebrenica. Soldiers from Bratunac who participated in executions later came to Zvornik at that time.

Obrenović informed Command of Zvornik Brigade, about imprisoned Bosniacs and executions in which Senior Officers participated (A/ 8, paragraphs: 165, 192 and 226- 227; B/ 144- 173).

Some parts of BiH Army 28th Division with artillery support of ARBiH 2nd Corps Units from Tuzla attacked and breached RS Army lines on 16 July 1995 (about 8 o’clock) and joined the front of the column in the wide area of Baljkovica, where fierce battles were going on. Negotiations between 2nd Corps of the ARBiH and the Zvornik Brigade of the RS Army followed over the radio.

Command of the Zvornik Brigade, “estimating the situation” that he had lost three ditches, self-willingly opened the corridor for “5000 civilians and soldiers” and agreed to “evacuation technique” demanding “the release of imprisoned policeman and his missing soldiers”. Probably in their opinion, “certain number of soldiers went among civilians, and all persons who went were not armed”.

The agreed corridor which was opened for the column (between 14.00 pm and 17.00 pm) in the area of Baljkovica was completely closed on 16 July 1995 (between 17.00 and 18.00 pm).

According to set pattern, between 1000 and 1200 persons who were driven to Pilica on 14 July 1995 were killed on 16 July 1995. The executions were done in Military Economy Branjevo.

Another execution of prisoners was done at the same day (about 15.00 pm). Group of newly arrived soldiers from the RS Army Brigade took out prisoners from Cultural Centre in Pilica and killed about 500 persons.

The RS Army also executed about 500 prisoners in Kozluk on 16 July 1995.

2000 refugees were in the area of Pobuđe on 16 July 1995 hiding in the woods (A/8 paragraphs: 234- 253; B/ 174- 197).

Serb forces continued imprisoning of Bosniacs on 17 July 1995. "Searching the terrain", the RS Army imprisoned many civilians including four children under 18 (from 8 to 14 years old) on the same day and imprisoned them in military jail in Bratunac (B/ 198- 207).

1st Bratunac Light Infantry Brigade Units (3rd and 4th Infantry Battalion), mobilized persons under labor obligation and Police Forces "searched the terrain" in the area of Pobuđe, Glogova, Hrančiči, Konjević Polje and both side around the route Milići-Drinjača on 18 July 1995. Small groups tried to leave the area of Pobuđe and Konjević Polje towards direction of Cerska and Kušlat to Tuzla.

The Command of Zvornik Brigade, ordered execution of prisoners from their zone of responsibility on 18 July 1995 in order not to risk "their capture" after one of their soldiers was killed" while he was trying to arrest some prisoners during the search". According to his order which was valid till 21 July 1995, each person who was found during "the search of the terrain" was killed on the spot. The Command changed their order on 21 July 1995.

The RS Army was finding, imprisoning and executing Bosniacs on 18 July 1995. A group of 200 persons surrendered in the area between Nova Kasaba and Konjević Polje early in the morning.

About 500 persons were hiding in the wide area of Pobuđe trying to go towards Žepa, Serbia and Tuzla over Udrč.

The 1st Zvornik Brigade Units with attached Units at the route Baljkovica-Ćetino Brdo-Crni Vrh-Perunika-Lisina organized blockage, destruction of the groups left behind and "the search of the terrain". The RS Ministry of Interior Units searched the terrain in the area of village Kamenica.

The RS Army killed 20 persons in the area of Planinci-Baljkovica on 18 July 1995 early in the morning. About 150 persons were surrendered in the area of Crni Vrh-Potočani-Planinci-Baljkovica (B/ 208- 226).

The RS Army and the Ministry of Interior continued search and blockade of the terrain on 19 July 1995 in order to block and destroy Bosnian groups left behind. During the search of the terrain, 13 Bosniacs were killed and 2 Bosniacs were imprisoned in the area of Zvornik Brigade responsibility zone.

All available forces of the RS Ministry of Interior which were in Zvornik Centre for Public Safety responsibility zone searched the terrain in the area of Kamenica, Jošanica, Liplje, Dzafin Kamen and Crni Vrh to Snagovo. 8 Bosniacs were killed on that occasion. "200 Muslims armed with automatic and hunting rifles" were hiding under the old road near Snagovo at that time. On that morning, "about 50 Muslims attacked Zvornik Brigade line in the area of

Pandurica in order to reach Muslim territory. One soldier of the RS Army was killed and the other one was heavily wounded on that occasion.” Zvornik Centre for Public Safety planned to surrender and destroy both mentioned groups the next day with all available forces.

The RS Army Bratunac Brigade searched the terrain in the area of Gornji Potočari, Bljecevo, Čizmići, Lehovići, Bacuta and road Glogova-Konjević Polje (B/ 227- 231).

Small Bosniacs groups were hiding in the woods for months trying to breach to Tuzla also after 19 July 1995 (B/ 232- 260).

A number of imprisoned wounded persons (50) were driven to Bratunac hospital. The other group of the imprisoned was driven to prisoner’s camp Batkovići (near Bijeljina), and mostly exchanged later.

A number of Bosniacs went to Serbia (Ljubovija and Bajina Bašta) from where 38 of them were returned to RS. Some of them were taken to prisoner’s camp Batkovići where they were exchanged. The fate of those who were returned was not determined yet.

“201 soldiers” (very exhausted and many of them easily wounded) came to Žepa on 17 July 1995. Another 500 people arrived to Žepa from Srebrenica till 28 July 1995.

Certain number of people from mixed column was killed in different ways e.g. wounding, individual suicides, drowning in the Drina river trying to cross to Serbia, exhaustion etc.

CONCLUSIONS

After difficulties in the initial period of its work, the reaction and measures taken by the High representative for BiH on 11 March and 25 April 2004, the optimal conditions for the realization of the task of the Commission were created.

On the basis of its own research of the events in and around Srebrenica between 10th and 19th July 1995, the Commission provided further insight in the mentioned events and amongst others achieved the following results:

- collected significant documentation, information, findings and other evidence of the events in and around Srebrenica between 10th and 19th July 1995, including those unknown to date;
- established that between 10th and 19th July 1995, several thousands of Bosniacs were liquidated, in a manner that represents severe violation of International Humanitarian Law and that the perpetrators, among the others, undertook measures to cover up the crime by reallocating the bodies;
- discovered 32, to date unknown locations of mass graves, 4 of which were primary sites. Information on those gravesites was provided exclusively by the sources from the RS (Government bodies and witnesses in the field) and this was the first time that such information was obtained in this manner.

Having that in mind we believe consideration should be given to use the same model to provide information on the fate of “missing persons” across the whole of BiH, regardless on their nationality and/or religious orientation.

- established and elaborated on participation of military and police units, including special units of the RS Ministry of Internal Affairs;
- provided further insight into the events in Potočari with special regard to the fate of the mixed column, and the other events in and around Srebrenica between 10th and 19th July 1995;
- aiming to establish the number and identity of persons from the applications submitted to the HRC, the Commission created a data base where information from various sources was compared. The results achieved in this regard were significant and new. The same methodology will be applied in an attempt to produce consolidated list of all the persons still unaccounted for after the events in and around Srebrenica between 10th and 19th July 1995;

The Commission would have achieved better results if it had available other relevant documentation of the competent RS institutions, as well as findings and documentation of FBiH institutions.

Operating with a very short deadline from its establishment, the Commission worked under strong pressure from the media, which additionally burdened its already complex activities. However, members of the Commission succeeded in resisting the politicisation of

the subject of the investigation, as well as the pressure from media. Incriminating information was deliberately left out of the report.

The results of the work of the Commission given in this report should be viewed by the RS public in the light of the recent statement of the RS President. Accepting and facing the fact that certain members of the Serb people committed crimes in Srebrenica in July 1995, could favorably influence creation of the conditions for the investigation of all other crimes committed in the area of BiH as well as for the punishment of the perpetrators.

In Banja Luka on 11 June 2004

THE COMMISSION:

Milan Bogdanić, Commission chairman
.....

Dorđe Stojakovć, Commission deputy chairman
.....

Prof.dr.Smail Čekić, Commission deputy chairman
.....

Gordon Bacon, Commission member
.....

Gojko Vukotić, Commission member
.....

Milorad Ivošević, Commission member
.....

Željko Vujadinović, Commission member
.....

5. Confession of the criminal Slobodan Mišić¹⁵

Dogs of War Slobodan Mišić TOP

HOW DID I KILL CROATS AND MUSLIMS

One morning, I captured two Muslims. They watched a village. I approached them from behind their back. I took them to the Municipality building, we interrogated them there for a while, and then we took them to Bratunac. And they asked over there: 'What shall we do with them?' 'What do you mean what?' Give them to me. I took them to a bridge, killed them and pushed them to the Drina river.

'I cannot sleep. They haunt me in my dreams.' Slobodan Mišić, a fifty year old Serb volunteer started his confession with these words. According to his own confession he had killed more than seventy people at Vukovar and Bosnian frontlines. He speaks calmly about the war, victims, and killing, almost without any emotions or remorse. Except for his disappointment, his face hardly shows any sign of pity or hatred. This indifference towards the war turns into the rage and disappointment when he speaks about his life. Correctional institution in Kruševac, boxing career, several years in prison on the charge of embezzlement, are better parts of his history. Today, Slobodan Mišić known as Top is left alone by both his family and the society. Jobless and without any resources for life, bitter and humiliated, he wants to talk openly about the brutal crimes, aware of the consequences of his testimony. 'What could happen to me? I have been dead for long. I have no reason to live.'

Just like many volunteers, he joined the war immediately after the RTV Serbia Evening News. He said that he could not just watch 'massive crimes against Serb population.' He was particularly shaken by the death of Major Milan Tepić.

- I applied as a volunteer some time in June or July 1991. They sent me to Smederevska Palanka from the Južnomoravskih brigada barracks in Vranj, which was a large collection center for volunteers. We were registered there, we tried the weapons and then straight to frontline.

Our next stop was Sremska Mitrovica, from where we were moved to the frontline in the village of Marinci via Šid. I was deployed in the unit under the command of Lieutenant Colonel Gradimir Pavlov and Captain Stanković, officers from the Belgrade barracks 4. juli.

¹⁵ Testimony of the criminal Slobodan Mišić about the crimes against Croats and Bosniaes in the Republic of Croatia and the Republic of Bosnia and Herzegovina

Was that unit made only of volunteers?

- Yes, we were 104 volunteers from all parts of Serbia. We were first named *Šumadija volunteers detachment*, and when volunteers from the *4 juli* barracks joined us, we changed the name to *Soko Banja volunteer detachment*. *Active military officers were of course commanders.*

What happened after you came to Marinci?

- There was a general chaos there. People died everywhere, so that half of people returned immediately. A day or two later, we were sent to the frontline towards the Croatian village of Nuštre. We stayed there two weeks, and then a new shift came. We returned to Marinci to take bath, get some sleep, and then, after a few days, we went back there. Having returned, Croats soon later entered Marinci. There was a big havoc there. There were many killed people there on both sides. That was the first time for me to kill.

How did it happen?

- In a house in Marinci, a Croat, local resident killed his Serb neighbor, and he tried to escape across a field. He wanted to revenge. I reached him in front of his house and killed him.

How?

- With a rifle.

What did you feel like at that moment?

- I was afraid, I somehow felt sick, tired. But, after only two or three days you just get used to this. There is shooting everywhere, people die, people get killed...

Were civilians killed?

- You mean local residents? Yes, but mainly Croat spies who had radio stations. There were captives, though some were killed on the spot. They were mainly extremists whom the

local Serbs knew, and they were immediately killed, executed. Other captives were surrendered to Petrovci and then further.

Did you kill captives?

- Yes, some. Once, I spent seven days in custody because of that.

Why?

- I captured two Croats and killed them. They punished me because I did not surrender them to the command. A Macedonian reported me.

Why did you not surrender them?

- I captured them, why would I surrender them? How can I take them to the command under the fire coming from all directions?

Did you kill anyone, other than during the combat operations?

- Yes.

Do you know how many?

- I do not know exactly. I remember killing two Croats above Marinci. They tried to go through the forest to reach Nuštre, the Croatian forces. I killed one on the spot, and the other one tried to commit suicide with a hand grenade, but he only injured himself, so that I finished him off that he does not suffer.

Did you take part in the fights for Vukovar?

- Most people died there. We went from one to another house. We often did not know who was a Croat or a Serb. We shot at everything moving there was no time to think about it. They killed ours, we killed theirs.

Talking about Vukovar usually invokes mass graves. Do you know anything about it?

- No, I did not know see anything like that.

Did you meet Arkan Tigers there, or Šešelj Chetnics or any other volunteer units which were not under the JNA command?

- I have never seen Arkan troops, but there was one Šešelj unit. A red bearded Duke was their commander, and he always had a saber.

How long did you stay at the frontline?

- Some 16 months until the liberation of Vukovar. Then I returned for a while to Vranje. The turmoil was already in Bosnia and I wanted to go there.

Why? Did you not have enough of war and killing?

- One volunteers from here, in Vranje had a connection in Skelani. Any some went with them. We went to Užice, then Bajina Bašta, across the Drina river to Bratunac. We reported to the Territorial Defense there and they sent us to Fakovići.

What was the situation like there?

- Pitiful. Only those who could not go anywhere stayed there. Poor people and thieves. We did not know who to protect from, Muslims or local residents. They did not like volunteers.

What was your mission in fact?

- Fifteen of us, volunteers from Vranje and the area, were in Fakovići. From there we started our operation along with the local residents and units from Bratunac. Muslim villages were in the hills, and we cleared them, one by one.

You said you started your operations from there. What did you mean by that?

- Before the operation, all the volunteers gathered, those who stayed in the Serb villages. Special units came from Bratunac, made of people from the region who knew the area. Their task was to disable Muslim village guards before the operation. Meanwhile, we would surround them and then we would start with the attack in the dawn. We burnt everything in front of us, threw hand grenades into the houses, fired ... We captured some Muslims and sent them to Bratunac. Mainly, after our operation, the villages were completely destroyed. Žanjevo, Tegare, and some seven or eight other villages. I believe that around four to five thousand Muslims were killed. In the forest in the village of Tegare only, more than one thousand were killed within three to four hours.

Who did you fight? Muslim Army?

- Come on, no. Those were civilians, villagers, hardly armed people who had hunting rifles or similar.

Why did you kill them then?

- They were against us. They had weapons like us.

Did you kill women and children in those operations?

- I did not kill children and I did not see anyone killing them. We killed women. Once we take over the village, we use 'sticks' to burn houses, and we threw them through the windows. I do not know who was in the houses.

Why did you not capture them?

- We captured some of them. But, look what happened to me. One morning, I captured two Muslims. They watched the village and I approached them from behind their back. I took them to the Municipality building, we interrogated them there for a while, and then we took them to Bratunac. And they asked over there: 'What shall we do with them?' 'What do you mean what?' Give them to me. I took them to a bridge, killed them and pushed them to the Drina river.

Were you or any of your fellow combatants punished for killing captives?

- Who will punish you? You could kill as many as you wanted. No one would say a word.

What happened between these, as you call them 'operations'?

- In general, nothing. We spent time in the village, made some reconnaissance, set ambush for Muslims who came on horses from hills during the night to get some food. They used scissors or hands to collect some wheat to make bread. Or they only chewed wheat. They were not choosing. They also swine if they got lost in the forest. There was a big hunger in Muslim villages and they had to risk their lives or they would die of hunger. We waited for them in the ambush and killed them on their way back. Once I managed to capture person known as Alija from Žanjevo, who is famous for his crimes against Serbs. He was young, 35-36 years old. I captured him above Fakovići while he was looking around. I asked him 'Balija, where are we going now', and he told me 'Chetnic, don't kill me'. 'No way', I told him 'I will not'. I fired a burst into him, killed him and then chopped off his head.

Why did you do that?

- To warn other Muslims. You see, one Muslim from Žanjevo killed a young Serb just because he came from across the Drina river. I caught him above Žanjevo. I cut his head off and put it on a wooden fence. That night, I killed six Muslims who came to pick his body. I waited for them in ambush.

For how long did you stay in Fakovići?

- Until the fall of Srebrenica.

How many people did you kill during the war?

- I killed about 70-80 people. I am not sure exactly.

Do you have any regrets?

- I only regret for not dying so that I do not have to watch this around me.

I mean, do you have any regrets for something you did?

- No, I do not have any regrets. I feel sorry only because I killed two Muslim women. I did not know. They were in truck suits. They were about 25-26 years old. They came to get some food. I saw in the morning that they were women. I would do the same again. If only some thing happened at Kosovo. But I would not only kill Shiptars /derogatory for Kosovo Albanians/. Some of ours would be in my sight.

Are you not enough of killing?

- That is not the point. The biggest mistake is when you kill for the first time. After that, it goes smoothly.

Do you hate Muslims?

- I do, but not this simple people, rather their leaders. But, I hate ours no less.

Why did you go to war?

- I wanted us to be lords in our own territory and to live better. But, I can see that I was mistaken.

Finally, why did you decide to tell us all of this?

- I am a dead person and nothing worse can happen to me. I am fifty years old and look where am I. I had enough of lies. Everybody is only talking, making it nicer, lie. May once for all be known how it was.

Is it true that you cut off and sold ears of the killed Muslims?

- If I was without any money in Ljubovija, I would sell Serbs the Muslim ears for 50 marks. People want to have a Muslim ear.

Who cut off their ears?

- I did, but only left one.

Why only left one?

- That was the way to know the exact number of killed Muslims. One ear, one Muslim. One rich salesman bought the most of Muslim ears in Ljubovija.

Whose ears did you cut off, all the killed Muslims or ...

- Only those that I killed. I did not want to boast with somebody else's success.

Have you considered the Hague Tribunal? You may be now on the list of the Indictes for war crimes. Would you accept to go to The Hague?

- I have not thought of that, but why not. May the truth be known. Though, I do not believe that I would let them take me alive. Especially these ours.

You are not afraid that the public, primarily your fellow combatants judge you as a traitor of Serbs because of this story?

I am not a traitor. I defended Serbs. Traitors are those who kept saying that Serbia was not at war while we kept dying. And those who got rich while people bled, and we cannot afford even bread now. They are traitors.

(Ur.)

Testimony published by independent Vranjske novine from Vranje and news agency Beta

Testimony of a murderer

A Serb volunteer Slobodan Mišić a.k.a. Top is only one of the dogs of war in the territory of former Yugoslavia. In his own confession a murderer, as for the readers a criminal without any comparison. Person without a family beginning or human ending. Cleansing of his testimony is deeper than the threshold of tolerance. This can be overarched only with a rigid bridge of legal sanction. It will not be purgatory for him, but only an attempt to punish the crimes and define the framework for the action which exceeds all the limits of humanity.

We publish this interview as a testimony in which all the criteria are messed up and lost, which accepted a crime as a criterion. People like Mišić played key roles here. Or they only thought that they were actors.

(MOST MIRA & MOST MIRA, joint publication of independent media – "Bumerang",
Osijek, "Odgovor", Beograd, No. 36, pp. 12 – 13)