

F I N A L
C O N S I D E R A T I O N S

*

* *

The results of up to date scientific research, including results of current scientific research, and other pending studies (fundamental, heuristic, longitudinal and panel studies), of empiric and theoretical character, clearly confirm two initial, basic, relevant, fundamental empiric and scientific facts surrounding contemporary events and situations in the Republic of Bosnia and Herzegovina at the end of the 20th century:

- first, a **classic armed aggression** was carried against the Republic of Bosnia and Herzegovina, that is, crime against peace and safety of humanity, which is, according to basic interpretation, understanding and definition, an international armed conflict, and

- second, the gravest crime of all was committed in the occupied territories of an independent and internationally recognized Republic of Bosnia and Herzegovina, a member of the United Nations, in towns under siege and in the territory of the United Nations – UN Safe Areas, including the free territories, against Bosniacs, members of (protected) national, ethnic, and religious groups as such – a **crime of genocide**.

Serbian nationalistic elite (intellectual, political, military, and clerical), in the nineties of the 20th century, based on a political and genocidal project – Serbian great-state project “**all Serbs in one state**”, whose primary objective is made of setting up a single (great) Serbian state in the Balkans, in which “**the whole Serbian population**” would live – “**uniting all Serbs in the same state structure**”, which (project) along with the Yugoslav program, has lived among the Serbian ideas for more than two centuries, resulted in an internal crisis in the Socialist Federative Republic of Yugoslavia and devastated a common state;

- The Milošević's nationalistic politics and practice of massive meetings and demonstrations (around five million people participated in the 1988-1989 demonstrations) and the methods of coup ("bureaucratic anti-revolution") removed (in late 1988 and early 1989) in Serbia, Vojvodina, Kosovo, and Montenegro, the legitimately elected leadership and "unwanted" personnel;

- The Republic of Serbia, by the revision of the 1974 Constitution, and adoption of the new Constitution on 28 September 1990, annulled the autonomy of Vojvodina and Kosovo, and practically got separated (from SFRY), destroyed the SFRY constitutional order (carried out the coup d'état against the federal Constitution and "**legal aggression against the constitutional system of Yugoslavia**"), assumed functions of "**new independent Serbian state**", thus excluded itself from the SFRY legal system, which was the gravest offense according to the SFRY laws, and finally began with the establishment of Great Serbia even before the (multi-party) elections;

- a collaborator regime was set up in Montenegro;

- the Republic of Serbia attacked the SFRY monetary system (9 January 1991) – Slobodan Milošević seized reserves in gold, kept abroad, worth 1.4 billion USD;

- a process of homogenization of Serbs was expedited, particularly in Bosnia and Herzegovina;

- a political project – unification of all Serbs – **setting up of a great, ethnic (Serbian) state** was massively supported by the Serbian Academy of Science and Arts, Association of writers in Serbia, Serbian Orthodox church, Yugoslav national army ("YNA")/Army of Yugoslavia, political and cultural institutions, along with, unfortunately, massive nonselective support of Serbian people;

Intent (*mens rea*) of this criminal act, based and demonstrated in Serbian, as well as in Croatian, great-state project was to occupy and destroy the Republic of Bosnia and Herzegovina and "**finally resolve**" the **Muslim**

issue – destruction of Bosniacs or their downsizing to insignificant ethnic and religious group. The pseudo-state creations and servile fifth-column from Bosnia and Herzegovina acted obediently and as direct associates and executors in these criminal activities (“Croatian community Herzeg-Bosnia”/“Croatian Republic of Herzeg-Bosnia”, “Republic of Serbians in Bosnia and Herzegovina”/“Republika Srpska” and “Autonomous Province of West Bosnia”) and from the Republic of Croatia (“Republic of Serbian Krajina”). The state aggressors (Federal Republic of Yugoslavia and the Republic of Croatia), applying the Nazi models, designed, planned, prepared, organized, set up, supervised, armed, trained, and issued orders to these collaborators. However, they served as marionette regimes of the aggressor states, which guided and controlled them, as they were dependent of them. In fact, they acted in their name – as the authorities of the Federal Republic of Yugoslavia and the Republic of Croatia.

To achieve this criminal enterprise, the aggressors, particularly Serbia and Montenegro, in line with the strategic plans, executed the planned activities:

- constitutional concept of defense of SFRY was destroyed;
- Republics and Provinces were deprived of their sovereign rights in the area of organization and supervision over the territorial defense, equal component of the SFRY armed forces, so that they were subordinated and placed under the full control of YNA;
- Territorial defense of Bosnia and Herzegovina was downsized and disarmed, including some other constituent elements of SFRY;
- YNA was “transformed” from antifascist, Yugoslav, peoples, and multiethnic army to great-Serbian army;
- Fascistic movements were renewed and the great-Serbian and great-Croatian movements escalated;
- Methods, mechanisms, and acts of planning, organization, and preparation of crimes were defined;

- Principle agreement (March 1991) on destruction of the Republic of Bosnia and Herzegovina was made between the heads of neighboring states (*Pact Milošević - Tuđman*);
- Boundaries of “great Serbia” and “great Croatia” were defined;
- The fifth column (great-Serbian and great-Croatian) of the neighboring states was set up in Bosnia and Herzegovina;
- Initial positions for the aggression and other criminal activities, including the genocide against Bosniacs were taken;
-
- Control and command in the occupied territories were unified in hands of the heads of neighboring states – forces of occupation;
- Responsible function holders for specific activities under certain conditions were identified and appointed; their objectives, methods, means, and effects were identified – results and consequences.

These are the crimes against humanity and international law, grave violations of international humanitarian law, based in fascistic ideology, politics, and practice, which were operationalized through two great-state projects, two genocidal policies, two joint criminal enterprises, two nationalistic movements, two states, two or better to say three collaborators and fifth-column creations, two armed forces, four collaborator armed formations and many more other armed units and groups, including foreign mercenaries (Russians, Greeks, etc.). Such a fascistic ideology, politics, and practice, of aggressive and genocidal character, aimed at **setting up of great-Serbian and great-Croatian state** to the detriment of the independent and sovereign Republic of Bosnia and Herzegovina. **Objective of those ideologies and policies was the aggressive war aimed at expansion of territory (“war for territories”, territorial expansion), war for “living space”, for stealing the Bosnia and Herzegovina land, and destruction of Bosniacs, national, ethnic, and religious group as such.**

Findings of the up to date studies identified and stated scientific facts, which confirm and prove the **scientific truth**, whose important determinants, *inter alia*, are:

- the aggression against the Republic of Bosnia and Herzegovina and genocide against Bosniacs were **planned** (intellectually, ideologically, politically, militarily, economically, psychologically, by means of media and intelligence, etc.) with clear **objectives, ordered, directed, organized, and pursued from competent political and military positions, executed as per plan, systematically, and organized;**

- the Belgrade and Zagreb regimes, under the leadership of Slobodan Milošević and Franjo Tuđman: **planned, prepared, directed, organized, and pursued aggression against the Republic of Bosnia and Herzegovina and genocide against Bosniacs; controlled and commanded the aggression; operationally planned, prepared, directed, and with their own armed forces** (Yugoslav national army/Yugoslav Army, Croatian Army, “Army of the Serbian Republic of Bosnia and Herzegovina”/“Republika Srpska Army”, “Republic of Serbian Krajina”, “Croatian Defense Council” and “National defense of the Autonomous Province of West Bosnia”) **waged military operations against the Republic of Bosnia and Herzegovina; ensured manpower (commanders and soldiers), full logistic and financial support (tanks, transporters, helicopters, artillery and infantry weapons, radars, explosives, ammunition, fuel, oils, and other strategic raw materials), medical material, healthcare insurance and all other military equipment, salaries and pensions, and in this way directly participated in commission of genocide and other forms of crimes against humanity and international law;**

- armed aggression, the aggressive war against Bosnia and Herzegovina, was an essential component of the Milošević’s and Tuđman’s state policies, in whose names the biggest portions of the Republic of Bosnia and Herzegovina were occupied, and Bosniacs killed, expelled, and taken to concentration camps, just on the ground of their **national, ethnic, or religious background and conquering their living space;**

- Federal Republic of Yugoslavia (Serbia and Montenegro) while taking part in the aggressive wars in the Republic of Croatia and the Republic of Bosnia and Herzegovina, and genocide against Bosniacs, **SUPPORTED “70,000 SOLDIERS IN REPUBLIC OF SERBIAN KRAJINA ARMY, AROUND 200,000 SOLDIERS IN REPUBLIKA SRPSKA ARMY, AND THE YUGOSLAV ARMY /around 230,000 – remark by S.Č./, WHICH IS NEARLY HALF A MILLION OF SOLDIERS”;**

- Federal Republic of Yugoslavia, has by 30 August 1994 **“SPENT TWO BILLION /AMERICAN – remark by S.Č./ DOLLARS IN BOSNIA AND HERZEGOVINA”** – for conducting aggressive war against the Republic of Bosnia and Herzegovina and the destruction of Bosniacs, while it, by 8 July 1994 **“SPENT FOR AMMUNITION AND MILITARY EQUIPMENT, NEEDED FOR WAR IN RS AND RSK, AROUND ONE BILLION AMERICAN DOLLARS” (“... AROUND 1,000,000,000 \$”);**

- pseudo-state creations of Serbian Republic of Bosnia and Herzegovina /Republika Srpska, Croatian community of Herzeg Bosnia /Croatian Republic of Herzeg-Bosnia/, and Autonomous Province of West Bosnia, and their political, military, police, and executive authorities were the authorities of the neighboring states – Federal Republic of Yugoslavia and the Republic of Croatia. These marionette regimes were neither independent nor political entities. Federal Republic of Yugoslavia and the Republic of Croatia pursued, in the capacity of the occupation forces in the Republic of Bosnia and Herzegovina, the general (overall) political and military, including effective control over their pseudo-state, collaborator, and fifth column creations in the Republic of Bosnia and Herzegovina and their political, military, police, and executive authorities;

- the aggressor, in addition to crimes against peace and safety of humanity, committed, in towns under siege and in the territory of the United Nations – UN Safe Areas, numerous forms of crimes against humanity and international law against civilians, civilian population, and civilian facilities, such as: organized targeted killing, more precisely terrible massive and individual execution, slaughtering, burning, mutilation of men, women,

children, and the elderly, mainly Bosniacs, and Muslims – Albanians and Roma (“**deprivation of life during the attack at towns and villages**”), members of protected national, ethnic, and religious group as such, who were systematically selected as a target for destruction; arresting, deportation, and incarceration in the concentration camps, prisons and other places of incarceration; killing and mutilation in the concentration camps and other places of incarceration; intimidation, beating, torture, ill-treatment, persecution, humiliation, and starvation of civilians in camps and prisons, and brutal and inhumane treatment and inhumane conditions in places of incarceration, of which numerous Bosniacs died on daily basis; targeted killing and inflicting injuries on intellectual and political elite (doctors and medical professionals, lawyers, clerical staff, particularly of Islamic community – Imams, professors, students, pupils, and other businessmen and experts, prominent and respectable Bosniacs, particularly political leaders and members of the Party of Democratic Actions); inflicting severe bodily or mental harm; systematic and massive rape, and sexual abuse of women (even elderly women), girls, even young girls in camps, prisons, hotels, garages, private houses, and other places; taking and killing hostages; forced baptizing of Bosniacs; systematic forced persecution, resettlement, expelling, and deportation of civilians and civilian population, mainly Bosniacs, from their homes and places of origin (horrible extent of these crimes is demonstrated in transformation of these occupied territories in mono-ethnic, ethnically cleansed Serbian or Croatian territories); forced separation of women, children, and the elderly from male members of their families; brutal, cruel, and inhumane treatment with the injured and prisoners of war; attacks at the healthcare institutions, inflicting injuries and killing the injured; systematic widespread military attack (with the use of artillery, 105 mm howitzers, T-84 tanks, guided missiles, cluster bombs, and other weapons) directed against civilian targets (civilian population and civilian facilities); attack at the humanitarian convoys, obstruction and restriction of humanitarian aid, attack at the staff of humanitarian organizations; nonselective and excessive use of force (including heavy artillery), siege of civilians and civilian population and civilian facilities; cruel and inhumane treatment with civilians and civilian population, including infliction of great suffering on bodily and mental integrity; physical exhaustion and terrorizing civilian

population; unlawful (massive) dismissal from work; deliberate destruction and demolition of towns, settlements, and villages; permanent shelling of civilians and civilian population and sniper activity at the Bosnia and Herzegovina towns and settlements under siege; use of civilians as a living shield, and for purpose of physical labor at the frontline (digging trenches, carrying ammunition, etc.); forcing people to work overtime; infliction of severe injuries and ill-treatment of civilians; deliberate imposition of living conditions calculated to bring about full or partial physical or biological destruction of Bosniacs (deliberate starvation, deprivation of appropriate medical assistance, food, water, accommodation, clothes, sanitary conditions, electricity, gas, heating material, telephone communications and communal transport); use of prohibited (based on international conventions) methods of warfare, physical exhaustion, etc.); looting homes by means of unjustified military purposes; planned and selective looting, destruction and demolition of residential, education, scientific, healthcare, religious, and industrial facilities; destruction and eradication of cultural and religious monuments, as well as complete infrastructure in Bosnia and Herzegovina (roads, postal installations, radio and TV transmitters, electricity transmission lines, water supply systems and water reservoirs, healthcare institutions, etc.), as well as natural resources (forests, rivers, mines, etc.), and so much more;

- as for the crime of genocide against Bosniacs in the Republic of Bosnia and Herzegovina at the end of the 20th century, about that massacre of the innocent, unarmed, and helpless victims, which the West left to the aggressor and their collaborators and fifth column to be destroyed, especially along the valleys of rivers Drina, Neretva, Sana, Una, Lašva, Sava, particularly the genocide in and around UN Safe Areas Srebrenica and Žepa in July 1995, including other forms of crimes against humanity and international law, there are, in addition to ample relevant, available, and reliable documents, data, information, knowledge, statements and other pieces of evidence, including professional knowledge of the international and national courts, the objective indicators – massive and individual murders and mass graves;

- the operationalization of the great-Serbian ideas, politics, and practice in the Republic of Bosnia and Herzegovina was pursued by the Serb Democratic Party of Bosnia and Herzegovina, under the leadership

of Radovan Karadžić, Momčilo Krajišnik, Biljana Plavšić, and other criminals, who were accepted and followed by, unfortunately, a great number of Serbs. Leadership of the Serb Democratic Party and Serbian pseudo-state and collaborator creation in the Republic of Bosnia and Herzegovina (Serbian Republic of Bosnia and Herzegovina/Republika Srpska) was involved in joint criminal enterprise under the direct political and operational leadership of Slobodan Milošević, whose objective and intention was, in line with the political project of setting up a “**single state of Serbian people**” (“**single Serbian state in the Balkans**”) and “**strategic goals of Serbian people in Bosnia and Herzegovina**”, to take over and destroy the Republic of Bosnia and Herzegovina and its people Bosniacs, a national, ethnic, and religious groups as such;

- fascistic and genocidal leadership of the pseudo-state and collaborator creation of Republika Srpska, under the leadership of criminals Radovan Karadžić, Momčilo Krajišnik, Biljana Plavšić, and others, generated by the Serbian Nazism, inaugurated on the bones of the killed Bosniacs a genocidal creation titled republic, had **genocidal intent** and **genocidal plan** to destroy Bosniacs, a national, ethnic, and religious group as such, and based on these the genocide was organized, targeted, and systematically executed;

- there was a **genocidal criminal intent** and **genocidal plan** (there are orders to commit genocide, including the setting up of concentration camps) to destroy Bosniacs, a group protected by international humanitarian law (national, ethnic, and religious as such);

- genocide against Bosniacs was committed in continuity by the end of 1995, in line with the (great-)Serbian genocidal ideology, politics, and practice, following the fascist and Nazi models, and it was broadcasted live on television, regardless of the number of killed, wounded, expelled, raped, etc. The intention to destroy Bosniacs was apparent from the beginning, and it is a constant determinant, which was permanently and in continuity obvious throughout the aggression. Perpetrators of genocide, considering that the United Nations and leading Western countries tolerated their actions, were convinced that they would achieve *via facti* the legalization of genocide as a political practice;

- genocide against Bosniacs in the Republic of Bosnia and Herzegovina is the result of a collective great-Serbian Nazi ideology, politics, and practice applicable to the destruction of Bosniacs. Well designed, planned, organized, directed, guided, systematic and targeted genocide against Bosniacs of the Republic of Bosnia and Herzegovina, in and around the UN Safe Area Srebrenica in July 1995, involved, according to the Republika Srpska Government study, over 25,000 people.

*
* *

Serbian-Montenegrin aggressor, in the occupied territories of the Republic of Bosnia and Herzegovina, particularly in the territory of Serbian strategic priorities of **Eastern and Northern Bosnia**, as well as **Bosnian Krajina, towns under siege, UN territory – UN Safe Areas and in free territory of the Republic of Bosnia and Herzegovina** committed the crime of genocide against Bosniacs. The most massive genocide was carried out in the municipalities with Bosniac majority along the valleys of rivers Drina, Sava, Sana, and Una, in the territory of Sarajevo, especially in Sarajevo under siege and in other places in the Republic of Bosnia and Herzegovina.

The great-Serbian aggressor and its collaborators executed mass and individual killings, slaughtering, and burning of dozens, hundreds, and thousands of civilians and civilian population, including children and women, and the elderly, pregnant women, and (newborn nameless) babies in the territories of: Trebinje, Bileća, Ljubinje, Gacko, Nevesinje, Mostar, Kalinovik, Foča, Goražde, Čajniče, Rudo, Višegrad, Rogatica, Sokolac, Han Pijesak, Vlasenica, Bratunac, Srebrenica, Zvornik, Kalesija, Bijeljina, Brčko, Bosanski Šamac, Modriča, Doboj, Bosanski Brod, Derventa, Teslić, Šipovo, Jajce, Čelinac, Maglaj, Zavidovići, Prnjavor, Kotor Varoš, Skender Vakuf, Banja Luka, Prijedor, Ključ, Bosanski Petrovac, Drvar, Sanski Most, Bosanska Gradiška, Bosanska Dubica, Bosanski Novi, Bosanska Krupa, Bihać, Cazin, Velika Kladuša, Sarajevo (Ilijaš, Vogošća, Hadžići, Ilidža, Trnovo, Centar, Novi Grad, Novo Sarajevo, Stari Grad, Pale, especially in Sarajevo under siege) and other places.

Almost all these areas, from Trebinje in south-east, via Bijeljina in north-east, parts of Sarajevo – capital of the Republic of Bosnia and Herzegovina, Posavina region, to Bihać area in north-west, comprise the present Republika Srpska (entity within Bosnia and Herzegovina), legalized by the Dayton Peace Agreement, which is, as it can be seen from all these data, set up on genocide and other crimes against humanity and international law.

In all the occupied places and towns under siege in the Republic of Bosnia and Herzegovina, including in concentration camps and other places of incarceration, the Bosniacs, civilians and civilian population, unarmed human beings, men, women, children, the elderly and the youth, sick and disabled individuals, were subjected to the planned, organized, systematic, continuous, numerous mass and individual killings, in addition to other forms of crimes against humanity and international law. Bosniacs, **due to their national, ethnic, and religious background**, were selected **with intention** and targeted for physical and biological extermination (killed “**just because they are Muslims**”).

Forms of crimes and ways and means used for killing Bosniacs are different and numerous in form of monstrous pathology, characterized by emphasized barbarism, sadism, and cruelty. Men, women, children, and the elderly were killed (in homes, in front and around their houses, apartments, courtyards, orchards, stables, garages, in the streets, in the fields, in camps and other places of incarceration, schools, hospitals, kindergartens, mosques, and other places; in groups or individually); victims were tortured, mutilated (mainly by firearms – automatic rifles and pistols: they usually shot the victims to their heads, chests or back); killed by mortars, rockets, modified cluster bombs, shelling, with sharp tools (knives, axes, even sabers), blunt items (various bars, batons, chains, cables, and with the use of physical force – hands and feet); they were slaughtered (even by chain saws), burnt alive (the criminals, mainly neighbors, whose identity is known, who knew the victims, burnt alive also the bed-ridden, seriously ill, helpless and exhausted; they killed or slaughtered older men and women); victims were impaled and barbecued, thrown into pits and water wells, mutilated, decapitated, their fingers and ears were cut off, eyes plucked out; victims were buried alive, publicly mutilated, bulldozed with construction machinery or loaders,

nailed to their heads, shoed with nails like animals, their private parts were cut off; the killed genocide victims were burnt (numerous Bosniacs were burnt after they were killed or slaughtered) and executed in so many other ways (the criminals also used trained dogs against civilians and civilian population). The newborns were also killed – those nameless babies, including the unborn babies (still in their mothers' wombs). Bosniacs were killed monstrously, the whole families, so that the mortal remains of the whole families were identified in some of the mass graves. Victims were killed individually or in groups **“in front of numerous witnesses, usually family members or in places where the families could see the act of killing”**. Among other things, criminals used to **“kick Muslim skulls”**.

The Serbian criminals physically and mentally ill-treated the helpless, unprotected, and unarmed civilians; they humiliated, beat up (with batons, sticks, hey-forks), then massively, systematically and in an organized manner raped and sexually abused women, girls, and little girls, carved crosses in the victims' faces (even “made” crosses on the bodies of killed Bosniacs), separated able-bodied civilians – men from the elderly, women, and children, then girls and little girls from women, etc.

*
* *

Although **Srebrenica** and its surrounding were declared *UN territory – UN Safe Area*, throughout the time, until it was captured in July 1995, the isolated Bosniac population was constantly subjected to the genocidal act of destruction. The Serbian aggressor constantly **“made the life miserable”** to Bosniacs and it brutally violated the status of the UN Safe Area, by shelling Srebrenica, whereby many civilians were injured or killed, and civilian facilities destroyed. Srebrenica became a concentration camp, the UN concentration camp, in which the crime of genocide was committed in continuity, publicly – before the entire international community.

In early 1995, the Serbian aggressor, in line with the **political project** (Serbian great-state project) **“all Serbs in one state”** and to that end with the **“strategic objectives of Serbian people in Bosnia and Herzegovina”**,

of the fascistic and genocidal character, began with direct preparations for the military operation against the UN Safe Area Srebrenica. The taking over of the UN Safe Areas in East Bosnia was agreed in late May 1995 between the United States of America and Slobodan Milošević. This is the context in which the secret agreement between the UN and Yugoslav Army officers should be observed, that the airstrikes against Serbian aggressor would not be used, by which the UN Safe Areas were left to the aggressor, and civilians and civilian population were pushed to hopeless situation, which facilitated the world powerful politicians to implement the planned division of the Republic of Bosnia and Herzegovina.

The final end of the *Operation "Krivaja 95"* was the **occupation of the UN Safe Area Srebrenica and the elimination of the "community of Bosnian Muslims who used to live in that territory"**. This is a unique operation that was **"carried out with the purpose to destroy the population of Bosnian Muslims in Srebrenica"**, that is the UN Safe Area, which was confirmed by ample acts of genocide executed by the Serbian forces, and which (*actus reus*) represented **"a part of the single plan to commit genocide against the Bosnian Muslims in Srebrenica, which can be seen in the document 'Operation Krivaja 95'"**.

Following the takeover of the UN Safe Area Srebrenica, on 11 July 1995, the armed forces of the Federal Republic of Yugoslavia (Serbia and Montenegro), along with their (Serb) collaborator armed units from the Republic of Bosnia and Herzegovina, committed genocide and other forms of crimes against humanity and international law against Bosniacs in the Republic of Bosnia and Herzegovina, on the ground of their national, ethnic, and religious background, and for purpose of taking their living space. In addition to the massive and individual killing, the genocide victims were inflicted permanent severe physical and mental injuries and harm; around 30,000 civilians – women, children, and the elderly were expelled by force, aimed at physical or biological extermination of Bosniacs, a national, ethnic, and religious group as such; difficult living conditions were also imposed; crimes of rape were committed; families were separated by force; Bosniac civilian facilities were looted, destroyed and burnt, particularly the religious ones, etc.

In a single and massive *operation of killing*, mainly in four days, more than 8,000 captured and imprisoned Bosniacs from the Republic

of Bosnia and Herzegovina were killed deliberately, in an organized manner, and in line with the defined plan and pattern, including more than 800 children, which was motivated by their national, ethnic, and religious background, and the desire to occupy their living space, which was marked as strategically important in the great-Serbian plans. Three generations of men were exterminated, causing radical destruction of Bosniac national, ethnic, and religious community. This is the crime of genocide, wanton, deliberate, and targeted extermination of people – civilians and civilian population in Europe after the Second World War.

In addition to military and police forces of the collaborator, fifth column, fascistic, genocidal creation of Republika Srpska, the armed forces of the Federal Republic of Yugoslavia (Yugoslav Army and the special units of the Republic of Serbia Ministry of Interior) took part in capturing the UN Safe Area Srebrenica and genocide against Bosniacs in July 1995.

In July 1995, Bosniacs from the Republic of Bosnia and Herzegovina, living in the territory of UN Safe Area Srebrenica **were killed in various places – in the territory of 14 municipalities of the Republic of Bosnia and Herzegovina:** Srebrenica, Bratunac, Zvornik, Vlasenica, Šekovići, Kalesija, Živinice, Kladanj, Olovo, Bijeljina, Han Pijesak, Rogatica, Višegrad, and Trnovo. The genocide victims were buried in mass graves on the places of execution, deprived of any dignity, and mainly with the use of heavy machinery, or they were transported (from the places of execution) to other locations and buried in primary mass graves, from which they were later on, with the use of heavy machinery, moved again, the whole bodies or body parts, and reburied to secondary mass graves.

The massive extent of crime of genocide is also confirmed by a fact that in July 1995, in the territory of the above mentioned municipalities, with the intent and on genocidal basis, Bosniacs originating from **12 (twelve) municipalities of the Republic of Bosnia and Herzegovina** were killed: Srebrenica, Bratunac, Vlasenica, Zvornik, Bijeljina, Sokolac, Kalesija, Banovići, Han Pijesak, Šekovići, Rogatica, and Višegrad.

Occupation of the UN Safe Area Srebrenica; crimes in Potočari and (forced) expulsion of women, children, and the elderly; capturing,

incarceration, and execution of Bosniacs, then **cover up of crimes** are underlying genocidal acts, well planned, well designed, efficiently organized, widespread, ordered from competent political and military positions, carried out as per plan, systematically and in an organized manner, what was confirmed by the up to date scientific and other researches, including their results, as well as by international (ICTY and International Court of Justice in The Hague) and national criminal courts (Court of Bosnia and Herzegovina), and the results of the Republika Srpska Government study. Number, structure, specialty of the engaged forces in the taking over the UN Safe Area and the crime of genocide, equipment, and facilities used for killing, standardized coded language used by the aggressor forces to transmit information about the mass killing, extent of killing, specific methods of killing, they all confirm the elements of genocide (*mens rea* and *actus reus*). In destroying Bosniacs in the Republic of Bosnia and Herzegovina, the Serbian forces, in and around UN Safe Area Srebrenica, committed the crime of genocide with **intent**. They took all the personal belonging and documents from all the men and boys captured and incarcerated, prior to their killing; and they killed them all deliberately, systematically, and as per plan just because of their identity – a national, ethnic, and religious background.

Killing of men and boys, expulsion of women, children and the elderly aimed only at the physical disappearance of Bosniacs from the Republic of Bosnia and Herzegovina. Systematic, intentional, and planned deliberate looting and destruction of residential, historic, cultural, and religious facilities, particularly mosques and homes is also an obvious evidence of intention aimed at physical destruction of Bosniacs, a national, ethnic, and religious group as such.

The number of killed, and execution in short time, fast setting up of mass (primary) graves, quick burial in mass graves and dislocation of mortal remains from primary to secondary and/or tertiary mass graves, suggest that the process of planning, preparation, execution and cover up of genocide involved in their full capacity the **political, administrative, military, and police potential** of the Serbian forces, including a large number of organized and disciplined perpetrators. Thus, according to the Republika Srpska Government research, the genocide against Bosniacs

in the Republic of Bosnia and Herzegovina in and around the UN Safe Area Srebrenica in July 1995 involved (on various grounds and in various ways) more than 25,000 individuals. Ideological, political, and military holder of the aggression and genocide was the state Federal Republic of Yugoslavia (Serbia and Montenegro), and chief perpetrators the Yugoslav Army (Federal Republic), the Republic of Serbia Ministry of Interior, collaborator units of the great-Serbian aggressor in the Republic of Bosnia and Herzegovina (“Republika Srpska Army”, “Republika Srpska Ministry of Interior” and other bodies of executive and administrative authorities of Republika Srpska pseudo-state creation), then mercenaries from Greece, and others.

*

* *

Great-Serbian aggressor and its collaborators committed the crime of genocide in the territory of **Sarajevo** as well, particularly in Sarajevo under siege, one of the “*strategic objectives of Serbian people in Bosnia and Herzegovina*”, and other territories of the United Nations (UN Safe Areas) and all towns under siege, including in the free territory of the Republic of Bosnia and Herzegovina. The coordinated, long-lasting, widespread, and systematic deliberate shelling campaign (by weapons for nonselective shelling such as mortars, guided missiles, and artillery) was pursued in Sarajevo under siege in water and food queues, markets places, schools, university, hospitals, trams, buses, streets, residential places, at work, during funerals. The civilian areas, facilities, and civilian population were exposed to artillery, mortar and infantry firearms activities. The shelling and sniper activity killed or injured thousands of civilians, both genders and all age groups, particularly children, women, and the elderly people. Only in the territory of Sarajevo under siege, from April 1992 to December 1995, **the total number of killed, murdered, and those who died**, according to the ICTY research, **amounts to 18,889 people**.

In difficult living conditions in Sarajevo under siege and other towns in the Republic of Bosnia and Herzegovina, and the widespread and systematic attack at civilians and civilian population and civilian facilities (by

large caliber shells, armor-piercing shells, multiple rocket launchers, incendiary projectiles, non-selective and sniper fire, and other weapons), including in: Srebrenica, Žepa, Goražde, Tuzla, Maglaj, Zavidovići, Travnik, Bugojno, Tešanj, Žepče, Visoko, Vareš, Zenica, Gradačac, Kladanj, Olovo, Bihać, and Mostar, in addition to everyday permanent killing, injuring, and other forms of crimes against humanity and international law, the physical and psychological state of population deteriorated, which among other things enhanced their suffering and anguish.

*

* *

The Serbian-Montenegrin aggressor, while implementing the generally declared political objective of setting up a “**single state of Serbian people**”, and the fight for “**living space**” (Radovan Karadžić stated in November 1991 “... **this is the fight for living space**”), “liberation” of “Serbian territories” and securing “**bonds between Serbian territories and mother state Serbia**”, committed genocide and other forms of crimes against humanity and international law **against children**, a vital group on which the development of population depends, by killing and injuring them, by intimidating and interrupting their childhood, leaving them (the surviving genocide victims) with the worst – severe physical scars and psychological disorders, which they cannot overcome in the rest of their lives. Criminals were killing even babies, girls and boys, sisters and brothers, regardless of their gender or age. Numerous children were killed and injured, especially in the territory of Sarajevo under siege, then in Goražde, Srebrenica, Bihać, and other towns. The armed forces of the Federal Republic of Yugoslavia – Serbia and Montenegro (YNA/Yugoslav Army, Republic of Serbia Ministry of Interior, especially special forces such as Red berets /*Crvene beretke*/, “Republika Srpska Army” and other Serbian armed units), by conducting direct combat activities in and against the Republic of Bosnia and Herzegovina and civilians and civilian population and civilian facilities, including in the territory of Sarajevo (in the occupied territories and under siege, as well as in free territories), took part in killing, injuring, and inflicting mental harm to children.

*
* *

The Serbian aggressor, while using heavy artillery against the civilian population and civilian facilities, in line with the Serbian political project “**all Serbs in one state**”, with its aggressive and genocidal character, in all the occupied places of the Republic of Bosnia and Herzegovina systematically separated dozens, hundreds and thousands and hundreds of thousands of civilians and civilian population, mainly Bosniacs, as per plan, and in an organized manner, massively and deliberately, then arrested, captured, and incarcerated them in numerous concentration camps and other places of incarceration, in which the captives were subjected to widespread physical and mental ill-treatment, inhumane conditions, everyday torture, starvation, beating up, harassment, massive and individual killing, injuring, raping, and sexual abuse, and other forms of crimes against humanity and international law.

Dozens, hundreds, thousands, and hundreds of thousands of civilians and civilian population, predominantly Bosniacs, including women and children, and the elderly, on the ground of their national, ethnic, and religious background (“**because they are Muslims**”; “**just because they are Muslims**”) were incarcerated in the numerous concentration camps and other places of incarceration (barracks, military installations, factories, hangars, schools, sports, healthcare, recreational and catering facilities, police stations, companies, prisons, concrete bunkers, warehouses, storages, distributive centers, churches, firefighter facilities, cultural centers, railways stations, mines, garages, cellars and other places). Conditions in camps and other places of incarceration were difficult, inhumane, and cruel. Military and police personnel of the Serbian aggressor, responsible for management of these facilities, subjected the prisoners to cruel and inhumane treatment, severe beating up, terror, physical and mental ill-treatment, intimidation, and harassment. They, in the places of incarceration, with the intention to destroy Bosniacs, members of national, ethnic, and religious group as such, killed (massively and individually), severely injured many of them, and deliberately imposed conditions calculated to bring about their physical destruction. Prisoners were either victims or witnesses of inhumane treatment,

including murders, rapes, sexual abuse, torture (even with teasers), beating up (with electric cables, sticks, rifle butts, iron bars, axes, batons, wooden sticks, baseball butts, metal fist “boxers”, chains, hands, boots, etc.), looting, humiliation, including other forms of physical and mental harassment, whereby the criminals were shouting, yelling, screaming at, and cursing Bosnia, Islam, and Muslim mothers. They forced prisoners to sing Serbian nationalistic songs and they “**regularly insulted them on the ground of their national background**”. Victims were severely injured, or they were subjected to mental harm, which among other things violated their “**basic human dignity**”. In numerous cases, the imprisoned women and girls were raped in camps, or they were taken out of the concentration camps and raped or sexually abused elsewhere.

Bosniacs, victims of the concentration camps and other places of incarceration, were selected based on their national, ethnic, and religious background. “**The only personal characteristic present in the decision to imprison men was the fact that they were not Serbs**”, that is “**just because they are Muslims**.” The only reason for all those forms of crimes against humanity and international law, committed against Bosniacs in the concentration camps and other places of incarceration was “**that they were Muslim by their ethnicity**”.

Available, valid, credible, and authentic sources of information, and undisputed pieces of evidence confirm that all forms of crimes against humanity and international law were committed deliberately against Bosniacs in the concentration camps and other places of incarceration. In this way, all the requirements relative to material element of genocide are fulfilled: all acts of genocide (*actus reus*), defined in Article II (a-e) of the *Convention on prevention and punishment of crime of genocide*. All the crimes were committed in the concentration camps with the intention to destroy Bosniacs, members of national, ethnic, and religious group as such, which verifies and confirms that this is the crime of genocide.

*

* *

Mass graves of the Bosniac genocide victims are crucial, complex, and objective indicator of the genocide, and clear and undisputed physical evidence that it was committed. Their most direct connection with the committed crime of genocide has not yet been noted in the history of mankind.

Mass graves, difficulties, and problems surrounding their disclosure, suggest the process of planning, organization, and perpetration of crime of genocide, being direct indicator of genocide, accompanied by intention and objective to cover up the evidence of genocide.

Mass graves were preceded by mass executions of captured and incarcerated Bosniacs, carried out by the Serbian aggressor (Federal Republic of Yugoslavia – Serbia and Montenegro) and its collaborators (Republika Srpska). Information about the mass graves confirms the facts that the victims were moved from the primary mass graves to various other locations. Criminals, in their attempt to cover up the evidence about the crime of genocide, were hiding mortal remains of genocide victims, from the primary mass graves, once or two times, in a way that they would dig them up, whereby they mutilated the remains, and then bury them again to other mass graves in other even more distanced locations, **“which completely prevented the burial in accordance with religious and ethnic customs of the group, causing a disastrous anxiety among the grieving survivors, who still cannot make inner peace until the death of their closets members is confirmed”**. Such a politics and practice make the process of finding mass graves even more difficult, as well as exhumation and identification of mortal remains. Secondary mass graves are yet another so specific characteristic of genocide against Bosniacs, committed at the end of the 20th century. Namely, this is the crime worst of all, repeated killing of the killed, continuation of genocide, in which the genocide victims were broken again by different machinery and explosives, whose body parts can be located now in various locations, in the vicinity and far away from within other mass graves.

Criminal treatment with the mortal remains of the killed Bosniacs, genocide victims, “**often ruthless**” accompanied by **mutilation of mortal remains**, which criminals “**buried in mass graves**”, and then “**moved to other graves**”, to “**cover up traces of crimes**”, is the worst humiliation, insult for the human dignity, and degradation of (surviving) genocide victims.

Ligatures for hands and feet, the cover for eyes, clothes, found in graves suggest the form of killing (the immediate vicinity) and helplessness of the genocide victims, and they confirm that the victims were civilians. Chopped body parts are apparent evidence that the bodies were moved from one to another grave, and the testimony about the cover up – secretive removal of mortal remains of genocide victims, which is, among other things, one of the forms and ways of planned and systematic denial of genocide, the last stage of crime of genocide. Parts of the same body were found in two, three, four, even five different graves, even more than few kilometers distanced from one another.

Network of primary and secondary mass graves, made by dislocation of mortal remains from initial, primary graves, created after the killing of victims, on which occasion the remains were broken up, is apparent in almost all occupied (by Serbia and Montenegro – Federal Republic of Yugoslavia) places in the Republic of Bosnia and Herzegovina, especially in the territory of Bosnian Krajina and East Bosnia, predominantly populated by Bosniacs (genocide victims) prior to the aggression against the Republic of Bosnia and Herzegovina. These are mainly parts of the territory of Bosnia and Herzegovina, which were unfortunately, given to the entity Republika Srpska by Dayton Peace Agreement, the entity set up by aggression and genocide. Identified mass graves are important and relevant indicator and evidence of crime of genocide, and also obvious proof of intention by perpetrators (of the crime); they confirm both elements of genocide against Bosniacs: **genocidal intent** and **genocidal acts** (*mens rea* and *actus reus*).

Thus, this is the organized, planned, systematic, and targeted crime. This is a joint criminal enterprise, which involved political, military, police, and civilian structures of the Serbian aggressor (Federal Republic of Yugoslavia – Serbia and Montenegro) and its collaborators (genocidal creation Republika Srpska).

Mass graves of Bosniac genocide victims in the Republic of Bosnia and Herzegovina make an integral part of planned and organized system of crimes, which resulted in genocide – worst of all forms of crimes against humanity and international law, aimed at expansion of Serbian living space. Expansion of this living space, harmonized with the Serbian fascistic ideology and politics, was possible only with the extermination of the domicile Bosniac population, majority population in major part of the occupied territory.

The biggest number of mass graves was created in spring – autumn 1992, when, in difficult conditions of the aggression against the Republic of Bosnia and Herzegovina, the worst forms of crimes against humanity and international law were committed, and in the second half of 1995, following the takeover of the UN Safe Areas Srebrenica and Žepa (July – November 1995), **“which was the clear indicator of the planned, well organized, and systematically implemented plan of a complete elimination of a certain ethnic group (Bosniacs) from the space, reserved for fulfillment of great-Serbian project”**.

The biggest number of mass graves, disclosed and identified, were in the territory of Bosnian Krajina (Prijeđor, Sanski Most, Bihać, Bosanska Krupa, Ključ), East Bosnia (Foča, Višegrad, Rogatica, Sokolac, Vlasenica, Zvornik, Bratunac, Srebrenica, Rudo, Čajniče, Kalinovik), along the valley of Sava river (Brčko, Bosanski Šamac), East Herzegovina (Nevesinje), and in the occupied parts of Sarajevo.

The biggest number of mass graves is in the area where **“the biggest number of forcible disappeared persons”** is identified and registered **“which clearly suggests that the forcible disappearance is closely related to the existence of mass graves. Massive disappearance takes place where it was logical it could take place: along the lines of confrontation in time of active fighting. The biggest number of disappearances, including mass graves, is located deep in the territory under the control of the aggressor, and at time when there were no combat operations, or when the fighting was sporadic (i.e. Prijeđor, Ključ, Sanski Most, Foča, Višegrad, Zvornik, Rogatica, Vlasenica, Brčko, Bosanski Šamac, Bratunac, Teslić, Nevesinje, Sokolac, Srebrenica, Ilijaš, Vogošća, Gacko, etc.)”**.

The identified victims, in more than 90% of exhumed mass graves, are Bosniacs, **“while the remaining mass graves contain the victims identified as Bosniacs and Croats together, Serbs, as well as members of some minorities (Roma, Albanians, others)”**.

There is a direct link between camps and mass graves in the process of committing genocide – **“mass graves are where the places of incarcerations were”**. Camp in Ripač (Bihać) – mass grave “Bezdana”, pit at Hrgar; camps Račić and Ripač (Bihać) – pit Tihotina; camps Keraterm, Omarska, and Trnopolje in Prijedor – mass graves Tomašica, pits Hrastova glavica, Jakarina kosa, Stari Kevljani, Kevljani, Redak, Pašinar, Korićanske stijene; camp Manjača (Banja Luka) – mass grave, pit Bunarevi; camp Sušica in Vlasenica – mass graves Sušica and Ogradice (Debelo Brdo); camp Prison Foča – mass graves Miljevina I, Miljevina II, Suhi potok, Previla, Buk Bijela, and pit Piljak; camp Prison “Kula” – mass grave Veliki vrh in Sokolac; camp Crkvine in Bosanski Šamac – mass grave Zasavica; camp Luka Brčko – mass grave Gorice; camp Rasadnik in Rogatica – mass grave Vragolovi; camp Novi izvor (Zvornik) – mass graves in Kazanbašča; camp Elementary School “Vuk Karadžić” in Bratunac – mass grave Redžići; camp ‘Barutni magacin’ (Kalinovik) – mass grave Ratina, and so many others.

Several thousand mortal remains or body parts of genocide victims were exhumed from ample mass graves, of which some were identified and buried. In the area of Bosnian Krajina, more than 1,000 mass and individual graves were exhumed, around 5,000 mortal remains, and more than 4,000 genocide victims were identified. By 31 December 2015 in the area of East Bosnia, 160 mass graves of genocide victims from the UN Safe Area Srebrenica, July 1995 were exhumed, and 6,705 genocide victims were identified.

Primary mass grave **Tomašica** (20 km from the Prijedor town – in the area of mine Tomašica, at the height above the surrounding settlement Tomašica), made in the period May – August 1992, is the biggest identified mass grave in Bosnia and Herzegovina, from which 1,464 genocide victims were exhumed, of whom 604 were identified. These are genocide victims (children, women, and men), of different age group and gender, coming from the territory of Kozarac, Rizvanovići, Sredice, Zecovi, Bišćani, Čarakovo, camps Omarska, Keraterm, and Trnopolje,

town of Prijedor and other places in this municipality), which were killed in summer 1992. The criminals were “**for more than three months, almost every day**” transporting mortal remains of the genocide victims.

The biggest secondary mass grave, exhumed in the territory of Prijedor is **Jakarina kosa**, with 995 exhumed genocide victims, of whom 305 were identified (until now). The biggest exhumed mass graves in East Bosnia, in the area of Kamenica, Zvornik municipality, are: Kamenica – KAM-06 with 1,179 cases (mortal remains, body parts, parts of skeleton) and Kamenica-KAM-10 with 1,153 cases. Given that these are secondary mass graves and cover up of victims, that is, the genocide victims, which is also the characteristic of primary mass graves, the process of identification of genocide victims is extremely difficult. Mass grave Crni vrh (Zvornik, or better to say Osmaci) is at the same time the biggest primary and secondary mass grave, where 629 genocide victims were exhumed, of whom 525 were identified.

Almost only the civilian structure of exhumed and identified victims, including their national, ethnic, and religious backgrounds clearly suggest the **genocidal intent** (*mens rea*) and confirm the **genocidal politics and practice** (*actus reus*) of the Serbian aggressor and its collaborators to destroy Bosniacs.

A large number of mass graves were upset, that is, they were dug up, on which occasion the mortal remains were moved to other locations to cover up the crime of genocide. Secondary mass graves were the attempt to cover the crime of genocide. Mortal remains were ruthlessly broken in several pieces during their dislocation, just to disable their completing and identification. Concealing mortal remains of the killed Bosniacs confirm this statement, as it is often not possible to complete the whole body, required for the process of identification. It is now often the case that the newly identified body parts are buried to the already buried graves. Up to date results of scientific research of mass graves of the Bosniac genocide victims in the area of East Bosnia, including the UN Safe Area Srebrenica, July 1995, conclusive with 31 December 2015 suggest that in the total number (160) of exhumed mass graves 12,971 body parts – cases were found, divided per municipality: Zvornik – 8,876; Bratunac – 2,298; Srebrenica – 1,334; Vlasenica – 79; Vlasenica (Milići) – 269; Šekovići – 73; Kalesija – 11;

Kalesija (Osmaci) – 9; Trnovo – Sarajevo – 6; valleys of the rivers Drina and Sava – 16.

The analysis of secondary mass graves identified that they are connected with one or more primary mass graves. In some cases, one secondary mass grave is connected with several primary mass graves, which suggests that one secondary mass grave was made of mortal remains originating from one or more primary mass graves or vice versa – one primary mass grave resulted in several secondary mass graves, for which reason the process of identification is made difficult, slowed down or completely disabled.

Mass graves of Bosniac genocide victims in all the occupied places, including in and around UN Safe Area Srebrenica, July 1995, among other things, confirm that the crime of genocide was committed in a continuity (1992-1995), starting with setting up of primary mass graves until the setting up of secondary mass graves, which all together makes the process of identification of genocide victims more difficult. This, among other things, illustrates the spread of mass graves per number of cases of genocide victims in mass graves, especially in the territory of East Bosnia in July 1995, including in and around the UN Safe Area Srebrenica. In the sample of up to 100 cases there were 122 mass graves; from 100 to 200 in 17; from 200 to 300 in 12; from 300 to 500 in 5; from 500 to 600 in one; from 600 to 1,000 in one; and over 1,000 in two mass graves. It is obvious that there is a large number of mass graves (17) with 100 to 200 cases, and 17 mass graves with 200-300 cases, whereas in two mass graves there are more than 1,000 cases (these are the biggest exhumed mass graves, until 31 December 2015, in the municipalities of Zvornik: Kamenica – KAM-06 with 1,179 cases and Kamenica – KAM-10 with 1,153 cases).

Based on available data, it may also be concluded that despite the allegations of the Serbian criminals and deniers of genocide who claim that only able-bodied men were killed (age 18-65) in and around UN Safe Area Srebrenica in July 1995, a large number of children was also killed (434 or 6.47% of the total number of identified victims by 31 December 2015) and those above 65 years of age (326 or 4.86%), which yet again is the proof that this is the crime of genocide. Moreover,

women were also genocide victims, given that 19 of them or 0.28% were identified in the total population of victims.

The genocide victims, prior to their killing, were subjected to numerous forms of crimes against humanity and international law. These are the examples of injuring, capturing, incarceration, imprisonment, rape, deportation, expulsion, mutilation, forced disappearance, kidnapping, starvation, use of prohibited methods of warfare, etc.

*

* *

In the concentration camps and other places of the incarceration in the occupied territory of the Republic of Bosnia and Herzegovina, the Serbian aggressor committed as well, in addition to other forms of crimes against humanity and international law, **mass systematic rapes** and other numerous forms of barbarian acts (characterized by horror scenes) of sexual violence, torture, and humiliation of the Bosniac women (“**the Muslim women and children**“), including: women, young girls, little girls, as well as old women. Essential determinants of this phenomenon are ideology and politics (of genocide), intent, planning (“**well-planned systematic politics...**“), preparation, orders, organization, targeting and purposiveness, while its crucial features are massiveness (“**collective phenomenon**“, “**collective nature**“), systematics, wide-spread nature, selectivity, extreme brutality, severe physical and psychological pains and sufferings, humiliation of people, sadistic abuse and violence of human dignity. The members of Serbian armed forces (army and police) and civilians participated in those crimes, that is, barbarian acts, whereby the criminals, in the most cases, knew the victims.

The crimes of mass and collective rape and sexual violence are the result of the Serbian genocidal ideology and politics, whereby the “**way of desecration, passion in crime the commitment of which cannot be resisted in front of a 102-year-old woman or the belly of a pregnant woman**”, had not been ever before, in such manner and to such extent,

practiced as they were during the aggression against the Republic of Bosnia and Herzegovina and the genocide committed against the Bosniacs within the context of “an incredible freedom of killing”. The rapes were **“repeated and systematic, ended in killing of a victim or, sometimes, in the victim’s liberation in the advanced stage of pregnancy”**.

The Serbian aggressor committed the crimes of rape and sexual abuse in the concentration camps and other places of incarceration not as **“individual, isolated cases, as in the situations when one victim is raped once by one perpetrator”** but rather those crimes include multiple gang mass rapes of the Bosniac women and girls, **“typically raped by more persons”** and **“over long time period”**. Prior to their bringing into the detention camps for women, which is, inter alia, defining feature when it comes to the women and girls in Karaman’s house in Miljevin, the women and girls **“had already been subjected to the various physical and psychological tortures including multiple sexual assaults and rapes which for those women-victims constitute particular specificity and gravity and cause specific kind of trauma, psychological pain and violence of human dignity”**.

The Bosniac women and girls were arrested and detained **“in cruel living conditions over long time periods”** where they were by force or by threat of attack on their life or limb, coerced to rape and sexual abuse (**“forced to sexual intercourse, sexual enslavement and severe forms of sexual violence”**). **“They were neither armed nor were able to defend themselves”**, nor did they have any protection. Many of them were little girls. The victims were particularly vulnerable at the time when the crimes of rape and sexual abuse were committed against them of which the criminals were aware of and used it.

Women and young girls, including 12-to-16-year-old girls, forcibly taken to (sexual) enslavement, were treated as slaves (the victims did not feel as humans), whereby they were detained, tortured, raped and sexually abused, as well as subjected to buying, selling, giving and gifting just like goods and things.

The women and young girls, including little girls, were taken by the criminals to **“various places of incarcerations where they had**

to live in unbearable hygienic conditions, where they were mistreated in various ways including, for many of them, the constant rapes. The Serbian soldiers or police officers came to the places of incarcerations, picked up one or several women, took them out, and raped.” Many women and young girls were “raped in that way”. Some of them were than taken from the places of incarcerations to the private apartments and houses where they had to cook, clean for and serve the Serbian soldiers who were residing there. They were also subjected to sexual abuse”.

Numerous women were systematically raped on more than one occasion (many times). Some of women were raped over 150 times; **“the old woman was raped in front of the local citizens who were forced to watch that horrible act; a little girl was raped, over only one night, by 16 persons of which the last one to rape her was the UNPROFOR member; father was at knife-point forced to watch the rape of his own daughter; a barrel of the automatic rifle AK47 was pushed into a victims’ vagina, and thereupon a bullet was fired”.**

The criminals burned with cigarettes **“the breasts and vaginas of the helpless rape-victims women and young girls”**, brutalizing the helpless, demonstrating recklessness towards the victims, addressing them in abusive way, calling them “balija” (pejorative for Muslim), raping mothers and daughters at the same time, gang-raping them, intensively **“for 10-20 times a day by endless exchange, even several dozens of perpetrators on one woman”**, pushing beer bottles into the vaginal openings and then breaking them inside the vagina... **They put, to live women, hay in Turkish style pantaloons and burnt it.** They forced women to **“sit on the dish with ember”**.

The rapes were committed individually and/or in groups. **“Frequently, one girl was raped by groups of men.” Upon the instructions of the commander of one of the camps, the soldiers would cut the women’s throats after rape. Only in one day or night, one victim used to be raped 5, 6 and even 20 times by different perpetrators.”**

Before, during and after rape, the criminals cursed them **“using abusive words”**, telling them **“that all of them should be killed”** – that **“all balija women should be taken away, eliminated and that all Muslims must be destroyed, particularly the men.”**

One of the defining features in committing the crime of rape and sexual abuse is the establishment of the concentration camps, improvised prisons, schools, sport halls, factories, hangars, certain motels, as well as private houses, apartments, cellars, courtyards, workers' (forestry) barracks, some construction sites and other facilities specifically intended for the acts of rape, such as, inter alia, the Buk-Bijela barracks, motel and Karaman's house in Miljevina, women's prison Velečevo (Foča), restaurant "Westphalija" in Brčko, restaurant "Kon-tiki" in Vogošća and many others, whereby the victims were raped by multiple perpetrators. Mothers were raped in front of their minor children, mothers and daughters were raped together and mothers were **"forced to watch their daughters being raped of whom the majority of them were minors"**, whereas a number of them were subsequently killed. Women, young girls and little girls were raped, in the most perverted and brutal ways, in the presence of their husbands, brothers and sisters, and their sisters as well as were raped at the same time. Before and during the rape, criminals blackmailed and threatened victims that they would kill and slaughter their children (**"they had to do what they told them, otherwise they would kill their children, take them away from them, rape their daughters"**), and they compelled the Bosniac inmates to rape the female inmates. The female inmates were **"forced to put genitals of the male inmates in their mouths after they had been forced to put off their clothes"**. Also, the female inmates were subjected to other forms of sexual violence.

The Serbian aggressor formed special concentration camps and brothels for rape and sexual violence in villages, houses and apartments where the little girls (younger than ten years of age), young girls and women were kept detained, and the aggressor committed there the crimes-rapes and other perverted acts, including murders. A large number of Bosniac women got pregnant there and **"were told in those concentration camps, having been brutalized and treated in inhuman way, that they had to give birth to Chetnics."** Such horrible places of torture existed in Prijedor, Sanski Most, Banja Luka, Kotor Varoš, Brčko, Bijeljina, Foča, Višegrad, Rogatica, Kalinovik, Vogošća, Ilidža, Grbavica, Doboj, Šekovići and other places.

The mass systematic rapes of Bosniac women were organized and targeted. The aggressor's soldiers **"gathered us in a courtyard. In full**

view of us, four Chetnics raped a young girl. Her parents watched it. When Chetnics finished, they started to force her father to do the same. A poor man begged them to kill him. Laughing dreadfully, they pulled down his trousers... He managed to break free. He was dead after a few steps”.

The Serbian aggressor committed the crimes of rapes and sexual abuse **“against the women of all ages, from little girls to old women”**. That was not a classic rape as an act of passion, but rather a great Serbian **“production” of a need to disgrace one nation through humiliation of its females, counting also on producing a deep and permanent collective trauma due to sensitiveness of the Muslim family ethics to such a form of humiliation...**”

Women, especially younger ones, and in particular the high-educated ones (doctors, professors, lawyers), were victims of rape and sexual abuse, as well as the women of a certain age and elderly females. Even **“the little girls were raped and they also eye-witnessed the raping and injuring of their mothers”**.

In the concentrations camps and places of incarceration there were a number of women forcibly kept pregnant (**“women were repeatedly raped until they got pregnant”**), whereas the criminals were telling them that the Muslim women should give births to Serb children (**“...that a Muslim woman will give birth to Serb baby”**). **“After the first signs of pregnancy, they were held in the concentration camp or detention facility up to the advanced stage of their pregnancy, when they would be exchanged or released”**. Several rape-victims gave births whereby some mothers abandoned the children (some children have been adopted), and many of them had abortions.

While being subjected to rape and sexual abuse, the victims were severely injured by knives; they were hit with rifle butts or fists, as well as guns, batons and broken bottles. Criminals forced the victims, while severely beating them with hands or rifle butt and placing them under threat of being shot (**“... he took a gun and put in my mouth...”**), using various abusive and swear words, to the sexual intercourses even with the animals (calves), which constitutes dishonoring of humankind. Children, including little

ones, were often present, being both witnesses and victims of the crime of systematic rape and sexual abuse.

Considering the intent, objectives, essential determinants and significant features, scale, intensity, volume and the consequences of rape and sexual abuse, the policies and practices of rape and sexual abuse against the Bosniac women committed by the Serbian aggressor **in the Republic of Bosnia and Herzegovina for “the only reason they were Muslim women”**, whereby the **“collective rape was an integral part of the policy of genocide”**, are reasonably qualified as the crime of genocide, that is, genocidal acts. In committing those crimes, both elements of the crime of genocide are evident (*mens rea* and *actus reus*), as defined in the *Convention on prevention and punishment of crime of genocide*, whereas dominating are (intentionally) the following acts of the crime of genocide: murders, serious bodily (physical) and mental injuries and severe harm, serious injury of personal integrity, including, inter alia, rape and other forms of sexual violence **“by way of coercion, threat, force, or intimidation, in the way that humiliates and degrades dignity of a victim”**, as well as deliberate infliction of living conditions that brings about physical destruction of Bosniacs, in whole or in part, a national, ethnic, and religious group as such.

*

* *

The Serbian aggressor was killing, injuring and destroying Bosniac political and intellectual elite in a planned, organized, systematic, and targeted way – the best educated, the most prominent, influential, the richest (leading businessmen), the most successful Bosniacs – leading members of the national, ethnic and religious group including: professors, teachers, medical doctors, dentists, pharmacists, veterinarians, nurses, medical technicians, engineers, judges, prosecutors, attorneys, Imams, Islamic community officials, students of the Faculty of Islamic studies, pupils of madrasahs, as well as students and pupils of other faculties and schools, artists, cultural officials, senior officials, politicians, policemen, as well as other leading (key) persons, whereby the Serbian aggressor committed the crime of genocide against Bosniacs, members of a national, ethnic, and religious group as such.

In all occupied places, the aggressor was targeting and destroying the top, that is, the leading persons – significant number of Bosniacs, members of that national, ethnic, and religious group as such, especially in Prijedor, Sanski Most, Ključ, Bosanski Novi, Kotor Varoš, Teslić, Brčko, Bijeljina, Zvornik, Bratunac, Vlasenica, Rogatica, Višegrad, Srebrenica, Foča and other places. Genocidal acts against the leading people (Bosniacs) were expressed in the concentration camps and other places of incarceration.

*
* *

Apart from the mass and individual murders of Bosniacs, civilians and civilian population, infliction of serious bodily and mental harms, destruction of civilian facilities, in particular those belonging to the Islamic community, eradication of traces of their culture and civilization and other forms of crimes against humanity and international law, the Serbian aggressor **forcibly converted the Bosniacs into Orthodox religion**, as supported by the available documentary evidence, in particular the genocide victims who survived.

For the forcible conversion of Bosniacs into the Orthodox, the aggressor used **“among other things, knives with which blades they carved the crosses into the Bosniacs’ foreheads and other parts of body, imprinted hot iron cross into a body, nailed the victims and crucified them on the wooden crosses, converted the girls to the Orthodox and forcibly married them to the Serb soldiers, etc.”**

The said crimes were committed in the territory of Brčko, Zvornik, Doboj, Bijeljina, Vlasenica, Rogatica, and in other occupied places of the Republic of Bosnia and Herzegovina. The Serb Orthodox Church was behind **“that form of genocide against the souls of Bosniacs”**. Forced conversion to the Orthodox was particularly expressed in the numerous concentration camps and other places of incarceration where the Orthodox priests baptized the inmates (men and particularly female rape-victims). Serbs baptized the Bosniac detainees, changed their names to the Serb names, and were telling the girls and women **“after the rape that they would give births to little Chetnics”**.

*
* *

By using heavy weapons, artillery, tanks and mortars, including chemical (chemical-filled) grenades, cluster, napalm, fuel air explosive and modified aerial bombs, remote control guided multiple rocket launchers and snipers, as well as the well trained, armed, and equipped infantry, the Serbian aggressor carried out, with an intent and in the planned and organized way, the wide-spread and systematic, direct (military) attacks against the unprotected and undefended villages, settlements and towns of the Republic of Bosnia and Herzegovina (where no military targets existed) – against the civilians, civilian population, and civilian facilities, killing and injuring the civilians and civilian population and destroying and devastating the civilian facilities, compelling them to flee from their villages, settlements and towns and forcing them to abandon their houses and apartments as well as their property, with a view to **“clean that territory of vermin”**.

While attacking the villages, settlements and towns, the aggressor systematically beat, tortured, captured, physically and mentally abused the civilians and civilian population, and expelling them from their houses and apartments, on which occasion the criminals were looting (money, gold, watches), **“destroyed the houses and killed the cattle.”** A large number of Bosniacs, civilians and civilian population, including women and children, were killed. The bodies of the killed were mutilated and they were decapitated.

After the attacks and occupation of the towns and villages, the Serbian armed forces and **“sometimes the Serb civilians”**, **“used the same pattern of conduct”**: civilians and civilian population were systematically arrested, beaten up, gathered (**“men, women and children were gathered”**), thereupon the men were often separated from women and children, arrested and detained in the concentrations camps and other places of incarceration. At the same time, the criminals were systematically looting and setting on fire the Bosniac houses and apartments, killing, burning down and injuring the civilians and civilian population, and raping and sexually abusing women, young and little girls.

The policy and practice of expulsion and deportation of the Bosniacs was carried out in a planned, organized and systematic way by various

means and in various manners in all occupied places, the United Nations Safe Areas, as well as in towns under siege. The Serbian armed forces attacked **“the towns and villages that were not military targets”**, meaning that the objective was to forcibly transfer and deport the civilian population for the purpose of creation of ethnically, nationally and religiously clean Serb territories and destruction of Bosniacs, members of a national, ethnic and religious group as such. After the attacks against the towns and villages, the men, women and children would be gathered and then very frequently separated, and majority of them arrested and imprisoned in the concentration camps and other places of incarceration where they were held for different periods of duration. The majority of them, with clear intent **“to be permanently resettled”**, were expelled and/or deported. Such policy and practice were aimed at permanent deportation of the Bosniacs, the genocide victims. At the same time, even after deportation and expulsion, their houses, stores, religious and other facilities were subjected to a mass destruction while their property was confiscated or handed out without any remuneration in the ownership of the pseudo-state creation of the Serbian Republic of Bosnia and Herzegovina/Republika Srpska.

The aggressor made the expulsion of the Bosniacs by using **“same pattern”** in a way that they firstly attacked with artillery and other weapons the places, towns, settlements and villages, whereby a number of civilians were killed and injured and numerous civilian facilities destroyed, and thereupon came the infantry that expelled the civilians and civilian population from their houses and apartments, killing and injuring some of them. The aggressor separated a lot of men (from the group of survivors) from women, children and the elderly and took them to the concentration camps and other detention centers, while other civilians – men, women and children were also taken to the concentration camps and other detention centers, forcibly transferred, and deported them. Afterwards, when the place, town, settlement or village were free from Bosniacs (without Bosniacs), the criminals systematically looted, in an organized and other ways, Bosniac estates and property and destroyed the civilian objects by fire.

Dozens, thousands and hundred thousands of civilians, mainly Bosniacs, were unlawfully expelled from their homes and deported by various means of transport (even in the cattle wagons) to other places

within and outside the Republic of Bosnia and Herzegovina, abandoning their entire property. The expulsion and deportation of the civilians and civilian population were aiming at the elimination of the Bosniacs, a national, ethnic, and religious group as such. The (forcible) expulsion and deportation of Bosniacs is also the evidence in support to the policy aiming at **“eradication of Bosniacs”**. The attacks were directed against the civilians, civilian population and civilian facilities, in particular sacral objects that were shelled, whereby a large number of civilians and civilian populations were killed. Such policy and practice confirm the existence of a targeted strategy of attacks against the civilians and civilian population and civilian facilities. The Bosniacs from the territory of the East Herzegovina, East and North Bosnia, Bosnian Krajina and other places (villages and towns) were killed, injured and transferred and deported (by way of force, intimidation and the like). Expulsion and deportation of Bosniacs were an integral part of a planned, mass, organized, and systematic attack directed against civilians and civilian population, carried out with purpose of **“achievement of the historical objective of the great Serbia”**. The aggressor was organizing the **“convoys of buses and trains that transported dozens of men, women and children away...”**.

The aggressor and its collaborators planned to reduce the Bosniacs to an insignificant number in the future Serbian state. Their assumption of high birth rate exceeding the Bosniacs they **“translated to an imperative to remove the majority of the non-Serbs from the territory they considered to be theirs”**.

Serbian nationalism **“operates by imagining threat from birth rate expansion of the Others”**. The criminal, Radovan Karadžić, by “fabricating a threat of that bomb” and by spreading fear, stated that in the pseudo-state of Republika Srpska **“only about 5% of Muslims might continue to live: only then they could not, by their politically programmed birth rate, outnumber the Serbs after a few years.**

The available and accessible information and uncontested and conclusive evidence confirm the planned, organized, systematic and mass expulsion and deportation of the Bosniacs, civilians and civilian population. That policy and practice aimed at “removal” of the Bosniacs primarily from the occupied territories of the Republic of Bosnia and Herzegovina, according to which the Bosniac population was systematically destroyed.

Planned, organized, systematic, mass, deliberate expulsion and deportation of the Bosniacs constitute the crime of genocide. It is corroborated by the fact that during the commission of the crime (operations of expulsion) all underlying acts of genocide were present, as defined in Article II of *the Convention on prevention and punishment of crime of genocide*, from **killing, causing serious bodily or mental harm, deliberate inflicting on the group (Bosniacs) conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent births within the group and forcible baptizing**, with the intent to destroy Bosniacs, which constitutes the act of genocide, that is, the crime of genocide with a genocidal intent (*mens rea*) to destroy the Bosniacs. The circumstances under which the aggressor, by way of force, killing, injuring and other forms of crimes against humanity and international law, carried out the expulsion and deportation of Bosniacs aimed at destruction of the whole population, which in essence constitutes the crime of genocide. The very policy and practice of expulsion and deportation went along with the intent to destroy Bosniacs, members of a national, ethnical and religious group as such.

By forcible separation of men from women (“**separation of the military able-bodied men from their families**”), the Bosniacs were imposed measures (physical and mental) intended to prevent births within the group.

By mass and systematic expulsion, Bosniacs were deliberately inflicted the conditions of life calculated to bring about their physical destruction (in whole or in part), whereas “that population was deprived of normal life and reproduction”.

Numerous mass and individual executions, primarily of male family members, and expulsion and deportation of women, children and the elderly, have resulted in the destruction of the Bosniac family structure. Due to the foregoing, **birth rate significantly dropped**. Apart from that, the surviving genocide victims cannot return to their homes (they had been expelled from), because their houses, apartments, sacral and other objects were destroyed, and their property devastated. Repeated facing of trauma and revisiting the places of killing of their closest family members, along with inevitably evident existing fact that the genocide victims should continue to live with the criminals – executioners, are the facts that additionally aggravated that repeated trauma.

Destruction of social structure of the Bosniac community and its family that was expelled and deported and thus unable to **“live again normal life constitute deliberate infliction of living conditions calculated to bring about the physical destruction of the group.”**

Expulsion and deportation of Bosniacs, by way of force and terror, are the integral part of the Serbian political genocidal project – **“all Serbs in one state”** and the evidence in support to existence of the policy of destruction of Bosniacs. Such policy and practice were deliberately conducted by way of the armed force, intimidation, murders, inflicting bodily and mental harms, inflicting unbearable living and introducing penalty conditions which will force population to leave their homes. The expulsion and deportation of the Bosniacs thus are the result of systematic and political Serbian project on destruction of Bosniacs.

*
* *

Apart from the physical or biological destruction of Bosniacs, the aggressor was also destroying their culture, in a planned, organized, mass and systematic way. It concerns **“staggering scale of destruction of the Muslim population material culture.”** As regard to that, the aggressor, deliberately and intentionally, was devastating and destroying in a reckless way **“the architectural monuments and urban sites of great importance for the Bosniac culture”** – their cultural heritage that was **“methodically set on fire and blew up with dynamite.”** Using armor-piercing grenades, large caliber grenades, and incendiary projectiles, by way of unselected fire, by setting on fire or by explosive, the aggressor was destroying the civilian facilities of Bosnia and Herzegovina towns, settlements and villages (economic, educational, scientific, health, sport, housing, sacral, and other objects), **“burning and throwing down them to the ground under the “scorched earth tactics”.**

The aggressor was destroying and taking away, in the occupied territory of the Republic of Bosnia and Herzegovina, in a planned, organized, mass and systematic way, with an intent and clearly set objective, the Bosniac

property (houses, apartments, business facilities, vehicles, livestock, money and other valuable things), protected under the *Geneva Conventions*. Destruction of the civilian property in the villages, settlements and towns were deliberate and intentional and not justified by any military need.

The decisions and instructions, pertaining to the property, issued by the Serb occupational municipal authorities constitute the integral part of the forcible expulsion of the Bosniacs from the occupied territory.

Destruction, devastation, and looting of property were extensive and constitute an integral part of a widespread and systematic attack against the Bosniac civilian population. In practice, there was a frequent “**connection between the confiscation of property and looting, on one hand, and unlawful imprisonment and forcible transfer/deportation** /note by S.Č./, **on the other**”, whereby at the same time, numerous crimes against humanity and international law were evidently committed, including the crime of genocide, against the civilians and civilian population and civilian objects as well.

Willful destruction, demolishing, and confiscation of the property owned by the Bosniacs, members of (protected) national, ethnic and religious group as such, is the **evidence of the intent for their destruction** (*mens rea*) and considering the factual existence of that intent and the **evidence of material destruction** of the Bosniacs, it constitutes a **genocidal act** (*actus reus*) as provided for in the Article II of *the Convention on prevention and punishment of crime of genocide*.

*

* *

The Serbian forces were destroying in the Republic of Bosnia and Herzegovina (in all occupied places and towns under siege, particularly in occupied places, the United Nations Safe Areas, as well as in the free territory) historical, sacral and cultural assets of the Bosniacs and the state of the Republic of Bosnia and Herzegovina, intentionally and in a planned, organized, systematic way; they deliberately inflicted damage to those assets, with a view to erase all evidence of the culture and the existence

of that nation. The cultural and religious heritage of the Bosniacs **was a target** for destruction – it was selected to be destroyed as religious symbols of the social status of Bosniacs, an ethnic, national and religious group as such, which presents, inter alia, an obvious piece of evidence corroborating the existence of the policy and practice of destruction of Bosniacs – **“to eradicate all traces of them (“... in order to eradicate every trace of the Muslim culture and religion”, “in order to eradicate the traces of the Muslims’ existence”)**. Destruction and demolitions were deliberate, targeted, and controlled. **“Destruction of cultural monuments and sacred sites”** constituted the integral part of the widespread and systematic attacks against the Bosniacs, civilians and civilian population. Mosques, some of which were the masterpieces of the European and the world architecture, including the Ferhadija Mosque in Banja Luka and Aladža Mosque in Foča, and other sacral objects (masjids, Muslim elementary schools, turbeths, Tekkes, ablution sites, quarters for ritual bathing of the dead, mosque harems, prominent Muslims tombstones, wakf institutions, clock-towers, and the like) were destroyed and desecrated, in a planned and systematic way. It concerns directly aimed attacks, shelling and planting of explosive devices, which were often placed inside the mosques or on the minarets’ stairways.

Destruction of the cultural and religious objects of civil nature was a part of the widespread and systematic Serbian attack against the Bosniac civilian population. That destruction, as well as the intentional infliction of damage to the institutions intended for religious, charity and educational activities and the destruction of historical monuments and art and scientific works was **“targeted, controlled and deliberate”**, committed with a view to destroy the Bosniacs, members of a national, ethnic and religious group as such, along with their culture, and it has produced the severe consequences for that nation, genocide victims, to whom the mentioned objects were of great importance for their survival. The destruction of the religious objects **“was widespread and it was committed in a systematic manner to such an extent that it has destroyed, traumatized and dehumanized the aspects of life of the Bosnian Muslims ...”**.

*

* *

The Armed forces of the Republic of Croatia (Croatian Army and its collaborators and the fifth column – The Croatian Defense Council, a fascistic part of the Croatian Defense Council that operated under the general – overall control of the Republic of Croatia and for its interests, *de facto* and *de iure* body, an instrument of the Republic of Croatia that conducted general control and effective command over the armed forces and civil authorities of the pseudo-state of the Croatian Community of Herzeg Bosnia/ Croatian Republic of Herzeg-Bosnia, whereby the crimes committed by the Croatian Defense Council are attributed to the Republic of Croatia), in **Central Bosnia, valleys of the rivers Rama and Neretva**, as well as in the **West Herzegovina**, committed a large number of crimes against humanity and international law against the Bosniacs, civilians and civil population, including; mass and individual murders and torching, injuring the victims including women, children and the elderly; expulsion and forcible transfer; mass and systematic capturing of civilians and their imprisonment in the concentration camps and other places of incarceration, attacks against the civilians and civilian facilities; terrorizing the civilians; rapes and sexual abuse acts; military attacks against towns and villages and their destruction; destruction of houses, religious, historical, educational, scientific, cultural, health, sport, economic and other civil objects, including the Old Bridge in Mostar; plundering and setting on fire the public property; looting Bosniac houses, apartments and other Bosniac property and their burning down; massive dismissal from work; conversion into the Christianity; forced labor at the frontlines where the inmates and prisoners were forced to be human shield; deliberate blocking of humanitarian aid; assaults on the humanitarian workers; imposing the huge charges on humanitarian aid as well as other forms of crimes against humanity and international law. In line with the Croatian nationalistic ideology and policy aimed at setting up “**a common Croatian state in its ethnical and historical borders**”, for which realization there existed, at the end of 20th century, a joint criminal enterprise headed by the state, political and military leadership of the Republic of Croatia, under the leadership of President Franjo Tuđman,

the foregoing constitutes a part of the premeditated and systematic policy and practice of crime of genocide committed by the Croatian armed forces in an organized way in the above stated areas of the Republic of Bosnia and Herzegovina. That genocidal policy and practice were carried out in the municipalities, including: Stolac, Čapljina, Ljubuški, Tomislav Grad, Mostar, Jablanica, Prozor, Gornji Vakuf, Bugojno, Kiseljak, Busovača, Vitez, Žepče, Vareš, and many other places, which was corroborated, among many other pieces of evidence, by the existence of mass graves. The most striking examples of the mass crimes against the humanity and international law include the crimes of genocide committed in **Ahmići, Vrbanja, Stupni Do, Prozor**, in the settlements of Tulica, Grahovci, Radanovići, and Han-Ploča (**Kiseljak**), where many civilians, including women and children, were killed and burned alive, while their houses and other civilian objects were torched with incendiary bullets, shells and petrol.

- Supporting the aggressor state (Federal Republic of Yugoslavia – Serbia and Montenegro) and Slobodan Milošević personally;
- Supporting fascists, criminals, and murderers: collaborators and fifth column of the Federal Republic of Yugoslavia (Serbia and Montenegro) – pseudo state criminal creation Republika Srpska;
- Ample ceasefire agreements;
- Intolerable hypocrisy of the world diplomacy;
- Shameful policy of (im)moral and political equivalence of the aggressor and the genocide victims;
- Blaming aggressor’s victims and genocide victims that they kill (bombard) themselves;
- Erroneous qualification of the armed conflict and the nature of crimes, which contributed to the erroneous establishment of facts and judgment on the character of the armed conflict and the nature of crimes, along with the permanent advocating of the thesis on civil war and “ethnic cleansing”, while disregarding and avoiding objective and real state of facts: crime against peace – aggression (international armed conflict) and crime of genocide;
- Moral indifference and lack of consciousness, lies, hypocrisy and cynicism, lack of solidarity towards genocide victims;
- Relativization and denial of crime of genocide and permanent attempt to impose the guilt and responsibility on the genocide victim;
- “sanctions” against Federal Republic of Yugoslavia (Serbia and Montenegro), which were not enforced, by which the SC Resolutions were always violated;
- so-called United Nations Safe Areas, real true reservations and/or concentration camps, in which the civilians and civilian population, under the protection of Western states, were continuously subjected to the crime of genocide;
- setting up of the area of withdrawal of heavy artillery (of the Serbian aggressor) around Sarajevo to the distance of 20 km from the city center, etc., etc.

United States of America and leading European powers (Great Britain, France, Germany, and Russia), through the manipulation of the international politics and institutions, without a true moral authority, failed to accept (refused, kept refusing) obvious facts about the aggression against the Republic of Bosnia and Herzegovina and evidence related to the crime of genocide against Bosniacs, which is the outcome of lack of political will, due to the national, ethnic, and religious background of genocide victims (Bosnia and Herzegovina, European Muslims – Bosniacs), to act in a timely manner, adequately, and efficiently and prevent, suppress, and stop the aggression, and prevent and stop the crime of genocide; they alleviated and diminished the massive character and extent of genocide against the peaceful, unarmed, helpless Bosniacs, autochthone European nation; they encouraged the Serbian aggressor and its collaborators; they indifferently observed commission of crimes and rewarded the Serbian aggression. The West did not act in line with the commitments from the *UN Charter* and *Convention on prevention and punishment of crime of genocide*, as it did not prevent or stop the crime of genocide in the Republic of Bosnia and Herzegovina, by which it did nothing, and was bound to defend the genocide victims and principles and values of the *Convention on prevention and punishment of crime of genocide*.

Grave violations of international humanitarian law and evidence on the crime of genocide did not have absolutely any effect on political views and decisions of the West and the so-called international community. World leaders kept refusing to intervene, thus prevent and stop the genocide. Contrary to the basic principles of justice and international law, they allowed the genocide against Bosniacs in the Republic of Bosnia and Herzegovina to be committed again in Europe at the end of the 20th century, right before eyes of the world press and television. The world, particularly Europe, passively observed the destruction of Bosniacs, an autochthone European nation, by which the genocide victims were left alone, abandoned, and betrayed. It is apparent that the prevention of genocide failed, which also raises an issue of a mere idea of humanism, while the promise made by politicians after the horrendous Holocaust that such crimes would “never” repeat turned into a statement of a declarative character.

Numerous Western governments, knowingly and deliberately misrepresented the state of facts in the Republic of Bosnia and Herzegovina,

concealing the aggression against the Republic of Bosnia and Herzegovina and crime of genocide against Bosniacs, so that they do not have to undertake any specific actions, to which they are obligated in line with the *UN Charter* and *Convention on prevention and punishment of crime of genocide*, and therefore avoid the responsibility for prevention and stopping the crime of genocide. The United States of America, contrary to the state of facts, did not qualify the policy and practice of destruction of Bosniacs as the crime of genocide, whereby they, among other things (at the beginning), delayed and refused to confirm the Serbian concentration camps.

There were so many of those in the West who supported and justified the Serbian territorial expansion, the Serbian aggressive and war for territory, use of armed force against civilians and civilian population, insisting on the argument that the massive crimes against civilians and civilian population and other forms of crimes against humanity and international law in the Republic of Bosnia and Herzegovina cannot be treated as the crime of genocide. Moreover, the Western observers and their mediators moved a large portion of responsibility to the genocide victims – Bosniacs, by which, acting in this way and maintaining their views, they silently transferred a part of guilt on victims.

Europe, “behaved cowardly and tolerated the aggression against the state, it already recognized”, by closing their “eyes before genocide, concentration camps”, where the slaughters were performed “manually, professionally, compared to the industrialized killing in the Nazi camps”, and other forms of crimes against humanity and international law.

The shaping of policy by the so-called international community towards the events in the Western Balkan at the end of the 20th century, especially the aggression against the Republic of Bosnia and Herzegovina and crime of genocide against Bosniacs were influenced, to that end, by the myths and great lies, designed, planned and spread from Belgrade, which the West, United Nations, particularly Europe, fully supported, and which were basically the policy pursued by the foreign ministers and defense ministers of the USA and the leading European states.

International armed conflict in the Republic of Bosnia and Herzegovina, for purpose of justifying the aggression, was qualified ad civil and/or religious

war, that is, wars whose roots were sought in alleged several century long interethnic and religious hatred, in which the Serbians were declared militarily undefeatable, Serbia as “the best guarantor of survival and preservation of Yugoslavia”, whereas the international recognition of the Republic of Croatia and the Republic of Slovenia was presented as premature and crucial event not only for the beginning and conducting the aggression against the Republic of Bosnia and Herzegovina, but also for shaping erroneous policy towards the Republic of Bosnia and Herzegovina.

Lies about “civil war”, “ethnic war”, “ethnic conflict”, “internal (ethnic) conflict”, “interethnic conflict” and “warring parties” (“confronted parties”), equally guilty and responsible (“equal guilt of all sides”) for crimes (“all parties equally responsible”) “were spread by the Serbian lobbyists”. Those lies, as well as “a series of unclear stereotypes on Muslims” in the West, particularly the British policy towards the Republic of Bosnia and Herzegovina, were crucial, and they, among other things, helped “that the killing of Bosniacs look like something so natural – they helped in refusing to prevent those killings look as natural as possible”. When the ministers sought to avoid military intervention against Serbian aggressor, they would usually emphasize and point out that the civil war is in former Yugoslavia, and starting from that (false) assessment, they cannot engage in the war of such a character (“civil war”). This excuse also served them to conceal the aggression carried out by the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Croatia against the Republic of Bosnia and Herzegovina, and escape from condemning, primarily Federal Republic of Yugoslavia (Serbia and Montenegro) and its collaborators – aggressors and those who committed the crime of genocide, by which they justified and supported the Serbian genocidal ideology, policy and practice, protected criminals who committed the crime of genocide, while bypassing and covering the truth and showing bias towards the Serbian fascists.

International community, its dominant parts, treated and valued the (international) armed conflict in the Republic of Bosnia and Herzegovina as a conflict between three warring sides (“three sides”, “warring parties”, “confronted parties”, “three confronted parties”, “three warring parties”, “parties in conflict”, “conflict between Bosnians Serbs, Muslims, and Croats”), whereby they “considered criminals and their victims as alike”,

which was a “traditional diplomatic way of wording in the UN Resolutions”. Secretary General Kofi Annan “called this practice ‘the amoral equivalence of the parties’, in which the victim and aggressor were seen as the same thing”; they deliberately and knowingly denied the official recognition of the Republic of Bosnia and Herzegovina, by matching the legal and legitimate Republic of Bosnia and Herzegovina Government with the rebels and criminals, and by marking it as a Muslim (Bosniac) side, and the Republic of Bosnia and Herzegovina as a “Muslim state”, while the other two sides were the Croat and Serb sides, that is, the aggressor states – Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Croatia along with their collaborators and fifth column, which occupied the largest parts (territories) of the Republic of Bosnia and Herzegovina; the nature of crimes, instead of its true name – genocide, a social, historic, and objective fact, they qualified as *ethnic cleansing*, “unimaginable atrocities”, “massacre – massacres”, “savaged massacre”, “the worst massacre”, “tragedy”, “incident - incidents”, “violence”, “atrocities”, “atrocities carried out by the Bosnian Serbs”, “crime - crimes”, etc. In this way, the policy of denial of crime of genocide also dominated the reality (in the West). The goal was, by use of the notion “ethnic cleansing” instead of genocide, to justify and legalize the crime of genocide and avoid, in addition to moral and political, the legal obligation, duty, and responsibility, stemming from the international instruments to provide that attacked country (during the aggression) with the assistance in form of defense from the aggression, and to that end, take certain and appropriate actions to prevent and stop the crime of genocide.

This thesis, according to which the international armed conflict in the Republic of Bosnia and Herzegovina was presented as a civil war, was particularly advocated by David Owen, who falsified the historic facts. Namely, this was a well-designed project aimed at preventing any activities directed towards the stopping of aggression and crime of genocide. The advocates of the thesis on civil war argued that the decisive action of the international community would mean aligning with one “side”, so that it had to be, by all means, avoided, which in fact was the direct interest of the Serbian aggressor. Thus, Owen and those alike often emphasized that the international community intervention was significantly less acceptable in case of the internal conflict, that is, the civil war.

The outcome of the allegation on civil war was a false assumption on the fight between several (different) warring parties, which (all the parties) shared the same basic principles, methods, and responsibilities, whereby all the (parties), more or less, committed crimes. By equalizing the objectives of the aggressor – attacker/criminals and the genocide victims, and accrediting equal guilt to all (the parties) became a natural reaction of the officials in the West, which suited the interests of the Serbian aggressors, that is, criminals, and which was to the detriment of the genocide victims.

Knowingly and deliberately designed strategy of the West, western politicians on the civil war in the Republic of Bosnia and Herzegovina was used as an excuse not to act militarily, that is not to use the military force “on behalf of Muslims”, genocide victims, given that in such a situation, this military intervention could be interpreted as “alignment” with one of the sides.

Moral equivalence of the aggressors and defenders, criminals and victims (genocide victims) “could be achieved by portraying all the parties as inhuman savages” and “by ignoring the atrocities”, which among other things implied that “no one was in fact responsible”. Moral equivalence results in political equivalence, based on which the legal and legitimate Republic of Bosnia and Herzegovina Government, of an internationally recognized state, was treated as one of the “three warring sides”.

This insisting on “neutrality”, as the dominant Western position, implied the equivalence between the conquering/aggressive objectives on one hand and the defensive on the other, the aggressor’s methods of achieving goals of the aggressive war, of fascistic and genocidal character and the biological survival of civilians and civilian population – Bosniacs.

The western countries, supported by Russia, did not apply rules and principles of the international law in the Republic of Bosnia and Herzegovina, on the victim of aggression and crime of genocide, related to stopping the aggressive war and preventing and stopping the crime of genocide. Such a politics (of the European and North American governments) was in line with their political objectives of the destruction of the state Republic of Bosnia and Herzegovina and Bosniacs. Lack of military intervention by the West in preventing and stopping the crime of genocide in the Republic of Bosnia

and Herzegovina is based on a crucial social fact surrounding the national, ethnic, and religious background of the genocide victims – Bosnia and Herzegovina Muslims – Bosniacs. This is, among other things, illustrated the best in the political instruction of the Great Britain Prime minister John Major to the (British) Deputy Foreign Affairs minister, Douglas Hogg, dated 2 May 1993, in which John Major also wrote: “... it is necessary to continue with the fraudulent ‘Vance-Owen’ peace talks, so as to have just any kind of actions until Bosnia and Herzegovina stops existing as a valid state, and its Muslim population is displaced out of its state.

Although this may appear as a hard politics, I have to insist with you and those who make political decisions in the Community Foreign Office, as well as military services that this is in fact a ‘right politics’ and it is of the best interest for the stable Europe in the future, whose system of values is based and has to remain based on ‘Christian civilization’ and ethics.

I have to inform you that such a view is shared by every European and North American government, and therefore we shall not intervene in this area to save Muslim population or to lift the arms embargo.”

The biggest powers of the Christian world (United States of America, Canada, Great Britain, France, Germany, and Russia) kept refusing to intervene and prevent and stop the crime of genocide. In this project of failure to act, Great Britain was the most responsible, whose Foreign Office “pursued an intensive diplomatic activity to have France and United States of America abstained from any efficient intervention”. The Republic of Bosnia and Herzegovina and Bosniacs, unfortunately, were left to the planned, systematic, and well organized, deliberate attacks, destruction, devastation by the neighboring countries (Federal Republic of Yugoslavia/Serbia and Montenegro and the Republic of Croatia) and their collaborators, who killed, injured, tortured, and raped and sexually abused many civilians and civilian population, and destroyed the civilian facilities. Instead of serving the function of protection of its member (United Nations), in line with the commitments arising from the *UN Charter* and *Convention on prevention and punishment of crime of genocide*, from the aggression and crime of genocide, these world powers failed to do so – they avoided to prevent and stop the aggression against the Republic of Bosnia and Herzegovina and genocide against Bosniacs.

NATO, “the strongest alliance in the world”, “due to the disunity of its members”, “was unable to react” – it did not stop “the worst aggression in Europe since the establishment of the Alliance, almost a half of century ago”. Instead of stopping the aggressive war for the territory – against the Republic of Bosnia and Herzegovina, NATO efficiently strengthened “the results of the Serbian genocide and aggression”.

NATO pursued the policy, which deprived the genocide victims – Bosniacs of their right to defense and at the same time, it refused to implement the UN resolutions, which empowered the NATO members to protect unarmed civilians and civilian population. NATO Member states “armed in 1991 the Serbian militants, not by sale of weapons, as in the war between Iran and Iraq, or genocide in Rwanda, but by the declarations/resolutions – /note by S.Č./ of the United Nations”.

Politicians from the NATO member states had a moral and legal obligation, in line with the *UN Charter*, which guarantees every signatory the right to self-defense, and the *Convention on prevention and punishment of crime of genocide*, to use all available tools to prevent and stop the crime of genocide. But, instead of meeting that legal (international) and moral obligation, they did not allow the genocide victims to defend themselves “or to use the NATO power to be defended”, and thus they engaged in “a form of passive violence, by setting up parameters within which the killing may be carried out without been punished”. In this way, the NATO member states violated the *Convention on prevention and punishment of crime of genocide*, by “refusing to prevent and punish the genocide”, and by rewarding the genocide by way of “giving the territory to the force that committed the genocide”.

Lack of appropriate reaction of the West, among other things, is illustrated by the actions of the UN peacekeeping forces – UNPROFOR, particularly the UN high-ranking officers, UNPROFOR commanders, who instead of undertaking necessary measures aimed at stopping the crime of genocide, denied the genocide and concealed and rejected evidence corroborating the Serbian policy and practice of destruction of the Republic of Bosnia and Herzegovina and Bosniacs.

“Bosnian blue generals” and their spokespersons, just like heads of states and diplomats of the European Community/Union members states,

Chairs and other representatives of the so-called international community, including the United Nations, in their assessments of the situation in the Republic of Bosnia and Herzegovina, contrary to the *UN Charter*, constantly concealed the grave violations of the international humanitarian law, and to that end, diminished the need for urgent reaction, and portrayed themselves as “Serbian propagandists”.

Canadian General Lewis MacKenzie (UNPROFOR Commander for Bosnia and Herzegovina, February-September 1992), with pro-Serbian orientation, advocated for the thesis on “warring parties” and to that end, how “all the sides in the Balkan wars are guilty of crimes”, and at the same time he bluntly and without any shame fabricated that “people in Bosnia mutually killed so many mothers and children of their opponents...”; he diminished the extent of crimes, or as he said atrocities in the Republic of Bosnia and Herzegovina, by which he denied genocide and thus personally participated in that crime; he fabricated and spread lies that the genocide victims (Bosniacs) were attacking themselves just to get the support of the international community; in so many public statements, funded by the Serbian lobbyists in the United States of America, he presented the view that “although Bosnian Serbs might have killed, raped or looted more than the others, the image of Bosnian Muslims as victims is a false image”; he was in favor of “creating a small Muslim state in the middle of Bosnia, while Serbs and Croats were to be allowed to achieve their goals – great Serbia and great Croatia”; (great)Serbian armed force – “YNA” was presented as victim in the events in the Republic of Bosnia and Herzegovina, while disregarding the key role of that Army in planning, preparation, and execution of the aggression against the Republic of Bosnia and Herzegovina and other forms of crimes against humanity and international law; he participated in the act of rape of Bosnian girls in the concentration camp “Kod Sonje” – in Vogošća, and in a cottage at Jahorina mountain; he forged historic facts, particularly in relation to the ownership over the land (territory), arguing also that the “Serbs and Croats are villagers and farmers”, which “gives them a lot of territory”, unlike Bosniacs, that is Muslims in his vocabulary, who were, as he argued “businessmen concentrated in four or five cities and villages ... businessmen who do not have a lot of territory”; he supported the

division of the Republic of Bosnia and Herzegovina and justified the use of force, arguing that the “force was rewarded ever since the cavemen took the bat, occupied the neighbor’s cave and ran away with his wife”; while serving in Sarajevo, he kept exerting pressure on the President Izetbegović to accept the division of the state (Republic of Bosnia and Herzegovina) and forced him to accept that there would be no military intervention, so that, after all, the Republic of Bosnia and Herzegovina Government should reach an agreement with Serbs; he opposed to lifting embargo (arms and equipment), while presenting naïve and false arguments, and to airstrikes “on the Serbian artillery positions in the hills surrounding Sarajevo”; he openly advocated the idea, in accordance with which, had the Bosniacs received the weapons, they would have started with revenge and engaged in massive crimes; he knowingly and deliberately created a wrong impression that the misbalance in arms and other military equipment, where the fourth military force in Europe (Federal Republic of Yugoslavia) that waged military operations with minimal losses was on side, and the unarmed, helpless genocide victim on the other, was not a politically or militarily significant factor; he opposed to setting up no-fly zone (above the Republic of Bosnia and Herzegovina), arguing that this would result in direct revenge against the UN peacekeeping forces in the field, etc.

French General Philippe Morillon (UNPROFOR Commander for Bosnia and Herzegovina, September 1992 – July 1993) marched, among other things, on 6 March 1993 (between 08:00 and 10:00 hours), along with his troops and with the representatives of UNHCR, WHO, and ICRC, as well as numerous journalists, into Cerska, which was since May 1992 under the full siege, and then occupied in early March 1993 by the Serbian forces, who committed the crime of genocide against Bosniacs. He had a chance then to see for himself that the genocide was committed. Instead of stopping aggressive attacks of the Serbian forces, and protect the civilians and civilian population of Kamenica, Cerska, and Konjević Polje, and condemn the crime of genocide, in reference to which he did nothing to prevent it, he directed the civilian population towards Srebrenica – a concentration camp for Bosniacs. Morillon stated (in Cerska) on that occasion: “I know the scent of the burnt human flesh. I was a soldier in Algiers. No one

was killed here.” In this way the UNPROFOR Commander, based on personal experience from Algiers, among other things, denied the crime of genocide committed against the civilian Bosniacs.

General Philippe Morillon, in Potočari (Srebrenica), on 15 March 1993 (at 15:20 hours) while talking to the Yugoslav Army officers (Federal Republic of Yugoslavia), that is, their collaborators and fifth column from the “Republika Srpska Army”, among other things, supported the Serbian conquering and genocidal activities. To that end, he stated: “I know you want to cleanse this terrorist nest /i.e. civilian population – note by S.Č./ . I will do it for you, I will save you from the losses”.

UNPROFOR Commander, General Philippe Morillon, in mid March 1993, around and after the time of genocide in Cerska, Konjević Polje, and Kamenica, which (genocide) he persistently denied, came to Srebrenica, where he could see for himself the horrible living conditions and publicly promised that the population would be under the protection of the United Nations. And yet, the aggressor’s offensive against Srebrenica and its broader region continued, on which occasion numerous crimes were committed against civilians and civilian population. A month later, UN Security Council declared the area of Srebrenica the UN Safe Area, which “has to be spared from any armed attack or any hostility”, which also meant “the obligation of the UNPROFOR military engagement to protect the Safe Area”. UN Secretary General, Boutros Ghali, in contravention to the Security Council decision, that is, *Resolution 819* (1993), provided the UNPROFOR Commander in Bosnia and Herzegovina with a Directive, according to which the Security Council decision did not include any “obligation of the UNPROFOR military engagement to protect the UN Safe Area”, which is an abuse of office by the Secretary General, his powers – duties, rights, and responsibilities. In this way, the role of UNPROFOR, and its tasks were significantly reduced to providing humanitarian aid to victims, provided the aggressor and criminals agreed with that. UNPROFOR Commander, contrary to the UNSC *Resolution 819* (1993) declared a full demilitarization of the town, that is, an agreement of capitulation, by which he demanded full disarmament of Bosniacs.

British General, Michael Rose (UNPROFOR Commander for Bosnia and Herzegovina, January 1994 – January 1995), having supported

and implemented the British policy towards the Republic of Bosnia and Herzegovina, and having deep pro-Serbian orientation, with all his actions went in favor of Serbs. During his mandate, he was well aware of the situation in the field, particularly the character of the armed conflict and nature of crimes, and at the same time he played an important political and diplomatic role, especially in preventing the NATO airstrikes to protect the three UN Safe Areas: Sarajevo, Goražde, and Bihać.

General Rose, a friend to Radovan Karadžić, deceived also his superiors and the world public in relation to the events in the Republic of Bosnia and Herzegovina, although he was aware of the fact that "... genocide was not a part of official policy pursued by the Bosnian government, as it is so clear when we talk about Serbs..."; he created a false image of the seemingly peaceful and normal life in Sarajevo; the Serbian crimes against civilians at the market Markale (5 February 1994) he credited to the Republic of Bosnia and Herzegovina Army ("...Bosnians shell themselves"); he knowingly minimized the aggressor's offensive – Serbian attacks (31 March and April 1994) at Goražde, creating a wrong picture about the situation in and around that UN Safe Area, while refusing to protect civilians and civilian population and civilian facilities; he equalized the genocide victim and aggressor; he objected against the air strikes; he showed disrespect towards the Serbian threats against the UN Safe Areas; he diminished the extent of Serbian destruction of civilian facilities in Goražde in April 1994; he personally participated in the crime of raping female Bosniacs in the territory of Foča; he was obsessed with the "glory" and "abilities" of Slobodan Milošević; etc.

General Rupert Smith (UNPROFOR Commander, January-December 1995), just before the Serbian attack (6 July 1995) at the UN Safe Area Srebrenica, took his leave, just like some other high-ranking UN officers, including a half of the Akashi's staff from Zagreb, while Akashi went to Dubrovnik.

On 15 July 1995, at the time when the Serbian-Montenegrin aggressor and their collaborators and fifth column from the Republic of Bosnia and Herzegovina, in a planned, systematic, and deliberate manner carried out the crime of genocide against Bosniacs, General Rupert Smith, together with the Chairman of the International Conference on Yugoslavia, Thorvald Stoltenberg, EU peace negotiator, Carl Bildt and the UN Secretary General

Special Envoy Yasushi Akashi, attended a secret meeting in the Embassy of the United States of America in Belgrade. Bildt informed the participants on the “results” of his meeting with Milošević and Mladić, held on 14 July. There was no mentioning about the most important issue – “situation in Srebrenica”, that is, the crime of genocide. This meeting also missed their regular and “deep” concerns.

General Bernard Janvier (UN Peace-keeping Force Commander in former Yugoslavia – UNPF, March 1995-January 1996) rejected the request of the UNPROFOR Commander, General Rupert Smith, for airstrikes against the Serbian positions due to their persistent shelling of civilians and civilian population and civilian objects in Sarajevo on 7 and 8 May 1995, on which occasions many civilians were killed and injured.

French General Janvier, on 12 May 1995, in his meeting with the Secretary General Ghali, Akashi, and Smith, and on 24 May 1995 in the UN Security Council, clarified that the air support is almost without any effect. His *Directive* dated 29 May 1995 neutralized the air support.

Starting from “the principle aversion towards the used of airstrikes against Serbs” and the assessment that the “primary task of UNPROFOR is self-defense”, whereas “the defense of civilian population is a secondary task”, General Janvier, on 24 May 1995, in the Security Council, presented the view that the UN should withdraw from (their) “eastern Safe Areas (Srebrenica, Žepa, Goražde)” and to that end he proposed “despite the solemn UN resolutions” to surrender Srebrenica, UN Safe Area, with an explanation “that the insufficiently armed troops might become hostages”, by which he was the first to announce the crime of genocide, which also “served as green light to the Serbian military commanders”.

At the time when the Serbian aggressor kept a large number of UN soldiers hostages, General Janvier, on 4 June 1995, in the hotel *Vidikovac* in Zvornik, at a meeting with Ratko Mladić, proposed a shameful secret arrangement: he offered in exchange for the liberation of the UN hostages a definitive suspension of airstrikes at the aggressor troops (“NATO will not use again the air force against Serbs”), by which he left the UN Safe Areas in the Republic of Bosnia and Herzegovina “to the mercy of executioners”. This arrangement was verified seven days later in a public statement of

Yasushi Akashi (Janvier's civilian chief and the Special Envoy of the UN Secretary General, Boutros Ghali) that "the United Nations will strictly stick to the principle of peacekeeping and that they do not intend to use airstrikes". So, in the exchange for the hostages, Janvier promised that there would be no more airstrikes. After that, the hostages were freed by 18 June, and Mladić was sure that there would be no airstrikes in response to the Serbian attack at Srebrenica, UN Safe Area.

With this secret arrangement between the UN and Army of Yugoslavia, that is the UNPF commander (French General Bernard Janvier) and the Commander of the Supreme Headquarters of the 30th Staff Center of the Army of Yugoslavia General Headquarters "Republika Srpska Army" (General Ratko Mladić), when the UN capitulated before Serbs, Srebrenica and other UN Safe Areas were left "to mercy of the executioners", and the civilians and civilian population of the UN Safe Area pushed to a hopeless situation, which facilitated the world politicians to proceed with the planned division of the Republic of Bosnia and Herzegovina. Making this "treacherous arrangement with Mladić, General Janvier, who represented the UN, pushed Srebrenica down the abyss".

Leading big powers, including all EU member states, had at their disposal information about the attack at Srebrenica, UN Safe Area in July 1995, and, to that end the planned crime of genocide against Bosniacs. But, they did nothing to prevent it – nothing was done to defend the territory of the UN, or to prevent the crime of genocide, and they did not consider any plan how to defend Srebrenica, UN Safe Area.

By 11 July 1995, when the UN Safe Area Srebrenica was taken over, several requests for air support were rejected at various levels of the UN chain of command. General Bernard Janvier, in his letter to General Mladić, dated 11 July 1995, despite formal insisting to stop shelling civilian population and violating UN Safe Area, while "respecting the actions" undertaken by General Mladić "in the territory of Srebrenica", was looking after the wellbeing of 30 "captured" Dutch soldiers.

To the "threat" of General Mladić that he would "kill" "captured" Dutch soldiers, which the Serbian aggressor "treated well", and randomly shell civilians and Dutch battalion "in case of further airstrikes", the highest

UN civilian and military leadership (Akashi and Janvier), at the request of the Dutch Defense minister Joris Voorhoeve, suspended the close air support in Srebrenica on 11 July 1995 at 16:00 hours, given that the “commanders of local Serbs threatened to kill Dutch personnel and shell several pockets in case of further airstrikes”. Admiral Smith, as Akashi argues, “agreed with our request, proposed by the Dutch Defense minister to the SRSB /Akashi – note by S.Č./ to suspend air presence and air support mission in Srebrenica”. So, the air support was practically suspended after Akashi talked to Admiral Smith, and responsible for that were: minister Voorhoeve, including the entire Dutch Government, Admiral Smith (NATO), Akashi (United Nations), Janvier (UNPF), and other UNPROFOR and UNPF high-ranking officers, as they gave their silent approval to Janvier and Akashi for that, unlike a smaller number of individuals who were against such decision and actions taken by their superiors.

UNPROFOR Dutch battalion did not even try to stop the aggressor’s attack at UN Safe Area Srebrenica. They persistently refused to react to the aggressive attack. They never responded to the Serbian forces that attacked the Safe Area (did not use weapons). In other words, they were very passive during the attack at the UN Safe Area (6 – 11 July). Lieutenant Colonel Karremans, in line with the instructions, avoided “a risk of conflict with Serbs” and “the safety of his staff was more important than the mandate”. Dutch battalion did not fire back, even in situations when the observation posts and his troops were exposed to direct attack. UN soldiers did not even fire a single bullet to defend themselves, let alone to stop the Serbian aggressor. UNPROFOR justified the failure to return the weapons to Bosniacs, taken during the demilitarization, as their duty to defend that UN Safe Area, arguing that it was not supposed to be done by the Republic of Bosnia and Herzegovina Army. Such a statement is absurd, given that it was obvious that the UN did not intend to defend their territory – UN Safe Area. Dutch battalion did not fire a single bullet to prevent the Serbian forces from entering Srebrenica and its UN base, and they did not protect civilians and civilian population who sought refuge in the UN base in Potočari. They let all civilians in the UN base, which was spacious enough to accommodate all civilians and civilian population.

Despite the continuous attack at the UN Safe Area, civilians, and civilian population, and civilian facilities, UNPROFOR – Dutch battalion,

UN did not approve the air support. Dutch battalion commander did not accept the engagement of the Republic of Bosnia and Herzegovina Army in the defense of the UN Safe Area Srebrenica. He was impeding the combat readiness of Bosniacs. He refused to return the weapons to the Republic of Bosnia and Herzegovina Army. Dutch battalion officers, in the night of 10/11 July 1995, falsely convinced Bosniac civilian and military leadership, and unfortunately convinced them that the NATO airplanes would react in the morning of 11 July, asking the defenders of the Republic of Bosnia and Herzegovina Army to return to their defense positions. Tricked by their (convincing) promises related to extensive air support, the planned counterattack was stopped in early morning hours, and defenders returned to their positions at the entrance to the town, by which the defense of UN Safe Area, civilians, and civilian population was deliberately prevented, which was tragic for the defense of the UN Safe Area Srebrenica.

On 11 July 1995, the Serbian forces, aware of the farce and that there would be no NATO airstrikes, occupied the UN Safe Area Srebrenica. In the eve and after the takeover of the UN Safe Area, civilians and civilian population, in panic, ran towards Potočari, seeking refuge and protection of the United Nations. There was no salvation for them in Potočari – in the UN base.

Starting from important views of the UN political and military leadership and UN Secretariat on the role of UNPROFOR in protection of the UN Safe Areas in the Republic of Bosnia and Herzegovina, Ghali-Akashi and Janvier-Smith, especially the former three, significantly reduced the UNPROFOR mandate and its role and tasks in the Republic of Bosnia and Herzegovina related to use of air forces for the protection of UN Safe Areas – territory and civilian population in that territory, limiting them only to their self-defense (self-defense of UNPROFOR), only to keep peace and allow the continuation of the so-called peace talks. This was an apparent and typical example of conspiracy related to responsible enforcement of the UN resolutions and sacrificing of the UN Safe Areas, and/or sacrificing the civilian population in them, which facilitated the most direct (quiet and safe) preparation, organization, and execution of crime of genocide in the UN Safe Areas. At the same time, this was in direct confrontation and contradiction with the fundamental provisions of the international law

instruments, particularly *Convention on prevention and punishment of crime of genocide* (1948) and *Geneva Convention (1949) and Additional Protocols* (1977).

Indeed, there was no political or any other will in the United Nations or their member states to stop the Serbian aggressor and prevent the crime of genocide, and also there was no political will to use the decisive air support to defend the UN Safe Area Srebrenica in July 1995 and protect the civilians and civilian population. Ample facts confirm this argument, especially those related to requests for the air support during the attack and occupation of the town and crime of genocide, among which we emphasize the important ones:

- the UN highest civilian and military leaderships, particularly including Akashi and General Janvier, and other UN commanders in the field were, in line with their pro-Serbian attitude and achieved agreements and arrangements, in permanent contact with Slobodan Milošević and his generals in the field, and they constantly talked and secretly agreed with the ideologists, planners, organizers, those in charge and executioners of the Serbian nationalistic ideology, politics, and practice, of conquering and genocidal character. All of those permanent contacts were characteristic by the conceding and inferior position of the UN military and civilian leaderships towards the Serbian aggressor. Milošević and Yugoslav Army General Mladić were the lords of the situation and they were setting up conditions for Akashi and Janvier. Agreements between Janvier and Akashi (i.e. Ghali) on one hand and Mladić and Karadžić (i.e. Milošević) on the other, and Holbrooke (i.e. USA) and Milošević (i.e. Republic of Serbia, that is Federal Republic of Yugoslavia) resulted in sacrificing the UN Safe Area – Srebrenica. The highest UN civilian and military leadership, including the Kingdom of Netherlands Government, took the “threat” of the Yugoslav Army aggressor General Mladić to the UN soldiers in the field as a relief;

- ample empty and long debates in the United Nations and the international community about the use or better to say non use of air support, whereby they offered various “explanations”, intentionally erroneous, about the (war) goals of the aggressor’s armed operations in the UN Safe Area Srebrenica;

- erroneous, that is deliberate and intentionally erroneous assessments by the UN commanders in the field about the Serb attacks at the UN Safe Area Srebrenica;

- dispiritedness, disrespect, and “confusion” on the requests for close air support;

- care only about the safety of the UN forces, not the barehanded, unprotected, and helpless civilians and civilian population, etc.;

- United Nations did not want and they did not offer air support to defend their (own) territories (UN Safe Areas), or to protect and save civilians and civilian population in that territory, for which they are fully liable, as they did not stop the fulfillment of Serbian aggressive (war) objectives nor they prevented the crime of genocide, as they only acted in contravention of the *UN Charter* and *Convention on prevention and punishment of crime of genocide*.

Lack of political will was crucial factor to act decisively in attempts to protect lives of civilians and civilian population and to prevent the worst form of crime against humanity and international law, just as it is imposed by the *UN Charter* and *Convention on prevention and punishment of crime of genocide*, a spirit and a core of the international law.

At the time when the unprotected civilians and civilian population, in the UN base in Potočari, were subjected to genocide, UN Security Council, instead of reacting swiftly, in line with the *UN Charter* and *Convention on prevention and punishment of crime of genocide*, to prevent and stop the crime of genocide, adopted *Resolution 1004* (1995) on 12 July 1995, and declaratively asked for the reenactment of the Safe Area, by which it opened a window for potential use of force. Akashi and Janvier were again against the force, whereas Janvier argued that UNPROFOR is not in a situation to use the force aimed at reenactment of Safe Area. Although he was aware of the *Rapid Reaction Force*, General Janvier did not even suggest the possibility of their use. Annan, Akashi, and Janvier, without even thinking about the barehanded civilians or responsibility for their faith, insisted on a dialogue with the Serbian aggressor. Incredible indeed – a dialogue with criminals. It is apparent that the most responsible UN figures did not want to take any steps to save civilians in the UN base in Potočari.

Basically, those were empty, declarative, and diplomatic phrases free of any obligations.

So many members of the UN peacekeeping forces considered Bosniacs, Muslims, genocide victims, especially in the UN Safe Area Srebrenica, inferior creatures, seeing them as “empty mass of stinky, ungrateful, undeveloped creatures, who do not hesitate to rob each other and to enter with shaky business with the enemy”, which also suggests the extent of dehumanization of genocide victims. Such a view is so close to Nazism, which is also confirmed by ample graffiti written by the peacekeepers on the walls of the UN Dutch base in Potočari, which indicate the contempt towards Bosniacs, as they allegedly stink (“*My ass is like a 'local'. It's got the same smell. Bosnia 1994*”).

Bosniac girls, based on this Nazi concept, of criminal character “have not teeth but have moustache, and smell like shit” (“*No teeth? Mustache. Smells like shit, Bosnian girl!*”).

United Nations, having supported the policy of rewarding aggression and punishment of genocide victims, did not protect the Republic of Bosnia and Herzegovina – its member, a sovereign and internationally recognized state, a victim of the armed aggression and a genocide victim. This is a matter of lack of political will in the Security Council, and inadequate and inconsistent structure of the apparatus and the UN organs. A significant number of those organs did not consider itself responsible for the enforcement of the *UN Charter*, or international law, or directives or the orders of the superiors. Genocide victims and international democratic public expected United Nations to act decisively and prevent the crime of genocide. And it is the fact that the United Nations deceived all that time the world public, and failed to take any step to protect civilians and civilian population and prevent the crime of genocide. United Nations did not protect the genocide victims, and they did not prevent the crime of genocide. United Nations facilitated the crime of genocide. They “strongly opposed to the use of air support against Serbs”. In simple words, United Nations did not act in line with their role. Fundamental UN document – *Charter* was not enforced, the UN apparatus was irrational, huge, and inert, deeply bureaucratized, and so inadequate in the post-block and post cold war era.

At the time of planning, preparation, and execution of the aggression against the Republic of Bosnia and Herzegovina and the crime of genocide against Bosniacs, fundamental principles of international public law (prohibition and resistance to any aggression, prevention of crime of genocide, conviction of conquering territory of another state, guarantee of territorial and the integrity of a state, and other principles as expressed in UN Charter and Convention on prevention and punishment of crime of genocide) were completely suspended and ignored. An internationally recognized, independent, and sovereign state and UN member state was practically deprived of any right to defend its territorial integrity and safety of its citizens from the aggression and the crime of genocide, which is guaranteed in the UN Charter.

Security Council, serving the interests of big powers, not only failed to defend Bosnia, but it also deprived Bosnia of its inherent right to defend itself from the aggression and crime of genocide. Victims of the aggression and the genocide were punished with the *embargo on weapons and military equipment* (25 September 1991), and thus they were deprived of the right to self-defense. Embargo, imposed on (SFR) Yugoslavia, not the Republic of Bosnia and Herzegovina, was illegal and without any legal effect, as it, supported strongly by Great Britain and other European countries, deprived a sovereign state and a member of the United Nations from its natural right to individual and collective self-defense, established in Article 51 of the *United Nations Charter*.

With the Resolution, a shameful and immoral decision, on arms embargo dated 25 September 1991 (*Resolution 713*), by which Bosnia and Herzegovina and its (civilian) genocide victims were deprived of their right to self-defense, Boutros Ghali and majority of the Security Council members “expected the victims of aggression and genocide to surrender without fight and to quietly accept the national division of the country; to throw down on the ground and pretend to be dead”. In this way, the Security Council deprived the Republic of Bosnia and Herzegovina, UN member state, of the right to self-defense, guaranteed in the UN Charter, whereby the unarmed genocide victims were left to the aggressor’s army to be killed, individually or massively.

Embargo “on every delivery of arms and military equipment” became one of the leverages of the policy pursued by the so-called international

community, particularly Great Britain, towards the Republic of Bosnia and Herzegovina. Great Britain, on whose initiative Security Council imposed arms embargo on Yugoslavia, used this arms embargo to secure privileges to the Federal Republic of Yugoslavia (Serbia and Montenegro), compared to the other republics.

Arms embargo, imposed on the SFR Yugoslavia, prevented the Republic of Bosnia and Herzegovina Government to procure weapons and ammunition and other equipment. The Milošević's collaborators and fifth column in the Republic of Bosnia and Herzegovina (function holders, members, supporters of the pseudo-state creation of the Serbian Republic of Bosnia and Herzegovina/Republika Srpska) were not affected by the arms embargo thanks to the Yugoslav national army/Yugoslav Army, and the interrupted supplies in ammunition, weapons and other equipment coming from the Federal Republic of Yugoslavia (Serbia and Montenegro), by which they were superior in terms of military power and equipment.

Attempts to reach consensus in NATO on lifting arms embargo failed mainly because of the obstruction and resistance coming from Great Britain and France, the USA key allies.

United Nations, with the *Resolution 752* (1992) dated 15 May 1992 committed themselves to provide all the victims of the (international armed) conflict in the Republic of Bosnia and Herzegovina with the humanitarian aid. To secure "air bridge" in line with the Security Council *Resolution 758* (1992) dated 8 June 1992, UN protection forces (UNPROFOR) were deployed in Bosnia and Herzegovina, whose "safety in relation to the Serb revenge was used intentionally as a conclusive argument not to protect of victims". Those units, in line with the *Resolution 770* (1992) dated 12 August 1992 should have protected supplies of humanitarian aid, delivered on convoys of trucks, throughout the territory of the Republic of Bosnia and Herzegovina, including to the victims of concentration camps.

Serbian aggressor and its collaborators and fifth column deliberately prevented, impeded, and obstructed the delivery of humanitarian aid (food and medicinal material) to civilian population, condemned by the Security Council on several occasions. They impeded the freedom of movement of both UNPROFOR and humanitarian convoys, especially

in all UN Safe Areas “imposing the system of payment charges to let the convoy through”. Humanitarian convoys were subjected to difficult conditions in terms of charges for crossing checkpoints, as well as other forms of obstructions and restrictions, which were applied on road convoys, but also to a large extent on the Sarajevo humanitarian air bridge (Sarajevo airport), where the Serbian aggressor had a checkpoint on which they controlled the delivery.

Federal Republic of Yugoslavia (Serbia and Montenegro) armed forces and their collaborators systematically limited the freedom of movement to the UN forces and their convoys in the Republic of Bosnia and Herzegovina, and they permanently obstructed the delivery of humanitarian aid. These forces (often) stopped and searched the UNHCR humanitarian convoys, stole their goods, gasoline, and “so much more” which was another reason for the adoption of the *Resolution 859* (1993) on 24 August 1993, by which, among other things, Security Council requested unimpeded traveling of the humanitarian aid, including the delivery of food, water, electricity, fuel, normal flow of communications particularly in the UN Safe Areas.

The Republic of Croatia armed forces – Croatian Defense Council acted in the identical manner, including that they also attacked humanitarian workers, some of who were killed.

UN Security Council, identifying the holders of the aggression and crime of genocide, and establishing their responsibility, adopted *Resolution 757* (1992) on 30 May 1992, in line with the Chapter VII of the *UN Charter*, and imposed international economic sanctions (economic embargo) on the Federal Republic of Yugoslavia (Serbia and Montenegro), including the trading embargo, except for food and medicines (“equipment intended exclusively for medicinal or dietary purposes”), ban on air traffic, sports and cultural links and relations, freezing financial resources abroad, suspension of scientific, technical and cultural cooperation, all aimed at meeting requirements under the *Resolution 752* (1992) dated 15 May 1992.

UN Security Council, by imposing sanctions on the Serbian aggressor, left the impression as it made some concrete steps, by which it essentially avoided to enforce specific measures. It is the fact that the economic sanctions did not play an important role in slowing the Serbian aggressive goals

in and against the Republic of Bosnia and Herzegovina or stopping the crime of genocide, given that those sanctions “were not ’hard’, they were bent: Federal Republic of Yugoslavia received gas, coke, oil and other raw-materials”.

UN Security council did not ensure the respect for the no fly zone for the military flights in the air space of the Republic of Bosnia and Herzegovina, to secure “the safety of humanitarian flights in Bosnia and Herzegovina”. Federal Republic of Yugoslavia (Serbia and Montenegro) and its collaborators and fifth column in the Republic of Bosnia and Herzegovina regularly and routinely violated the decision on no-fly zone for military flights.

Federal Republic of Yugoslavia (Serbia and Montenegro), unfortunately, continued with the bombardment and destruction of settlements, especially in the area of East Bosnia, particularly the town of Srebrenica and its broader area, killing and injuring (unprotected) civilians and civilian population, and destroying the civilian facilities. Combat flights were taking off from Yugoslavia.

UN Security Council ignored the *Order* – serious warning by the International Court of Justice dated 8 April 1993, related to the application of *Convention on prevention and punishment of crime of genocide*. Instead of defending the Republic of Bosnia and Herzegovina from the attack coming from another member state, based on principles and objectives of the *UN Charter* on individual and collective responsibility, and undertaking necessary steps, in line with the commitments of the signatories to the *Convention*, to prevent the acts of genocide, and “despite the relevance of the International Court of Justice in the system of the United Nations, as well as contents of the Court injunctions, information provided by the Court did not receive the relevance, as it should have”. Permanent members in the UN Security Council did not want to face that responsibility.

Boutros Ghali je, starting from the (deliberately) erroneous assessment on the character of the armed conflict (“confronted parties in the former Yugoslavia”), the aggression against the Republic of Bosnia and Herzegovina, and crime of genocide against Bosniacs, also displayed his “moral indifference

and lack of emotions”, which “were not only contagious, but they also strengthened Serbs in their thinking ‘This is the war of the rich’, as described by Secretary General when he talked about the Bosnian tragedy, and as such it was of a small interest for the international community”.

United Nations with the Security Council *Resolution 824* dated 6 May 1993, concentrated European Muslims (Bosniacs) – genocide victims, instead of protecting them, to the enclaves (Sarajevo, Goražde, Žepa, Srebrenica, Tuzla, and Bihać), whereby the United Nations dared to name them Safe Areas, “UN ‘shelters’, and they were in fact the concentration areas in the open. This time, they were not gas chambers, no, they were in the open”.

Instead of principle of international legal order, the Republic of Bosnia and Herzegovina was considered within the framework of the so-called real policies, with the imposition of national policies and interests of individual countries, involved through European Community/Union in finding solution for the so-called “Bosnia and Herzegovina crisis”, accompanied by hypocrisy as the assumption for that radical change. International community, particularly (Christian) Europe, just because of the national, ethnic, and religious background of genocide victims, then providing support to the Serbian aggressive war for territories – expansion of *living space*, did not want (or try) to understand the Serbian war goals, or the essence or the character of the Serbian great-state project – Serbian fascistic ideology, policy and criminal (genocidal) practice.

In reference to the matter of aggression against the Republic of Bosnia and Herzegovina and the crime of genocide against Bosniacs, the United Nations made numerous errors and mistakes. Namely, the United Nations tried to “keep peace and apply rules valid for keeping peace in situation in which there was no peace”. Aware “that any other form of engagement might endanger the lives” of their troops, they tried to “create – or imagine environment in which the rules applicable to peacekeeping might survive – an agreement between the parties, acceptance to send troops, unbiased attitude”, whereby they tried to stabilize the situation in the field through ceasefire agreements”. It is obvious that the genocide victim and the genocide executioner were equalized in such conditions, which “supported the Serbs who controlled a major part of

the territories”. There was not protection for the genocide victims, by which the policy of the United Nations was “at best at half of its objectives”. United Nations escaped from “using the force, except for the self-defense”, which pushed them to “conflict of interests with the defenders of Safe Areas”, whose safety depended on their (i.e. UN) use of force.

United Nations responded to the aggressive war against the Republic of Bosnia and Herzegovina and crime of genocide with arms embargo, delivery of humanitarian aid, and deployment of peacekeeping forces, facilitating thus (and allowing) the aggressors to commit the crime of genocide and other forms of crimes against humanity and international law. These measures were “poor replacement for a decisive and strong action aimed at prevention of the horror”.

Members of the Security Council that opposed to the proposed resolution to exempt the Republic of Bosnia and Herzegovina Government from the arms embargo, imposed on “former Yugoslavia by the UN Security Council *Resolution 713* (1991)”, listed “reasons” that are shameful, immoral, free of any emotions towards the (innocent) genocide victims.

Not even the supplying of the humanitarian aid, the longest humanitarian mission in the world, was an adequate response to the commission of the crime of genocide. Delivery of the humanitarian aid was never a solution to the problem of the Republic of Bosnia and Herzegovina. The solution was not the delivery of the humanitarian aid to the victim of aggression and genocide, but rather a political and military option “since one of the UN member states was left without a possibility of defense, due to the arms embargo, imposed by the United Nations”, by which the Republic of Bosnia and Herzegovina was “mutilated by those forces that wanted to destroy it”. This problem could not be solved by humanitarian aid, which is also a proof that the primary mission of the United Nations was humanitarian mission. In this way, the western politicians directed the UN mission in the Republic of Bosnia and Herzegovina “towards the delivery of the humanitarian aid, while preventing the genocide campaign”. UN Security Council “created the system which exposed the UN peacekeepers, suppliers of the humanitarian aid, as hostages”.

Even the deployment of the peacekeeping forces (for the humanitarian operation) was not an adequate response to the aggression against Bosnia

and Herzegovina and crime of genocide against Bosniacs. Namely, “not a single prerequisite for deploying the peacekeeping forces was met: there was no peace agreement – even ceasefire agreements were not respected – there was no will to make peace and there was no readiness of the warring parties”. And still, “*having no better solution* Security Council decided to deploy the UN peacekeeping forces. Light armament, easily visible in their vehicles, spread throughout the country at undefended observation posts, they could only confirm the obvious: there was no peace to keep”.

It is obvious that this policy and practice (arms embargo, humanitarian aid, and peacekeeping forces) of the Security Council and UN member states were in the function of legalization of Serbian territorial expansion and legalization of crime of genocide. Thus, the responsibility of the UN cannot be avoided in terms of the aggression and crime of genocide in the Republic of Bosnia and Herzegovina at the end of the 20th century.

The United Nations were well aware of the aggression against the Republic of Bosnia and Herzegovina and crime of genocide against Bosniacs in the Republic of Bosnia and Herzegovina at the end of the 20th century, and also that the UN Safe Areas in the Republic of Bosnia and Herzegovina “were not truly ‘safe’”, as “there was no political will to use the air support against the Serbian attack at the Safe Areas, nor a possibility to defeat them in the field”.

Not even the relevant, reliable, adequate, sufficient information about the crime of genocide against Bosniacs, civilians and civilian population did not influence the United Nations to act decisively, or to intervene militarily to stop the aggression and prevent the crime of genocide.

In the attempt to have the United Nations avoid responsibility over the prevention of the crime of genocide in the UN Safe Area Srebrenica in July 1995, the Secretary General Kofi Annan, in 1999, pointed out at “incomplete understanding of the Serbian war goals”, which is utterly irresponsible and hypocritical. Namely, his explanation on the inability to understand “Serbian war goals” is not convincing, given that they were, in his opinion, “finally stopped at the battlefield, not during the negotiations”. This is just an excuse for the attitude and actions of the UN, which clearly expressed, least to say, a rather tolerant attitude towards the great-Serbian

aggressor on one hand, and lack of political will to undertake any step to stop the Serbian aggressive attacks or genocide on the other. Namely, “the incomplete understanding of the extent of Serbian war goals can”, in his view “partly justify why the Secretariat and the Peacekeeping mission did not act faster and more decisively when the Serbs attacked Srebrenica”. To that end, he added: “instead of trying to move the international community to support the defense of the Enclave, we rather gave the Security Council the impression that the situation was under the control, and many of us truly believed in that. A day before the fall of Srebrenica, we were sending reports that the Serbs were not attacking, although they did. We informed that the Bosniacs were shooting at UNPROFOR, and that they block the forces, although Serbs did that. We failed to send an urgent request for air support. In certain situations, while the Council was receiving incomplete and incorrect information, this could have been credited to the problems of reporting from the field”.

UN Secretariat took a position that the broader use of force by the international community was not within their mandate, and that the force was not desirable, trying to make peace by use of non-military methods.

With the assessment on “incomplete understanding of the Serbian war goals”, the UN Secretary General completely revealed the policy and practice of the United Nations, their members and international community towards Bosniacs (Bosnian Muslims), genocide victims. In line with that policy and practice, the use of force (by the international community) in stopping the aggression against the Republic of Bosnia and Herzegovina and preventing and stopping the crime of genocide against Bosniacs was not an option – it was not desirable within the UN mandate, which was well known and well implemented by the Serbian criminals. That policy and practice was in favor of making peace by “non-military methods”, which in fact meant support to the Serbian conquest and legalization of the crime of genocide. This policy and practice, among other things, were based on fabricated, incomplete, incorrect, and false information about the genocide victim, all in favor of Serbian criminals. It is stunning and horrifying statement by the Secretary General that even if the Security Council had “completely correct information”, whether “they would produce different outcomes”.

The policy pursued by leading European states supported in continuity the Serbian war and territorial expansion, crime of genocide and violent division of the Republic of Bosnia and Herzegovina, and thus they accepted, approved, and legalized the newly established reality based on crime of genocide.

International community (Security Council and UN member states, *Contact group* and others), following “the policy of forceful passivity”, at a political level, constantly conducted talks “with the designers of Serbian policy, on the first place with Milošević and Karadžić. This policy, at the military level, resulting in the process of negotiation and trust towards General Mladić, with his undivided commitment to cleans East Bosnia, and preferably Sarajevo /including the entire Republic of Bosnia and Herzegovina – note by S.Č./, was so obvious that it inevitably resulted in Srebrenica”, crime of genocide against Bosniacs in July 1995.

International community, primarily United Nations, European Community/Union and NATO, did not prevent the aggression against the Republic of Bosnia and Herzegovina, or stop crime of genocide against Bosniacs. And so, despite obvious, sufficient, valid, appropriate, reliable, and clear evidence of the crime of genocide, the West did not intervene and prevent and stop that *crime of all crimes*, by which it approved and supported the criminal policy and practice of the state Federal Republic of Yugoslavia (Serbia and Montenegro) and (its) pseudo-state and fifth column creations Republic of Serbian Bosnia and Herzegovina/Republika Srpska.

International community continuously refused the use the military force and prevent and stop the aggression against the Republic of Bosnia and Herzegovina, and prevent and stop the crime of genocide against Bosniacs, by which it is directly responsible for the crime against peace and the crime of genocide in the Republic of Bosnia and Herzegovina at the end of the 20th century. UN Secretary General, Security Council, UN Secretariat, *Contact group*, governments of the Western allies and other countries have special responsibility for failure to take certain steps and actions aimed at prevention of genocide and other forms of crimes against humanity and international law, which were their obligations in line with the UN Charter and the Convention on prevention and punishment of crime of genocide.

Signatories to the *Convention on prevention and punishment of crime of genocide*, UN member states and their political leaderships, and general public, were well aware that the massacre against Bosniacs in the Republic of Bosnia and Herzegovina, in and around UN Safe Area Srebrenica, in July 1995, as well as crime in all the occupied places of the Republic of Bosnia and Herzegovina, towns under siege, and other UN Safe Areas, as of beginning of 1992 until late 1995, typical genocidal act – underlying acts of genocide, were committed with intent, clear objectives and purpose. Genocide and other forms of crimes against humanity and international law committed in and around UN Safe Area Srebrenica, in July 1995, as well as in other occupied places, towns under siege, and UN Safe Areas, were planned, well organized, and systematically and meticulously executed. The proof is also in a number of massive and individual murders and injuring; in certain regularities in commission of crimes; interdependence of their outcome and the parallel talks at various levels with the bodies of the international community; locations of mass graves (primary and secondary) and the organization of transport of genocide victims to those graves; quantity of deceptions towards victims, their own and world public, involved UN members, including their authorities as well. White armored vehicles were also used as an invitation to surrender, then uniforms and helmets with UN insignia. Burnt belongings of the genocide victims – in Potočari, surrendered men and boys by UN, also aimed at covering of evidence surrounding crime of genocide. Everything was supposed to take place without any witnesses, and even the truck drivers were engaged only not to dare to testify about crimes.

The United Nations and international community as a whole allowed the Serbian aggressor to occupy the territory of the United Nations – UN Safe Areas Srebrenica and Žepa, in July 1995, and to commit the crime of genocide against the Bosniacs of the East Bosnia and Herzegovina. The United Nations did not want to and they failed to offer air support in defending their (own) territory – Safe Areas (of the United Nations) of Srebrenica and Žepa, and they did not provide their assistance in protecting and saving the unarmed and unprotected civilians and civilian population against whom the genocide was committed in that territory, because they neither stopped the realization of the conquering (war) Serbian goals nor did they prevent the crime of genocide, acting contrary to the *United Nations Charter* and the *Convention on prevention and punishment of crime of genocide*.

Responsibility of the European and international community for inadequate reaction to the crime of genocide in the Republic of Bosnia and Herzegovina is apparent. United Nations have unfortunately experienced the worst fiasco in relation to the proclaimed principles, values, and objectives of this organization. Europe and the world have just pretended to protect human rights. Bosnia was the reason why on 27 July 1995 Tadeusz Mazowiecki wrote, “stability of an international order and principles of civilization are at stake”. The credibility of proclaimed democratic values, moral values, and the principles of the developed Western states were seriously endangered because of the crime of genocide committed against Bosniacs.

The US policy towards the aggression against the Republic of Bosnia and Herzegovina and the crime of genocide against Bosniacs at the end of the 20th century is characteristic by hesitation, indecisiveness, and lack of political will. In lieu of stopping the aggression and prevent crime of genocide, United States of America “set their humanitarian aid as a focal point of its policy and they bragged that they are the biggest individual donor of the aid for Bosnia”. At the same time, American negotiators exerted pressure on the Republic of Bosnia and Herzegovina Government to accept the division of the internationally recognized state.

All the leading figures in the foreign-policy team of the US president George Bush “repeated the Balkan stereotypes” “about superhuman Serbian warrior” and advocated the thesis on the uselessness of the airstrikes, and to that end, emphasized a possibility of huge losses in such an operation, which served them as an excuse not to initiate any international and legal steps to stop the crime of genocide.

The Bush administration inaugurated the policy of continuous noninterference and non-action, and in line with that it refused to “duly use the American power”. According to the Ambassador Warren Zimmerman, this was the biggest American mistake “in the entire Yugoslav crisis”, which “inevitably resulted in unfair outcome and missed opportunity to save more than a hundred thousand of lives”.

Almost four years, Americans “looked at the situation in Yugoslavia from a distance and practically blocked the progress”, whereby in “one of the strongest statements”, the State Secretary James Baker expressed

his views “that we do not have the dog for fight”. Moreover, Americans watched on television “images of the killed and injured UN soldiers, who were unable to defend themselves”.

Baker’s successor, Lawrence Eagleburger strongly opposed to the military intervention, just like the Europeans. He, just like the rest of the Administration, in the summer of 1992, ignored and hid the information about the crime of genocide and diminished the reports on Serbian atrocities, which was a political goal of the United States of America.

Denial of genocide by the strongest world powers, both in the Republic of Bosnia and Herzegovina and Rwanda, is an important component of the attitude, conduct, and activities of the international community (its authorities and organs) towards the crime of genocide in the Republic of Bosnia and Herzegovina at the end of the 20th century. US Administration, due to political and strategic interests, altered and falsified data on the events in the Republic of Bosnia and Herzegovina, and in this way it also denied the crime of genocide by persistent refusal to qualify Serbian attacks as an armed aggression and grave violation of international humanitarian law, the crime of genocide, which was for many, including Marshall Freeman Harris, Executive Director of the Action Council for Peace in the Balkans, “a worrying and unacceptable element of the American policy. While the lawyers in the State Department and the career officials were convinced that this was genocide, US Administration made political decisions not only to not invoke the *UN Convention on genocide*, but also not to use the word ‘genocide’ when describing Serbian atrocities – without a political qualification. To that end, the Administration leaders used various terms, that the Serbian crimes ‘border with genocide’, that they are ‘equal to genocide’ or that they commit ‘the acts of genocide’”.

As for the West in the 90s of the 20th century, it was the intentional, deliberate and targeted campaign to restore and renew the thesis on “ancient ethnic hatred” (“... more than 600 years ...”), “genuine mutual hatred” and “revenge”, “hatred and antagonism between ethnic groups”, “ancient hostilities”, “centuries long antagonism”, “everlasting conflict, unresolved hostilities”, where people “always slaughtered each other”, where “the deeply rooted and centuries long animosities between Serbs, Croats, Muslims, and Albanians – finally exploded and destroyed Yugoslavia”.

The thesis about “ancient hatred” (“ancient Balkans hatred”), “racial hatred”, “genuine mutual hatred” and “ethnic hatred” “as a real cause of war” became a “standard cliché in discussions about the Republic of Bosnia and Herzegovina” and a sort of “doctrine which affected the Western views more than any other historic myth on the Bosnian conflict”, particularly leading Western statesmen, such as Bill Clinton, Francois Mitterrand, John Mayor, Douglas Hurd, and David Owen. This thesis, that doctrine, that myth was deliberately flamed.

US Administration, even during the mandate of the President Clinton, qualified the international armed conflict in the Republic of Bosnia and Herzegovina, that is, the aggression against the Republic of Bosnia and Herzegovina as *war* (“*war of everyone against everyone*”), *mutual (ethnic) fight* (“*the bloodiest fight*”) and *conflict between “three sides”*, and the crime of genocide against Bosniacs as *violence*, in which “all three sides” committed *crimes*. Clinton’s Administration “persistently and without hesitation refused” to use the word genocide.

By May 1993, Clinton called international armed conflict in the Republic of Bosnia and Herzegovina (aggression) a civil war, and then talked about “conflict” in Bosnia and Herzegovina, which in his view was “finally the matter of the warring parties and it was up to them to find a solution”. On 10 February 1994, he stated: “Until the people there is not tired of killing each other, ugly things will continue happening.”

The Clinton’s Administration “did not take a single action to prevent or stop” the crime of genocide against Bosniacs. In line with the international law, the United States of America had an obligation to prevent and stop the crime of genocide, even more so because “the United States could have done that”. That Administration also “actively promoted and persevered in *de facto* division of the UN member state in two parts...”.

Russia, whose numerous “volunteers”, along with the “volunteers” from Greece and “other states with numerous eastern orthodox population”, took part in the aggression against the Republic of Bosnia and Herzegovina and the crime of genocide against Bosniacs, expressed “their sympathies towards the Serbian brothers” and “was all the time on the side of Serbia”. Russia, particularly as of late 1994, “almost openly put itself at the side

of the attacker at Bosnia and Herzegovina” supporting, among other things, false thesis on the internal armed conflict – civil war (“terrible fratricidal war in Bosnia”).

Russia was against any NATO response to the Serbian crime of genocide against Bosniacs. Russian officers within the UN peacekeeping forces in the Republic of Bosnia and Herzegovina supported the Serbian political and military goals and interests. “UN peacekeepers of the eastern orthodox religion” used their position also to “obstruct the enforcement of the UN Security Council resolutions and help” Serbian armed units.

Russian officers in the UN peacekeeping forces supported the Serbian fascistic project of the aggressive and genocidal character, trying also to conceal historic facts and evidence surrounding the Serbian genocide against Bosniacs, and to protect the aggressor, deceive the world public, particularly Russian, deny the crime of genocide, by accusing, among other things, the genocide victims that they commit crimes against their own people.

Russian Parliament, during the aggression against the Republic of Bosnia and Herzegovina and crime of genocide against Bosniacs, adopted a series of resolution on the Republic of Bosnia and Herzegovina, which protected the Serbian aggressor. Numerous Russian officials and representatives of the Russian Parliament, their committees, Government, political parties’ presidents, writers and others visited so many times the political and military representatives of the pseudo-state creation Republika Srpska, expressing thus their support.

It is obvious that the West did not take any adequate actions, steps, or activities to stop the aggression against the Republic of Bosnia and Herzegovina and prevent the crime of genocide against Bosniacs at the end of the 20th century, when, in line with the great-Serbian fascistic ideology, policy, and practice of aggressive and genocidal character, as well as the great-Croatian, all forms of crimes against humanity and international law were committed as per plan, in an organized and systematic manner, and with intent, including the gravest crimes (acts of the crime of genocide), in Europe after the WWII. For that reason, the so-called international community – United Nations (Secretary General, Security Council, Secretariat, member states, particularly five permanent members – USA, Great Britain, France,

Russia, and China), NATO, European community/Union and the rest of the world were a c c o m p l i c e s in the crime of genocide against Bosniacs. Dominant political holders of the international community bear special responsibility for failure to act, assisting, supporting, and failure to prevent the crime of genocide, as they violated provisions of the UN Charter and Convention on prevention and punishment of crime of genocide. Europe bears a special responsibility for this crime of genocide, because it, among other things, acted uninterested, cowardly, and treacherously, because it abandoned helpless genocide victims and indifferently observed their destruction. Europe did not defend its basic, contemporary antifascist values, which is the defeat of the European civilization and culture. Ample western leaders, including peace negotiators, are also accomplices to this crime of genocide. United Nations, USA, and NATO shamefully capitulated before the Serbian conquest and crime of genocide, especially in the UN Safe Area Srebrenica in July 1995. Majority of Europeans remained completely silent, when, in Europe at the end of the 20th century, the worst and most horrific forms of crimes against humanity and international law were committed once again before their eyes, including the crime of genocide. All those who observed the crime of genocide were also accomplices to this genocide.

*
* *

The policy of the United Nations and leading states in the West, as well as other states of the so-called international community in reference to the aggression against the Republic of Bosnia and Herzegovina, and the crime of genocide against Bosniacs, was particularly expressive in course of their (international) “peace” plans for Bosnia and Herzegovina. International “peace” plans for Bosnia and Herzegovina in the period 1992-1995, many of which were prepared in Belgrade (i) under the auspices of the British diplomats, along with the Serbian-Croatian proposals and agreements (Milošević – Tuđman, Karadžić – Boban), and (continued) pressures and blackmails (of the so-called international community) on the legitimate leadership of the Republic of Bosnia and Herzegovina, and often conducted with war criminals, whereby the “peace” talks and plans, such

as, only as an illustration, the Vance-Owen plan, were frauds and deceits just to “have some actions”, until the state of the Republic of Bosnia and Herzegovina and Bosniacs (Muslims) are destroyed.

“Peace” plans of the (so-called) international community for the Republic of Bosnia and Herzegovina, including of the Great Britain, similar to the failed League of Nations, were a simple fraud. Their aim was the final destruction of the Republic of Bosnia and Herzegovina and the destruction of Bosniacs. Among others, Prime Minister of Great Britain John Major also confirms this. Namely, in the political instruction to Douglas Hogg dated 2 May 1993 he also pointed at this criminal enterprise, suggesting the need to “continue with the fraudulent ‘Vance-Owen’ peace talks just to have any kind of actions until Bosnia and Herzegovina stops to function as a valid state, and its Muslim population is resettled out of the country”.

All “peace” plans of the (so-called.) international community for the Republic of Bosnia and Herzegovina began with two basic assumptions: constitutional and legal, and territorial disintegration (division) of the Republic of Bosnia and Herzegovina, by accepting and verifying the territorial occupation (of the biggest portion of the territory) of the Republic of Bosnia and Herzegovina by the neighboring states and their collaborators, especially Federal Republic of Yugoslavia, and the erroneous qualification of the character of armed conflict and nature of crimes, marking them and naming them *civil war* and *ethnic cleansing*, based on which there were three (ethnic) parties to the conflict, equally guilty and responsible for crimes. Moreover, the approach to peace plans for the Republic of Bosnia and Herzegovina was essentially based on pressures exerted on the legitimate leadership of the Republic of Bosnia and Herzegovina, concessions and meeting demands of the Serbian aggressor, its collaborators and criminals, and sanctioning the situation in the field, and accepting – legalizing results of the aggression against the Republic of Bosnia and Herzegovina and crime of genocide against Bosniacs. The search for “peace formula” was marked by a wrong approach – legalization of Serbian pseudo-state creation, which served the function of territorial division of the Republic of Bosnia and Herzegovina, accompanied by the blessing of “ethnic” criteria (quasi-technical fragmentation of the Republic of Bosnia and Herzegovina), that is criteria based on armed force, and the

territory occupied by force – results of aggression and crime of genocide as the only solution applicable to alleged peace, that is fundamental basis for peace in the Republic of Bosnia and Herzegovina. Territorial division of the state of Republic of Bosnia and Herzegovina was one of the objectives of its destruction, where the aggression and crime of genocide were used as a way to destroy the state of Bosnia and Herzegovina and to destroy Bosniacs, not at all to make a permanent peace.

International mediators, while supporting Serbian territorial expansion and crime of genocide against Bosniacs, often offered and designed “unhealthy proposals that pushed Muslims to a situation of a defeated party”. Such peace solutions of the students of “realism” schools by all means included acknowledgment of the situation in the field as a basis for those solutions, on which the Serbian aggressor and its collaborators always insisted. This practically meant the acknowledgment of the results of aggression and crime of genocide and rewarding criminal for successfully completed crime of genocide. As an illustration such was starting point of David Owen: “Bosnia can never be a state in which the biggest population, Muslims, has normal democratic government. This simply could not be acceptable.”

All peace plans, from Cutilleiro (March 1992) and Vance-Owen (March 1993), then Owen-Stoltenberg (August 1993), which started from the initiative Belgrade-Zagreb to divide the Republic of Bosnia and Herzegovina, Washington Agreement (March 1994), *Contact group plan* by five big powers (July 1994), to Dayton Peace Agreement (November 1995), basically, in line with the intentions and goals, started from absolutely erroneous position on the internal armed conflict – civil war, based on which they proposed, supported and/or accepted Serbian genocidal policy and practice, and then implemented everything through the territorial division of the Republic of Bosnia and Herzegovina, just to destroy it as a state, by which they legalized the aggression and crime of genocide; at the same time, these plans put a legitimate Government of the internationally recognized state (Republic of Bosnia and Herzegovina) and genocide victim (Bosniacs) to extremely difficult and complex situation. All the peace plans verified the Serbian territorial expansion and thus rewarded Serbian aggressor, by accepting the situation in the field.

Serbian aggressor “always used the peace talks to achieve its goals and conquer new territories”.

Peace talks exerted a huge normative pressure and often pushed Bosniacs (genocide victims) to even worse position than before. As an illustration, this was also included in a suggestion by David Owen. Namely, after the Serbs refused Vance-Owen plan, “so that their army could capture more territory”, and the Republic of Bosnia and Herzegovina Government accepted that fraud, Owen on several occasions in 1993 proposed territorial division of not only the Republic of Bosnia and Herzegovina, but also the city of Sarajevo.

Mediators Vance and Owen, advocating for the Serbian aggressive interests and objectives argued that the Bosnian Serbs were entitled to territories, which they captured. To that end Owen advocated the false thesis that Serbs “had 60% of the Bosnian territory before the war” (“Before the war, rural Serbian population kept more than 60% of the territory (of Bosnia and Herzegovina”).

Owen was also hiding the role of Serbian institutions in reference to the crime of genocide in the Republic of Bosnia and Herzegovina, such as Serbian Orthodox Church, exonerating them from many responsibility.

Co-chairs David Owen and Thorvald Stoltenberg began their mission (“new” approach to peace plan – *Owen-Stoltenberg Plan*) with bilateral talks between Sarajevo – Beograd – Zagreb, in June, July, and August 1993, trying to force the Republic of Bosnia and Herzegovina Government to accept the Serbian territorial expansion and legalize the crime of genocide, and they finished it with several months long talks in Geneva. Slobodan Milošević, at his meeting with Owen and Stoltenberg in Belgrade on 11 June 1993, proposed a map of territorial division of the Republic of Bosnia and Herzegovina (“Serbian proposal for the Union of three Republics”), by which “Muslims would get less than 24% of the territory of Bosnia and Herzegovina”.

Serbian-Croatian proposal for “division of Bosnia in three parts” was harmonized on 20 June 1993, in line with the proposal of Milošević and his agreement with Tuđman, by Serbian and Croatian leaders (leadership of SDS and HDZ) in Njivice near Hercego Novi. Two days later, on 22 June 1993, the Serbian aggressor and its collaborators from the Republic of Bosnia and Herzegovina held a meeting in Belgrade, in which they “simply shortened and precisely formulated the constitutional principles for the

new constitutional order of Bosnia on basis of the Njivice document”. That document (*Constitutional principles for Bosnia and Herzegovina*) had nine principles, and on 23 June it was presented to the Co-chairs Owen and Stoltenberg. “The last revision of the document was made by Milošević at a meeting in a villa near Geneva” (23 June), attended by, in addition to Milošević, Co-chairs Owen and Stoltenberg, Karadžić, Krajišnik, Koljević, and Tuđman with his advisors. The meeting began “when Milošević gave the document to Owen, and there was no much of a discussion about it, except for the first sentence”, that is, the term “confederation” (“1. Bosnia and Herzegovina shall be confederation ...”).

During the meeting, Owen pointed out “that this was a Serbian-Croatian proposal, not his, and that he wants this proposal to be articulated in a clear manner”. Moreover, he “added that he would try to ‘sell’ the proposal to the third party /legitimate representatives – negotiators of the Republic of Bosnia and Herzegovina – note by S.Č./, but that this was in any case the Serbian-Croatian proposal”. Thus, “the Serbian-Croatian model for Bosnia” (division of the Republic of Bosnia and Herzegovina) “received the support of the international community”, known as *Owen – Stoltenberg Plan*, which also confirms all the previous agreements between Milošević and Tuđman (in Karadorđevo, Tikveš, etc.) on division and destruction of the Republic of Bosnia and Herzegovina. Milošević also confirmed this policy and practice in late 1993. In Dobanovci, at the meeting with the representatives of the Republic of Croatia, Hrvoje Šarinić and Mile Akmadžić, held in late December 1993, “he stated that he had reached an agreement with Tuđman and that the Serbian-Croatian relations will be resolved by political means”.

Public and private pressures exerted by the European community/ Union (through their representative David Owen) and the United Nations (through their representative Thorvald Stoltenberg) on the Republic of Bosnia and Herzegovina Government to accept the Serbian-Croatian (Milošević – Tuđman) proposal – plan to divide the state – Republic of Bosnia and Herzegovina, were extremely intensive. Almost without an exception, the Western mediators began supporting the Serbian position and tried to force the Republic of Bosnia and Herzegovina Government to accept the offered plan. As an illustration, Owen notified the Republic of Bosnia and Herzegovina that “it would be tragic to miss the opportunity”. Similarly, French General

Jean Cot (UNPF Commander, June 1993 – March 1994) lamented in late 1993 over the possible “disaster” should Bosniacs, in his view Muslims, failed to sign immediately the Owen-Stoltenberg plan. He insisted “that the Muslims would be responsible if they continue to ‘tighten the rope’ aimed at getting bigger territory concessions from Croats and Serbs”. It therefore does not surprise that Belgrade insisted with the European countries, particularly France, to isolate the Republic of Bosnia and Herzegovina Government and exert pressure on them to accept the Plan.

Erroneous basic premise for political action, maintained by the international mediators was that the Republic of Bosnia and Herzegovina was caught in the civil war, which was allegedly a reflection of the century long rooted hatred, in which “all sides”, allegedly share guilt and allegedly have the same basic objectives. Moreover, representatives of the West often blamed Bosniacs that they did not want to accept the proposed agreements. Negotiators often commended Serbs for their flexibility and the desire to stop the fight, which implied that the Bosniacs were to be forced to negotiate and accept what was offered to them.

Vance and Owen asked the Security Council to impose sanctions on the side that refuses their plan. That was the way to force the Republic of Bosnia and Herzegovina Government, which objected to that plan, to surrender. That activity, no doubt, made Serbs think that Bosniacs would not receive any weapons or other assistance, and encouraged them to continue with the aggression and crime of genocide, and keep the occupied territories.

To force the Republic of Bosnia and Herzegovina Government to accept the Owen-Stoltenberg plan, peace mediators threatened that the United Nations would withdraw if Bosniacs do not accept the plan of territorial division of the country. Although David Owen stated that this “was not attempt to blackmail the Presidency of Bosnia and Herzegovina”, this comment was clearly addressed to the Republic of Bosnia and Herzegovina Government, given that the Bosniacs would suffer the most if the United Nations withdrew. He often repeated this threat, as he did in the session of the Presidency of the Republic of Bosnia and Herzegovina on 9 July 1993, as well as during the talks in Geneva in January 1994, when he warned that UNPROFOR might withdraw in spring, although the arms embargo was still in effect.

During the Geneva talks in summer 1993, Owen publicly threatened President Izetbegović that the Bosniacs, if they continue to fight, would no longer be treated as victims, and that the international community would treat them in the same way as Serbs.

Peace negotiators and Western governments believed that any serious study of genocide would endanger talks. Diplomats disclosed, using different gestures, that this topic “was not on their agenda” and that they did not want to talk about it. So, they kept quiet. The West, after the name of Radovan Karadžić was found on the list of war criminals, recognized him as one of the important actor in the talks.

The international community offered, in December 1993, the Federal Republic of Yugoslavia (Serbia and Montenegro) and its collaborators, fifth column and the marionette regime in Bosnia and Herzegovina, in line with the Ministerial Summit of the European Union for that month (quantitative ratio on the territorial division within the Owen-Stoltenberg plan), the division of the territory of the Republic of Bosnia and Herzegovina: 51:49 – “49% of the territory for Republika Srpska at the time when Republika Srpska kept 70% of the territory”/of the Republic of Bosnia and Herzegovina – note by S. Č./, that is the aggressor – Federal Republic of Yugoslavia (Serbia and Montenegro).

Washington Agreement (18 March 1994), a result of the negotiation between leaderships of the Bosniac and Croatian national corps, along with the American decisive mediation, when the United States for the first time without “assistance” of the European allies engaged to deal with Bosnia and forced Bosniacs and Croats to accept the agreement, stopped the aggression of the Republic of Croatia against the Republic of Bosnia and Herzegovina. This agreement completely shook the engagement of European Union, Geneva talks officially failed, and it fostered the territorial division of the Republic of Bosnia and Herzegovina: territory of the Federation of Bosnia and Herzegovina was defined in a way that it encompasses 55% of the territory of the Republic of Bosnia and Herzegovina (based on 1991 Census, with 65% of the population of Bosnia and Herzegovina), while the territory with the majority Serbian population encompassed 42% of the territory of Bosnia and Herzegovina (with 23.34% of the population). Three percentages of the territory (with 11.66% of the population of the

Republic of Bosnia and Herzegovina) applied to the District Sarajevo (under the administration of the United Nations), with the status and territory, which is identical to the one proposed in the Owen-Stoltenberg plan. Territory of the municipality Mostar (within the Federation of BiH) and the status that included two-year administration of the European Union were taken over from the Owen-Stoltenberg plan.

Federal Republic of Yugoslavia, in early April 1994, kept under occupation more than 70% of the territory of the Republic of Bosnia and Herzegovina. This invasive success (of the Serbian aggressor), in view of Slobodan Milošević, was supposed to be maintained in all the negotiations, by freezing activities “in the entire territory of the Bosnia and Herzegovina” and recognizing “frontlines as lines of separation”, that is the situation in the field – legalization of the aggression (conquered *lebensraum*) and the crime of genocide, which would in conditions when the forces of the Federal Republic of Yugoslavia (Serbia and Montenegro) kept under occupation more than 70% of the territory of the Republic of Bosnia and Herzegovina “secure to the Serbian aggressor a good negotiating position for the completion of the negotiations”. That was the “primary objective” of the Federal Republic of Yugoslavia (Serbia and Montenegro).

Affixing signature on the Washington Agreement and setting up of the Federation of Bosnia and Herzegovina contributed to the design of new “peace” proposal by the (big) world forces. EU Foreign Ministers, with the support of the USA, decided on 18 April 1994 to support the setting up of the *Contact group*, whose purpose is better coordination of mediation and design of peace solution for the Republic of Bosnia and Herzegovina. *Contact group* was made of five big powers: United States of America, Great Britain, France, Germany, and Russia.

Contact group, officially composed based on the French-Russian proposal “emerged as the result of compromise between five big world powers, in which Great Britain played one of the crucial roles”. As of the beginning, five members had different political interests and different positions on the situation in the Republic of Bosnia and Herzegovina. Great Britain, France, and Russia constantly tried to make a peace plan, which will be adopted, so that it could legalize the Serbian territorial extension, while offering the support to Milošević, given that their initial position

was that Milošević cannot be avoided in peace talks. On the other side, United States and Germany were “mainly in favor of gradual isolation of Bosnian Serbs, and strengthening of the new, political and military, Bosnian-Croatian Federation”.

The Contact group, on 5 July 1994, at the ministerial meeting in Geneva, within (their) peace plan (Proposal on territorial and political constitutional order of Bosnia and Herzegovina), harmonized a map of separation line between Federation and the “Serbian side”, to which “the negotiating parties” had to respond. That only element which the *Contact group* finalized suggests, among other things, the presence of system “take it or leave it”, along with the threats that preceded the mapping, which were left out once the “Pale Parliament” refused the Plan, and ultimate character of the Plan, which persistently applied to maps of division of the Republic of Bosnia and Herzegovina.

According to the *Contact group* map, Federation was supposed to include 49% of the territory of the Republic of Bosnia and Herzegovina, where, according to 1991 Census, 58.9% of population of Bosnia and Herzegovina lived, “Bosnian Serb entity” 48% of the territory with 29.44% of population of Bosnia and Herzegovina, and District Sarajevo 3% with 11.66% of the population of Bosnia and Herzegovina.

The *Contact group* map was based on the map of division from Owen-Stoltenberg plan (EU plan, August 1993), though it had “significant correction in terms of operationalization of the so-called ethnic principle in this area”, that is the coercion-based principle – results of aggression and crime of genocide. It is obvious that the *Contact group* plan aimed at rewarding Serbian aggression, and thus legalization of the Serbian pseudo-state creation and the crime of genocide.

The *Contact group* plan resulted in territorial division of the Republic of Bosnia and Herzegovina to two parts. Federation of Bosnia and Herzegovina, based on this plan, “was supposed to create the state of Bosnia and Herzegovina in form of union with the Serbian entity, in ratio 51:49 percent (at the beginning it was 58:42)”. In this way the *Contact group* “developed a plan in which it created conditions for recognition of ‘state’ within state, i.e. ‘Republika Srpska’, and thus it met the primary objective of its leader Radovan Karadžić”.

At the joint session of the Parliament of the Republic of Bosnia and Herzegovina and the Parliament of the Federation of Bosnia and Herzegovina, held on 18 July 1994, majority of MPs accepted the *Contact group* plan, that is the map of territorial division, while the Milošević's collaborators and fifth column from Bosnia and Herzegovina refused it, despite the Belgrade "insisting that they accept it".

Contact group offered "half of the territory" of the Republic of Bosnia and Herzegovina to Serbian people. International community, in view of Slobodan Milošević, "found a 'half-half' solution". To that end, at the 25th session of the Supreme Defense Council, held on 30 August 1994, he also stated "that the general division 'half-half' was a maximum that the Serbian side could expect".

The Plan of *Contact group*, in view of Slobodan Milošević, "gave a half of Bosnia and Herzegovina to the Serbian side" and the right to Serbs "to confederation with Yugoslavia" (Federal Republic of Yugoslavia – Serbia and Montenegro), which is, in his opinion a state – "that is then one state".

Great Britain, again, initiated the issue of inevitable invincibility of Serbs, and that the peace was possible only if the demands of Slobodan Milošević related to sanctions were met, and if the Milošević's collaborators in the Republic of Bosnia and Herzegovina were offered a confederation with Serbia. Russia helped them in that campaign, and they also used the indecisiveness of (some) high-ranking American politicians, especially Perry and Foreign Minister Christopher. President Clinton was quiet, and Senator Bob Dole, naming Great Britain as the biggest obstacle, accused Akashi and General Rose that they "helped the Serbian aggressor".

The Contact group plan (July 1994), at the time when 72% of the territory of the Republic of Bosnia and Herzegovina was occupied by the great-Serbian aggressor and its collaborators, when Britain and France exerted pressure on Bosniacs and openly forced genocide victims – ("Bosnian Muslims...") "to accept the military defeat", when the international community equalized aggressor and the victim, verified the territorial expansion of Serbs, and they said: "you may have a half of the territory of Bosnia and Herzegovina". In view of Slobodan Milošević, Federal Republic of Yugoslavia and its collaborators were offered at

that time, “at the best negotiating position”, the ratio of 49:51% territory of Bosnia and Herzegovina. That peace genocidal plan – in line with the Serbian ideology, politics, and practice of the great-state territorial nationalism – fight for Serbian ethnically cleansed territories, agreed between the Foreign Ministers of the USA, Great Britain, France, Germany, and Russia (“big five”) and Slobodan Milošević, along with the Serbian political and state leadership in Belgrade, offered the division of the Republic of Bosnia and Herzegovina in two parts (entities) – “51% to Croatian-Bosniac federation and 49% to Serbian side”.

International community, according to Milošević, “offered a ‘half-half’ solution /i.e. division of the Republic of Bosnia and Herzegovina in two parts – note by S.Č./ only based on a fact that the military victory was achieved in war! If there was no military victory, international community would have never proposed a division of Bosnia and Herzegovina, which was never in history a part of any Serbian state”.

In early 1995, particularly in January 1995, the *Contact group* conducted intensive talks in Sarajevo and Pale with the political leadership of the Republic/Federation of Bosnia and Herzegovina, and the political and military leadership of the pseudo-state creation Republika Srpska. As in illustration, on 21 January 1995, the *Contact group* ministers talked in Pale with the political and military leadership of marionette Republika Srpska on the peace plan (of the *Contact group*). Their aim was to clarify their intentions and present verbally the views of *Contact group*, when they presented and handed over the document known as *POSITION OF CONTACT GROUP*. This position, essentially, according to Charles Thomas (US representative), was reduced to the following: “negotiations as soon as possible, based on accepting the *Contact group* plan, as the starting point, and abiding by that plan in course of negotiations. Our territorial proposal, 51%:49% remains the basis; our role will be only to mediate, which means that almost everything depends on you; constitutional relations will be balanced, while maintaining the integrity of Bosnia and Herzegovina. We shall insist on separation of forces and implementation of territorial agreement only in the end, as the entire agreement is reached, and we shall insist on return of refugees. I believe that our position is reasonable, and I argue that both sides will enjoy the same treatment.”

The Republic of Bosnia and Herzegovina leadership, in all the contacts with the *Contact group*, gave their support to their peace plan, but they refused to accept the constitutional arrangement according to which “the Serbs would have the right to confederation with Serbia”. *Contact group* peace plan, including the territorial division of the Republic of Bosnia and Herzegovina in ratio 51:49, was verified at the session of the Republic of Bosnia and Herzegovina Presidency, held on 10 April 1995, when the Serbian aggressor had under its occupation around 65% of the territory of the Republic of Bosnia and Herzegovina.

*
* *

The approach by the West to the events in the Republic of Bosnia and Herzegovina “**Seriously violated the credibility of NATO and UN**”. “**Constant hesitation**” of the United States to assume “**the leadership in efforts to resolve the military crisis in the heart of Europe**” endangered the leading position of the United States “**in the world after the Cold War**”. Constant failures “**to finish the conflict in Bosnia**” undermined “**the lead role of Clinton’s Administration, both at national and international stage**”.

Starting from such a situation and assessment, United States (from May to early August 1995) worked on the concept of “new” diplomatic initiative. In these activities, America’s starting point was the *Contact group* plan, as the sacred document which was not to be touched – the territorial and political division of the Republic of Bosnia and Herzegovina, and to that end, legalization of Serbian (aggressive) conquests. In that sense, representatives of the American administration gave huge importance to Slobodan Milošević, as they found him a key figure in making just any agreement.

Heads of states and governments of G7 (annual Summit) talked about the *Contact group* **plan** in Halifax, in mid June 1995. Members of P-8 (Russia joined G-7) among other things, **asked “the parties to conflict”** to support the *Contact group* plan.

After the situation in the Republic of Bosnia and Herzegovina deteriorated in spring 1995, the “**Western allies**” began talking about

whether “**to stay in Bosnia**” or not. Different countries, which had troops in Bosnia, including Canada and Great Britain, openly considered the possible withdrawal of troops.

UN Secretary General, Boutros Ghali “**strongly supported the UN operation of withdrawal and downsizing**” from the Republic of Bosnia and Herzegovina, and asked the Generals Janvier and Smith to accept that proposal, by way of proposing it to NATO, and then to UN Security Council.

On 23 May 1995, United States and Slobodan Milošević agreed on the takeover of the UN Safe Areas in East Bosnia. That project served the function of political agreement – peace agreement on division of the Republic of Bosnia and Herzegovina, by which the UN Safe Areas Srebrenica, Žepa, and Goražde were sacrificed for the sake of realization of “**Serbian strategic objectives in Bosnia and Herzegovina**”, that is the legalization of crime of genocide.

On 24 May 1995, General Bernard Janvier asked the UN to withdraw UNPROFOR from UN territories in East Bosnia (UN Safe Areas: Srebrenica, Žepa, and Goražde). This request was clearly in contravention of the *Convention on prevention and punishment of crime of genocide*. Instead of protecting UN territory (UN Safe Areas in East Bosnia) and preventing the crime of genocide, General Janvier looked primarily at the safety of UN forces. Thus, he, in line with his pro-Serbian orientation, practice and the plan of *Contact group*, supported the Serbian nationalistic ideology, policy, and practice of aggressive and genocidal character, and provided support to the Serbian aggressor and its crimes.

Some of the Security Council member states, including USA and the Netherlands, strongly objected to such a proposal, given that the withdrawal of UNPROFOR from the UN Safe Areas would endanger Safe Areas even more.

By initiating “new” diplomatic activities, United States wanted to design a new strategy, by which the military force would enhance the leverage of the American influence and ensure flexibility in the diplomatic process.

The takeover of the UN Safe Area Srebrenica in July 1995, where the crime of genocide was committed in and around that UN Safe Area

against the Bosniacs of the Republic of Bosnia and Herzegovina, when United States and Europe did nothing to prevent **the crime of all crimes**, reaffirmed the hypocritical and treacherous policy of the West towards Bosnia – West did not react and prevent the crime of genocide.

United States “**following the stamping over Srebrenica**”, expressed an emphatic need to start acting more decisively. President Bill Clinton exerted pressure on the United Nations to approve the setting up of *Rapid Reaction Force*, already discussed some weeks ago at the G-7 Summit in Canada. Clinton’s Administration “**worked on details of their views related to the defense of remaining UN Safe Areas**”, and the National Security Council reconsidered its policy towards Balkans and “**continued with the development of long-term diplomatic strategy aimed at finding a way out of the Balkan nightmares**”.

National Security Council designed the document on new American diplomatic initiative related to making peace in the Republic of Bosnia and Herzegovina, discussed in the White House on 17 July 1995, in the presence of numerous high-ranking officials, including President Clinton. Purpose of that document was also “**the consideration of risk, that the USA would have to undertake in the event of failure of diplomatic bargaining**”, which was essence of the document “**on final act**”, as well as to “**balance the forces in Bosnia, help Bosnians to achieve, by the power of weapons, what was (territories) promised to them in the *Contact group* maps during the negotiations**”. To than end, Americans were ready to “**support NATO airstrikes against Serbs, for a limited duration**”.

At the London conference, 21 July 1995, held between the NATO Foreign and Defense Ministers “**in nearly desperate attempt to take the initiative**”, United States tried to “**achieve more powers for the UN forces in Bosnia – in fact, to prevent the withdrawal of UN forces**” and did everything possible to get the agreement on airstrikes and revocation of “**double key**”. The conference achieved a silent approval on revocation of the right to veto on airstrikes (i.e. from the decision making process of airstrikes) from the UN civil officials – Secretary General Ghali and his Special civil envoy Akashi.

In early August 1995, United States began with a new peace initiative – “latest initiative” for peace solution in the Republic of Bosnia and

Herzegovina, by which the **“United States finally engaged in Bosnia”** following the discussion on plans to withdraw UN forces from the Republic of Bosnia and Herzegovina, approved by NATO, and the amendments to the plan in line with the London conference conclusions; (Serbian) operation of chaining mainly UNPROFOR soldiers and UN Military Observers to telephone and flag poles, next to the warehouses of weapons and ammunition or bridges – hostage situation of the UN personnel and representatives of some other international organizations (more than 400 individuals), stationed at the checkpoints for collecting heavy armament from the Serbian aggressor around Sarajevo (May – June 1995); (several) secret arrangements between UN and the Army of Yugoslavia, in which it was agreed that **“the Serbs would release hostages, and that NATO in return would not use air support against Serbs”**; Serbian operation against the UN territory in East Bosnia: occupation of Srebrenica and Žepa, and crime of genocide against the Bosniacs of the Republic of Bosnia and Herzegovina in and around the UN Safe Areas Srebrenica and Žepa in July 1995, when Europe, United States or United Nations, or NATO, did not even try to defend the UN territory, and international community experienced humiliation, where **“Mladić’s comparison of the then Bosnian Muslims with Turks from 191 years before revealed his dangerously infected mind”**, which (crime of genocide in and around UN Safe Area Srebrenica), in view of the Speaker of the US Congress, Newt Gingrich, was **“the worst humiliation of the Western democracy since the 30s”** of the 20th century; attack at the UN Safe Area – Gorazde; continued siege of Sarajevo, another UN Safe Area; attack at the Safe Area Bihać; letter of resignation of Tadeusz Mazowiecki (Special rapporteur of the UN *Commission for Human Rights*) due to inertness of the UN in preventing the crime of genocide in and around UN Safe Area Srebrenica in July 1995; a big successful Croatian operation Oluja (operation *Storm*) in Knin Krajina, when **“Milošević did not come to help the Krajina Serbs”**, and **“Serbs suffered a military loss”**; successful counter-operation of the Republic of Bosnia and Herzegovina Army, the defeat of the Fikret Abdić “autonomy supporters” and liberation of Velika Kladuša.

At the meeting with Foreign Policy Group (Lake, Albright, William Perry – Defense Secretary, General John Shalikashvili – Chairman of

the Armed Forces Joint Chiefs of Staffs, and Peter Tarnoff – Undersecretary of State), held on 7 August 1995 in the Cabinet, the discussion pertained to the **strategy (documents)** of “**final act**”, Clinton made a decision: “**We have to break necks to reach an agreement in coming few days. We have to exhaust every single opportunity, use every throwing of dice, we have to take risk.**” Thus, Clinton decided that the initiative (mission) should “**include decisive and brave objectives presented in the proposal of National Security Council and Madeleine Albright – United States will commit to the idea of single Bosnia, and it this fails at the negotiating table, then we shall be ready to help Muslim side to get its share in the frontline**”.

A negotiating team was set up on 7 August, under the leadership of Richard Holbrooke, an Assistant Secretary of State – principle American negotiator (Clinton verified his appointment of principle negotiator within the latest diplomatic initiative). Team was led by President William Jefferson Clinton, Vice-president Albert Gore, and Secretary of State Warren Christopher. Core negotiating team consisted of: Richard Holbrooke, Robert Frasure, dr. Joseph Kruzal (High Deputy of the Assistant Defense Secretary – a key figure in Pentagon), dr. Nelson Drew (Air-force Colonel, a member of the Cabinet of National Security Council, represented White House), General Wesley Clark (Head of Planning in the Joint Chiefs of Staffs), Roberts Owen (an attorney, lawyer and a constitutional expert), Chris Hill, General Donald Kerrik, Jim Pardew, and Rosemarie Pauli (Executive Assistant to Richard Holbrooke). Clinton, and his team, including General Clark, and Holbrooke, undertaking “**final, expedited negotiation**”, for which they “**hoped to end the war**”, believed that “**the peace in the Balkans may be achieved only through a complex combination of American leadership, aggressive and creative diplomacy, and if necessary, readiness to use force**”.

At the meeting of the Foreign Policy Group, held on 8 August 1995, Clinton agreed with the proposed “**carrots and sticks**” (a combination of diplomatic “carrots” and military “sticks”) which will be used in relation to documents on “**final act**”, that turned into a single strategic document, by the American representatives to strengthen their negotiating position. In the discussion on territorial matters, Clinton decided “**that, in case of failure of diplomatic efforts, any military commitment towards the Government in Sarajevo be conditioned: USA will not help them to regain territory by**

force (but will help them to defend the territory they have)”, which meant the recognition of the results of the aggression and the crime of genocide.

In that meeting, in addition to **“comprehensive agreement on permanent peace in Bosnia and the entire region”**, **“mutual recognition of Bosnia and Herzegovina, Croatia, and Federal Republic of Yugoslavia (Serbia and Montenegro)”** and other points (*“seven points”*) contained in **“final product”** of the **“revised” American policy towards Bosnia**, finalized in Washington in early August 1995, and chaired by President Clinton **“in three meetings in three days on Bosnia”**, they accepted and **“reaffirmed the support to the so-called *Contact group* plan from July 1994, agreed by the Foreign Ministers from United States, Great Britain, France, Germany, and Russia – that divides Bosnia in two entities, where 49% of the territory goes to Bosnian Serbs, and 51% to Croat-Muslim Federation”**.

Unlike previous plans, the novelty in this initiative was the threat related to the use of stick, which Lake considered a valuable negotiating leverage. **“Carrots”** were necessary – but they were not enough to get an agreement. *Contact group* plan on the territorial division of the Republic of Bosnia and Herzegovina in **“two highly autonomous entities”**, that is, the legalization of aggression and crime of genocide was the basis of this strategy of **“final act”**. This also meant a reward for the Serbian aggressor and its collaborators and fifth column.

In its **“revised”** policy towards Bosnia, United States supported the *Contact group* Peace plan, which permanently insisted on the legalization of pseudo-state, collaborationist, fifth column, and genocidal creation Republika Srpska and accepted territorial division of the Republic of Bosnia and Herzegovina to two parts, which was also the basis for Dayton Peace Agreement, which only verified such a policy and practice.

The agreement between United States and other four members of the *Contact group* on the territorial division of the Republic of Bosnia and Herzegovina in two parts, using the ratio 51:49 was the **“essence of American policy”** during the **“August travels to the European cities”** before the commencement of the negotiating shuttle.

American negotiating team (peace mission of President Clinton), following the meeting in Zagreb with the President of the Republic of Croatia, Franjo Tuđman (16 August) and in Belgrade with the President of the Republic of Serbia, Slobodan Milošević (17 and 18 August), on which occasion Milošević refused to guarantee the safety of their flight (“**from the artillery of Bosnian Serbs**”) en route Belgrade – Sarajevo (the negotiating team, during the meeting in Belgrade, could acknowledge the **direct link between Milošević and Ratko Mladić**), flew on 19 August from Split (where they stayed overnight on 18 August) on a French helicopter to Sarajevo. The passengers were: Richard Holbrooke, Robert Frasure, Joseph Kruzal, Nelson Drew, General Wesley Clark, and Lieutenant Colonel Dan Gerstein.

After some 90 minutes, the negotiating team landed at a football pitch on Veliko Polje, mountain Igman, where two vehicles waited for them. They departed from there to Sarajevo in two vehicles: Holbrooke and Clark were in American Humvee vehicle, and Frasure, Kruzal, Nelson, and Gerstein in French Armored Personnel Carrier, white color and with UN insignia (passengers in the APC were: Pete Hargreaves, Security officer in the US Embassy in Sarajevo, and four French soldiers – a driver and three soldiers).

An hour later following the way through “**seemingly peaceful forest, although the road was bumpy and in poor condition**” the French armored transporter, trying to bypass the French convoy coming from the opposite direction, at a narrow mountain path, turned over and skid down the steep slope, continued rolling over for several hundred meters and then started burning (ammunition exploded). General Clark tried to help bravely. Robert Frasure (53), Joseph Kruzal (50), and Nelson Drew (47) died, just like Stefan Reault, French soldier. Peter Hargreaves and Lieutenant Colonel Dan Gerstein were seriously injured.

Richard Holbrooke, General Wesley Clark, and John Menzies, American Ambassador to the Republic of Bosnia and Herzegovina, on 19 August 1995, in the afternoon hours (beginning at 18:00 hours) in the American Embassy in Sarajevo, held a brief meeting with the President Alija Izetbegović and Foreign Minister Muhamed Šaćirbegović. Although “**visibly shaken by the tragedy**”, Richard Holbrooke “**tried to do his job and keep the conversation**”. To that end, Alija Izetbegović argued that Holbrooke said “**that he needed**

a clear answer as to what kind of Bosnia we wanted as the starting point. 'You may have the whole decentralized state or a part of Bosnia where you would rule. Which of the two do you want?' he asked" Izetbegović, "pointing at the map on the wall". Izetbegović stated that he responded "without hesitation": "The former" – the whole decentralized state of Bosnia and Herzegovina.

Accident at Igman forced (Clinton's) administration "to think deeper on fundamental objectives and perspectives of their initiative". That accident "only enhanced the decisiveness of the American leadership to continue", and moved him to double the efforts and decisiveness to continue searching for peace in the region. While the negotiators toured the region, officials in Washington "began working on the structure and contents of the future agreement".

Immediately after the Igman accident, United States continue with their activities to achieve "a fair and permanent peace in the Balkans" and considered various options with the "warring parties", "including carrots and sticks". So, the Administration became more active in looking for other forms of future agreement.

On 23 August, "a serious meeting with Europeans" ("representatives of European nations that came to Washington to pay tribute to three of our colleagues") and "emotional meetings" were held in Washington with the President Clinton, in the Memorial Chapel Fort Myer, after the memorial service. A discussion was held with the President in White House on every of "seven points that Lake and Tarnoff presented on their tour around Europe two weeks earlier".

In late August 1995 (23-25 August) talks were carried out in Washington between the Holbrooke negotiating team and legal experts in the State Department, on one hand, and Muhamed Šaćirbegović and Prof. dr. Kasim Trnka, on the other, when they reached a consensus on "*fundamental constitutional concepts*" – "preservation of the Bosnian state made of two entities, Federation and Bosnian Serbs (Republika Srpska), a state with the internationally recognized borders, and the Government in charge of foreign policy and relations with other states".

With the American leadership, broader enforcement of diplomatic pressures ("aggressive and creative diplomacy"), and the manifestation

of military force (military pressure), following the commencement of the “**American diplomatic shuttle**”, **death of three members of the negotiating team** (19 August 1995) and the crime of genocide – a mortar attack at civilians in front of the city market place Markale (28 August 1995), a decision was made “**visibly quickly**” “**on the airstrikes in Bosnia**” – Operation *Deliberate Force*, “**the most extensive military operation in the history of NATO**”.

Having learned of the crime of genocide against civilians in front the market place Markale, and following his arrival to Paris with his associates on 28 August 1995, Holbrooke, who has advocated for long the use of NATO air support against the Serbian aggressor, contacted immediately Washington and began asking for the airstrikes. He believed “**that the horrible tragedy offered a possibility to confirm the American credibility**”. Until the evening hours of 28 August “**American officials confirmed the necessity of NATO airstrikes at Bosnian Serbs**”.

Richard Holbrooke and his team, then several American Ambassadors and other leading UN and NATO officials (Madeleine Albright, William Crowe, Robert Hunter, General George Joulwan, Admiral Leighton Smith, and others) advocated (29 August 1995) for “**the biggest military operation in 45-year-long history of NATO**”.

On 30 August 1995, at 02:00 hours in the morning (CET), NATO Operation *Deliberate Force* began. So, following a long hesitation and unpreparedness, NATO with the biggest military operation in the history of Alliance “**engaged in the Bosnian conflict**”.

NATO aviation and *Rapid Reaction Force* targets were radar systems, communications, command posts, artillery positions, rocket systems, warehouses and infrastructure installations of the Serbian aggressor around Sarajevo, Tuzla, Goražde, and Mostar. On 30 August, NATO planes targeted 27 positions in the area of Foča, Han Pijesak, Vogošća, Lukavica, and Hadžići. On 30 August, *Rapid Reaction Force* attacked artillery positions in Ilidža, railways depot in Rajlovac, Lukavica, then positions in Vranješ and Pavlovac, and on 31 August, they attacked Žunovnica, Lukavica, and Krivoglavci. NATO planes, on 31 August/1 September continued the operation against military installations in Jahorina, Pale, Kalinovik, Kijevo, Krupac, Lukavica, Trebević, Hadžići,

Žunovnica, area of Vogošća, Golo brdo, Ilinjača, and Gornje Mladice near Hrasnica, facilities around Nevesinje and telecommunication object at Kmur. On 1 September, *Rapid Reaction Force* targeted artillery positions, radar stations, communication centers, and command posts of the aggressor in the area of Sarajevo.

NATO air force continued with the air support, and the *Rapid Reaction Force* with the artillery engagement until 13 September. Military installations in the occupied territory of the Republic of Bosnia and Herzegovina were targeted, such as: radio-relay objects, ammunitions storages, hangars for vehicles and equipment, bridges, artillery positions, as well as airport Zalužani near Banja Luka.

On 14 September, after the representatives of the Serbian aggressor and its collaborators Milošević, Karadžić, and Mladić accepted the ultimatum for cessation of engagement around Sarajevo on 13 September at the meeting in Belgrade, and began withdrawing heavy artillery from the area of exclusion, NATO announced a 72-hour break in the air operation *Deliberate Force*. After the aggressor withdrew majority of heavy artillery from the area of exclusion around Sarajevo by the 17th September, General Bernard Janvier (UNPF Commander) and Admiral Leighton Smith (NATO Commander for Southern Europe), extended the suspension of airstrikes for addition 72 hours. After the heavy artillery was withdrawn from the exclusion zone, and Sarajevo airport and humanitarian corridors around Sarajevo were reopened, General Janvier and Admiral Smith made a decision on 21 September to suspend the air support against the Serbian aggressor.

NATO military operation (air support) at the Serbian positions – 30 August to 21 September 1995 (with certain breaks in early September), among other things, created conditions in which Foreign Ministers of the Federal Republic of Yugoslavia, Republic of Croatia, and the Republic of Bosnia and Herzegovina, under the auspices of United States, and with participation of the *Contact group* members, after on 30 August Milošević proposed to Holbrooke to **convene immediately international peace conference**, which (the meeting of the three Foreign Ministers) was accepted the following day in Zagreb by Franjo Tuđman and Muhamed Šaćirbegović; they agreed on the “**basic principles**” in Geneva on 8 September and in New York on 26 September, which represented, on the basis and within

context of prior international peace agreements, especially the *Contact group* peace plan, the concretization of American peace initiative and the broadest framework for the announce peace talks, which will result in the Dayton Peace Agreement.

*
* *

Contact group plan, the basis for talks, especially the territorial division of the Republic of Bosnia and Herzegovina, in ratio 51:49, was again upheld by Slobodan Milošević, during the long and difficult discussions with Holbrooke and his team in Belgrade on 30 August 1995. Milošević proposed on that occasion to **Holbrooke to immediately convene the international peace conference.**

Analyzing these reasons, their contents and features, chronology of events, links, relations and their functions, it seems that the **land operation of the RBiH Army and Croatian Army** probably contributed that the Serbian aggressor accepts to take part in the peace talks. NATO airstrikes significantly influenced the verification of the decision by the Serbian aggressor to, along with Slobodan Milošević as the head of a single Serbian delegation, take part in the peace talks.

On 29 August 1995, Federal Republic of Yugoslavia and “Republika Srpska” reached an agreement in the meeting of the Federal Republic of Yugoslavia Supreme Defense Council, specified in the preamble to the Dayton-Paris Agreement, which defined that a single delegation will participate in negotiation on the “**comprehensive peace process for Bosnia and Herzegovina**”, composed of six persons: three from the Federal Republic of Yugoslavia (“**FRY Government decides on the members of the Federal Republic of Yugoslavia delegation**”) and three from “Republika Srpska” (Radovan Karadžić, Momčilo Krajišnik, and General Ratko Mladić). In this way “Republika Srpska” accepted to be represented by Federal Republic of Yugoslavia “**in all future talks about the peace**”. Namely, this agreement provided that the leader of the delegation would be President of the Republic of Serbia Slobodan Milošević. According

to that agreement, “Republika Srpska” leadership accepted that they would adopt binding decisions related to peace plan, which “**the delegation would make in plenum by majority vote**”. In the event of “**tie in number of votes – voice of President Slobodan Milošević will prevail**”. Even Milošević, in his letter dated 21 November 1995 to President Izetbegović related to Annex 9 of the Dayton-Paris Agreement (*Agreement on establishment of Bosnia and Herzegovina public corporations*) confirmed that he led the joint delegation (“... **head of joint delegation of the Federal Republic of Yugoslavia and Republika Srpska**”). Thus, this Agreement dated 29 August 1995 proved a historic fact that the Federal Republic of Yugoslavia exerted a true authority over its marionette regime in the Republic of Bosnia and Herzegovina – “Republika Srpska”.

Richard Holbrooke and his team decided to organize a conference in Geneva in early September and gather Bosnian, Croatian and Serbian Foreign Ministers to **define “baseline principles of the peace agreement for Bosnia”** and “**uphold the interim agreement**”, which Slobodan Milošević proposed on 30 August during his discussion with Richard Holbrooke and his team. Roberts Owen started working on “**draft of the framework political principles**”. In his first draft, Bosnia was, starting from approximately “**six point**”, discussed in 28 August in Paris with Izetbegović, “**defined as a single state composed of two ‘constituent entities’, Federation and entity of Bosnian Serbs**”.

American negotiators, in their meeting in Petersburg (Bonn, state residency on the hill above Rheine) held on 2 September 1995 informed the British, French, German, and Russian officials (*Contact group*) about their talks in Belgrade and Zagreb. They all agreed with the convening of the Geneva conference, although “**some Europeans were angry that we /United States – note by S.Č./ were first to react and then to inform them**”. Constant “**internal arguments**”, disagreements, disputes, and “**mini dramas**” in *Contact group*, in view of Holbrooke, “**had almost nothing to do with Bosnia, and they were rather the manifestation of the confusion within European Union about their common position related to foreign policy**”.

On 3 October 1995, the American negotiating team, together with Holbrooke, held a meeting in Belgrade with Slobodan Milošević, where

“they prepared a short list of agreed baseline principles” for Geneva. The foundation of talks (**“starting point”**) was the *Contact group* plan from 1994 on the territorial division of the Republic of Bosnia and Herzegovina in two parts – entities **“where Croatian-Muslim Federation got 51% and Serbs 49% of the state”**. The American **“long negotiating session”**, ended **“with partial agreement on the draft”** (*“joint agreed statement of political principles”*). The discussion was held on two crucial and essential matters: **name of the state and the name of the occupied** (by the Serbian aggressor) **part of the Republic of Bosnia and Herzegovina**. Milošević objected to the idea that the state retains the name **“Republic of Bosnia and Herzegovina”** and insisted **“that the Serbian part of the state be treated as ‘Republika Srpska’”**. He **“set the name ‘Republika Srpska’ as the price for agreement”**. His (ultimate) requests (state cannot retain the name **Republic of Bosnia and Herzegovina** and recognition of **“Republika Srpska”** – occupied part of the Republic of Bosnia and Herzegovina has to be named **Republika Srpska**) **were granted by the United States**.

Even on 3 September 1995, Slobodan Milošević openly negotiated on behalf of his collaborators and fifth column from the Republic of Bosnia and Herzegovina (**“Republika Srpska”**), which is another proof that he was the political leader of the Serbian political project – setting up of a single Serbian state in the Balkans, of fascistic and genocidal character, and a key figure of the Federal Republic of Yugoslavia, responsible for the aggression against the Republic of Bosnia and Herzegovina and the crime of genocide against Bosniacs, and that his collaborators in Bosnia and Herzegovina did not constitute any independent political or military factor.

Talks in Geneva, according to Holbrook had to be **“completed in Ankara”**, where Izetbegović, together with Šaćirbegović, were in the official visit to Turkey. In the meeting, held in late evening hours on 4 September 1995, they discussed the draft of the text known as *Joint agreed statement of political principles*, earlier negotiated in Belgrade, when the United States and Federal Republic of Yugoslavia agreed on the territorial division of the Republic of Bosnia and Herzegovina, by which the pseudo-state genocidal creation (**“Republika Srpska”**) was practically recognized.

“Following the big pressures” President Izetbegović, despite the fact that he **“at first, vigilantly refused this idea because of**

'**Republika Srpska**',' and that he was aware that it was a "**Republic**" established on "**genocidal basis**", "**finally agreed. Republic of Bosnia and Herzegovina shall have two entities – Federation and Republika Srpska**", by which he accepted the ultimatum of Slobodan Milošević and an "**American request**" ("**American peace initiative**").

The division of the Republic of Bosnia and Herzegovina in two entities was accepted by the agreements *Holbrooke-Milošević* and *Holbrooke-Izetbegović*, by which the internationally recognized state (Republic of Bosnia and Herzegovina) was deprived of explicit form of constitutional order (form of political rule) expressed in the title *Republic*, which was granted to the pseudo-state creation, based on the aggression and crime of genocide, which meant the legalization of the Serbian pseudo-state creation and legalization of crime of genocide.

The session of extended Presidency of the Republic of Bosnia and Herzegovina, held on 6 September 1995, considered the proposal of the "**latest American initiative**" "**in the eve**" of "**three party ministerial conference in Geneva**". To that end, the platform for discussion was discussed, and the instructions were given to the Foreign Minister Šaćirbegović "**to accept in the statement from the Geneva meeting the name Republika Srpska. That was an American request**". In this way, the Presidency of the Republic of Bosnia and Herzegovina, in absence of its three members (prof. dr. Tatjana Ljujić-Mijatović, prof. dr. Mirko Pejanović, and Stjepan Kljuić), accepted the division of the Republic of Bosnia and Herzegovina in two entities, thus legalization of the pseudo-state creation Republika Srpska.

The harmonized agreement on the territorial division of the Republic of Bosnia and Herzegovina in two entities was verified in the Geneva meeting on 8 September 1995, when Foreign Ministers of the Republic of Bosnia and Herzegovina, the Republic of Croatia, and Federal Republic of Yugoslavia accepted the document on principles of peace process.

The agreed elements in the *Geneva principles*, adopted in Geneva on 8 September 1995, except for the declarative territorial integrity and status of the internationally recognized state, suggest the previous plans that aimed at constitutional and territorial disintegration of the Republic of

Bosnia and Herzegovina. The *Geneva principles* promoted “Republika Srpska” as an official term and within quantitative meaning applied to territorial delineation (division of the Republic of Bosnia and Herzegovina in two parts – entities), which meant confirmation of the results of the aggression and crime of genocide. The Republic of Serbia and the Republic of Croatia **confirmed** their direct involvement in the aggression against the Republic of Bosnia and Herzegovina and crime of genocide against Bosniacs.

Based on the jointly agreed principles (*Basic principles for Bosnia and Herzegovina*) two entities were formed (*Federation of Bosnia and Herzegovina and Republika Srpska*) and the state was territorially divided in ratio 51:49. The Republic of Bosnia and Herzegovina was with agreement practically and formally divided, which legalized the pseudo-state creation, of fascistic and genocidal character – “Republika Srpska”.

At the session of the Republic of Bosnia and Herzegovina Parliament, held on 18-19 September 1995, the discussion was held “**on current political situation and new peace initiatives**”, in relation to which the keynote speaker was Alija Izetbegović, President of the Presidency of the Republic of Bosnia and Herzegovina. The Parliament session was marked with a “**tempered discussion on whether to accept Republika Srpska. Repulsion towards that solution was almost overwhelming by MPs**”. And yet, MPs gave their support to the negotiating team “**in future peace talks**”, by which they accepted the territorial and political division of the Republic of Bosnia and Herzegovina in two entities, and thus legalized pseudo-state creation Republika Srpska.

On 26 September, in New York, under the chairing of Richard Holbrooke and Carl Bildt, along with the adopted principles from Geneva dated 8 September, *Additional agreed basic principles (New York Additional Principles)* were also harmonized.

*

* *

Although the Republic of Bosnia and Herzegovina Army, in 1993, at a strategic level managed to definitely stop the aggressors and their

marionette regimes, collaborators, and fifth column, the strategic turnover took place in May-June 1994. Army managed by that time to set up appropriate units, which in addition to defensive assignments, was capable also for the offensive assignments. First results were achieved in fights along different frontlines in Bosnia and Herzegovina – mountain Ozren, at Crnoriječka visoravan, in Donja Brka, in the areas of responsibility of the 5th and 7th Corps. The year 1994 was the year of fight for more favorable operative and strategic positions, which needed to create conditions for taking operative and strategic initiatives along the frontlines in Bosnia and Herzegovina.

In March 1995, the Republic of Bosnia and Herzegovina Army, under the most demanding spatial and weather conditions, managed to successfully wage one of the most important operations in course of the defensive war, aimed at preservation of the whole and independent Bosnia and Herzegovina – liberation of mountain Vlašić. A few months later, the Republic of Bosnia and Herzegovina Army did not succeed to remove the siege of Sarajevo.

As of January 1995, the continuous attacks were particularly intensive at the UN Safe Area Bihać, where the Republic of Bosnia and Herzegovina Army 5th Corps actively fought against stronger joint forces of the Serbian aggressor, including the special forces from Serbia, that is Federal Republic of Yugoslavia, and inflicted losses on them.

Federal Republic of Yugoslavia (Serbia and Montenegro) joint forces (armored-mechanized and infantry, which used military gases) and their collaborators (Army of Yugoslavia and Republic of Serbia Ministry of Interior, “Serbian Army of Krajina”, “Republika Srpska Army” and “National defense of West Bosnia”) started on 19 July 1995 an attack at the UN Safe Area Bihać (Operation *Mač-95* – “Serbian Army of Krajina” and Operation *Štit-95* – “Republika Srpska Army”), to **“take control over the territory of West Bosnia and finally destroy the Republic of Bosnia and Herzegovina 5th Muslim Corps”**. In this offensive, where serious defensive fights were fought on 19-24 July 1995, and continued until 4 August 1995, the forces were deployed and engaged in Southwestern, Western, and Northern part of the frontline along the border with the Republic of Croatia, and the heaviest fights took place around Pećigradska brda, all the way to Bugar and Izačić. The main aggressor forces and the equipment were

deployed along the frontline Tržac – Johovica, while the additional forces were deployed around Bugar. This defense by the 5th Corps **“was crucial in stopping this offensive. The spears of the joint aggressor were broken in this area”**, though they were stronger in terms of armored vehicles – tanks, transporters, and powerful artillery and rocket support. The other **“hot combat parts of frontline were at Plješevica, then at Grmeč – from Hrgar to Grmuša”**.

Although the aggressor forces **“occupied a significant territory in the west towards the Republic of Croatia”**, they failed to achieve their objective: they did not destroy the 5th Corps and they did not come to the valley of river Una, thanks to the firm and decisive defense of the 5th Corps combined forces. Combat activities continued on 1-3- August as well, though with a smaller intensity.

Croatian Army and Croatian Defense Council, in line with the objectives related to implementation of tasks from the *Split declaration* and the meeting between the Republic of Bosnia and Herzegovina Army and the Croatian Defense Ministry, held on 1 August 1995 in Livno, where they agreed on joint operation of the BiH Army 5th and the 7th Corps and the Croatian Army and Croatian Defense Council in combat operations along Kupres and Komar-Vrbas frontline, as well as in West Bosnia, initiated on 25 July an offensive along Glamoč-Grahovo frontline (Operation *Ljeto-95*), to assist the Republic of Croatia in liberating Knin, and thus finally defeat the “Serbian Army of Krajina” in the final operation of liberation of tis country. Namely, the goal of the Operation was to destroy the “Republika Srpska Army” units in Eastern and Northeaster part of Livanjsko polje, regain Bosansko Grahovo and Glamoč and open the access to Knin, thus creating conditions for the liberation of Knin and Northern Dalmatia. The Republic of Croatia forces (Croatian Army and Croatian Defense Council) in this operation (25-29 July 1995) took over Glamoč and Bosansko Grahovo, and they cut communication Knin – Drvar, vital for the collaborators in Republic of Serbian Krajina, and opened the access to Knin, gained control over the important installations at the mountain Vitorog, and created favorable conditions for advancement towards Šipovo and Jajce. At the same time, the Republic of Bosnia and Herzegovina Army 7th Corps engaged in the area of Košćanski plateau along Kupres-Donji Vakuf frontline, aimed at liberation of Donji Vakuf

and possibly Jajce. The Commander of the Republic of Bosnia and Herzegovina General staff and the Commander of the Main staff of the Croatian Defense Council agreed that the 7th Corps and the Operation zone Tomislav Grad Commanders define and specify joint operations, which they did at the meeting held on 2 September.

Following the intensive preparations, Croatian Army and the Croatian Ministry of the Interior started an operation *Oluja* on 4 August 1995. In that operation, the main forces of the Croatian Army, strengthened by the special police forces moved along the avenue of operation, some 700 kilometers long, and at around 420 tactical locations. On the second day of the operation, the Croatian forces achieved more than 70%, and on 6 August more than 85% of the planned objectives. By 8 August, when the “Serbian Army of Krajina” 21st Kordun Corps, then 39th Banija Corps surrendered to the Croatian Army, following places were liberated: Vrlika, Drniš, Kijevo, Knin, Benkovac, Obrovac, Gračac, Plaški, Petrinja, Kostajnica, Glina, Korenica. On that day, the operation *Oluja* ended, with a complete success of the Croatian Army.

The Republic of Croatia justified the (military-police) operation *Oluja*, which aimed at liberation of the occupied territories (“**to return the occupied territory into its own constitutional order**”) and the defeat of the Serbian aggressor, by the attempt to provide “**support to the ARBiH to remove the blockade of the besieged Bihać and prevent new humanitarian disaster**” – “**saving of thousands people in Bihać from the death**”.

In the attempt to liberate (one third of) the occupied territory, and “fearing” the intervention of the so-called international community, the Republic of Croatia, starting from the Croatian state interests, stated, in the eve of the operation *Oluja* that Bihać should be saved. Thus, its political and military leadership believed “**that the international community would not punish Croatia if it does something that essentially saves Bihać**”.

Serbian attack at Bihać, as Carl Bildt argued, “**formally speaking**” was the “**factor that initiated Croatia to engage in the war. The intention to remove the blockade of Bihać was mentioned as an important motive to begin the operation 'Oluja'**”. “**It was ironic**”, as David Owen argued,

“that the Croatian Government was ready to invoke the suffering of Bosnian Muslims in Bihać /UN Safe Area – note by S.Č./ to justify its attack at Krajina...”

The Republic of Croatia state leadership, under the leadership of Franjo Tuđman, concealed the factual basis for the operation *Oluja*, the factual intention and objective of the operation *Oluja*. At the same time, that leadership even then manifested the unchanged territorial tendencies towards the Republic of Bosnia and Herzegovina. In this way, the leadership of the Republic of Croatia, in view of the General Rasim Delić, Commander of the Republic of Bosnia and Herzegovina Army General staff, **“by waging ‘Oluja’, in addition to the reintegration of the occupied parts of Croatia, wanted to takeover Ključ and Bosanski Petrovac, ‘leave’ Abdić in Kladuša and make ‘AP Western Bosnia’ official, that is, completely relativize the existence of the free territory and the 5th Corps in Krajina. By implementing such an idea, the Croatian leadership would create the free territory of Krajina dependent on Croatia, by which they would increase the odds to merge the BiH territories under the control of Croatian Army and Croatian Defense Council with Croatia”**. Such a determination and objectives were in line with the Croatian nationalistic ideology, politics, and practice, of the aggressive and genocidal character, towards the Republic of Bosnia and Herzegovina and Bosniacs. It is apparent that the operation *Oluja* did not aim at saving Bihać, and it was not initiated due to the **“dramatic situation surrounding the defense of Bihać”**. Considering everything stated, these facts confirm that the Croatian Army with the operation *Oluja* was not engaged in saving Bihać (**“... saving thousands of people in Bihać from the death”**), but rather the 5th Corps participated also in the liberation of the Republic of Croatia. **“By its existence”**, the 5th Corps, as dr. Davor Marijan argues, while assessing its role in *Oluja*, **“made the defense of the Republic of Serbian Krajina more difficult, and facilitated the implementation of the Croatian strategic ideas ...”**.

Croatian scholars argue that the operation of the Croatian forces (Croatian Army and the Croatian Defense Council) *Zima’ 94*, similar to *Oluja*, **“saved Bihać”**. **“Serbian attacks at Bihać”** (November-December 1994) **“alerted”**, as dr. Davor Marijan argues, **“Croatian leadership, which could not quietly observe the success of Serbs”**.

“Serbian attacks at Bihać” did not “alert” “Croatian leadership”, as dr. Davor Marijan argues, nor the Croatian Army “concentrated attacks at Dinara and Livanjsko polje” forced “the rebelled Croatian Serbs” to forget Bihać; and the siege was not lifted, and the Croatian forces operation “did not save Bihać”, as a General and Professor Krešimir Čosić argues. “Rebelled Serbs” from the pseudo-state creation Republic of Serbian Krajina, as well as from Republika Srpska, and from Federal Republic of Yugoslavia, along with collaborators of Fikret Abdić, continued in late November, December, and in early 1995 attacking the UN Safe Area Bihać, executing numerous crimes against humanity and international law, including genocide. In these activities, they occupied Velika Kladuša on 17 December 1994. Forces of the 5th Corps “waged active combat operations days and nights” and in an organized manner, persistently, vigilantly, and bravely defended their positions. Aggressor used its maximal power, including gases and rockets “Volkhov”, but they did not break the moral of the 5th Corps soldiers, or their defensive power. We can agree with the view of Krešimir Čosić who argued that in the event that Bihać was lost, “the Croatian Army would have difficulties to establish a serious military, including political balance, and it would be forced to accept almost all the conditions set by Martić, Karadžić, and Mladić”. The exclusive credit for the fact that Serbian forces were not able to occupy Bihać belongs to the 5th Corps, which also facilitated the Republic of Croatia to set up a “serious military, including political balance” and does not accept “almost all the conditions set by Martić, Karadžić, and Mladić”.

With the initial successes of *Oluja*, independently of the justified doubts in its real character and success, possibilities were created to carry out offensive activities of the 5th Corps. The Corps Commander, General Atif Dudaković, on 4 August 1995, in addition to issuing “short additional orders to all the brigades to attack” (501st Hill brigade, 502nd Glorious hill brigade, 503rd Hill brigade, 505th Chivalrous brigade, and 517th Liberation brigade), “in line with the new situation, defining the assignments and avenues of attack”, ordered “that they redeploy the 4th battalion of the 501st HB, and 4th battalion of the 502nd GHB along the avenue of attack: Izačić – Željava – L. P. /Ličko Petrovo – note by S.Č./ Selo, whereby the 501st brigade should attack Korenica, and 502nd Glorious hill

brigade Plitvice, with the objective to destroy the aggressor's forces / Serbian aggressor – note by S. Č./ and reach the frontline Plitvice-Korenica; they should engage as much as possible the Serbian Chetnic forces along their avenues of attack, while advancing to merge with the Croatian Army forces, which come from the direction of Karlovac, Plaški, and Gospić”.

Being deployed along several avenues of attack, the Republic of Bosnia and Herzegovina Army 5th Corps units broke the lines of great-Serbian aggressor, inflicted significant losses on them, destroy ample units and seized significant material resources, and reached the area of Prijeboj, Čelopek, Drežnik Grad, and Grabovac Drežnički towards Croatia, then the area of Majdan and Ljubina towards Dvor na Uni. On 5 August, the aggressor abandoned the radio-relay installation at Gola Plješevica. In this way, the 5th Corps, during the first day of operation, entered deep in the occupied territory of the Republic of Croatia, and came to the state border between Bosnia and Herzegovina in the area of Dvor na Uni. The 5th Corps forces, in a fierce operation, broke the resistance of the great-Serbian forces along Kordun and Lika frontline, and inflicted losses on them.

By the end of the day (6 August 1995) the 5th Corps liberated some more places and reached the frontline Nebljusi – Poljana – Frkašić – Bijelo Polje – Korenica – Plitvička jezera – Selište – Brajdići – Rakića brdo, and met there the Croatian Army. Two armies met at the junctions of roads Slunj – Ličko Petrovo Selo and Slunj – Plitvice (motel MG) and near the village Prijeboj. General Atif Dudaković, 5th Corps Commander, and Croatian Army General Marijan Mareković met on 6 August in the motel MG in Rakovica (junction of the roads Slunj – Ličko Petrovo Selo and Slunj – Plitvice) deep in the territory of the Republic of Croatia (at the reached lines, at the entrance to Rakovica).

The Republic of Bosnia and Herzegovina Army General staff Commander, considering the fact that the visit of delegation of Croatian Army and Krešimit Zubak (Federation of Bosnia and Herzegovina President) to Velika Kladuša was announced for 6 August, although there were some suspicions that they would try to secure the survival of Fikret Abdić in Velika Kladuša and his pseudo-state creation which he inaugurated (in Velika Kladuša) on 26 July 1995 to “Republic of West Bosnia”, ordered the 5th Corps Commander to seize activities in the territory of Croatia

and liberate Velika Kladuša. On 8 August, the 5th Corps units, in line with that order, liberated Velika Kladuša and reached the state border between Bosnia and Herzegovina and Croatia near Željezno Polje (south of Bihać) all the way to Gornji Dobratin (northwest of Bosanski Novi).

On 12 September, the Republic of Bosnia and Herzegovina began with the offensive activities along the Komar-Vrbas avenue of attack. In the night of 13 September, the 7th Corps units liberated Donji Vakuf, one of the biggest strongholds of the Serbian aggressor in central Bosnia. In continuation of the offensive activities in the area of Komar, the 7th Corps units liberated the Travnik villages of Voćnjak, Gradina, Skočaj, Dželilovac, Šešići, and Karaula, and got full control over the ridge Komar. During the fights on 15 September, the 7th Corps units took control over Babanovac at Vlašić plateau. Following the liberation of Donji Vakuf, the units continued along the river Vrbas valley towards Jajce, and on 14 September 1995 liberated Vinac and surrounding villages, arriving some 4 kilometers from Jajce (Bravnice – Zelenkovice). The main forces of the 7th Corps started from Vlašić towards Jajce, and on the way they merged with the forces that operated in the valley of Vrbas river, thus liberating major parts of the Jajce municipality. Units of the Croatian Army and the Croatian Defense Council entered Jajce on 13 September 1995 during their operation *Maestral* (8-15 September 1995), and on the way they liberated Drvar, Šipovo, and Jajce, two important ridges: Oštrelj and Mlinište. In this operation only Mrkonjić Grad was in front of the Croatian forces on their advancement towards **Banja Luka**. Entering of Croatian forces to Jajce caused dissatisfaction among the RBiH Army soldiers, especially those coming from the territory of Jajce. Treating the liberated area and the town itself as exclusively Croatian territories, the example of Jajce completely disclosed the political and military motives of the Croatian Army and Croatian Defense Council engagement in the operations against Serbian aggressor in Bosnia and Herzegovina.

The RBiH Army 5th Corps units, following the meeting in Zagreb held on 1 September 1995 between the RBiH Army General staff Commander and Chief of the Supreme Headquarters of Croatian Army, where they discussed and agreed on joint operations and other activities, and the corresponding preparations, initiated on 13 September the operation (*Sana 95*) along

two avenues of attack: towards Bosanski Novi and Sanski Most, and towards Kulen Vakuf and Bosanski Petrovac. On the second day of the operation, 14 September, the 5th Corps units liberated Dubovsko, Lipa, Bjelaj, Orašac, and Kulen-Vakuf, and finally liberated the territory of the Bihać municipality. On 15 September, the 5th Corps units liberated Bosanski Petrovac and Ključ. The meeting of the 5th Corps units, from one side, and Croatian Army and Croatian Defense Council, from the other, took place at the ridge Oštrej, located between Drvar (taken over by Croatian Army and Croatian Defense Council in August 1995) and Bosanski Petrovac. Due to insufficient coordination and communications, the forward units of the RBiH Army and Croatian Army entered into conflict at Oštrej, which did not take long and had no major consequences.

The 5th Corps units had successes in combat operations on their way to Bosanski Novi and Sanski Most: on 17 September, they liberated Bosanska Krupa, Veliki and Mali Badić, Gornji and Srednji Bušević, and the units of the Operative group Centar liberated, in the direction of Sanski Most, Hrustovo and Vrhpolje. The following two days (18 and 19 September) following settlements were liberated: Otoka, Arapuša, Veliki Dubovik, Lušci Palanka, and Korčanica.

On 10 September 1995, in morning hours, the 2nd Corps units initiated the operation aimed at liberation of Vozuća (*Vozuća operation*). The aggressor was providing a strong resistance to the 2nd Corps units. The army units of the 21st Division, following the successful artillery preparation, broke through the aggressor's line and by 10:00 hours liberated settlements of Mrahorovići, Klempići, Delići, Seona, and Ikanovići. The army units of the 22nd and 25th Divisions liberated the locations of Greben, Klupe, and Zečevo brdo, and the 120th Hill brigade "*Crni labudovi*" liberated Kablovac. The dominant position Paljenik was also liberated, which created favorable conditions aimed at liberation of Vozuća and the road along the Krivaja river valley, which connects Zavidovići and Olovo and Banovići. The 3rd Corps units continued pushing the aggressor from the positions on Stog, Ljeskovac, and Lokve. On 10 September, round 18:00 hours, the units of the 2nd and 3rd Corps met in Vozuća, which finally destroyed the contingency plan of the aggressor to keep the reserve southern corridor along the Krivaja river valley. After three and half years, Tuzla and Zenica regions were

finally connected by road communications. Following the liberation of Vozuća, the road along the Krivaja river valley, and southern slopes of Ozren mountain, merging of the units of the 2nd and 3rd Corps, favorable conditions were created aimed at continued engagement of these two Corps in direction of Doboj.

Following the initial success and liberation of Vozuća, the units of the 2nd and 3rd Corps continued liberating the territories and positions on Ozren. On 15 September, the 3rd Corps units liberated position Blizna, from which the aggressor had artillery control over the Bosna river, from Zavidovići to Maglaj; the units of the 2nd Corps liberated the position Tumarsko brdo, from which the aggressor carried out the artillery attacks at Tuzla and Lukavac. In continued operation, the units of the 2nd and 3rd Corps liberated several settlements along the valley of rivers Spreča and Bosna. In course of combat operation carried out on 6 October, the units of the 2nd and 3rd Corps met again near Ozren. The operation ended on 10 October, after some units of the 2nd and 3rd Corps were redeployed to assist the 5th Corps. The combat activities finally ended on 12 October 1995.

Following the completion of NATO airstrikes on 21 September 1995, the possibility was opened for the 1st and 4th Corps to engage within their areas of responsibility. During the operation at Trnovo frontline, the 1st Corps units liberated on 3 October the positions Kragujevac, Čardak, Čelina, and Boljanovac, and besieged the aggressor unit at Lupoč. On 4 October, the 1st Corps units liberated Strug, Bosansko vratlo, Kobiljača, Bukova glava, Lupoč, and other locations, by which the RBiH Army liberated the Treskavica plateau and opened a possibility to advance towards the ridge Rogoj and town of Kalinovik. The 1st Corps units continued with the operation until 6 October, and they continued to keep those positions until the signing the agreement on cessation of hostilities in Bosnia and Herzegovina.

The 4th Corps units, during their operations from 20 September to 3 October, also had significant military results, and they liberated the area of Glavatičevo, dominant positions of Krstac, Krupac, Komolje, Orlov luk, and some others accessing Kalinovik and Nevesinje.

Negotiations on maps were carried out in mid September 1995 “**at battlefields and in a way that suits the map**“ of the *Contact group*

territorial boundary demarcation (division of the Republic of Bosnia and Herzegovina) – the ratio 51:49.

The United States of America held the position that **it was not “wise to capture Banja Luka”**. Holbrooke asserted, in accordance with such a position, that the negotiations were decided upon at the battlefield **“as long as the Muslims and Croats achieved successes while remaining, at the same time, inside determined boundaries (as for example, non-capturing Banja Luka)”** which, according to him, increased **“chances for reaching an agreement.”** To that end, he wrote on 13 September to Christopher **“that successes and achievements of Muslim-Croatian forces facilitate the peace process.”**

At the meeting with Holbrook held in Belgrade on 13 September 1995, Milošević proposed **the ceasefire in the entire country** (The Republic of Bosnia and Herzegovina), estimating that **“he could make the Bosnian Serbs to agree to the ceasefire in the entire country, if in return, bombardment stops.”** However, Holbrooke did not accept that. **“General ceasefire”**, in his opinion, was out of question at that time. In regard to that, he expressed his readiness to talk about a ceasefire only **“for the area of Sarajevo”**.

On 14 September at 02:15 hours, the Serbs accepted the American plan **“after more than ten hours of negotiations”** the American plan – **“they signed the document we had drafted”**, said Holbrooke. **“They committed to cease all offensive actions around Sarajevo and immediately start to withdraw the heavy weapons, as well as allow a free access to Sarajevo by land and open the Sarajevo airport for humanitarian transport within 24 hours. In return, NATO will suspend airstrikes for 72 hours and subsequently assess if they abide of and honor the set conditions.”**

The United States tried to change **“military situation in the field”**, whereby the **“Croat-Muslim offensive on the west and bombardment had a great impact to the Bosnian Serbs”**, that is, to Slobodan Milošević and the Federal Republic of Yugoslavia, the state aggressor to the Republic of Bosnia and Herzegovina.

Holbrooke, that is, the United States were inciting **“the military action in three specific areas** (Sanski Most, Prijedor, and Bosanski Novi), while they **“opposed the action in Banja Luka.”** In that regard, he

noted that he **“was fully aware that we could be accused for applying double standards”**. However, **“those three towns”**, in his opinion, **“were less emotionally and historically burdened, and could be retained in the negotiations. But, the number of refugees that would result causes my brain overload”**.

The United States permitted the carrying out of military operations that are **“in favor of the map”** of the *Contact Group*. Successful military operations of the Army of the Republic of Bosnia and Herzegovina and Croatian Army by mid September 1995 changed the then territorial division of Bosnia and Herzegovina, captured by war and genocide in favor of the Bosnia and Herzegovina defenders – 50:50. All further military activities that would disturb the ratio detriment by the *Contact Group*, the United States did not allow because, in Holbrooke’s opinion, it would not been accepted by Slobodan Milošević. The most obvious example of that is Banja Luka.

In mid September 1995 **“tensions between Croats and Muslims increased again.”** Namely, on 17 September, Holbrooke received **“alarming news: after the takeover of Bosanski Petrovac, two sides came against each other and Muslim soldiers killed three Croats.”** Possible fighting between Croatian forces and the Army of RBiH in Bosanski Petrovac and **“tensions surrounding who would take control over the newly conquered areas”**, in Holbrook’s opinion, **“went in favor of the Serbs”**.

Due to the problems incurred in carrying out of the joint operations by the Army of the Republic of Bosnia and Herzegovina and the Armed Forces of the Republic of Croatia (Croatian Army and Croatian Defense Council) **“in particular regarding the unjust claiming of the liberated, / occupied – note by S.Č./ Bosnia and Herzegovina territories by Croatian Army and Croatian Defense Council as exclusively national”**, that is, Croatian, the meetings between the delegations of the Republic/Federation of Bosnia and Herzegovina and Republic of Croatia were held in Zagreb on 18 and 19 September, in the presence of high-ranking American political and military officials. At the meeting in the American Embassy on 18 September, General Rasim Delić, Commander of the General Staff of the Army of the Republic of Bosnia and Herzegovina, **“pointed out the key problems in the up to that moment joint operations, stressing out especially the**

attempt of the Croatian Army and Croatian Defense Council to treat the liberated areas as ‘Croatian’, and not allowing the return of Bosniacs to that territory.” Richard Holbrooke “explicitly requested the Army of the Republic of Bosnia and Herzegovina not to carry any operations against Banja Luka since they could result in a new wave of hundreds of thousand refugees, and re-involvement involving of Serbia and FRY with all resources into the war. In case that Army would, however, launch an offensive, Holbrook threatened with NATO attacks against the Army, warning that those actions (of the Army of Bosnia and Herzegovina – note by S.Č./ would be in vain, due to the fact that internal demarcation of BiH lines was already determined, and the Federation would have to return all territory over 51 percentage to the Serbian entity.”

In mid September 1995, clear signals were given as to stop the liberation activities of the Army of the Republic of Bosnia and Herzegovina. Thus, on 19 September, Warren Christopher presented, while warning Milošević at the same time to keep his forces away of Bosnia, **“the understanding of a natural aspiration of Muslims and Croats to regain their taken away territories”** but also the hope **“that the offensive against Banja Luka region would be suspended soon”**. At the proposal of the Russian Federation, the UN Security Council in its *Statement* of 19 September pressed the request from **“all sides involved in the field war operations in Bosnia to cease their actions in the western Bosnia.”** Nicholas Burns, the White House Spokesman, stated on 19 September **“that Richard Holbrooke got assurances from Izetbegović and Tuđman that they would not try to take Banja Luka”**. A joint statement of Bernard Janvier and Leighton Smith followed one day later (20 September) **“stating that a continuation of airstrikes against Serbian positions around Sarajevo was not necessary for the time being.”** On 22 September, Warren Christopher repeated the call for cessation of hostilities, stressing out that **“further fights would jeopardize the peace process.”**

The United States requested Tuđman and Izetbegović **“not to take Banja Luka”** (**“we asked them not to take Banja Luka”**). Namely, at the meeting in Zagreb on 19 September 1995, Holbrooke issued **“an order”** to Izetbegović and Tuđman that **“offensive will not be directed towards Banja Luka”**, that is, that they were not allowed to capture Banja Luka.

By that, the United States stopped **“the winning operations along the west and central Bosnia”**. With respect to that, Holbrooke claims that this was **only** the suspension of the offensive against Banja Luka.

Preventing the attack at Banja Luka was, in the opinion of the journalist Roger Cohen, **“the act of total real politics”** on the part of America, because, if they had allowed the Federation to take Banja Luka, it **“would have knocked out the peace process”**. Holbrooke states that Cohen **“wrongly understood our motives for opposing to the attack at Banja Luka”**, since **“a true supporter of real politics would encourage that process, regardless of the consequences.”** To that end, Holbrooke claims that, as far as he is concerned, **“care for people decided on that matter”** because **“given a tough behavior of the troops from the Federation during the offensive, it became obvious that the possible fall of Banja Luka would have led to the forcible random deportation and killing.”** And thus, he did not **“think that the United States should contribute to the occurrence of new refugees and increase of sufferings of people in the taking of the city, which would anyway have to return later on.”**

After the American negotiators managed to (on 19 September in Zagreb) achieve that Tuđman and Izetbegović **“say at the same time that they would not attack Banja Luka”**, whereby they **“used ‘the American peace plan’ as an excuse for the sudden giving up, although it seemed as if they anyway did not want to go further...”** and, despite the fact that in that way **“threat to Banja Luka was removed”**, Holbrooke continued to **“believe that significant diplomatic benefits could be gained from the further military successes of the Federation in the western Bosnia.”** Therefore, he was not **“fully satisfied with a general instruction from Washington, requesting Tuđman’s and Izetbegović’s acceptance to fully stop and cease the offensive.”** In that regard, he sent (on 20 September) a message to the State Secretary Christopher stating that **“contrary to many newspaper reports and other impressions, the military offensive of the Federation has helped a lot in the peace process”** and that **“difficult and tough negotiations on maps”**, negotiations about the territory, **“were actually going on at the battleground and up to now in the manner that suited the map (“with 51:49 ratio”). In just a few weeks, the known division of the country in the ratio of 70-30 has dropped to**

50-50, obviously facilitating our task”. On that occasion, Holbrooke admitted **“(We admit) that two potential targets should be excluded: Banja Luka and Eastern Slavonija”**.

Holbrooke and his negotiation team **“immediately after a stormy meeting”** between Tuđman and Izetbegović, held in Zagreb (19 September) **“flew to Belgrade for a dinner and another session with Milošević before their return to Washington.”** Holbrooke **“wanted to personally say to Milošević that the United States was the one that forced Tuđman and Izetbegović to give up Banja Luka.”** Wishing **“that the recognition for that achievement be definitely attributed to his team,”** Holbrooke **“told Milošević that, although Tuđman and Izetbegović understood all military and strategic reasons for not attacking Banja Luka, the fact that the ‘USA told them not to do that’ was the main reason for those two presidents to commit themselves not to do so.”**

Moreover, Holbrooke said: **“We asked them not to take Banja Luka, but we gave to Croats and Muslims no other ‘red light’ outside the Banja Luka region”**, adding: **“Our team did not make any effort to distract them from taking Prijedor and Sanski Most as well as other areas that belong to them according the *Contact group* map,”** since, in Holbrooke’s opinion, the negotiations on the map were **“underway at the battlefields”**, that is, in the second half of September 1995.

The successful combat operations of the Army of the Republic of Bosnia and Herzegovina, the Croatian Army and the Croatian Defense Council **got the “Republika Srpska Army” into a difficult position**, whereby some of its units, as for example the 2nd Krajina Corps which the forces of the RBiH Army managed in ten days of intensive fighting to break out along the avenues of attack: Bihać – Petrovac – Ključ – Sanski Most – Banja Luka and Jajce – Mrkonjić-Grad – **Banja Luka**, of which outcome the destiny of the collaborator’s and pseudo-state structure of the Federal Republic of Yugoslavia – Republika Srpska depended on. Then, **“the Army of Bosnian Serbs was in chaos and some shooting of the Serb soldiers at their officers were reported.”** In such chaos **“at least hundred thousand of Serb refugees fled to Banja Luka or further to the east, fleeing from the advancement of the Federation forces”**.

On 27 September, the Operative group South of the Army of the Republic of Bosnia and Herzegovina (17th Chivalrous Krajina Brigade, 7th Bosniac Military Police Battalion and the 7th Corps Military Police anti-terrorist company, as well as the 5th Corps 501st Hill Brigade) advanced towards the Manjača plateau. The Army of the Republic of Bosnia and Herzegovina liberated Podrašničko polje, reached the fence of the Kula Barracks and the Forward Command Post of the 1st Krajina Corps of the “Army of Republika Srpska” in Bunarevi. The 1st Krajina Corps Command was not able to halt the advancement of the Army of the Republic of Bosnia and Herzegovina.

After the 2nd Battalion suffered losses in the fierce battle in an attempted taking of Skraduša on 27 September, due to which it had to withdraw to the initial positions and upon the 501st Hill Brigade withdrawal to the Rajkova brda on 28 September, the 17th Chivalrous Hill Krajina Brigade found itself in a difficult situation. Since then, it was not able to defend alone over 500 km² of the territory it had liberated in only three days. The established lines of defense were stretched to about 30 km. There was no required depth. The Brigade was left alone in a huge area it had liberated. Due to the suffered losses and tiredness, the 17th Brigade was rotated.

In the meantime, “Republika Srpska Army” was stabilized and it steadily started taking the initiative. The 7th Corps units, under the pressure of fierce attacks of “Republika Srpska Army” were withdrawing from the territory of Manjača, Sitnica and Čađavica to Ključ, abandoning the lines and fleeing towards Ključ. By 4 October 1995, “Republika Srpska Army” was again within reach of Ključ. Whole territory that had been liberated by the 5th Corps prior to the arrival of the 17th Chivalrous Krajina Brigade, from Ključ to Mrkonjić Grad, was lost as well as all 500 km² liberated in three days by the 17th Chivalrous Brigade. The incoming units of the 7th Corps, unfortunately, **“not only that they were unable to retain the achieved lines, but they also put into question, by their conduct, the defense of Ključ.”**

Following the Zagreb (10 September 1995), the units of the 5th Corps of the Army of the Republic of Bosnia and Herzegovina were, continued their operations. In the period between 20 and 29 September, they achieved success and liberated parts of the territory towards Bosanski Novi and Sanski Most.

In early October 1995, the United States believed that **“balance was established in the battlefield (at the frontline).”** The tensions between Zagreb and Sarajevo grew more and more. Tuđman stopped the further advancement and threatened by the things already achieved. **“Croatian forces ceased the fighting, thus enabling the Serbs to open their heavy fire at the Bosnian Army.”**

At that time, the United States believed, considering also that Tuđman and Milošević agreed to suspend combat operations, **“that the Federation most likely reached the peak of its conquering”**, and Tuđman did not want to support **“further territorial capturing”**. Richard Holbrooke and the General Donald Kerrick passed that position of the United States to the President of the Republic of Bosnia and Herzegovina Presidency, Alija Izetbegović, and to Muhamed Šaćirbegović, in Konak, Sarajevo on 4 October 1995, at the ceremony of John Menzies’s appointment as the Ambassador of the United States to Bosnia and Herzegovina. Kerrick expressed **“concern that Tuđman would not support further territorial conquering in order to prevent Bosnians from getting the majority of the territory”**, and he reminded Izetbegović **“that in all wars there were times for advancement and the times for consolidation”**, whereby he pointed out that, in the opinion of the USA, that time was **“the times for consolidation.”**

Thereupon, **“Draft Agreement on Ceasefire”** was quickly made, incorporating all conditions set by Izetbegović. The American (negotiation) team afterwards (that same day) travelled to Belgrade where Milošević **“signed the document aglow of happiness.”** The following day (5 October) **“the Bosnian Serbs”** signed the document in Belgrade, while in Sarajevo it was signed by Izetbegović who was **“deeply afraid of the ceasefire”** and **“was still reluctant to do that.”** Holbrooke pushed a pen **“to him”**, saying: **“Mr. President, with one signature you can end the four year fighting in your country,”** and **“under your conditions ... If you did not sign now, the war would continue.”** Izetbegović **“took a paper. His hands were trembling while he was holding it. Finally, slowly and unwillingly, he signed the document.”**

According to Christian Schwarz Schilling, Alija Izetbegović **“claimed that NATO threatened with bombardment in case the counter-offensive in Prijedor is not stopped.”** To that end, Schilling argued that **“the**

influential forces, which did not allow the Oluja Operation (Croatian counter-offensive in August ‘Oluja’, and then the operations of the Bosnian Army and Bosnian Croats in September codenamed Maestral/ West Wind), to become successful in the huge area, came from NATO, as well as from a direct contact with Izetbegović from London, Paris and Moscow.” The influential world powers (United States, Great Britain, France, Russia and others) were, in his opinion, **“willing to prevent a total break up of Republika Srpska (it was possible in military way) in order to ensure so the Serbian (and their own) interests”**. As Schilling argued, **“that was unfortunately reflected in the Dayton Agreement, which is unfavorable for Bosnia and Herzegovina, due to which the country is still suffering today.”**

After **“the military offensive of the Federation helped so far the peace process”** and **“territorial issues”**, according to the American negotiators, that is, according to the *Contact group* Plan **“were mainly solved in the battlefields”**, the negotiators started to deal with a cessation of hostilities. *The Ceasefire Agreement*, reached on 5 October which was supposed to come into force on 10 October following the world-orchestrated pressure, more precisely, the pressure on the part of the United States, included also **“cessation of all hostilities in the entire territory of Bosnia and Herzegovina, provided the establishment of a full restoration of gas and electricity in the Sarajevo city at that time...”**.

By setting the five-days-deadline for entering into force – 10 October – and the condition for supplying Sarajevo with electricity, the Republic of Bosnia and Herzegovina Army and **“Croatian forces gained time during which they could takeover” Sanski Most, Prijedor and Bosanski Novi**. As 10 October was approaching, the date of *Ceasefire Agreement* coming into force, the Army of the Republic of Bosnia and Herzegovina launched an attack to liberate Sanski Most, while the Croatian forces were preparing to take Mrkonjić Grad. In attempt to gain some time that would enable the liberation of Sanski Most and movement towards Prijedor, Prof. Dr. Hasan Muratović, President of the Committee (of the Republic of Bosnia and Herzegovina Government) for Cooperation with UNPROFOR and the international organizations, argued that the **“full supply of Sarajevo was not established during the initial deadline.”** In that way, according to

the *Secretary General Report on Srebrenica* dated 15 November 1999, “**a postponement was gained in which the Army of the Republic of Bosnia and Herzegovina managed to take Sanski Most, while Croats took Mrkonjić Grad and advanced further north**”.

On 8 October, the units of the Army of RBiH, the Croatian Army and the Croatian Defense Council, in accordance with the agreement of 5 October, launched an attack. The Army units in the 5th Corps area of responsibility liberated during the day the settlements of Slatina, Lisac, and Mitrovići, and Sanica the following day. The units of Army, Guards Brigade and part of the 5th Corps units reached the territory of Sanski Most, going via Grmeč and Sanica, and liberated it on 10 October, whereby they **endangered Banja Luka**. That same day, the units of the Croatian Army and the Croatian Defense Council liberated Mrkonjić Grad and subsequently continued their advancement along Crna Rijeka towards **Banja Luka**, and through Balkana and Čadavica to Manjača, by which “**the western part of RS, between the rivers Vrbas and Una, was fully jeopardized.**” On 11 October, the Army of the Republic of Bosnia and Herzegovina liberated Kamengrad, and subsequently the settlements of Demiševci, Bojanići, and Pejići, at southwest of Prijedor.

Until 11 October, the Serbian aggressor satisfied all the terms from the signed ceasefire agreement of 5 October 1995, which particularly reflected in the improvement of the situation in Sarajevo – delivery of gas and electricity what the President of the Russian Federation, Boris Yeltsin, personally stuck up for. That determined the President of the Republic of Bosnia and Herzegovina Presidency to order a ceasefire.

By a short dispatch sent to the Army of RBiH General Staff Commander, Rasim Delić, “**to be enforced as of midnight (12 October at 00:01 hours)**”, on 11 October 1995 (at 17:00 hours), the President of the Presidency Alija Izetbegović ordered to the Armed Forces of the Republic of Bosnia and Herzegovina a general and full-scale ceasefire in the entire Bosnia and Herzegovina battleground (“**... ceasefire along the entire frontline...**”). But, “**battles in Krajina were not stopped. There were some rumors – mostly uncorroborated – that there existed a threat of fall of Banja Luka. Long lines of refugees blocked up the roads through Posavina Corridor towards Serbia...**” Because of that, the American Ambassador to the Republic of Bosnia and Herzegovina, John Menzies, visited again Alija

Izetbegović on 12 October 1995, forwarding to him the American warning **“that the ceasefire agreement must be honored”** and **“in a fully serious tone”** he passed **“the message that the NATO air forces would be used against our units in case we did not stop the operations. He added that threat was very serious and would be executed”**. Both the UNPROFOR and NATO Commands put an ultimatum to the Army of the Republic of Bosnia and Herzegovina to stop the military operations, argued President Izetbegović.

The offensive operations of the Republic of Bosnia and Herzegovina Army in Bosnian Krajina continued on 12, 13, and 14 October 1995, and thereupon all operations were stopped in the early afternoon of 14 October 1995, which was actually the end of the defensive war of the Republic of Bosnia and Herzegovina Army.

Following the big and significant events in the second half of 1995, *the Agreement on Ceasefire in Bosnia and Herzegovina* (signed on 5 October) came into force in Bosnia and Herzegovina on 12 October 1995, under a strong pressure exerted by the United States on all important participants in the war. Although the Serbian aggressor did not manage to achieve in full **“all strategic goals of the Serbian people in Bosnia and Herzegovina”**, he accepted on 12 October 1995, with no hesitation, the ceasefire. At that time, the situation in the “Republika Srpska Army” was difficult, particularly in the 1st and 2nd Krajina Corps. The soldiers of the “Republika Srpska Army”, **“exhausted by longtime operations, along with great losses in manpower and territory”, “was increasingly losing their fighting morale. The situation was especially difficult in the units that lost domicile territories /from Mrkonjić Grad to Prijedor – note by S.Č./.** **The soldiers of those units did not know where their families went to, whether they found any accommodation, food. Because of that more and more of them deserted and started to search for their families in order to care for them. Even complete units deserted.”**

Although the Serbian aggressor maintained till the end of the war an absolute technological superiority, the permanent ceasefire suited him. The ceasefire was a prerequisite for opening of the peace talks based on the agreements on future structure and internal demarcation lines in Bosnia and Herzegovina of 8 September 1995 (*Geneva Principles*). The

aggressor tried by peace talks to enforce that agreement because it granted him a half of the territory of the Republic of Bosnia and Herzegovina on which, by aggression and genocide, a nationally exclusive – Serbian Entity – Republika Srpska was formed.

With total ceasefire on 12 October 1995, at the time when the Republic of Bosnia and Herzegovina Army presented an organized, strong and powerful armed force, with the *principles* on the structure of Bosnia and Herzegovina agreed in Geneva and New York, the basic preconditions to start the peace talks on Bosnia and Herzegovina were met.

The signing of the *Agreement on complete ceasefire* which came into force on 12 October 1995, **stopped** all liberation-winning operations of the Republic of Bosnia and Herzegovina Army, started in 1994 and ended by the liberation of some towns and inhabited places.

At the time when the Republic of Bosnia and Herzegovina Army was “**powerful and competent to win a just freedom in Bosnia and Herzegovina territory**”, the United States unfortunately stopped their liberation actions. The United States exerted a pressure aimed at signing of *Ceasefire Agreement* of 12 October 1995, and threatened to use the airstrikes against the Republic of Bosnia and Herzegovina Army, in case the liberation operations did not stop, by which the offensive of the RBiH Army was halted.

In September and October 1995, the American negotiating team headed by Richard Holbrook, met several times the political and military leadership of the Republic of Bosnia and Herzegovina. They were fully clear and precise in their request for the completion of the war and start of peace talks, on the ground of the *Basic Principles for Bosnia and Herzegovina*, made in Geneva on 8 September 1995 (*Geneva Principles*) and in New York on 26 September (*New York Additional Principles*). They requested the halting of the advancement of the RBiH Army, Croatian Army and Croatian Defense Council, especially those of the RBiH Army, at the time when the Federation of Bosnia and Herzegovina controlled over 51 percentage of the Republic of Bosnia and Herzegovina territory. They threatened with the NATO airstrikes against the RBiH Army in case their units continued their combat operations. They were very explicit in their request as not to carry out

the operations **to Banja Luka**. Holbrooke encouraged the political and military leadership of the Republic of Bosnia and Herzegovina to liberate Prijedor and Bosanski Novi, **“but was resolutely against the continuation of any operations against Banja Luka.”**

The United States, as Slobodan Milošević argued, **“saved Banja Luka”** – they **“practically forbade Tuđman and Izetbegović to go further and ordered them to stop, they ordered, in the literal sense of the word, them to stop, under the threat of airstrikes.”** The Americans **“stopped Muslims and Croats at the time when they could enter Banja Luka by buses, because they could not arrive as fast as these /Serbs – note by S.Č./ were fleeing.”**

Once the Republic of Bosnia and Herzegovina Army **“became organizationally and technically stronger to such an extent that it stopped the further capturing of the territory /of the Republic of Bosnia and Herzegovina – note by S.Č/ and took over a strategic initiative at the Bosnia and Herzegovina battleground”**, the so-called international community, in particular the United States, as well as other *Contact group* members, brought the political leaders of the aggressors’ states **“to the peace negotiating table”**.

The Republic of Bosnia and Herzegovina Army, by its achievements in 1994 and 1995, contributed that the so-called international community and political leaders of the aggressors accepted more serious and accountable peace talks. The so-called international community remained consistent with the concept and policy of territorial-political division of the Republic of Bosnia and Herzegovina, by which it rewarded the criminals and punished the genocide victims, and in this way saved the Serbian aggressor from a total military defeat, as it did in the case of saving the Croats by the Washington Agreement.

*

* *

The peace talks began on 1 November 1995 at the Wright-Patterson Air Force Base, Dayton, Ohio. The talks were (headed) led by the United

States – they had an exclusive, special, and a dominant role in a complete peace process, although they also involved the representatives of the *Contact Group*, as well as the European Union. In Dayton, Europe was mostly in shadow. The United Nations, unfortunately, did not have and did not play a significant role in that process although their representatives participated in the parallel negotiations for Eastern Slavonia (Croatia).

Very difficult, complex, tough, long, and exhausting talks over the territory were conducted in Dayton “**in an atmosphere full of dishonesty, propaganda and tricks**”, more specifically, it was an open battle for territories, along with a total isolation, huge and terrible **pressures**, threats, blackmails, disputes, shouting, anger, appeals, promises, invitations, using of specific and sometimes unusual diplomatic methods and techniques, combination of pressures, rhetoric and direct involvement of the United States, and in particular **the pressures** (“**of the greatest world power**”) and ultimatums given to the Bosnia and Herzegovina delegation (delegation of the Republic/Federation of Bosnia and Herzegovina), first and foremost, to Izetbegović, Silajdžić, and Šaćirbegović, primarily in case of Sarajevo (according to Holbrook – Bosnian Jerusalem), Goražde, Brčko and the Posavina Corridor, valley of Sava river, Srebrenica, and Žepa, as well as some other disputable areas, out of which the most sensitive and critical were: Sarajevo, Goražde, Brčko, Posavina Corridor and valley of Sava river. That “**biggest issue**” – **division (of the territory) of the Republic of Bosnia and Herzegovina state** from Geneva (8 September) and New York (26 September) and all the way to Dayton “**has not been addressed at all**”. “**During the preparatory tours along the region**”, Holbrooke “**made a strategic decision to firstly deal with ‘easier matters’, hoping that ‘he would so strengthen the confidence among the confronting parties and also confirm the credibility of the Group as a mediator’**”.

The maps of internal demarcation lines, along with the Constitution of Bosnia and Herzegovina, were the subject of “**the most intensive discussions from already the first day**”, whereby the most difficult discussions were conducted in case of Sarajevo, Goražde, and Posavina Corridor.

At the talks in Dayton, the Bosnia and Herzegovina delegation, in line with the Geneva and New York *Basic Principles for Bosnia and Herzegovina*, insisted on the *Contact group* Plan, with some variations.

However, the United States made a pressure on (our) delegation to give up even that Plan to their detriment.

Slobodan Milošević (constantly) insisted on the territorial division in 51:49 percent ratios. That was also the position of Franjo Tuđman. On 5 September 1995, after the *Oluja* Operation, in the course of political-diplomatic preparations of the United States for the Peace Conference, Tuđman made a map which, according to him, presented a graphical solution “**of the crisis in Bosnia and Herzegovina**”, as Tuđman qualified the aggression against the Republic of Bosnia and Herzegovina.

Tuđman’s map deviated from the *Contact group* Plan, and it proposed Bosnian Posavina to be merged into one canton and joined with the Federation of Bosnia and Herzegovina; it also deviated from the Canton set-up of the Federation, as “**it proposed that Cazin Krajina, with no Croats at all in it, be included in the so-called Croatian regions, as well as “a part of Dubrovnik region, militarily held by Karadžić’s army.”** In addition, his map “**drastically departed from the position established by the military action ‘Oluja’**”.

Pressures and unacceptable ultimatums of the United States on Bosniacs (Izetbegović, Silajdžić, and Šaćirbegović) were especially prominent on 19, 20, and 21 November 1995, during the final talks, and were strongly and persistently supported, among others, by Tuđman. The American negotiators believed that it took “**much more than theatrical trickery**”, and bluffs that cheated no one for the Conference to be successful (“**to put an end to it**”).

The Delegation of Bosnia and Herzegovina was in the subtle ways forced to let up to Milošević, even supported by “**mediatory diplomacy by way of a napkin**” (“**Napkin shuttle**”). “**While Holbrooke, helped by Milošević, put on the clothes of his predecessors Carrington, Vance, Owen, Hurd, Stoltenberg, Bildt and other stakeholders on the international scene who were, during all these war years, trying to curry favor with the Serbian leader, the maps were taking precedence over the principles.**”

In attempt to persuade Izetbegović that “**it was the decisive moment**”, the American negotiators tried to find a way to persuade him “**to hop the peace**”. To that end, they asked (19 November) through Neville-Jones and Jacques Blot, the Prime Minister Major and the President Chirac to call

Izetbegović. **“Both of them did it immediately and told the Bosnian President that there would be no other opportunity if he missed that moment. Izetbegović admitted to the Major that there had been some progress, but that he needed some more territory in order to compensate for two lost towns, Srebrenica and Žepa.”** Besides that, the American Ambassador Marc Grossman in Ankara **“arranged also a telephone conversation between Izetbegović and the Turkish President Suleyman Demirel, the leader who Izetbegović most likely respected the most.**

During the Dayton peace talks there was, on the scene (in practice), an open trade in the territory of the Republic of Bosnia and Herzegovina. The Americans compared that practice to a trade **“in horses at fairs”**. Unfortunately, Americans as well encouraged that trade in the form of a barter of the territories, and it was a tragic fact that the Bosniacs accepted it, while some *Contact group* members (“Brits, French, and Russians) advocated for **(accepted)** the territorial solutions, aimed at the implementation of the (great-) Serbian genocidal ideology, politics, and practice – **(“establishment”) of ‘great Serbia’**”.

Negotiations about maps, territorial demarcation and division of the Republic of Bosnia and Herzegovina territory were followed by specific mental conditions with the Serbian and Bosnian leadership, specifically, with Milošević and Izetbegović and their closest associates that Americans termed as the mental condition of frenzy.

Milošević and Silajdžić were (20 November, from 02:30 hours) for more than two hours **“arguing, yelling, and drawing the broad lines on the maps”**. Milošević **“insisted all the time on the ratio 51:49”**. Silajdžić, **“after 3:30 hours came to a solution under which the Federation retained all key benefits reached in Dayton”**, whereby he **“returned to a sacred percentage”** and offered to Republika Srpska **“a mountain, sparsely populated Serbian region south of Ključ.”** Milošević accepted the proposal of Silajdžić, taking into account the fact that he and Silajdžić **“agreed to measure out a precise size as to achieve 51-49 for the whole country”**, by which at 4:00 hours (20 November) **“the deal was made”**.

On 20 November, at a moment of difficult talks in Dayton, better to say, trade conducted for finding a map solution – territorial division of the Republic of Bosnia and Herzegovina, the President Clinton asked,

in a telephone call, (“**around 15:00 hours**”) Franjo Tuđman to accept a map of division, harmonized “**with the *Contact group Plan territorial concept of 51-49***”. Tuđman granted that request and confirmed it also in his conversation with Christopher and Holbrook, whereby he named two terms: “**Muslims have to give up a part of their land, and I have to return at least a part of Posavina.**” However, Izetbegović “**refused to change his position**”, and told them (Christopher and Holbrook) about Brčko, Srebrenica, and Žepa.

On 20 November 1995, late in the night (at 22.30 hours), the United States, while “**exerting pressure on Muslims**”, trying to make them sign, **set** (with a consent of the President Clinton) to Izetbegović, Silajdžić, and Šaćirbegović **an unacceptable ultimatum** requesting them to return Brčko and over one percentage of the territory, whereby they were given a deadline of one hour to reply. Izetbegović, Silajdžić, and Šaćirbegović did not accept the ultimatum, and Silajdžić reacted vigorously. Šaćirbegović announced (at 23.30 hours sharp) that the “**Bosnians will agree**” with the territorial demarcation, that is, division of the Republic of Bosnia and Herzegovina in the ratio of 51:49, under the condition that they get Brčko. Holbrooke called Christopher **to tell him the news**, saying to him “**It is over – but maybe it is not. Maybe now, facing an abyss, they would clear their heads overnight**”. Tuđman, having in mind that he “**already has a majority of what he requested**”, insisted in requesting the United States not to give up, and Milošević, among other things, “**beseched**”: “**Try a little bit harder, do not give up**’.”

At the final (last) stage of the negotiations, the issue of Brčko was being solved. After numerous difficulties and obstacles, long delays, terrible pressures and (long) bargaining, and after “**more than 99 percent of the business has been finalized**”, Brčko still remained unsolved. The negotiators reached the dead end – the Conference was about a breakdown due to the issue of Brčko.

In the morning of 21 November 1995, Milošević came to see Tuđman and proposed to him “**that two of them sign the agreement even if Izetbegović refuses to do so.**” After that, Milošević visited Christopher and Holbrook, telling them that “**something has to be done in order to prevent the failure**” and **proposed that Tuđman and he sign the agreement**

and leave it **“open to Izetbegović to sign it subsequently”**. However, Christopher refused it categorically (**“That is absolutely impossible. We cannot have an agreement not sign by all. This is not a valid agreement.”**). **“Feeling as having been backed to the wall, Milošević put forward the last offer: to postpone the solution for Brčko until the passing a decision on appointment of an international arbiter”**.

Following the Milošević’s **“last offer”** Warren Christopher considered **“it would be enough for the Bosnians to come back to the table. ‘Suddenly, Milošević was ready to accept an arbitration and stopped insisting on determination of the corridor (to Brčko), (and that could) lead us to reach an agreement’.”**

Tuđman accepted Milošević’s proposal with satisfaction. Christopher and Holbrooke went after that to the meeting with Izetbegović, Silajdžić, and Šaćirbegović and presented them the Milošević’s offer – **arbitration for Brčko**. Christopher and Holbrooke **put an effort to “persuade Izetbegović to accept that ...”**, since the future of Brčko **“will be decided on by an arbitration. In case they refuse the offer, it would be announced within two hours that the Dayton ended. Christopher said that there was no time left for setting new deadlines. So, the reply should be given immediately.”**

Having in mind the American ultimatum, after **“a long, uneasy pause”**, when **“nobody said a word”**, Izetbegović said, **“slowly uttering the words: ‘This is not a just peace’.”** Then **“he murmured a reply, in a voice hardly audible, as he forced himself to speak: ‘But, my people needs peace’.”** Thus, **“the Bosnians agreed”** – they accepted the arbitration for Brčko, and thereupon the President Clinton (21 November) at 11:40 hours (from Rose Garden) issued a press statement, saying, inter alia, the following: **“After nearly four years, 250,000 people killed, 2 million refugees, atrocities that have appalled people all over the world, the people of Bosnia finally has a chance to move away from the horror of war towards the promise of peace.”**

Negotiating team informed the *Contact Group* about the situation developments and then invited Milošević, Tuđman, and Izetbegović to Christopher’s suite in Hope Center for a lunch and conversation about the remaining details. Immediately after the lunch, the President Clinton

made a call to Christopher's suite and congratulated three presidents, **“who gathered around a speaker on their achievement.”**

The ceremony of initialing the Agreement commenced at 15:00 hours **“while a chaos was all around”**. Just before the commencement of the ceremony, Milošević's collaborators and his fifth column – “Bosnian Serbs” refused to sign the Agreement and take part in any part of the closing ceremony. Having been reminded that the United States held him responsible for the acts of his (Bosnian) Serbs, Milošević guaranteed to have those signatures **“within twenty four hours”** following his return to Belgrade.

During the peace talks on Bosnia and Herzegovina from 1 to 21 November 1995, the delegations of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia were **“engaged in hours-long discussions with a view of achieving a peace solution for the conflicts in Bosnia and Herzegovina”**. As a result of those **“constructive and difficult talks”**, these countries reached an agreement **“on the terms of the General Framework Agreement”** and the following Annexes to it: Military Aspects of the Peace Settlement; Regional Stabilization; Inter-entity Boundary Line; Elections, the Constitution of Bosnia and Herzegovina; Arbitration; Human Rights; Refugees and Displaced persons; Commission to Preserve National Monuments; Bosnia and Herzegovina Public Corporations; Civilian Implementation, and International Police Task Force.

General Framework Peace Agreement for Bosnia and Herzegovina and its Annexes were accepted and initialed on 21 November 1995. Then, the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia agreed to meet again in Paris and sign the Agreement and its Annexes.

On 14 December 1995, in Paris, a formal ceremony of the Dayton Peace Agreement was held in Élysée Palace, along with **“a small diplomatic theater wherefrom the peace started”** and the testimony and confirmation (by signatures) of the representatives of the European Union and the *Contact Group* members (Republic of France, Great Britain, Federal Republic of Germany, Russian Federation, and the United States of America). *General Framework Agreement for Peace in Bosnia and Herzegovina*, trilateral

international treaty was signed by three states: the Federal Republic of Yugoslavia, the Republic of Croatia and the Republic of Bosnia and Herzegovina.

“Bosnian Peace Plan” was, according to the President Clinton, **“achieved with a great difficulty and contained a few bitter pills for both sides”**, but, in his opinion, **“it put an end to the four-year long bloody war that took more than 250,000 lives and forced more than 2 million of out of their homes.”** **“The American leadership”**, according to him, **“was determined for NATO to undertake more aggressive steps and finally take over the ultimate diplomatic initiative.”** The efforts of the United States, **“were immensely”**, as Clinton claims, **“facilitated by the achievements of the Croatian and Muslim Army /the Republic of Bosnia and Herzegovina Army – note by S.Č. /, as well as by a brave and stubborn refusal of Izetbegović and his associates to give up in front of the Serbian aggression.”**

*

* *

The General Framework Peace Agreement for Bosnia and Herzegovina (Dayton Peace Agreement) was accepted and initialed on 21 November 1995 in Dayton, Ohio. On 14 December the same year at the ceremony at the Élysée Palace in Paris, the General Framework Peace Agreement for Bosnia and Herzegovina, as well as Annexes to this Agreement, were signed in their original form. The parties to *the Agreement*, under which peace was established in Bosnia and Herzegovina and throughout a wider region, were the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, recognized as full-fledged international legal personalities who, under this Agreement and in line with established practice of international relations, determined their mutual rights and duties, **while fully observing sovereign equality of each other** (Article 1 of the *Agreement*), in terms of arrangements in individual Annexes to the Agreement, as well as in terms of cooperation on implementation of the peace agreement. The Federal Republic of Yugoslavia and the Republic of Croatia pledged to respect the territorial integrity and political independence of Bosnia and

Herzegovina in its internationally recognized borders (Articles 1 and 10 of the *Agreement*). By virtue of eleven Annexes – complicated, inconsistent, incoherent, inadequate, and hardly implementable in social and political practice, as integral part of *the General Framework Agreement*, all aspects of the peace process were regulated (military aspects of the peace agreement, regional stabilization, inter-entity boundary lines, elections, the Constitution, arbitration, human rights, refugees and displaced persons, Commission for Preservation of National Monuments, public corporations of Bosnia and Herzegovina, civil implementation and international police forces) pertaining to constitutional and legal structure of Bosnia and Herzegovina and regulation of different areas of socioeconomic development facilitating establishment and consolidation of peace.

The Dayton Agreement was based on the July 1994 *Contract group* Plan and *principles* agreed in Geneva (8 September 1995) and New York (26 September 1995) on division of the Republic of Bosnia and Herzegovina in two parts – entities (the Federation of Bosnia and Herzegovina and “Republika Srpska”), and the legalization of collaborator, pseudo-state and fifth column creation/entity of the Federal Republic of Yugoslavia, Serbia and Montenegro (“Republika Srpska”) – by which the Serbian aggressor and his associates won (their) Republic. Thus, under the Dayton Agreement a half of the territory of the Republic of Bosnia and Herzegovina, conquered in an aggressive war and the crime of genocide (conducted by the Federal Republic of Yugoslavia – Serbia and Montenegro and their collaborators, a fifth column and criminals from Bosnia and Herzegovina) was awarded to the Serbian aggressor and their criminals.

The Agreement on Inter-entity Boundary Lines of Separation and Relevant Issues (Annex 2 of the General Framework Agreement) sets forth that Bosnia and Herzegovina “**shall continue its legal existence under international law as a state**” “**within the existing internationally recognized borders**” and that it shall be composed of two entities: the Federation of Bosnia and Herzegovina and “Republika Srpska”, whereas **the entities shall have the right to establish special parallel relations with neighboring states in compliance with the sovereignty and territorial integrity of Bosnia and Herzegovina**” (Article I, Para 1-3 and Article III, Para 2a of the *Annex 4: CONSTITUTION*). Internal lines between (two) entities

(Inter-entity Boundary Line) are drawn on the 1:50.000 scale map “**to be enclosed**” in *Appendix* to the integral part of *the Agreement* “**marking inter-entity boundary line of delineation and lines on the 1 : 50.000 scale-map, to be enclosed in the Appendix A to Annex 1-A, delineating the Inter-Entity Zone of Separation and the Agreed Ceasefire Line and its Zone of Separation, accepted by the Parties as controlling and definitive, accurate to within approximately 50 meters.**” As for the territory of Brčko, according to the *Agreement*, binding arbitration was foreseen for the disputed portion of the Inter-entity Boundary Line.

Quantitative relation between the entities was not specifically referred to in *the Agreement on Inter-Entity Boundary Line and Related Issues*, or in *Appendix to Annex 2*. Instead, reference is made to the map attached to the Appendix. Namely, Article 1 of *the Agreement...*, states the following: “**The boundary between the Federation of Bosnia and Herzegovina and Republika Srpska (Inter-Entity Boundary Line) shall be as delineated on the map in the Appendix.**”

According to this map, the Federation of Bosnia and Herzegovina covers 51.47 percent of the total territory of Bosnia and Herzegovina, i.e. 26,351 square kilometers, whereas “Republika Srpska” covers 48.51 percent, i.e. 24,834 square kilometers, with exclusion of the territory of Brčko, which will be the subject of special arbitration.

In addition to previously established quantitative relations, in general terms sanctioned by the international community as early as December 1993, the starting point for determination of inter-entity boundary lines of delineation was *the map* by the *Contract group* (map). However, the decisive point in finalization of inter-entity boundary line of delineation was a **factual situation** (military situation) **on the ground** and ceasefire lines (front lines), with some exceptions.

The percentual territorial division of the Republic of Bosnia and Herzegovina between the Federation of Bosnia and Herzegovina and “Republika Srpska”, determined by *the Contract group* plan in ratio 51:49, i.e. 51.47 : 48.51, was retained and adopted in Dayton. However, territorial delineation contained in the *Contact group* plan (map), contrary to percentual territorial relations, **was not accepted**. Thus, territorial

percentages proposed by *the Contact group* were retained, but not territories. Evidently, the factual situation (military situation) on the ground (front) and ceasefire lines of the 12 October 2015 were crucial for internal delineation (inter-entity boundary line), i.e. for division of the Republic of Bosnia and Herzegovina.

According to Holbrook, Dayton was “**a good agreement**” “**on paper**”, because it “**ended war**”, what was the main objective (... **to end war**) of the American negotiating team, i.e. the USA and to “**establish a united, multi-ethnic country**”. Holbrook’s assessment that the Dayton Agreement established “**a united, multi-ethnic state**” is in contradiction to his assertion that “**innumerable peace agreements are alive only in historical books as case studies of failed expectations**”. The mentioned Holbrook’s assertion further corroborates his assessment that it was an agreement that only “**on paper**”, i.e. in theory, was “**a good agreement**”, implying numerous problems in its practical implementation of which Holbrook himself was very much aware.

The Dayton Peace Agreement, brokered under pressure and ultimatum of dominant parts of the so-called international community, i.e. great powers, mainly the United States, stopped (ended) war and established **unjust and bitter, “unfair and unprincipled”** peace, with “numerous internal contradictions”. The peace in Bosnia and Herzegovina was the greatest success of American foreign policy. It is “**a successful ceasefire agreement**”. The agreement ended war and reconfirmed several hundred-year long statehood identity of Bosnia and Herzegovina and values of a multi-ethnic community, with equal (**constituent**) status of Bosniacs, Serbs and Croats, as well as other citizens of Bosnia and Herzegovina, whereby the territorial integrity and sovereignty of Bosnia and Herzegovina as a complex state organization was preserved in Dayton (the USA particularly insisted on it). However, essentially it concerns the agreement imposed by the USA, an unjust peace resolution, the agreement on division of the Republic of Bosnia and Herzegovina in two entities, the agreement that introduced practice of national, economic, educational and all other forms of discrimination, a political solution based on genocide and other forms of crimes against humanity and international law. At this, aggressors, fascists and criminals were treated benevolently and given the status of peacemakers, and became, together with the victims of aggression and

genocide, parties to the Dayton Agreement. The genocide victims were compelled to sign such an agreement.

The Dayton Peace Agreement abolished the Republic of Bosnia and Herzegovina and legalized “Republika Srpska” and its pseudo-state organs, and legalized Serbian aggression and the crime of genocide; it legalized violent (by means of armed force) division of Bosnia and Herzegovina (after Dayton), enabled realization of (by political means) Serbian fascist and criminal ideology, politics, and practice. Hence, the Dayton Peace Agreement recognized legitimacy of a pseudo-state creation (Republika Srpska) established on genocide, as a separate entity within the state organization of Bosnia and Herzegovina, in contradiction to international law. Thus, the Dayton Peace Agreement, **“dedicating excessive space to care for (now defeated) Serbs, who caused the problem”** and who **“united by their fanatic dedication to the doctrine of ethnic purity”** conducted terror, violence, and genocide, awarded (Serbian) genocidal policy and practice (criminals), giving them a half of the country covered in mass graves. In this way the genocide victims were punished, which is *inter alia*, morally wrong.

Under the Dayton Agreement, the entities were granted **“original constitutionality, and the state was vested with powers in a measure to which powers were transferred from the entities to the state”**, whereby **“asymmetry of the entities was retained in terms of constitutional and ethnic structure – the Federation is composed of cantons, with two sovereign nations, and Republika Srpska is a unitary creation with sovereignty of one nation...”**

The Dayton Peace Agreement, *inter alia*, confirmed a historical fact that the Federal Republic of Yugoslavia **“from the very beginning and throughout the armed conflict”** in the Republic of Bosnia and Herzegovina **“exercised power over Republika Srpska”** – **“general political and military control over Republika Srpska”**. Hence, it is evident that that state planned, prepared, organized and committed all forms of crimes against humanity and international law in the Republic of Bosnia and Herzegovina, including aggression against the internationally recognized, sovereign, and independent state (Bosnia and Herzegovina) and genocide against Bosniacs, members of a national, ethnic, and religious groups as such. Moreover, at the events

of signing various agreements concluded in Dayton, **“it turned out repeatedly that the FRY acted to a large extent as an international factor that exercised power over Republika Srpska”**. *The General Framework Agreement for Peace in Bosnia and Herzegovina*, under which Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia endorsed various agreements (and annexes) and committed themselves to **“respect and actively engage in fulfillment of various commitments arising from them”**, was signed by President Milošević (on behalf of the Federal Republic of Yugoslavia). This fact points to his authority and confirms that Milošević was a key figure, and not his collaborators and fifth column followers from the Republic of Bosnia and Herzegovina. (Karadžić, Mladić, and other members of a joint criminal enterprise, as well as Milošević’s pseudo-state Nazi creation – Republika Srpska). That signature had **“the effect of the guarantee that Republic Srpska will honor these commitments**. In addition, in its letter of 21 November 1995, addressed to the leading states, *Contact group* members (United States, Russia, Germany, France, and Great Britain), the Federal Republic of Yugoslavia pledged to **“undertake all necessary steps, in accordance with sovereignty, territorial integrity, and political independence of Bosnia and Herzegovina, to ensure that Republika Srpska would fully observe and adhere to all provisions”** referred to in the *Agreement on military aspects of the Peace Agreement* (Annex 1-A) and *the Agreement on Inter-entity Boundary Line of Delineation and Related Issues* (Annex 2) of the Dayton-Paris Agreement.

This international agreement (Constitution) acknowledged war conquest and rewarded the use of force – legalized a Serbian pseudo-state creation and the crime of genocide, and reinforced such practice in public-legal relations.

It is unacceptable and utterly immoral to legalize the results of crime against humanity and international law, including aggression and the crime of genocide. Thus, the basic principles of international law and human rights are violated, and such practice is in contravention with *the European Convention on Protection of Human Rights and Fundamental Freedoms with its Protocols* in moral, political, and legal terms, and departs from all democratic standards.

The Dayton Agreement represents a constitutional model devised in the form of an international and legal agreement. Prior to the Dayton Peace Agreement in 1995, there was the last legitimate organization – a constitutional system of the Republic of Bosnia and Herzegovina. Unfortunately, the Bosnia and Herzegovina Federation Constitution broke down Republic constitutional order, as was the case with all constitutional arrangements established after 1994. The process of transformation of the Republic of Bosnia and Herzegovina system into the Dayton constitutional system was marked by the Serbian great-state project, based on great-Serbian ideology and politics, the consequences of which were aggression against the Republic of Bosnia and Herzegovina and genocide against Bosniacs, and grave violations of international humanitarian law. Namely, Serbian nationalist ideology and politics and Serbian fascist movement began by way of deinstitutionalization of constitutional system and proclamation of the (illegal) pseudo-state creation Republika Srpska on the territory of the state of Bosnia and Herzegovina, and resulted in commission of all forms of crimes against humanity and international law against Bosniacs, recognized by international law, including the crime of genocide.

In this context it is important to point to the setting up of a pseudo-state (illegitimate) creation Republika Srpska. In 1991 and in line with the Serbian great-state project “all Serbs in one state”, illegal Serbian authorities as well as territorial units were formed in the territory of the Republic of Bosnia and Herzegovina, followed by inauguration of the illegal “Assembly of Serbian People in BiH”, which, up to the adoption of the Dayton Constitution, passed on decisions of fascist and genocidal nature by way of which nationalist great-Serbian related ideas were shaped up into norms and standards. Thus, the pseudo-state unitary creation Republika Srpska was established in constitutional terms favoring sovereignty of one nation only. The rule of Serbian people was legitimized in Bosnia and Herzegovina and a legal framework for the national state of Serbs was created, in line with great-Serbia ideology and politics “all Serbs in one state”. Practically, everything not related to Serbs was destroyed while a Serb pseudo-state creation was set up. The Federal Republic of Yugoslavia (Serbia and Montenegro) formed the so-called Serb Republic of Bosnia and Herzegovina on 9 January 1992, to be renamed into “Republika Srpska” on 12 August same year.

By way of the Dayton Peace Agreement, western powers awarded and endorsed “**nationalist and territorial politics, which perpetually, even in post war time reproduced malign conflicts over ethnic territories**”, and recognized Serbian territorial conquest (“**legitimacy of war ideologies and politics**”), having given away to “**butchers a land covered in mass graves**”, **institutionalized genocide** and legalized the existence of the entity Republika Srpska. In this way an illegal regime *de facto* was transformed into a legal element of the constitutional “state” known as “Republika Srpska”. It concerns a legal successor of a fascist regime, under which the most severe forms of crimes against humanity and international law were committed, including genocide against Bosniacs. In this way *the General Framework Agreement for Peace in Bosnia and Herzegovina* (Dayton Agreement), i.e. Annex 4 thereto, representing the Bosnia and Herzegovina Constitution, and in addition to numerous deficiencies, became an agreement in contradiction to itself, because the basic endorsed principles, *inter alia*, are territorial integrity, protection of human rights and freedoms, prevention of genocide and other forms of crimes against humanity and international law. One has to pose a question how is it possible that the Dayton Peace Agreement prohibits genocide and other forms of crimes against humanity and international law, when at the same time that agreement legalized a pseudo-state creation Republika Srpska established on the grounds of an aggressor’s war and crimes of genocide?

The Republic of Bosnia and Herzegovina and its territorial integrity were abolished by the adoption and ratification of the Dayton Peace Agreement. Unfortunately, by way of the Dayton Peace Agreement, the victim of aggression and genocide victim endorsed division of the Republic of Bosnia and Herzegovina and legalized and actually legitimized results of crime against peace and crime of genocide. Naturally, this could not have been achieved in a legal fashion, which distinguishes criminals from genocide victims, but in the sphere of agreement – in which automatically the criminals and genocide victims were legally equalized, and whereby the genocide victim having consented to the agreement, actually exonerated criminals.

From the position of international humanitarian law, the Dayton Agreement should have never been adopted and signed. “**Due to lack of international-legal subjectivity of one of contracting parties**” and “**grounded suspicion that the principle of willingness of negotiation**

was violated”, the *General Framework Agreement* “cannot be deemed legally valid not its validity may be compensated by the passage of time.” The *Vienna Convention*, regulating international treaties in legal terms (such as the Dayton Agreement) excludes a possibility that aspects of sovereignty can be the subject of inter-state treaties (Article 46); treaties procured under the coercion are deemed not to have a legal effect (Articles 51 and 52), and even such treaties which appear seemingly procured of free will as a result of illegitimate will of negotiators who negotiated over issues for which they were not competent for under their own constitution (Article 49).

Evidently the legal basis was neglected in case of the Dayton Agreement, because it concerns a political agreement, which departs from legal in favor of a negotiable approach.

As a sovereign and independent state, Bosnia and Herzegovina was only entitled to state constitution adopted in a valid legal procedure by its legitimate bodies. Such an example is the Republic of Bosnia and Herzegovina Constitution, which with its amendments, was in effect until the adoption of *the General Framework Agreement*. Namely, if the United Nations and the international community recognized Bosnia and Herzegovina as an independent and sovereign state, and if it meant that they acknowledged that state’s right to adopt its own constitution, which is the basis for independence of a state, then if that state cannot adopt its own Constitution, the existence of that state is brought into question. Instead, an international agreement (Dayton Agreement) was imposed upon Bosnia and Herzegovina, which had annulled the Republic of Bosnia and Herzegovina Constitution, as the only Constitution adopted in a legal fashion by a sovereign state. An international agreement was imposed on Bosnia and Herzegovina, which legalized creations and politics accomplished by means of aggression and genocide. Therefore, one of deficiencies of the Dayton Agreement as an international agreement, is that the signing of the same constituted a precedent to the effect that state constitutions may be made by means of aggression and genocide.

The Dayton Agreement stopped defensive armed activities of the anti-fascist Army of the Republic of Bosnia and Herzegovina in liberation of the Republic of Bosnia and Herzegovina. The Agreement actually saved the Serbian fascist movement from a military and political defeat.

At the time when the Army of the Republic of Bosnia and Herzegovina became militarily more powerful, acquired supremacy on the battlefield and was capable to confront successfully with great-Serbian aggressor and its collaborators, the United States and the Federal Republic of Yugoslavia obstructed them.

The Dayton Agreement **saved Republika Srpska**, as confirmed by Slobodan Milošević himself. **“When there was a threat that Republika Srpska might be wiped out, when forces set off to Banja Luka, we”**, claimed Milošević, **“stopped that by means of a political action”**. **“America saved Banja Luka”**, affirmed Milošević. Having made this assertion, Milošević stated the following: **“we used political means to stop the offensive on Banja Luka, and we did not use military means”**. Furthermore, Milošević states that the Federal Republic of Yugoslavia insisted on it (**“we insisted on that”**). According to him, **“Americans forbade to Tuđman and Izetbegović to advance with their troops and ordered them to stop, literally ordered them to stop under the threat to be bombarded. They did not do it publically, but just ordered them and informed us about it!”** according to Milošević, it meant that **“Americans accepted our line of argumentation and stopped Muslims and Croats at the time when they could have entered Banja Luka on buses, because they could not arrive as fast as others were fleeing.”**

The Dayton Agreement legalized great-Serbian Nazi ideology, politics, and practice of genocidal nature. The Agreement also changed the name of the state (Republic of Bosnia and Herzegovina), dropping the word Republic from the name, and giving the name to the criminals as a reward for the committed genocide, by which the Republic of Bosnia and Herzegovina was abolished and Republika Srpska established. The entity of Republika Srpska is a legacy of genocide – it is nationalistic-socialist (Nazi) genocidal creation. Forces, which took part in aggression and genocide, including participants in genocide against Bosniacs of Bosnia and Herzegovina in and around the UN Safe Area of Srebrenica in July 1995, were not excluded from the authorities of Bosnia and Herzegovina, at any levels, as was the case with denazification in Germany after WW II, so that such persons remained politically active. Even nowadays they are actively and openly engaged in destruction of Bosnia and Herzegovina. Hence,

Republika Srpska is morally unacceptable for the genocide victims. This certainly is not a thorn on victims' side only, but on the side of all those in the world to whom law, justice, and fairness mean something. The Dayton Agreement, an international agreement, betrayed the very spirit of international law.

Unfortunately, **subjective** (mental, psychic) **element of genocide** (*mens rea*) -**genocidal intent** and **objective** (or material) **element of genocide** (*actus reus*) – **acts of genocide**, which led to establishment of “Republika Srpska” are deeply incorporated into its social and political fibers.

Numerous politicians and diplomats (national and international), as well as many scholars advocate the thesis that the Dayton Agreement stopped war in Bosnia and Herzegovina. That fact is evaluated as a positive achievement. Regretfully, all subsequent developments showed that stopping of war operations was the exclusive and only “achievement” of this agreement with reference to re-establishment of Bosnia and Herzegovina as a functional democratic state. Some of solutions contained in the Dayton Agreement, extorted by an imperative to stop an armed conflict, are not in compliance with international democratic standards and proved to be an insurmountable obstacle in all aspects of reintegration of Bosnia and Herzegovina into a single state of equal citizens and peoples. It legalized the state of affairs established by force and genocidal politics and practice of great-Serbian forces (the state of the Federal Republic of Yugoslavia – Serbia and Montenegro and its collaborators and fifth-column from Bosnia and Herzegovina) who planned, prepared, designed, began and led war conquest against the Republic of Bosnia and Herzegovina, committed genocide and other crimes against humanity and international law. Administrative structures were established, though such forms are not rooted in Bosnia and Herzegovina tradition and they are not customary compared to standards in other multinational states. Thus, for example, entity voting is being abused, at which the position of disintegrating nationalist forces is dominant, whereas the role of democratic integrative elements of Bosnia and Herzegovina society is totally degraded and marginalized. In this way, every initiative to improve constitutional solutions or in other ways to change this unattainable situation with an aim to establish a true, democratic, multi-ethnic and multi-cultural society, devoid of discrimination and

apartheid on national, ethnic, religious, political, or any other grounds, is blocked.

The fact remains that the Dayton Peace Agreement stopped the war in Bosnia and Herzegovina. This is assessed as a significant and positive achievement. It is true that the Dayton Agreement stopped war, but it is disputable where this agreement can be evaluated as a positive and/or significant achievement. If this is so, we have to ask ourselves for whom this is a positive and significant achievement? Namely, it is not enough to say that the Dayton Agreement stopped war, but instead we have to provide answers to several questions, such as: firstly, **what kind of war was stopped back then; secondly, why was such war stopped at that time; thirdly, why back then, when the balance of power on the frontline was in favor of the BiH Army and when genocide was no longer possible, the USA and Western European countries rushed to stop the war in Bosnia and Herzegovina, etc.?**

Answers to these and similar questions should be found in the fact surrounding the change in balance of power on the frontline in Bosnia and Herzegovina. As of August 1995, due to a grave economic situation in the Federal Republic Yugoslavia, where “**military resources**” were “**considerably exhausted, and some almost totally exhausted**”, and in “Republika Srpska” **the army had no stamina to carry out for another 20 days – “the balance of power was unfavorable”** for (great-)Serbian aggressor. At that time the Army of the Republic of Bosnia and Herzegovina gained supremacy on the battlefield and could successfully deal with (great-)Serbian aggressor and its collaborators, fully capable for waging defensive-liberation war for a single, multi-national and multi-ethnic Bosnia and Herzegovina. Actions by the Army had to be stopped and such army had to be disintegrated, as regretfully happened after the Dayton Peace Agreement.

The Dayton Peace Agreement was **ratified** only by the Federal Republic of Yugoslavia. The Republic of Croatia and Republic of Bosnia and Herzegovina did not do it, which is their obligation under the international law (*Vienna Convention on the Law of Treaties*) and applicable national legislation. Hence, this agreement does not hold formal and legal power and binding character for political subjects and for implementation in political practice.

The Dayton Peace Agreement generated in Bosnia and Herzegovina several inconsistent legal systems, breaking down the state of Bosnia and Herzegovina (legal system of the SFRY, Socialist Republic of Bosnia and Herzegovina, Republic of Bosnia and Herzegovina, pseudo-state creation of the Croatian community/Republic of Herzeg-Bosnia, Federation of Bosnia and Herzegovina, Republika Srpska, established based on the Dayton Peace Agreement, District of Brčko, and the legal system of (Dayton) Bosnia and Herzegovina.

After the signing of the Dayton Peace Agreement, Bosnia and Herzegovina has become the seat of “international interventionism”, by way of a wide spectrum of international institutions established based on the Dayton Agreement, applicable international treaties, or based on the United Nations acts or (later, after 2002) of the Council of Europe.

*
* *

During peace talks in Dayton, 1-21 November 1995, the issue of war criminals and their arrest was not explicitly on the agenda. This issue was characterized by American, European, and Russian diplomats (attending the Dayton Conference), as *a deal breaker*, which could bring into question their efforts and stall the negotiations, because “**the work in this area of justice could disturb the peace process in the future**”. Unfortunately, the UN member states did not demonstrate readiness to arrest Radovan Karadžić and Ratko Mladić, political and military leaders of Milošević’s collaborators in the Republic of Bosnia and Herzegovina against whom the ICTY issued indictments on 24 July 1995 “**for crimes of genocide, crimes against humanity and crimes against civilian population and religious structures in the entire territory of the Republic of Bosnia and Herzegovina**”, then for “**crimes related to sniper shooting against civilians in Sarajevo**” and “**crimes related to taking UN peacekeeping officers hostages**”.

The indictment against Radovan Karadžić and Ratko Mladić caused considerable concern among international mediators (negotiators) who led

negotiations on peace plans for “**ending war in Bosnia and Herzegovina**”. According to Richard Goldstone’s assessment (ICTY Chief Prosecutor, 1994-1996) “**many politicians in numerous countries held that it was particularly irresponsible to indict Karadžić and Mladić, at the time when negotiations were under way. However, the prosecutor Goldstone held that it was his job to do. (“It is my job to issue indictments if evidence is in place, and not to wait with indictments or to time these indictments to fit the political development on the ground”)**).

The then UN Secretary General Boutros Boutros Ghali was also against prosecution of Radovan Karadžić prior to conclusion of a peace agreement on Bosnia and Herzegovina.

Fearing that the work of the ICTY may be compromised by (international) peace negotiators, with their readiness to offer amnesty as part of a peace package, President of the ICTY (Antonio Cassese) sent a letter to Madeleine Albright (US Ambassador to the UN) at the beginning of negotiations requesting that the agreement be conditioned with cooperation with ICTY investigations and that the peace agreement should include the condition that “the indicted war criminal be handed over to the Tribunal”.

In the midst of peace talks, on 14 November 1995, the ICTY Chief Prosecutor, Richard Goldstone “**who was informed that American negotiators are considering to include amnesty in the framework of negotiations at Dayton**”, issued a new indictment against Karadžić and Mladić **for genocide, crimes against humanity and violation of laws and customs of warfare in and around the UN Safe Area Srebrenica (“SREBRENICA”) on 15 July 1995.**

The ICTY is not referred to **directly, explicitly**, in the basic document of the Dayton Peace Agreement – *General Framework Agreement for Peace in Bosnia and Herzegovina*. The Tribunal is only referred to in annexes to the Agreement, which can be interpreted as an omission and its evident marginalization (in the Dayton Peace Agreement). Several articles in annexes refer to the ICTY, reiterating that the parties are obliged to cooperate with the Tribunal and observe its regulations.

The Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (hereinafter called: Parties) under

the *General Framework Agreement for Peace in Bosnia and Herzegovina* committed themselves to cooperation with the ICTY in three ways:

- firstly, Article IX sets forth that **“the Parties shall cooperate in full with all entities involved in the implementation of peace solution, presented in annexes to this Agreement, or as provided for by the UN Security Council, and in compliance with the commitment of all Parties to cooperate in investigation and criminal prosecution of war criminals and other perpetrators in violation of international criminal law”**;
- secondly, the Parties have agreed to **“fully respect and promote meeting of undertaken obligations”** arising from annexes to the Agreement, including provisions clearly referring to cooperation with the ICTY;
- thirdly, the Federal Republic of Yugoslavia, as the signatory to annexes, pledged to take care that Republika Srpska will observe commitments arising from the Peace Agreement. Hence, by way of signing of *the General Framework Agreement for Peace in Bosnia and Herzegovina*, the Federal Republic of Yugoslavia, acting on its own and on behalf of “Republika Srpska”, accepted and committed itself to cooperate with the ICTY.

Certain provisions in annexes (of the Dayton Peace Agreement) **explicitly** refer to the ICTY, while other provisions **implicitly** refer to the Tribunal, without stating its name. The provisions referring to the ICTY touch upon the following issues: general provisions on cooperation, freedom of movement and unlimited access, repatriation of POWs, prohibition on public offices and amnesty.

Pursuant to Article X of *the Agreement on Military Aspects of the Peace Agreement* (Annex 1-A), the Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and “Republika Srpska” were obligated to **fully cooperate “with all entities involved in the implementation of this peace agreement, as described in the General Framework Agreement, or if otherwise authorized by the UN Security Council, including the International Tribunal for the Former Yugoslavia”**.

Pursuant to Chapter VII of the *UN Charter*, the Multinational military forces for the implementation of *the Agreement on Military Aspects of the Peace Agreement* (IFOR) were mandated to trace down persons indicted by the ICTY who were in the territory of Bosnia and Herzegovina and refused to voluntarily surrender to the international tribunal. These troops could have applied necessary and controlled force in a legitimate and legal fashion to arrest and bring such persons to The Hague. Thus, Article I, Para 2(b) of *the Agreement on Military Aspects of the Peace Agreement* provides for powers vested in IFOR to “**undertake all necessary measures, including the use of force, in order to ensure that all obligations arising from this annex will be honored.**”

Evidently the Dayton Peace Agreement establishes the international obligation of full cooperation with the ICTY for the Parties Signatories. If Parties Signatories fail to fulfill ICTY arrest warrants of indicted persons, this failure would be interpreted as violation of the international obligations. Such instance of violation of an international obligation would constitute legal ground for the international forces (IFOR/SFOR) to respond in order to execute ICTY arrest the indictees. Contrary to UNPROFOR, these forces were authorized to use force, i.e. to undertake necessary measures to ensure observation and implementation of *the Agreement on Military Aspects of the Peace Agreement*.

The text of the Dayton Peace Agreement underlines the obligation on behalf of the Parties to cooperate with the ICTY and respect its orders. To that end, the UN Security Council by its *Resolution 1022* (1995) of 22 November 1995 established a powerful implementing mechanism providing for the Security Council to re-impose sanctions, lifted in the same resolution, on the Federal Republic of Yugoslavia (Serbia and Montenegro) and “Republika Srpska” in case of their failure to honor the agreement. Thus, a threat to re-impose sanctions may have been used as a powerful tool to secure cooperation of the Federal Republic of Yugoslavia and “Republika Srpska” with the ICTY.

On several occasions statesmen and IFOR officials claimed that they were not authorized in certain circumstances to arrest indictees, which is not true. Not only that the IFOR **had the right**, but more importantly it had **the obligation** to carry out the arrests of persons indicted by the ICTY as set forth in *the ICTY Rules of Procedure and Statute*.

Evidently the states that had their military contingents as part of multinational forces in Bosnia and Herzegovina had the international obligation to arrest all persons against whom the ICTY issued indictments. According to the ICTY *Rules of Procedure and Evidence*, more precisely Rule 55 (G), international forces in Bosnia and Herzegovina are legally authorized, and legally obligated to enforce orders for arrest (of indicted persons) issued by the international body – ICTY.

Karadžić and Mladić were not arrested until 2008 and 2011 respectively, because “**American authorities did not want this to be done for political reasons**”, and Paris and London supported them.

Great powers whose forces were deployed in Bosnia and Herzegovina persistently refused to arrest Karadžić and Mladić.

NATO politics was not directed toward the arrest of war criminals. This enabled war criminals to continue to exert their influence on the political life in Bosnia and Herzegovina.

Despite the fact that the United States “forbade” Radovan Karadžić to engage in politics any longer, he controlled “Republika Srpska” for long after Dayton, primarily by way of his party (Serb Democratic Party), which controlled and managed the police, justice, media, major companies, and local NGOs in that entity. Moreover, since in numerous towns of “Republika Srpska” the organization of power was a reflection of the organization in place during aggression and crime of genocide.

IFOR (constantly) refused to conduct arrests of persons indicted for crimes against humanity and international law, even when these indictees happened to be in their way.

The international community had tolerated for a long time “Balkan lords” to disregard ICTY. In course of 1998, Louise Arbour tried in vain to initiate investigations on the spot. Belgrade persistently withheld access to ICTY investigators.

Unfortunately, Great powers failed to provide necessary evidence to the ICTY in order to enable “**justice to take its course**”.

The authorities in the entity “Republika Srpska” and in Belgrade did not want to execute ICTY arrest warrants against indicted persons, charged with grave violations of international humanitarian law.

Persons indicted for war crimes moved throughout “Republika Srpska” with impunity, while nodding their heads to French soldiers at checkpoints. Among them was Radovan Karadžić who travelled from his home to his office nearby Pale.

NATO forces knew that Karadžić still retained control over the situation in Pale. Some NATO soldiers, mainly French, occasionally warned him to keep a low profile when there was likelihood that some problems might occur. Other NATO soldiers (IFOR) were drinking in the same bars and visited the same clubs as indicted persons.

In summer 1996, NATO still claimed that they had no knowledge about names of war criminals, nor enough information about them in order to arrest them. The ICTY sent them huge posters of wanted persons – with first and family names and detailed photos of indicted persons. It played into hands of NATO officers to have a little knowledge about it all.

NATO kept promising to start with arrests of indictees, but only under a condition that their soldiers see them and are able to conduct safe arrests. However, they allegedly never noticed or saw such persons.

Radovan Karadžić and General Ratko Mladić, as well as many others indicted for crimes against humanity and international law, held true power, although they did not hold any public office. The international community, and above all, Great powers, knew about their whereabouts.

Contrary to their obligation to cooperate and execute all orders issued by the ICTY, the former Yugoslav states, with exception of the Republic of Bosnia and Herzegovina, repeatedly ignored the ICTY, rejected to cooperate – to arrest and surrender indictees, they impeded investigations, withheld access to documents and witnesses, etc.

Judiciary authorities of the Republic of Bosnia and Herzegovina acted fully in compliance with *the Memorandum of Understanding and Cooperation* between the Government of the Republic of Bosnia and Herzegovina and the ICTY (3 December 1994), the *Statute* of the International Tribunal and the *Roma Agreement – The Rules of The Road*.

The genocidal creation “Republika Srpska” and the Federal Republic of Yugoslavia (Serbia and Montenegro) did not cooperate with the ICTY

for a long time. Consequently, they had not arrested the most wanted war criminals – Radovan Karadžić and Ratko Mladić, as well as other persons indicted by the ICTY for genocide and other crimes against humanity and international law, because the arrest of indictees was considered as an act of treason. For a long time – until 2005 – “Republika Srpska” had neither recognized jurisdiction of the ICTY nor did it execute its orders. Here it is important to point out the fact that the Federal Republic of Yugoslavia (Serbia and Montenegro), i.e. the Republic of Serbia, directly violated *the Convention on Prevention and Punishment of Crime of Genocide*, i.e. international legal obligation, because, *inter alia*, (from 25 July 1995 to 21 July 2008) it failed to arrest or surrender Radovan Karadžić, or (from 25 July 1995 to 26 May 2011) Ratko Mladić, indicted by the ICTY for the crime of genocide.

After the indictments against Radovan Karadžić and Ratko Mladić had been confirmed on 24 July and on 16 November 1995 respectively, the arrest warrants were submitted to the Federal Republic of Yugoslavia, (Republic) Bosnia and Herzegovina and the entity “Republika Srpska”. Given the fact that the indictees were not arrested within a reasonable time, the ICTY held that the states failed to execute the arrest warrant or extradition in compliance with *Rule 59 of the ICTY Rules of Procedure and Evidence*.

In part of the Federation of Bosnia and Herzegovina, where a pseudo-state creation of the Republic of Croatia (Croatian Community of Herzeg-Bosnia/Croatian Republic of Herzeg-Bosnia) was established and where numerous international crimes were committed, including the crime of genocide against Bosniacs, even after the Washington and Dayton Peace Agreements, the ideas, protagonists, and followers of such entity are still present. In principle, they recognized the ICTY jurisdiction, but its orders were rarely enforced. The largest number of suspected and indicted persons surrendered themselves “voluntarily” with the help of the Republic of Croatia, whereas some of arrests were conducted by international forces.

*

* *

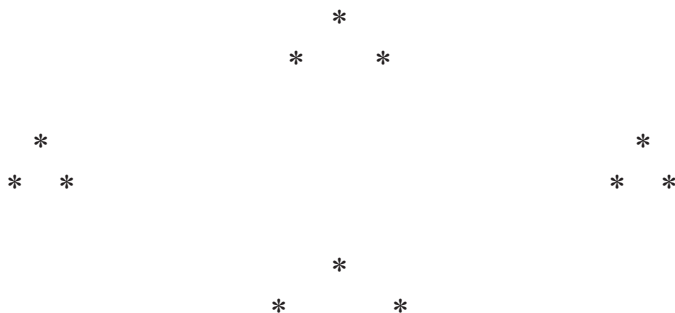
*

*

* *

* *

Available relevant, valid and reliable documents of the Serbian aggressor (Serbia and Montenegro – the Federal Republic of Yugoslavia and its pseudo-state creation Republika Srpska of Bosnia and Herzegovina/ Republika Srpska and its political and military representatives) as sources of information provided for collection of sufficient, adequate, valid, reliable and usable information, which corroborates and confirms planning, preparation, organization, and execution of the aggression against the Republic of Bosnia and Herzegovina, intent (*mens rea*) and execution of crime of genocide against Bosniacs (*actus reus*), members of a national, ethnic and religious group as such.



RESULTS OF THE UP TO DATE RELEVANT SCIENTIFIC STUDIES ON THE EVENTS AND ACTIVITIES IN THE REPUBLIC OF BOSNIA AND HERZEGOVINA AT THE END OF THE 20TH CENTURY, INCLUDING THE PRESENT AND CURRENT RESEARCH, CONFIRM THE BASIC, FUNDAMENTAL, AND CRUCIAL FACTS:

- A CLASSIC ARMED AGGRESSION WAS CARRIED OUT AGAINST THE REPUBLIC OF BOSNIA AND HERZEGOVINA;

- THE CRIME OF GENOCIDE WAS COMMITTED IN THE OCCUPIED TERRITORIES OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA, TOWNS UNDER SIEGE, AND UN SAFE AREAS, AS WELL AS IN FREE TERRITORIES, AGAINST BOSNIACS – AUTOCHTHONE AND DOMICILE EUROPEAN NATION;

- CRIME AGAINST PEACE AND CRIME OF GENOCIDE WERE COMMITTED BY THE STATE OF SERBIA AND MONTENEGRO – FEDERAL REPUBLIC OF YUGOSLAVIA AND THE REPUBLIC OF CROATIA, THEIR PSEUDO-STATE CREATIONS, ALONG WITH THEIR SUBJECTS ACTING AS AUTHORITIES OF THOSE STATES AND THEIR COLLABORATORS;

- THE AGGRESSIVE, CONQUERING WAR AGAINST THE REPUBLIC OF BOSNIA AND HERZEGOVINA, FOR THE TERRITORIES, FOR STEALING THE BOSNIA AND HERZEGOVINA LAND, FOR “LIVING SPACE” IN LINE WITH THE NAZI IDEOLOGY, POLICY, AND PRACTICE, THE AGGRESSIVE WAR AIMED AT DESTRUCTION OF BOSNIACS, ALL ANTIFASCISTS AND DEFENDERS (OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA) WAS EXECUTED IN COMPLEX AND DIFFICULT SOCIAL, POLITICAL, MILITARY, AND OTHER CONDITIONS. ESSENTIALLY, THIS WAS THE WAR AGAINST UNARMED, BAREHANDED, AND PEACEFUL PEOPLE – EXECUTED BY WELL-ORGANIZED, TRAINED, EQUIPPED, AND WELL-ARMED FORCE (ESPECIALLY OF SERBIA AND MONTENEGRO – FEDERAL REPUBLIC OF

YUGOSLAVIA – YUGOSLAV NATIONAL ARMY AND ARMY OF YUGOSLAVIA), THE WAR AGAINST CIVILIANS AND CIVILIAN POPULATION;

- UNITED NATIONS, LEADING WESTERN STATES, NATO, AND RUSSIA – THE DOMINANT PART OF THE SO-CALLED INTERNATIONAL COMMUNITY, BY EMBARGO ON ARMS AND MILITARY EQUIPMENT, IMPOSED ON THE INTERNATIONALLY RECOGNIZED STATE, A MEMBER OF THE UN (REPUBLIC OF BOSNIA AND HERZEGOVINA) PREVENTED THE EXERCISE OF RIGHT TO INDIVIDUAL AND/OR COLLECTIVE (SELF) DEFENSE;

- UNITED NATIONS, LEADING WESTERN STATES, NATO, AND RUSSIA – THE DOMINANT PART OF THE SO-CALLED INTERNATIONAL COMMUNITY DID NOT PREVENT OR STOP THE AGGRESSION AGAINST THE REPUBLIC OF BOSNIA AND HERZEGOVINA, AND DID NOT PREVENT OR STOP THE CRIME OF GENOCIDE AGAINST BOSNIACS;

- ALL THE “PEACE” PLANS BY THE SO-CALLED INTERNATIONAL COMMUNITY RELATED TO THE REPUBLIC OF BOSNIA AND HERZEGOVINA STEMMED FROM TWO BASIC ASSUMPTIONS: CONSTITUTIONAL AND LEGAL, AND TERRITORIAL DISINTEGRATION (DIVISION) OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA, BY ACCEPTING AND VERIFYING THE SERBIAN TERRITORIAL OCCUPATION AND LEGALIZATION OF THE PSEUDO-STATE CREATION REPUBLIKA SRPSKA, AND THE INTENTIONAL ERRONEOUS QUALIFICATION OF THE CHARACTER OF ARMED CONFLICT AND NATURE OF CRIME, MARKING THEM AND NAMING THEM WITH TERMS CIVIL WAR AND ETHNIC CLEANSING;

- LEGITIMATE LEADERSHIP OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA, DURING THE COMPLEX AND DIFFICULT CONDITIONS OF AGGRESSION AND CRIME OF GENOCIDE, SUBJECTED TO PERMANENT PRESSURES, BLACKMAILS, AND ULTIMATUMS OF THE DOMINANT PART OF THE SO-CALLED INTERNATIONAL COMMUNITY, ACCEPTED THE TALKS, PROPOSALS, PLANS, AND AGREEMENTS ON DIVISION OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA;

- INSUFFICIENTLY ARMED, EQUIPPED, AND TRAINED, THE RBiH ARMY, WHILE EMERGING, ORGANIZING ITSELF, AND GROWING IN RATHER DIFFICULT AND COMPLEX CONDITIONS OF CRIME AGAINST PEACE, CRIME OF GENOCIDE, AND OTHER FORMS OF CRIMES AGAINST HUMANITY AND INTERNATIONAL LAW, AT THE SAME TIME DEFENDING THE STATE ALONG THE TWO OR EVEN THREE FRONTLINES, PRESERVED THE STATE OF BOSNIA AND HERZEGOVINA AND BOSNIACS FROM DESTRUCTION.

GENOCIDE AND OTHER FORMS OF CRIMES AGAINST HUMANITY AND INTERNATIONAL LAW WERE CARRIED OUT WITH INTENT (*MENS REA*), IN A PLANNED, ORGANIZED AND SYSTEMATIC MANNER, WITH THE AIM TO:

- FIRST, DESTROY THE STATE OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA;
- SECOND, DESTROY BOSNIACS, THE BIGGEST NATION IN THE REPUBLIC OF BOSNIA AND HERZEGOVINA;
- THIRD, TO SET UP THE BIG, ETHNICALLY CLEANSED SERBIAN STATE AND TO SET UP THE BIG, ETHNICALLY CLEANSED CROATIAN STATE.

NUMEROUS, EXTENSIVE, AND VERSATILE FORMS OF CRIMES AGAINST HUMANITY AND INTERNATIONAL LAW, OF EXTREME INTENSITY, RESULTED IN MASSIVE AND INDIVIDUAL MURDERS AND INJURING, MASSIVE AND SYSTEMATIC RAPES, AND OTHER FORMS OF SEXUAL VIOLENCE, DELIBERATE DESTRUCTION OF THE BOSNIAC ELITE, MASSIVE EXPELLING OF POPULATION AND DEPORTATION OF CIVILIANS AND CIVILIAN POPULATION, DESTRUCTION OF CULTURAL WEALTH AND RELIGIOUS OBJECTS, STEALING THE PROPERTY, AND OTHER UNDERLYING ACTS OF GENOCIDE (*ACTUS REUS*). CONCENTRATION CAMPS FOR BOSNIACS AND MASS GRAVES ARE CRUCIAL INDICATORS OF SPECIFICS OF THIS CRIME OF GENOCIDE.

UNITED STATES AND THE LEADING EUROPEAN POWERS DID NOT TAKE TIMELY AND ADEQUATE MEASURES TO PREVENT AND STOP THE AGGRESSION AGAINST THE RECOGNIZED STATE OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA, A MEMBER OF THE UN, OR PREVENT AND STOP THE CRIME OF GENOCIDE AGAINST BOSNIACS, BY WHICH THEY DIRECTLY VIOLATED THE UN CHARTER AND THE CONVENTION ON PREVENTION AND PUNISHMENT OF CRIME OF GENOCIDE. ALL IMPORTANT EMPIRIC FACTS OF THE SOCIETAL REALITY AND SCIENTIFIC FACTS CONFIRM AND PROVE THAT THE FUNDAMENTAL, CRUCIAL REASON FOR THE LACK OF INTERVENTION BY THE WEST IN PREVENTING AND STOPPING THE AGGRESSION AND PREVENTING AND STOPPING THE CRIME OF GENOCIDE IN THE REPUBLIC OF BOSNIA AND HERZEGOVINA IS THE FACT THAT THE GENOCIDE VICTIMS WERE MUSLIMS – BOSNIACS, MEMBERS OF A NATIONAL, ETHNIC, AND RELIGIOUS GROUP AS SUCH.

RESULTS OF THE SCIENTIFIC RESEARCHES CONFIRM ACCURATELY, TRUTHFULLY AND CORRECTLY, CLEARLY AND CORRECTLY, AND CORROBORATE BY FACTS THAT THE DAYTON PEACE AGREEMENT WAS BASED ON THE SERBIAN TERRITORIAL EXPANSION, AND CRIME OF GENOCIDE. SERBIAN TERRITORIAL EXPANSION AND THE CRIME OF GENOCIDE WERE BASES OF THE DAYTON PEACE AGREEMENT, WHICH LEGALIZED THE NAZI PSEUDO-STATE CREATION REPUBLIKA SRPSKA AND LEGALIZED THE CRIME OF GENOCIDE. THE ENTITY REPUBLIKA SRPSKA WAS SET UP IN THE OCCUPIED TERRITORY OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA, WHERE NUMEROUS CRIMES AGAINST HUMANITY AND INTERNATIONAL LAW WERE COMMITTED, INCLUDING THE CRIME OF GENOCIDE AGAINST BOSNIACS. THIS IS A CREATION MADE BY CRIME OF GENOCIDE, BASED IN FORCE AND GRAVE VIOLATIONS OF THE INTERNATIONAL HUMANITARIAN LAW.

IMPORTANT POSITIVE PROVISIONS OF THE DAYTON PEACE AGREEMENT ARE:

- CESSATION OF WAR IN THE REPUBLIC OF BOSNIA AND HERZEGOVINA, AND
- MAINTAINING THE CONTINUITY OF THE STATE OF BOSNIA AND HERZEGOVINA AS A POLITICAL FACTOR IN THE INTERNATIONAL RELATIONS.

IMPORTANT NEGATIVE PROVISIONS OF THE DAYTON PEACE AGREEMENT ARE:

- UNJUST PEACE WAS IMPOSED, WHICH DISCRIMINATE THE NON-SERBIAN POPULATION, PARTICULARLY BOSNIACS DUE TO THEIR NATIONAL, ETHNIC, AND RELIGIOUS AFFILIATION, AS SUCH;
- THE REPUBLIC OF BOSNIA AND HERZEGOVINA, INTERNATIONALLY RECOGNIZED STATE, SOVEREIGN, INDEPENDENT, AND TERRITORIALLY COMPACT, WAS DEPRIVED OF THE TITLE REPUBLIC, AND THIS TITLE WAS GRANTED – GIVEN TO THE SERBIAN PSEUDO-STATE CREATION – REPUBLIKA SRPSKA;

- A SINGLE STATE REPUBLIC OF BOSNIA AND HERZEGOVINA WAS TERRITORIALY AND POLITICALLY DIVIDED IN TWO ENTITIES (FEDERATION OF BOSNIA AND HERZEGOVINA AND REPUBLIKA SRPSKA), WITH EXTREMELY HIGH DEGREE OF AUTONOMY, WHICH IMPLIES COMPLETELY DIFFERENT FORMS, EVEN CONTRADICTIONARY FORM OF POLITICAL RULE WITHIN BOSNIA AND HERZEGOVINA;
- THE CRIME OF SERBIAN TERRITORIAL OCCUPATION WAS LEGALIZED – SERBIAN PSEUDO-STATE CREATION WAS LEGALIZED AND CRIME OF GENOCIDE WAS LEGALIZED;
- BOSNIA AND HERZEGOVINA IS MADE OF TWO ENTITIES – WHERE ONE OF THE ENTITIES IS THE RESULT OF CRIME AGAINST PEACE (AGGRESSION) AND CRIME OF GENOCIDE – REPUBLIKA SRPSKA, AND THE OTHER ENTITY – FEDERATION OF BOSNIA AND HERZEGOVINA, IN WHICH THE CRIME AGAINST PEACE AND THE CRIME OF GENOCIDE WERE ALSO COMMITTED IN A SIGNIFICANT PORTION OF ITS TERRITORY – IS THE STATE THAT HAS A POLITICAL RULE, IN A SMALL TERRITORY, WHICH IS NOT KNOWN IN THE POLITICAL THEORY AND PRACTICE ELSEWHERE IN THE WORLD. IN CONCLUSION, A STATE WAS SET UP THAT IS NOT FUNCTIONAL, THAT IS UNSUSTAINABLE, AND WITH COMPLETELY UNPREDICTABLE POLITICAL PERSPECTIVES IN THE INTERNATIONAL RELATIONS IN FORM OF SPECIAL AND UNIQUE POLITICAL FACTOR;
- DEFENSIVE AND LIBERATION ACTIVITIES OF THE ANTIFASCIST REPUBLIC OF BOSNIA AND HERZEGOVINA ARMY WERE STOPPED WHEN THEY TRIED TO LIBERATE THE OCCUPIED TERRITORIES OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA;
- THE ENTITY REPUBLIKA SRPSKA MAINTAINED THE CONTINUITY OF THE POLITICAL (CIVIL) AND MILITARY AUTHORITIES OF THE PSEUDO-STATE CREATION REPUBLIKA SRPSKA, FROM THE LOCAL COMMUNITY, VIA ENTITY TO THE LEVEL OF THE STATE.

DAYTON PEACE AGREEMENT WAS IMPOSED ON THE GENOCIDE VICTIM, PRIMARILY BY THE UNITED STATES, AND AS SUCH IT IS THE PUNISHMENT FOR THE GENOCIDE VICTIM, AND AT THE SAME TIME IT LEGALIZED SERBIAN TERRITORIAL EXPANSION AND THE CRIME OF GENOCIDE, AND IN THAT WAY REWARDED THE EXECUTIONERS OF CRIME OF GENOCIDE, AND FURTHERMORE IT NAMED THE OUTCOME THE ENTITY REPUBLIKA SRPSKA.

RESULTS OF THE SCIENTIFIC RESEARCHES SUGGEST THE SIGNIFICANT INFLUENCE OF THE DAYTON PEACE AGREEMENT ON THE ACTIVITIES, FUNCTIONS, AND EFFECTS OF THE OPERATION OF THE INTERNATIONAL AND NATIONAL COURTS, WHICH PROSECUTE CRIMES AGAINST HUMANITY AND INTERNATIONAL LAW IN BOSNIA AND HERZEGOVINA AND OTHER COUNTRIES OF THE FORMER YUGOSLAVIA. DAYTON PEACE AGREEMENT LEGALIZED SERBIAN TERRITORIAL EXPANSION AND THE CRIME OF GENOCIDE, AND THE COURTS – INTERNATIONAL AND NATIONAL – ESTABLISH AND VERIFY IN THEIR JUDGMENTS THE LEGALITY AND LEGITIMATE STATUS OF THE INTERNATIONAL-POLITICAL AGREEMENT – DAYTON PEACE AGREEMENT ON THE TERRITORIAL DIVISION OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA IN TWO ENTITIES, AND THE LEGALIZATION OF THE PSEUDO-STATE CREATION REPUBLIKA SRPSKA, AND LEGALIZATION OF THE CRIME OF GENOCIDE. THE BEST ILLUSTRATION FOR THE PREVIOUS ARGUMENTS IS THE FACT THAT ALL THESE COURTS ONLY CONFIRM PARTIAL RESULTS OF THE RELEVANT SCIENTIFIC RESEARCHES ON THE CRIME OF GENOCIDE AGAINST BOSNIACS IN THE REPUBLIC OF BOSNIA AND HERZEGOVINA, REDUCING THEM ONLY TO ONE MICRO-LOCATION – THE TERRITORY OF THE UN SAFE AREA SREBRENICA IN JULY 1995.

BASED ON THE ABOVEMENTIONED, WE ARRIVE AT TWO RELEVANT FINDINGS: FIRST, AN IMPORTANT DIFFERENCE BETWEEN SCIENTIFIC AND LEGAL (JUDICIAL) TRUTH, AND THE SECOND, DEMONSTRATION OF POWER AND INFLUENCE OF POLITICS (AND POLITICAL FACTORS – POLITICAL FACTORS, BOTH INTERNATIONAL AND NATIONAL) ON THE LAW (JUSTICE AND TRUTH), BOTH INTERNATIONAL AND NATIONAL, WHEREBY THE PRACTICE CONFIRM THAT THE RIGHT AND LAW ARE THE INSTRUMENTS OF POLITICS.

THESE STATEMENTS ARE IMPORTANT ASSUMPTIONS FOR THE CONCLUSIONS SURROUNDING INCONSISTENCY AND INCOHERENCY BETWEEN SCIENTIFIC, POLITICAL AND LEGAL (NORMATIVE) TRUTH AND NON-CORRESPONDENCE BETWEEN THE POLITICAL AND NORMATIVE TRUTH AND THE FACTS OF THE SOCIETAL REALITY, SOCIETY, AND SOCIAL PHENOMENA – SUBJECTS OF RESEARCHES.

CERTAIN JUDGMENTS OF THE INTERNATIONAL AND NATIONAL COURTS PRODUCED VERSATILE AND NUMEROUS FORGERIES, FORMALLY SHAPED IN QUASI-TRUTHS, AND PRESENTED THEM TO THE INTERNATIONAL AND NATIONAL PUBLIC, WHOSE AIM WAS TO DENY GENOCIDE AGAINST BOSNIACS IN ALL THE OCCUPIED PLACES, TOWNS UNDER SIEGE AND UN SAFE AREAS, BUT NOT ONLY IN ONE MICRO-LOCATION, WHICH IS COMPLETELY IN LINE WITH THE DAYTON PEACE AGREEMENT – AND INTERNATIONAL POLITICAL AGREEMENT, WHICH LEGALIZED SERBIAN TERRITORIAL EXPANSION AND WHICH LEGALIZED THE CRIME OF GENOCIDE AGAINST BOSNIACS.