

# **SREBRENICA 1995-2015: Just the Facts, Without Propaganda or Embellishment**

What has been irrefutably established, and what hasn't

**For a full 20 years, the full picture about what happened, and did not happen, in and around the supposed UN “safe area” in the town of Srebrenica in Bosnia-Herzegovina in July 1995 has been suppressed. It's time to lift the fog of secrecy and disinformation.**

This short info-book is based on the work of various American, British, Dutch, Serbian and Bosnian Muslim experts engaged in analyzing or investigating the events in Srebrenica over the past 20 years, media reports, and testimony of persons directly involved or affected.

Editors:

Stefan Karganovic

Aleksandar Pavic

## **Introduction**

The 20<sup>th</sup> anniversary of the fall of the Srebrenica enclave in Bosnia and Herzegovina, in July 2015, is an important occasion. This brief fact book is dedicated to all those who are interested in truth, rather than politicization. After 20 years, it is time to take a hard look at the facts, and facts only. This is especially important not just from the standpoint of seeking the truth, but also because the Srebrenica events have become not just a local, or even a regional, but a globally important issue, one that consistently attracts broad mass-media coverage, stirs political controversy and serves as an instrument of political destabilization.

The basic intent of this booklet is to provide both experts and the broader public an overview of all the known facts regarding Srebrenica that have been established on the basis of verdicts issued by the International Criminal Tribunal for the Former Yugoslavia (ICTY), the *ad hoc* court established by the UN in 1993, at the height of

the Yugoslav civil war, on U.S. insistence. However, an equally important task is to demonstrate what has not been established and yet continues to be (mis)treated as fact, on the basis of which far-reaching political assessments and decisions are made.

What are the basic principles behind this publication?

- The truth is always needed, for the victims as well as the accused and the convicted, for historians interested in facts rather than propaganda, and for public figures who truly wish to work in the public interest; yet, in regard to Srebrenica, the truth has not been well served thus far, as will be shown;

- Although it still cannot be claimed with certainty exactly what took place in Srebrenica in 1995, enough has been ascertained over the past 20 years to be able to assert with confidence what did *not* happen – yet that is what is being presented as the truth. The numbers that are constantly being uncritically pushed in local, regional and international media, forums and political institutions and structures – centered around the claim that “Serbian forces” committed “genocide” over 7,000-8,000 Bosnian Muslim prisoners of war – simply do not stand up under scrutiny, and are not supported by evidence that has been established thus far;

- Arbitrary numbers and factually unfounded allegations, parliamentary and international “resolutions,” along with ICTY convictions, are being (ab)used to poison social, political, interfaith, interethnic and international relations, sow divisions and instability, deepen tensions, and foment extremism in the Balkan region and beyond. This serves only the interests of those who stand to profit from permanent destabilization, turbulence, artificial divisions and “clashes of civilizations”;

- The Srebrenica tragedy has been (ab)used numerous times, and continues to be (ab)used, as a pretext for organizing political and/or military intervention against sovereign states, or meddling in their internal affairs and fomenting inner turmoil on “humanitarian” grounds. “We must prevent another Srebrenica!” is a war cry that has been heard often in the past decade or so, as a preface to Western military interventions in Yugoslavia (Kosovo), Congo, Macedonia, Iraq, Syria, Libya. Srebrenica is also an important pillar in the ideology behind the so-called “Responsibility to Protect” (R2P) doctrine that has been constructed to legalize global Western-instigated interventionism. This is why the truth about Srebrenica, no matter how unpleasant or incriminating for all involved, is a matter of global importance and ramifications;

- After almost 20 years of work, indictments, testimonies, trials and millions of pages of “evidence,” the ICTY has still not succeeded in establishing the truth. About the only success the ICTY can claim is that it has managed, by questionable means, to label the Srebrenica events “genocide” – without adequate evidence, and using highly questionable legal reasoning.

Thus, after two decades of futility, deliberate obfuscation and political gamesmanship with a human tragedy, it is time to try something new. In order to finally make a credible attempt at ascertaining what really took place in Srebrenica in July 1995, the best and the most legitimate course to take would be to establish a truly independent international Srebrenica Truth Commission. This would be the

best way to halt further ugly politicization and (ab)use of this tragic event, as well as to finally bring peace to its true victims, on all sides of the conflict, and satisfaction to the true victims' families, with whom all well meaning people share their pain. For, a crime certainly did take place in Srebrenica, and only its full and complete resolution would allow everyone to openly and fully deal with the past, reconcile and finally move on.

This publication is a contribution towards that end, an effort to facilitate the establishment of the full truth regarding what happened in Srebrenica, and not just in 1995, in the hope that it will be of use to the media, the general public, policy makers and all those with the power to undertake appropriate measures to finally deal with this international problem and put it in its proper perspective – without manipulation, abuse of facts, or ulterior motives.

## **Srebrenica: facts, presumptions, unknowns**

### **1. According to judgments issued by the International Criminal Tribunal for the former Yugoslavia (ICTY), how many people were killed in Srebrenica in July 1995?**

The Memorial Center in Potocari, near Srebrenica, lists the number of 8,372 victims.

According to the “Bosnian Atlas of Crime,” issued by the Center for Research and Documentation in Sarajevo, 6,886 people were killed in and around Srebrenica in July 1995; however, a separate table published by the Center lists 4,256 killed and 2,673 missing Bosnian Muslims (it is evident here that the numbers don't add up).

The ICTY judgment in the case of Bosnian Serb general Radislav Krstic cites the figure of “7,000-8,000 people” (Trial Judgment, par. 487).

The ICTY judgment in the case of Bosnian Serb colonel Vujadin Popovic, states: “The Trial Chamber has found that, from 12 July until late July 1995, several thousand Bosnian Muslim men were executed” (Trial Judgment, par. 793). The Chamber further stated that it “found that at least 5,336 identified individuals were killed in the executions following the fall of Srebrenica, and this number could well be as high as 7,826” (Trial Judgment, footnote 2862).

In the ICTY judgment in the case of Bosnian Serb general Zdravko Tolimir, the figure of “4,970 victims” is given (Appeals Judgment, par. 426).

Thus, not only do the figures offered and supposedly ascertained by the ICTY consistently vary, they also conveniently blur the distinction between casualties that were a) indeed victims of executions, b) those that died from other causes, either combat with Serbian forces, natural causes, as a result of suicide, battle or infighting between Muslim forces themselves, and c) those that are still missing and whose exact fate is unknown. Only those under a) can be considered to be victims of war crimes. Yet, all these victim categories are lumped together under a common figure, in order to inflate it sufficiently to warrant the “genocide” claim.

**Conclusion:** neither the ICTY nor any other institution has, as of July 2015, precisely determined the number of executed prisoners. In addition, victims of execution, casualties of battle, infighting, suicide, those that died of natural causes, and those missing are consistently being lumped together. The precise number of executed victims has yet to be established – and they alone can in this situation be classified as victims of a war crime.

## **2. How many persons have been actually convicted by the ICTY as direct perpetrators or accomplices in prisoner executions in and around Srebrenica in July 1995?**

The only person convicted by the ICTY as a direct perpetrator of crime in Srebrenica is not a Serb, but a Bosnian Croat, Drazen Erdemovic, identified as a member of the “10th Sabotage Unit” within the Bosnian Serb army, who was convicted in 1998 for participating “in the deaths of hundreds of Bosnian Muslim male civilians, the exact number of which has not been ascertained” (Sentencing Judgment, March 5, 1998) – and sentenced to exactly 5 years. This absurdly low sentence was passed after Erdemovic made a deal with the ICTY Office of the Prosecutor, on the basis of his own testimony, which he changed several times, and on the condition that he testifies against Serb indictees whenever the ICTY summoned him. Another part of the deal was that Erdemovic was granted protected witness status, on the basis of which he was given a new identity and residence in an unnamed Western country.

By his own admission, Erdemovic fought on all three sides of the Bosnian conflict: the Bosnian Muslim army, the Bosnian Croat army and the Bosnian Serb army. Additionally detrimental to his credibility is the fact that, after conducting a psychiatric exam, the ICTY pronounced Erdemovic mentally impaired and unfit for further trial on June 27, 1996. Yet, only several days later, on July 5, 1996, Erdemovic, still formally under indictment, appeared as a witness of the Prosecution in the process against Bosnian Serb leader Radovan Karadzic and commander of the Bosnian Serb army, General Ratko Mladic. Even though the ICTY had just deemed Erdemovic “unfit to be questioned,” the “unverified and unchallenged (and unchallengeable) testimony of this sick man and mass killer still facing his own trial and sentencing” (Prof. Edward Herman) was used to issue arrest warrants for Karadzic and Mladic.

Erdemovic was initially arrested by Yugoslav authorities on March 3, 1996, and almost immediately indicted, but was turned over to the ICTY under U.S. and ICTY pressure and on his own insistence on March 30, 1996.

Erdemovic’s contradictory and inconsistent testimony has been analyzed and exposed in detail in the book “Star Witness,” by Germinal Chivikov, a Bulgarian journalist who reported on the trial in the ICTY for German state radio Deutsche Welle.

One of the key matters that discredit Erdemovic is the fact that, on the very location where he testified that he participated in the execution of “about 1,200 prisoners,” ICTY forensic teams unearthed a total of 127 remains of potential victims, of which 70 with blindfolds and/or ligatures, which would indicate death by execution.

Nevertheless, this glaring inconsistency did not prevent the ICTY from continuing to use Erdemovic as its “star witness” regarding Srebrenica.

Also, Erdemovic was not even able to confirm before the ICTY the exact date of the “massacre” in which he allegedly participated, alternatively offering both July 16 and July 20, 1995, as the possible dates.

Erdemovic could not even offer consistent testimony regarding the rank he held at the time of his alleged crime, alternatively claiming that he was either a sergeant or had been demoted to ordinary private.

Finally, to this day, Erdemovic “cannot remember” who issued the order for the executions in which he allegedly took part. In his version, it was “some lieutenant-colonel”, who has still not been identified after almost 20 years.

Some, but not all of Erdemovic’s named accomplices were subsequently convicted, but not by the ICTY, but by the Bosnia-Herzegovina War Crimes Court in 2012.

Franc Kos, Stanko Kojic, Vlastimir Golijan and Zoran Goronja were sentenced to varying prison terms for executions carried out at the Branjevo farm. What is especially interesting is the fact that neither they nor any of the other seven accomplices, or two superiors in the chain of command named by Erdemovic, were ever indicted by the ICTY or even called to testify as witnesses, probably because the ICTY was unwilling to run the risk of hearing testimonies that would contradict that of its “star witness.” Think about it: the accomplices in what is alleged to be “the gravest crime in post-WW II Europe” – have never been a subject of interest by the international tribunal in charge of the case. This would be akin to any criminal court ignoring all the participants in a group killing, and issuing a warrant for the arrest and interrogation of only one member of the group, without being interested in hearing testimony from the other accomplices.

Erdemovic and his accomplices were members of a Bosnian Serb military unit, the “10th Sabotage Detachment,” a multi-ethnic unit comprising Serbs, Croats, Muslims and a Slovenian, whose chain-of-command links with the Bosnian Serb army have never been established, and whose members were, according to testimony before the ICTY, on a 10-day leave from service at the time the alleged executions took place. A number of the unit members were clearly mercenaries, engaged by French interests in Africa after the war in Bosnia-Herzegovina. Erdemovic himself testified to having received up to 12 kilos of gold for certain “services rendered,” which is simply not the way that regular military units operate.

### **3. What judgments has the ICTY passed against others sentenced for crimes or “genocide” in Srebrenica?**

Dragan Obrenovic (2003), sentenced to a 17-year prison term for persecution of the Muslim population of Srebrenica, after a plea bargain with the Prosecution.

Vidoje Blagojevic (2005), as accessory to murder, persecution and inhumane treatment, sentenced to 15 years in prison.

Dragan Jokic (2005), as accessory to extermination and crimes against humanity, sentenced to 9 years in prison.

Vujadin Popovic (2010), for genocide and crimes against humanity, life sentence.

Ljubisa Beara (2010), for genocide and crimes against humanity, life sentence.

Drago Nikolic (2010), as accessory to genocide and crimes against humanity, sentenced to 35 years in prison.

Radivoje Miletic (2010), for crimes against humanity and violation of the laws or customs of war, sentenced to 18 years in prison.

Vinko Pandurevic (2010), for crimes against humanity and violation of the laws or customs of war, sentenced to 13 years in prison.

Ljubisa Borovcanin (2010), for crimes against humanity and violation of the laws or customs of war, sentenced to 17 years in prison.

None of the above individuals was either accused or convicted of executing war prisoners, but on the basis of “command responsibility” and the controversial “Joint Criminal Enterprise” (JCE) doctrine developed by the ICTY, for which the legal experts have adopted an apt translation: “Just Convict Everybody.” Using this convenient legal device, the ICTY has been able to convict even people who had no knowledge of crimes having been committed, much less having participated in them, or having given orders for them.

#### **4. After almost 20 years of trial proceedings, has the ICTY established who gave the orders for the execution of prisoners of war?**

No. In his separate and partly dissenting opinion in the Appeals Judgment in the Tolimir case (April 2015), Appeals Chamber judge Jean-Claude Antonetti wrote that, if any of the victims’ family members were to ask him who ordered the executions and why, he would be unable to answer (Appeals Judgment, p. 400). No other ICTY judge has challenged this assessment.

In addition to this, there is another widely publicized testimony that simply must not be ignored if we are to place the entire Srebrenica tragedy in a proper context, and try, in good faith, to get to its root causes.

On several occasions and by way of various media, Hakija Meholic, former Srebrenica police chief and member of its wartime presidency, has quoted the words of Alija Izetbegovic, the wartime Bosnian Muslim president, spoken in Meholic’s presence at a meeting in Sarajevo in 1993, which were summed up in the following UN Report:

*“Some surviving members of the Srebrenica delegation have stated that President Izetbegovic also told that he had learned that a NATO intervention in Bosnia and Herzegovina was possible, but could occur only if the Serbs were to break into Srebrenica, killing at least 5,000 of its people. President Izetbegovic has flatly denied making such a statement.”* [The Fall of Srebrenica (A/54/549), Report of the Secretary-General pursuant to General Assembly resolution 53/35, November 15,

1999, par. 115.] Meholjic continues to claim to this day that he was one of nine witnesses that heard Izetbegovic say this, and that this was an offer directly communicated to Izetbegovic by then U.S. President Bill Clinton. Perhaps this is why another wartime Srebrenica leader, Ibran Mustafic, on the occasion of Clinton's 2003 visit to Srebrenica, stated that it was a case of "the criminal returning to the scene of his crime."

## **5. How many bodies have been buried thus far at the Potocari Memorial Center near Srebrenica, the cemetery reserved for the Muslim victims from July 1995?**

As of 2015, approximately 6,300 "names" have been buried at the cemetery (making substantial progress toward the number of 8,372 inscribed on the Memorial monument, although the basis for this figure is unclear). The burial procedure is completely controlled by the Institute for Missing Persons of Bosnia-Herzegovina, based in Sarajevo, and the Muslim religious authorities who, under the pretext of respect for religious rules and prescriptions, have not allowed any third party access to the contents of the coffins, just as they have not allowed any independent examination of the interred remains. This means that even ICTY indictees' defense teams have been denied access to independent confirmation of the identity of the human remains buried in Potocari.

As an illustration of the opaque nature of the Potocari Memorial Center and the dark games that surround it, it is instructive to read the words of Hasa Omerovic, a Bosnian Muslim woman who lost her husband, father and brother around Srebrenica in July 1995, but who has refused to have her husband buried at the Potocari Memorial Center cemetery:

*"There are other families that have avoided speaking out, but who have quietly, at their own expense, buried their loved ones in other places, outside of Potocari. There are also people buried in Potocari who were not killed in 1995, who were soldiers or commanders. They are buried in Potocari, and their monuments are the same as those of the people who were indeed killed in July 1995. Also buried there are those killed in internecine or other types of battles. That was the dirtiest war, waged by Mafiosi, not by normal people."*

("Hasa Omerovic – another Face of Srebrenica," *Novi Reporter* magazine, Banja Luka, Bosnia-Herzegovina, March 2, 2011.)

And one of the founders of the main Bosnian Muslim political party, and long-time member of the Organization Committee for Srebrenica Remembrance, Ibran Mustafic, says:

*"For a long time, Srebrenica has been an object of manipulation, and the chief manipulator is Amor Masovic (president of the Commission for Search of the Missing of the B-H Federation), whose plan was to live off the victims of Srebrenica for the next 500 years. There are also many others, who were close to Izetbegovic, who as early as the summer of 1992 started their project of maximally pumping up the numbers of Bosnian victims."*

(“Mustafic: More than 500 Bosnian Muslims in Srebrenica Were Killed by Bosnian Muslims,” *Politika* daily newspaper, Belgrade, Serbia, February 20, 2013.)

## **6. Has it been definitely ascertained that all the bodies buried at the Potocari Memorial Center are “Srebrenica victims”?**

No. Other than forensic personnel of the ICTY and the ICMP (International Commission on Missing Persons) in Tuzla, under the control of the U.S. Government, no one has access to the bodies or the right to independently verify them.

Demographic data and ICTY judgments fail to mention combat casualties among the 28<sup>th</sup> Division of the Bosnian Muslim army – which had been based in the Srebrenica “demilitarized zone” during the previous three years – during its breakout through Bosnian Serb army lines toward the northern Bosnian city of Tuzla in mid-July 1995. On the average, UN reports and other competent sources estimate the number of these battle casualties to be around 3,000. It must be emphasized that these deaths, while doubtlessly tragic, are casualties of war and cannot be classified as victims of war crimes.

Mirsad Tokaca, director of the Information and Documentation Center in Sarajevo, stated in 2010 that “about 500 living residents of Srebrenica,” previously classified as “missing,” have been found, along with “70 persons buried at the Potocari Memorial Centre, who were not killed in Srebrenica.”

Ibran Mustafic, a Bosnian Muslim official from Srebrenica, has stated that about 1,000 people were killed in internecine battles during their withdrawal from Srebrenica in July 1995.

In his book, “Srebrenica Testifies and Accuses” (1994, pp. 190-244), commander of the Muslim forces in Srebrenica, Naser Oric published the names of 1,333 men from the supposedly demilitarized Srebrenica enclave who were killed in battles prior to the fall of Srebrenica in July 1995, when Oric’s units regularly launched murderous raids on surrounding Serb villages. Yet, many of these have been classified and buried as “genocide victims.”

Director of the Potocari Memorial Center, Mersed Smajlovic, and director of the Center for Missing Persons of Bosnia-Herzegovina, Amor Masovic, have admitted that about 50 persons who were killed in 1992, but who are “closely related” to persons classified as execution victims, are buried in the Potocari Memorial Center cemetery.

Former Srebrenica police chief Hakija Meholic has stated that he is “angry at all those” responsible for the burial of 75 people who were not killed in July 1995 in the Potocari Memorial Center cemetery.

American Philip Corwin, the highest ranked UN civil official on the ground in Bosnia-Herzegovina in July 1995, has consistently claimed over the years that “700-800” people were executed in the vicinity of Srebrenica at that time.



Yossef Bodansky, Director of the Congressional Task Force on Terrorism and Unconventional Warfare of the U.S. House of Representatives from 1988 to 2004, has referred to the figure of 7,000 Srebrenica victims as “disinformation”, adding that “all independent forensic evidence points to Muslim casualties in the hundreds, possibly the low hundreds. Continued emphasis on such allegedly high numbers of Muslim deaths at Srebrenica also obfuscates the Muslim murders in that city, earlier, of Serb civilians.”

(International Strategic Studies Association Special Report, “Osama bin Laden Focuses on the Balkans for the New Wave of Anti-Western Terrorism,” August 29, 2003.)

## **7. How many people were killed in battles around Srebrenica in July 1995?**

ICTY expert witness Richard Butler has estimated that about 2,000 Bosnian Muslim fighters were killed; Portuguese officer and UN observer Carlos Martins Branco also estimates 2,000 Bosnian Muslim fighters killed; U.S. National Security Agency analyst John Schindler gives an estimate of 5,000 Bosnian Muslim fighters killed; former UN and EU envoy and high official Carl Bildt gives an estimate of 4,000 Bosnian Muslim fighters killed in his memoirs; the UN has estimated the number of Bosnian Muslim fighters killed to be around 3,000. All these estimates invariably point to the fact that a significant number of missing persons on the Bosnian Muslim side – who are nevertheless consistently being labeled by Western officials and media as “genocide victims” – were killed in battle, as legitimate casualties of war, not as victims of “genocidal” executions.

## **8. According to forensic evidence gathered under ICTY supervision, how many persons have been identified as indisputable victims of executions carried out in July 1995?**

The exhumation of human remains from various graves that could potentially, although not necessarily, be linked with events in Srebrenica in July 1995, was under the control of the ICTY only between 1996-2001. In that period, a total of 3,568 “cases” were processed and classified. However, it should be noted that one “case” does not necessarily equal one body, but may only represent a body part. In fact, almost 44,4 % of the “cases” referred to a single body part, often just a bone. Forensic analysis of these “cases” has yielded the following results:

- Only 442 exhumed bodies could be classified as indisputable execution victims, as they had either blindfolds or ligatures;
- 627 bodies had shrapnel or other metal fragment injuries, which points to death in combat rather than execution;
- 505 bodies had bullet injuries, which may indicate death by execution, but also death in battle;
- cause of death could not be determined for 411 bodies;

- 1,583 of the “cases” represented only body fragments, and ICTY forensic experts concluded that cause of death could not be determined for 92.4% of them;

- in order to gain the closest estimate of the number of bodies among the 3,568 “cases”, a method was used by which left and right thigh bones (femurs) were matched, giving a total of 1919 right femurs and 1923 left femurs, which means that the total number of bodies was under 2,000.

To sum up: original forensic reports, produced under ICTY supervision and control between 1996-2001, indicate the presence of less than 2,000 bodies. However, upon closer examination, it is clear that most of the bodies represent victims of battle or other undetermined causes of death – rather than “execution victims.”

Since 2002, mass grave exhumation and body identification has been under the exclusive control of the State Department-founded and Western-financed International Commission on Missing Persons (ICMP) and the Commission for Missing Persons of Bosnia-Herzegovina. No one from the general public, independent media or any independent expert organization has ever been allowed independent access to the working area of the main forensic laboratory in Tuzla, where the data is “processed,” nor is the work conducted there transparent and open to independent international verification.

The personnel of these organizations have radically expanded the scope of their exhumation work since 2002, extending it to a broad regional area around Srebrenica, without distinguishing between graves of potential execution victims and those containing the remains of battle casualties incurred by the 28<sup>th</sup> Division of the Bosnian Muslim army in battles against Bosnian Serb forces, during their push toward Bosnian Muslim-controlled territory.

Finally, with great media fanfare, another methodology designed to arrive at the widely publicized figure of “8,000 genocide victims” has been adopted during the past several years – the effort to match DNA samples of exhumed victims and their family members. As a result, graves containing human remains of various type and origin, often far removed from any sort of “war crime,” are now being used as unlimited repositories of “genocide victims” whose remains are ceremonially buried by the hundreds each July 11 in the Potocari Memorial Center cemetery.

This is highly misleading. DNA matching cannot determine the time, cause and method of death, but only identity of the body. This was even confirmed by ICMP director Thomas Parsons, under cross-examination, at the Karadzic trial on March 22, 2012:

*“The ICMP does not concern itself with whether -- with the legal question of how these people were killed or -- particularly with whether their deaths were lawful or not. I'm reporting on the identifications that have been made with regard to mortal remains recovered from these graves” (Karadzic trial, transcript, p. 26633).*

Since it is an established fact that, along with executions that did take place, fierce battles were being waged in the immediate vicinity, along a 60 kilometer long trail between Srebrenica and Tuzla, it is obvious that mere identification of bodies found in the area, be it by DNA-based or any other methodology, is useless for the purposes

of criminal investigation and, especially, the legal qualification of the cause of death. Nothing can replace sound, responsible, independently verifiable forensics.

The ICMP has claimed that a total of about 6,600 missing persons have been identified by name, through the method of DNA matching. For its part, the ICTY has implicitly accepted this number to represent the number of execution victims. If such a list of names does exist, no one has been able to see it or was allowed to trace its origins. Defense teams of Srebrenica-related indictees before the ICTY have been denied the right to independently verify the existence of such persons, and to investigate whether these persons are in fact deceased, or may still be living.

Regardless of all these considerations, Western media and political interests have continued to try to impose the equation: DNA-based identification = “genocide victim.” This simply is not true.

### **9. How many Serbs from Srebrenica and its vicinity were killed by Bosnian Muslim forces operating from Srebrenica between spring 1992 and July 1995?**

According to data provided in the study *Serbian Victims of Srebrenica, 1992-1995*, conducted under strict criteria in accordance with accepted international legal standards for defining civilian victims, and published by the Dutch-based NGO “Srebrenica Historical Project,” 705 Serb civilians were killed on the territory of Srebrenica during that time period. It must be emphasized that this number is not final.

The “Institute for Research of Serb Suffering in the 20<sup>th</sup> Century” has published a list of names of over 3,200 total Serb victims of Bosnian Muslim forces operating under the command of Srebrenica commander Naser Oric between 1992-1995, covering the area of the municipalities of Zvornik, Osmaci, Sekovici, Vlasenica, Milici, Bratunac and Srebrenica.

### **10. Has anyone been convicted by the ICTY for these crimes against the Serb population?**

No one has been convicted for crimes committed against Serb civilians in the Srebrenica region between 1992-1995, when several thousand were killed, including women, children and the elderly, some after savage torture and butchering. The ICTY indicted Naser Oric, commander of the Bosnian Muslim forces in Srebrenica, but he was acquitted for “lack of evidence,” despite the fact that he talked freely about the killing of Serb civilians to some Western mass media outlets before 1995. Here are two such reports:

1. *“SREBRENICA, Bosnia: Nasir Oric's war trophies don't line the wall of his comfortable apartment-- one of the few with electricity in this besieged Muslim enclave stuck in the forbidding mountains of eastern Bosnia. They're on a videocassette tape: burned Serb houses and headless Serb men, their bodies crumpled in a pathetic heap.*

*'We had to use cold weapons that night,' Oric explains as scenes of dead men sliced by knives roll over his 21-inch Sony. 'This is the house of a Serb named Ratso,' he offers as the camera cuts to a burned-out ruin. 'He killed two of my men, so we torched it. Tough luck.'*

*Reclining on an overstuffed couch, clothed head to toe in camouflage fatigues, a U.S. Army patch proudly displayed over his heart, Oric gives the impression of a lion in his den. For sure, the Muslim commander is the toughest guy in this town, which the U.N. Security Council has declared a protected 'safe area.'"*

*("Weapons, Cash and Chaos Lend Clout to Srebrenica's Tough Guy," John Pomfret, Washington Post Foreign Service, *The Washington Post*, February 16, 1994.)*

*2. "Oric, as blood-thirsty a warrior as ever crossed a battlefield, escaped Srebrenica before it fell. Some believe he may be leading the Bosnian Muslim forces in the nearby enclaves of Zepa and Gorazde. Last night these forces seized armored personnel carriers and other weapons from U.N. peacekeepers in order to better protect themselves.*

*Oric is a fearsome man, and proud of it.*

*I met him in January, 1994, in his own home in Serb-surrounded Srebrenica.*

*On a cold and snowy night, I sat in his living room watching a shocking video version of what might have been called Nasir Oric's Greatest Hits.*

*There were burning houses, dead bodies, severed heads, and people fleeing.*

*Oric grinned throughout, admiring his handiwork.*

*'We ambushed them,' he said when a number of dead Serbs appeared on the screen.*

*The next sequence of dead bodies had been done in by explosives: 'We launched those guys to the moon,' he boasted.*

*When footage of a bullet-marked ghost town appeared without any visible bodies, Oric hastened to announce: 'We killed 114 Serbs there.'*

*Later there were celebrations, with singers with wobbly voices chanting his praises."*

*("Fearsome Muslim warlord eludes Bosnian Serb forces," by Bill Schiller, *The Toronto Star*, July 16, 1995.)*

*Neither these nor other, much more graphic and direct witness testimonies, were deemed sufficient by the ICTY to convict Oric.*

## **11. Was Srebrenica truly demilitarized, in line with its UN Protected Area status?**

*In spite of the agreement reached in May 1993, according to which the Srebrenica enclave was declared a UN "safe area," it was never demilitarized, as reflected in the following statements:*

1. Report of the UN General Secretary of May 30, 1995:

*"In recent months, government forces have considerably increased their military activity in and around most safe areas, and many of them, including Sarajevo, Tuzla, and Bihac, have been incorporated into the broader military campaign of the government's side... The government also maintains a substantial number of troops in Srebrenica (in this case a violation of a demilitarization agreement) Gorazde and Zepa, while Sarajevo is the location of the General Command of the government army and other military installations."*

(U.N. document S/1995/444.)

2. Yasushi Akashi, former UN Chief of Mission in Bosnia-Herzegovina, in an article for the *Washington Times* of November 1, 1995, wrote:

*"It is a fact that the Bosnian government forces have used the 'safe areas' [that were supposed to be demilitarized] of not only Srebrenica, but Sarajevo, Tuzla, Bihac, Gorazde for training, recuperation and refurbishing their troops."*

3. Report of the Netherlands Institute for War Documentation (NIOD), *Srebrenica, a "safe" area*, April 2002:

*"The supposed demilitarisation in the enclave was virtually a dead letter. The Bosnian army (ABiH) followed a deliberate strategy of using limited military actions to tie up a relatively large part of the manpower of the Bosnian Serbian army (VRS) to prevent it from heading in full force for the main area around Sarajevo. This was also done from the Srebrenica enclave. ABiH troops had no qualms about breaking all the rules in skirmishes with the VRS. They provoked fire by the Bosnian Serbs and then sought cover with a Dutchbat unit which then ran the risk of being caught between two fires."*

**12. What was the comparative strength of the Bosnian Serb forces around Srebrenica and the Bosnian Muslim forces inside the "demilitarized zone" in the Srebrenica enclave at the beginning of July 1995?**

The Norwegian documentary film, "Srebrenica: a Town Betrayed," directed by Ola Flyum and David Hebditch (2011) provides the figure of 400 Bosnian Serb army regulars, plus about 1,600 armed locals.

Philip Hammond, "The UK Press on Srebrenica," *Findings of the Srebrenica Research Group*:

*"Perhaps the most interesting explanation was that offered by The Times' Defence Correspondent, Michael Evans, in a July 14 front-page report titled 'Muslim soldiers 'failed to defend town from Serbs', which relied on military and intelligence service sources. The article noted that Bosnian Muslim forces in Srebrenica 'put up only a brief fight...and their commanders left the night before the Serb tanks entered the town'. According to one 'intelligence source': 'The BiH just melted away from Srebrenica and the senior officers left the night before'. Srebrenica had been effectively abandoned 'to a relatively small Serb advancing force'. Challenging*

*other reports that ‘up to 1,500 Serbs were involved in the assault’, Evans cited intelligence estimates that ‘the main attack was carried out by a force of about 200, with five tanks’. According to one of his unnamed intelligence sources: ‘It was a pretty low-level operation, but for some reason which we can’t understand the BiH (government) soldiers didn’t put up much of a fight’. This description of a ‘pretty low-level operation’ stands in marked contrast to the co-ordinated campaign of genocide suggested by later coverage.”*

As for the strength of Bosnian Muslim forces, the Norwegian documentary speaks of their numbering “about 5,500 soldiers.”

Muslim General Sefer Halilovic has testified at the ICTY that there were at least 5,500 Bosnian Muslim Army soldiers in Srebrenica after it had obtained the “safe area” status, and that he had personally arranged numerous deliveries of sophisticated weapons by helicopter.

This is corroborated by John Schindler, former chief analyst for Bosnia-Herzegovina at the U.S. National Security Agency (NSA), who stated in the Norwegian documentary that the “demilitarized zone” in Srebrenica was being armed by way of “black flights,” which UN forces were powerless to stop, as the air space over Bosnia-Herzegovina was under NATO, i.e. U.S. control.

Therefore, the Bosnian Muslim forces inside the “demilitarized zone” in Srebrenica were both numerically superior to the Bosnian Serb forces, and very well armed, courtesy of NATO conveniently shutting its eyes. Clearly, the Bosnian Serb forces, both numerically and technically inferior, could not realistically conceive of carrying out any sort of “mass killing” or “genocidal” plan. This is also the conclusion of the Netherlands Institute for War Documentation (NIOD), “Srebrenica, a ‘safe’ area”:

*“With hindsight there are no indications that the increased activity of the VRS in East Bosnia at the beginning of July 1995 was aimed at anything more than a reduction of the safe area Srebrenica and an interception of the main road to Zepa. The plan of campaign was drawn up on 2 July. The attack commenced on 6 July. It was so successful and so little resistance was offered that it was decided late in the evening of 9 July to press on and to see whether it was possible to take over the entire enclave.”*

### **13. What is the main argumentation behind the Western-inspired assertion that “genocide” took place in Srebrenica?**

The first major judgment of the ICTY, which made the greatest contribution to the construction of the “official version,” according to which “genocide” was committed in Srebrenica in July 1995, was in the case of Bosnian Serb army general Radislav Krstic, brought in August 2001.

As British professor Tara McCormack summed up the judgment against Krstic:

*“Joint criminal enterprise is a new category that does not entail proving that the accused had any direct intent to commit, or knowledge of, the crime. At Krstic’s trial it was established that Krstic did not know of any murders that were being committed, and in no way participated. Moreover, the ICTY also accepted that*

*Krstic had personally given orders that Bosnian Muslim civilians were not to be harmed. His conviction was based on the grounds that he had participated in a 'criminal enterprise', the capture of Srebrenica."*

(*"How Did Srebrenica Become a Morality Tale," Spiked-online, August 3, 2005.*)

In the words of Michael Mandel, Professor of International Law at York University in Toronto:

*"But if the Krstic case stands for anything, it stands for the fact that genocide did not occur at Srebrenica. And the Court's conclusion that it did can only be considered a legal form of propaganda and another contribution to the spreading impression of the Tribunal as more a 'political tool' than a 'juridical institution', to paraphrase its most famous defendant.*

*The Tribunal's claim that genocide occurred at Srebrenica was not supported by the facts it found or by the law it cited. Even the Trial Chamber's conclusion that 'Bosnian Serb forces executed several thousand Bosnian Muslim men [with the] total number of victims ... likely to be within the range of 7,000 -8,000 men' was not supported by its explicit findings. The number of bodies exhumed amounted to only 2,028, and the Chamber conceded that even a number of these had died in combat, in fact going so far as to say that the evidence only 'suggested' that 'the majority' of those killed had not been killed in combat: 'The results of the forensic investigations suggest that the majority of bodies exhumed were not killed in combat; they were killed in mass executions.'"*

(*"The ICTY Calls it 'Genocide,'" Srebrenica Research Group, 2005.*)

Efraim Zuroff, Director of the Simon Wiesenthal Center and certainly a leading authority on what constitutes genocide, had this to say about the Srebrenica "genocide" qualification in June 2015, in a statement given to the Belgrade daily *Politika*:

*"As far as I know, what happened there does not fit the description or definition of genocide and I think that the decision to call this genocide was adopted for political reasons."*

#### **14. Did a Republika Srpska Government Commission truly "admit genocide" in its 2004 Report?**

No. In its report, the Commission used the term "genocide" only in quoting the ICTY judgment against Bosnian Serb army general Radislav Krstic. The Commission did not accept the figure of "8,000 executed prisoners," instead concluding that there was a list of 7,108 names of persons reported as missing between July 10-19, 1995. The Commission also did not state that all the persons on the list were killed or missing. Instead, it stated that the list contains persons killed in war operations prior to 1995, as well as those that died of natural causes, while others were found to have changed their identity and place of residence, or to be serving prison sentences for criminal activity.

The report itself was produced under highly irregular circumstances, under direct pressure of the High Representative for Bosnia-Herzegovina, Paddy Ashdown, as described by University of Pennsylvania professor emeritus Edward Herman:

*“The Bosnian Serbs actually did put out a report on Srebrenica in September 2002, but this report was rejected by Paddy Ashdown for failing to come up with the proper conclusions. He therefore forced a further report by firing a stream of Republica Srpska politicians and analysts, threatening the RS government, and eventually extracting a report prepared by people who would come to the officially approved conclusions. This report, issued on June 11, 2004, was then greeted in the Western media as a meaningful validation of the official line—the refrain was, the Bosnian Serbs “admit” the massacre, which should finally settle any questions.”*

(“The Politics of the Srebrenica Massacre,” July 7, 2005, *Global Research.org*)

As a reminder, according to general and international law, acts committed under coercion cannot be considered to be legitimate.

## **Conclusions**

After 20 years, for all the media attention and limelight, the only conclusion that can be made with certainty is that nothing certain has been determined when it comes to Srebrenica. The number of victims of war crimes is yet to be determined, as is the number of total victims, on both the Bosnian Muslim and the Bosnian Serb side. The main reason for this failure lies in the fact that, in the case of Srebrenica, politics and pragmatic interests have trumped justice and the pursuit of truth. Only an independent, representative, international truth commission on Srebrenica could establish the full truth. It is high time that such a commission was established.

To summarize, this is what is known about Srebrenica, after 20 years:

- There is no established connection between prisoner executions and official structures of either the Republic of Serbia or Republika Srpska;
- Prisoner executions that did take place were carried out by a small number of people, of various nationalities, which lays waste to claims of any sort of collective “Serbian guilt” regarding Srebrenica;
- The number of prisoners for which it can be said with a great degree of certainty that they were victims of execution – is from 10 to 20 times lower than the number of “7,000-8,000” constantly being uncritically promoted in the mass media. The only plausible reason for this unfounded exaggeration is the intent to artificially build an image of collective “Serb guilt” as justification for permanent meddling in the Balkans, as well as justification for Western intervention worldwide, on “humanitarian grounds,” to “prevent new Srebrenicas”;
- The thus far proven number of executed prisoners, who were killed by persons who have either been sentenced to prison terms, or were subsequently engaged as Western mercenaries in Africa, is lower than the number of murdered and butchered Serb civilians in Srebrenica and its vicinity – a crime for which no one has answered, nor is anyone seeking to attach the “genocidal” label to Bosnian Muslims for it.



Therefore, Serbia, Republika Srpska and the Serbian people as a whole are not obliged to apologize collectively for everything that happened in Srebrenica, not just in July 1995, but during the entire time of the civil war in Bosnia-Herzegovina, between 1992-1995.

If any apologies and admissions of guilt are due, they are due from a) U.S. officials who continually sabotaged efforts to reach a peaceful solution in Bosnia-Herzegovina, from the failed Lisbon Plan in March 1992, by which the Bosnian Serbs were even willing to accept an independent Bosnia-Herzegovina and separation from ex-Yugoslavia, to the Owen-Stoltenberg Plan of 1993,

b) the Bosnian Muslim leadership headed by former president Alija Izetbegovic, which refused the above peace initiatives, actively imported thousands of mujahedeen fighters into Bosnia-Herzegovina during the war, and took deliberate actions that sabotaged peace efforts in order to provoke U.S. led intervention in Bosnia-Herzegovina and the Balkans, and

c) all those who are obstructing efforts to arrive at the real, unadulterated truth regarding Srebrenica, as the only way forward to achieving genuine justice, punishing the truly guilty and opening the way to sincere and lasting reconciliation in the Balkans.

Belgrade, Den Haag, Washington

July 2015