



Humanitarian Law Center

Dossier: Deportation of Srebrenica Refugees

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Abbreviations:

Army of BiH	Army of Bosnia and Herzegovina
BiH	Bosnia and Herzegovina
<i>BiH v. Serbia</i>	International Court of Justice: Application of the Convention on the Prevention and Punishment of the Crime of Genocide (<i>Bosnia and Herzegovina v. Serbia and Montenegro</i>)
Ex.	Exhibit number (number designated for the exhibits presented before the International Criminal Tribunal for the Former Yugoslavia)
FRY	Federal Republic of Yugoslavia
HLC	Humanitarian Law Center
ICJ	International Court of Justice of the United Nations
ICRC	International Committee of the Red Cross
<i>Karadžić</i>	International Criminal Tribunal for the Former Yugoslavia, Case No. IT-95-5/18-T, <i>The Prosecutor against Radovan Karadžić</i>
MUP	Ministry of the Interior of the Republic of Serbia
OUP	Internal Affairs Department of the Ministry of the Interior of the Republic of Serbia
<i>Perišić</i>	International Criminal Tribunal for the Former Yugoslavia, Case No. IT-04-81, <i>The Prosecutor against Momčilo Perišić</i>
PJP	Special Police Units of the Ministry of the Interior of the Republic of Serbia
<i>Popović et al.</i>	Case No. IT-05-88-T, International Criminal Tribunal for the Former Yugoslavia: <i>The Prosecutor against Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Radivoje Miletić, Milan Gvero and Vinko Pandurević</i>
SUP	Secretariat of Internal Affairs of the Ministry of the Interior
<i>Tolimir</i>	International Criminal Tribunal for the Former Yugoslavia, Case No. IT-05-88/2-T: <i>The Prosecutor against Zdravko Tolimir</i>
UN	The United Nations
VJ	Yugoslav Army
VRS	Army of Republika Srpska



Summary

After the fall of Srebrenica on 11 July, 1995, an estimated 7,905 persons disappeared, mostly men considered by the Army of Republika Srpska as “able-bodied”.¹ DNA analysis of the mortal remains of those found in mass graves, to date, has enabled positive identification of 5,977 persons killed in Srebrenica.²

Most of these men were killed between 13 and 16 July 1995, in mass executions at several locations: in a warehouse in Kravica, on 13 July (between 755 and 1,106 victims); in Orahovac, on 14 July (at least 841 victims); near the dam in Petkovci, on 14 July (at least 815 victims); in Kozluk, on 16 July (at least 815 victims); at Branjevo Military Farm, on 16 July (approximately 1,200 victims); and in the Cultural Centre in Pilica, on 16 July (approximately 500 victims).

A day before the fall of the enclave, between ten and sixteen thousand men fled into the forests around Srebrenica, intending to reach the “liberated territory” under the control of the Army of BiH. The search for, capture and killing of these men continued for weeks after the fall of Srebrenica.

A number of these men crossed into the territory of the Federal Republic of Yugoslavia (FRY). Evidence that has been publicly available at least since 2005³ shows that the FRY border guards handed all captured men back to the Army of Republika of Srpska (VRS), contrary to the Republic of Serbia’s international commitment not to return persons to their country of origin, BiH in this case, where their life or health could be at serious risk (*non-refoulement* principle).

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Even though there are indications that more Srebrenica inhabitants arrested in Serbia were handed back to the VRS,⁴ the Humanitarian Law Center (HLC) has collected evidence on the apprehension of 30 men from Srebrenica between 15 July and 1 August, 1995.⁵ They were all turned over to the VRS. Some of these apprehended men harmed themselves in order to avoid being deported, but were deported nonetheless. The mortal remains of 15 deported men were found in the Srebrenica mass graves, while nine others are still reported as missing.

1 A report drafted by Ewa Tabeau, which includes a list of the Srebrenica-related missing for the International Commission on Missing Persons, p. 1, 6, Ex. P5004, *Karadžić*. See also ICTY Trial Judgment in *Karadžić*, 24 March 2016, para. 5578.

2 Dušan Janc, “*Updated Forensic Evidence Summary – Exhumation of graves and surface remains in connection with Srebrenica – January 2012*”, pp. 2, 5, Ex. P4772, *Karadžić*. See also ICTY Trial Judgment in *Karadžić* of 24 March 2016, para. 5599.

3 Emir Suljagić, “New Evidence Links Serbia to Srebrenica Massacre”, IWPR, 9 November 2005, available at <https://iwpr.net/global-voices/new-evidence-links-serbia-srebrenica-massacre>, accessed on 6 June 2017.

4 See, e.g., HLC report “*Violations of the rights of refugees in Serbia and Montenegro*”, November 9, 1996 available at <http://www.hlc-rdc.org/wp-content/uploads/2015/11/Pod-lupom-Kr%C5%A1enje-prava-izbeglica-u-SCG1.pdf>, accessed on 16 June 2017; Emir Suljagić, “New Evidence Links Serbia to Srebrenica Massacre”, IWPR, 9 November 2005, available at <https://iwpr.net/global-voices/new-evidence-links-serbia-srebrenica-massacre>, accessed on 6 June 2017.

5 Most of the material that this dossier is based on has been presented as exhibits before the ICTY and may be accessed through the ICTY Court Records at the ICTY’s webpage: <http://icr.icty.org>.



Only six of the refugees survived, and were handed over to the Bratunac Brigade of the VRS on July 23, and thereupon, outside of the procedural pattern applied to the others, imprisoned in the Batković camp near Bijeljina.

This is how Serbia treated the refugees from Srebrenica until 1 August 1995, when due to pressure from the international community, it stopped turning over the Bosniak refugees from eastern Bosnia, despite the continuing demands of the VRS. At the beginning of August, Serbia detained approximately 800 refugees from another “safe area,” that of Žepa, in two detention camps – Šljivovica and Mitrovo Polje in western Serbia.

On the basis of a large amount of evidence presented before the International Criminal Tribunal for Former Yugoslavia (ICTY) and the International Court of Justice (ICJ), these two courts found beyond doubt that at the time the deportations took place, the leaders of the Serbian Government knew of the mass killings in Srebrenica. By turning over the men who had fled Bosnia to the VRS with the knowledge that they were likely to be killed, Serbia violated a number of its international obligations, which entails, among other things, the responsibility of the state for international crimes.

No court, national or international, has ever addressed the individual criminal responsibility of any member of Serbian state organs or its leadership, or the responsibility of the state itself, for the events described in this Dossier.



Introduction

Declaration of Srebrenica as a “safe area”

Srebrenica is a town in the Podrinje Region. Following the outbreak of the armed conflict in BiH, this region became of strategic importance to the Bosnian Serbs, because it connected Bosanska Krajina and the more southern parts of Herzegovina where Bosnian Serbs lived.⁶

At its 16th Session held on 12 May 1992, the Bosnian Serb Assembly discussed the “Decision on strategic objectives of the Serbian People in BiH”, which set out six strategic objectives, including “establishing a corridor in the Drina River Valley, that is, eliminating the River Drina as a border separating Serb states.”⁷

With this objective in mind, Ratko Mladić, the Commander of the VRS Main Staff, issued Directive no. 4 in November 1992 ordering the Drina Corps to: “[...] defend Višegrad (the dam), Zvornik and the corridor, while the rest of its forces in the wider Podrinje region shall exhaust the enemy, inflict the heaviest possible losses on him and force him to leave the Birač, Žepa and Goražde areas together with the Muslim population. First offer the able-bodied and armed men the chance to surrender, and if they refuse, destroy them.”⁸

On 24 November 1992, the Commander of the Drina Corps Milenko Živanović, in pursuance of Directive 4, issued a directive for further operations to the Command of the Zvornik Brigade, ordering an attack “to force the Muslim population to abandon the Cerska, Žepa, Srebrenica and Goražde areas”⁹

As large groups of Bosnian Muslims fled into Srebrenica in the aftermath of VRS operations in eastern Bosnia, its population swelled to tens of thousands. While advancing on Srebrenica in early 1993, the VRS cut off water supplies to the enclave; food, medicine, and other essentials were also extremely scarce, creating terrible living conditions.¹⁰

This situation led the UN Security Council to pass its Resolution 819 on 16 April 1993, which demanded that “all parties [...] treat Srebrenica and its surroundings as a ‘safe area’ which should be free from any armed attack or any other hostile act”, calling for “the immediate cessation of armed attacks by Bosnian Serb paramilitary units against Srebrenica and their immediate withdrawal from the areas surrounding Srebrenica.”¹¹ On 6 May 1993, the UN Security Council passed Resolution 824, by which Žepa and Goražde were also designated as “safe areas.”¹²

6 ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 161.

7 Decision on strategic objectives of the Serbian People in Bosnia and Herzegovina, 12 May 1992, Ex. P22, *Tolimir*.

8 Directive 4 of 19 November 1992, p. 5, Ex. P2495, *Tolimir*.

9 Drina Corps Command decision on further operations of 24 November 1992, para. 1, Ex. P2434, *Tolimir*.

10 ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 174; ICTY Trial Judgment in *Perišić* of 6 September 2011, para. 601.

11 UN Security Council Resolution 819 of 16 April 1993, Ex. P2134, *Tolimir*.

12 UN Security Council Resolution 824 of 6 May 1993, Ex. P2135, *Tolimir*.



On 8 May 1993, Ratko Mladić and the Commander of the Army of BiH Sefer Halilović, signed an agreement on the demilitarisation of Srebrenica and Žepa, which called for the enclaves to be disarmed under UNPROFOR supervision.¹³ However, as neither the Army of BiH nor the VRS fulfilled their parts of the agreement, the demilitarisation was never fully realised.¹⁴

On 8 March 1995, Radovan Karadžić issued Directive 7, which set out the objectives of the VRS.¹⁵ One of the objectives was to completely separate Srebrenica from Žepa by means of the Drina Corps, in order to prevent communication between the two enclaves, and “by planned and well-thought-out combat operations to create an unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica and Žepa.”¹⁶ This included restricting the supply of basic resources to the enclaves:

“The relevant State and military organs responsible for work with UNPROFOR and humanitarian organisations shall, through the planned and unobtrusively restrictive issuing of permits, reduce and limit the logistics support of UNPROFOR to the enclaves and the supply of material resources to the Muslim population, making them dependent on our good will while at the same time avoiding condemnation by the international community and international public opinion.”¹⁷

On 20 March 1995, the Drina Corps issued an order passing on the objectives set out in Directive 7 to its subordinate units. A little later, on 31 March 1995, Ratko Mladić issued Directive 7/1, which did not include the incriminating parts from Directive 7 referring to creating “an unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica and Žepa”, but set forth in detail the objectives stated in Directive 7 and specified tasks for each corps, including the Drina Corps.¹⁸ In May 1995, the VRS started to prepare for the “liberation of the enclaves.”¹⁹

Over the period leading up to the fall of the enclaves, the VRS, by not approving requests for the passage of humanitarian convoys, managed to drastically restrict humanitarian aid delivery in the Srebrenica, Žepa and Goražde enclaves.²⁰

13 Agreement on demilitarisation of Srebrenica and Žepa, Ex. D21, p. 2, *Tolimir*.

14 Testimony of Evert Rave, 26 October 2010, pp. 6778-6780, 6782-6785, *Tolimir*; Testimony of Momir Nikolić, 5 April 2011, pp. 12310-12311, *Tolimir*; Testimony of Evert Rave, 27 October 2010, p. 6835, *Tolimir*; Testimony of Momir Nikolić, 11 April 2011, p. 12547, *Tolimir*, p. 12547; Report of the UN Secretary General submitted in accordance with General Assembly Resolution 53/35 of 15 November 1999, p. 20, Ex. D122, *Tolimir*; Testimony of Joseph Kingori, 15 September 2010, p. 5402, *Tolimir*.

15 Directive 7 of 8 March 1995, Ex. P1214, *Tolimir*.

16 *Ibid.*, p. 10.

17 Directive 7 of 8 March 1995, Ex. P1214, p. 15, *Tolimir*.

18 ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 191, 1012.

19 Stabilisation of defence around the Žepa and Srebrenica enclaves and conditions for the liberation of the enclaves, Ex. P1217, *Tolimir*; Regular combat report of Drina Corps Commands, dated 16 May 1995, Ex. P2509, *Tolimir*.

20 ICTY Trial Judgment in *Tolimir*, 12 December 2012, paras. 193-201.



At the beginning of 1995, an estimated 42,000 people, including large numbers of refugees from Han Pijesak, Rogatica, Vlasenica, Višegrad and other municipalities in eastern Bosnia, were stranded in Srebrenica.²¹ Without food and water and with scarce medical supplies, the Srebrenica and Žepa safe areas were experiencing a humanitarian crisis of an enormous magnitude.²²

The fall of Srebrenica

In June 1995, the number of VRS troops increased around Srebrenica and the enclave became surrounded on all sides by the VRS.²³ The number of Army of BiH troops, who carried out attacks outside the enclave, targeting VRS-held territory, increased as well.²⁴ The VRS responded by targeting civilians and civilian facilities inside the Srebrenica and Žepa enclaves.²⁵

On 2 July 1995, Milenko Živanović, the then Commander of the Drina Corps,²⁶ issued two orders for the launch of Operation *Krivaja 95*, which laid out the plans for the attack on Srebrenica,²⁷ in compliance with Karadžić's order to "attack Srebrenica."²⁸ The first order states that the Army of BiH has launched an offensive in order to connect the enclaves of Srebrenica and Žepa. The second order states that the task of the VRS units is to split apart the two enclaves and reduce them to their urban areas, pursuant to Directives 7 and 7/1, and "establish conditions for the elimination of the enclaves."²⁹ Combat operations are set to begin on 6 July 1995 at 04.00 hours.³⁰

In the early morning of 6 July 1995, the VRS began shelling the Srebrenica enclave. The shelling continued over the next three days. On 9 July, the VRS troops pressed three kilometres deep into the enclave, halting just one kilometre short of the town of Srebrenica.³¹ Late on 9 July 1995, Karadžić expanded the scope of the original *Krivaja 95* orders, authorising the VRS to capture the town of Srebrenica.³²

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21 Report of the UN military observers of 8 July 1995, p. 1, Ex. P966, *Tolimir*; Testimony of Esmā Palić, 26 April 2011, p. 13284, *Tolimir*; UNPROFOR document, Ex. P580, p. 2, *Tolimir*.

22 ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 242.

23 Testimony of Johannes Rutten, 5 April 2000, pp. 2169-2170, *Krstić*.

24 Testimony of Joseph Kingori, 10 January 2008, p. 19374, *Popović*; Testimony of Cornelis Nicolai, 12 July 2010, pp. 3876-3877, *Tolimir*; Testimony of Momir Nikolić, 4 April 2011, p. 12269, *Tolimir*.

25 Testimony of Cornelis Nicolai, 12 July 2010, p. 3876, *Tolimir*.

26 Radislav Krstić became the Commander of the Drina Corps on July 13, 1995, when the mass executions of men from Srebrenica started. In 2004 he was sentenced by the ICTY to 35 years of imprisonment for, among other things, aiding and abetting the Srebrenica genocide, see the Case Information Sheet available at http://www.icty.org/x/cases/krstic/cis/en/cis_krstic_en.pdf, accessed on 19 June 2017.

27 *Krivaja 95* operation preparatory order dated 2 July 1995, Ex. P1200, *Tolimir*.

28 Testimony of Milenko Lazić, 4 June 2008, p. 21727, *Popović*.

29 Order for active combat operations dated 2 July 1995, Ex. P1202, p. 3, *Tolimir*.

30 *Ibid.*

31 Testimony of Cornelis Nicolai, 13 July 2010, pp. 3905-3906, *Tolimir*.

32 Conduct of combat operations around Srebrenica, 9 July 1995, Ex. D41, *Tolimir*.



The shelling of the town continued into 10 July.³³ That night, about 1,500 fighters of the Army of BiH left the enclave, followed by “able-bodied men”, boys, and a small number of women, children and the elderly.³⁴

During the day of 11 July 1995, the 10th Sabotage Detachment of the VRS³⁵ entered the town of Srebrenica, which marked the fall of the enclave.³⁶ Later in the afternoon, Mladić, Živanović and Krstić took a triumphant walk through the streets of Srebrenica.³⁷ For fear of the VRS, most women, children and elderly headed for the UNPROFOR compound in Potočari.³⁸ By 12 July 1995, approximately 25,000–30,000 Bosnian Muslims gathered in Potočari.³⁹

During 12 and 13 July, the people in Potočari were loaded onto buses, mostly women, children and elderly, prearranged by the VRS.⁴⁰ Men of military age, including boys between 12 and 15 years of age and elderly people “who could barely walk”, were separated from the crowd boarding the buses.⁴¹ The separation process continued throughout 12 and 13 July.⁴² Those who were allowed to board the buses were taken to the territory controlled by the Army of BiH⁴³ - which represents forcible transfer of a population as a crime against humanity.⁴⁴

33 ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 230.

34 Testimony of Robert Franken, 17 October 2006, p. 2584, *Popović*; Testimony of Cornelis Nicolai, 30 November 2006, p. 18527, *Popović*; Testimony of Mevludin Orić, 28 August 2006, pp. 871-872, *Popović*.

35 In August 2010, the HLC published its Dossier “The 10th Sabotage Detachment of the Main Staff of the Army of Republika Srpska”, which describes the role of this unit in the Srebrenica genocide. The Dossier is available at http://www.hlc-rdc.org/images/stories/publikacije/Dosije_eng.pdf%20diverzantski%20odred_FHP_14.09.2011..pdf.

36 Testimony of Dražen Erdemović, 4 May 2007, pp. 10943-10946, 10953, *Popović*.

37 Testimony of Erin Gallagher, 21 October 2010, pp. 6665-6668, *Tolimir*; Entering Srebrenica, Ratko Mladić said: “Here we are, on 11 July 1995, in Serbian Srebrenica. On the eve of another great Serbian holiday, we give this town to the Serbian people as a gift. Finally, after the rebellion against the Dahis, the time has come to take revenge on the Turks in this region”, Ex. P2789, CD 00:30:36-00:31:00, *Tolimir*.

38 Testimony of Robert Franken, 16 October 2006, pp. 2479-2480, *Popović*; Testimony of Evert Rave, 26 October 2010, p. 6743, *Tolimir*.

39 Video footage taken in Srebrenica, Ex. P2798, *Tolimir*; ICTY Trial Judgment in *Tolimir*, 12 December 2012, paras. 241 and 268.

40 Testimony of Paul Groenewegen, 15 April 2010, p. 1172, *Tolimir*; Witness statement PW-002, 28 March 2000, p. 1520, Ex. P1497, *Tolimir*; Witness statement of Johannes Rutten of 5 April 2000, p. 2126, Ex. P02638, *Tolimir*; ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 280.

41 Witness statement of Johannes Rutten of 30 November 2006, pp. 4853-4854, Ex. P2629, *Tolimir*. See also the witness statement of Samil Salčinović of 18 June 2000, p. 2, Ex. P01524, *Tolimir*; Witness statement of Šehro Ibišević of 21 June 2000, p. 2, Ex. P1526, *Tolimir*.

42 ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 280.

43 Witness statement of Nura Efendić of 21 June 2000, pp. 2 and 4, Ex. P1528, *Tolimir*; Witness statement of Šehro Ibišević of 21 June 2000, p. 5, Ex. P1526, *Tolimir*.

44 See e.g. ICTY Trial Judgment in *Tolimir* of 12 December 2012, paras. 1027, 1195; ICTY Trial Judgment in *Karadžić* of 24 March 2016, para. 5634.



Between 1,000 and 2,000 of the men from the UN compound who were not permitted to board the buses were taken to a house in front of the UN compound called “the white house”. Ten of the men were killed in or around the house on 13 July.⁴⁵ The other men were loaded onto buses by the VRS and driven off in the direction of Bratunac. Most of them have never been seen alive again.⁴⁶

The killings of the men from Srebrenica

In the evening of 10 July 1995, Army of BiH troops and men began to gather in the north-west of Srebrenica, at a place nearest to the territory controlled by the Army of BiH, near Tuzla.⁴⁷ They formed a column, consisting of between 10,000 and 16,000 people and stretching for several kilometres.⁴⁸

On 13 July 1995, thousands of men and boys from the column were captured by members of Bosnian Serb forces or surrendered to them along the Bratunac–Konjević Polje–Milići road.⁴⁹ The men were then rounded up in several locations: in a meadow near Sandić (approximately 1,000-2,000),⁵⁰ on a football field in Nova Kasaba (approximately 1,500-3000),⁵¹ at the intersection in Konjević Polje, and in a field in Jagličići.⁵²

Those men and the men who had been separated from the crowd of people boarding the buses for the “evacuation” of civilians – more than 7,000 people, were killed in the space of several days, mostly between 13 and 16 July 1995,⁵³ in mass executions that took place at the following locations: in a warehouse in Kravica (between 755 and 1,106 victims),⁵⁴ in Orahovac (at least 841 victims),⁵⁵ near the dam in Petkovci (at least 815 victims),⁵⁶ in Kozluk (at least 815 victims),⁵⁷ at the Branjevo military farm (approximately 1,200 victims)⁵⁸, and in the Cultural Centre in Pilica (approximately 500 victims).⁵⁹

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However, the hunt for escaped Srebrenica men and the killings of those who had been detained continued even after 16 July 1995, when almost all mass executions in the Bratunac and Zvornik

45 ICTY Trial Judgment in *Karadžić* of 24 March 2016, paras. 5141, 5145.

46 ICTY Trial Judgment in *Tolimir* of 12 December 2012, paras. 285-288, 293.

47 Witness statement PW-008 of 21 July 2003, pp. 1382-1383, Ex. P1450, *Tolimir*; Witness statement PW-018 of 23 May 2000, p. 3189, Ex. P1173, *Tolimir*.

48 Witness statement of Mevludin Orić of 28 August 2006, p. 872, Ex. P69, *Tolimir*; Witness statement PW016 of 14 April 2000, p. 3017, Ex. P1762, *Tolimir*.

49 See the ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 319.

50 *Ibid*, para. 330.

51 *Ibid*, para. 336.

52 ICTY Trial Judgment in *Perišić* of 6 September 2011, para. 644; Momir Nikolić, Statement of facts and acceptance of responsibility, 6 May 2003, para. 7, 9, Ex. P2512, *Perišić*.

53 See the ICTY Trial Judgment in *Tolimir*, 12 December 2012, pp. 151-255; ICTY Trial Judgment in *Popović et al.* of 10 June 2010, pp. 141-237; ICTY Trial Judgment in Krstić, 2 August 2001, para. 487, pp. 68-91; ICTY Trial Judgment in *Karadžić*, 24 March 2016, pp. 2146-2280.

54 ICTY Trial Judgment in *Karadžić* of 24 March 2016, para. 5286.

55 *Ibid*, para. 5354.

56 *Ibid*, para. 5382.

57 *Ibid*, para. 5413.

58 *Ibid*, para. 5464.

59 *Ibid*, para. 5464.



areas had already been completed.⁶⁰ Between 17 July and 2 August, Bosnian Serb forces combed the terrain in and around Bratunac and Zvornik, in order to destroy straggling groups of the “column towards Tuzla.”⁶¹ Additional forces were deployed by the VRS and the MUP of Republika Srpska for that purpose.⁶² As Momir Nikolić testified,⁶³ “between 14 July and October 1995 Bratunac Brigade troops, together with MUP and other VRS forces, continued to capture and execute Muslim captives who were trying to escape the Srebrenica and Žepa areas.”⁶⁴

The ICTY established some of these killings and they include the following executions: at least three men who had been captured near Nežuk, in the Zvornik municipality, were killed on 19 July 1995;⁶⁵ at least 10 wounded Bosnian Muslims, who had first been brought to the hospitals in Milići and Zvornik, then transferred to the “Standard” military barracks, were killed in an unknown location on 23 July;⁶⁶ four Bosnian Muslims were killed on 22 July near Snagovo, in the Zvornik municipality;⁶⁷ four survivors of the executions in Branjevo were re-captured and killed in an unknown location on 26 July 1995;⁶⁸ 54 Bosnian Muslim men were killed at Bišina, eastern Bosnia, on 23 July;⁶⁹ and members of the “Scorpions” unit of the Serbian MUP executed six Bosnian Muslim men and boys at Trnovo at the end of July or beginning of August.⁷⁰

A number of Bosniaks managed to escape capture by crossing the River Drina into Serbian territory, seeking safety. This Dossier focuses on their fate.

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⁶⁰ See the ICTY Trial Judgment in *Tolimir* of 12 December 2012, pp. 533; 541.

⁶¹ ICTY Trial Judgment in *Karadžić* of 24 March 2016, para. 5475; Testimony of Radislav Krstić, pp. 6811–6812, Ex. D4136, *Karadžić*; Order of the VRS Main Staff dated 17 July 1995, Ex. P4588, *Karadžić*; Order of the Semizovac forward command post and Special Police Brigade dated 17 July 1995, Ex. P5097, *Karadžić*; Combat report signed by Ljubiša Borovčanin, 10-20 July 1995, Ex. P4960, pp. 4-5, *Karadžić*; Drina Corps report dated 17 July 1995, p. 1, Ex. P3994, *Karadžić*; Zvornik Brigade combat report dated 18 July 1995, Ex. P181, *Karadžić*; Intercepted conversation between Colonel Cerović and Vinko Pandurević of 19 July 1995, pp. 1-2, Ex. P5342, *Karadžić*; Intercepted conversation between Dragan Obrenović and an unknown person of 19 July 1995, Ex. P5344, *Karadžić*; Zvornik Brigade combat report dated 19 July 1995, Ex. P4589, *Karadžić*; Intercepted conversation between General Krstić, Milorad Trbić and Vinko Pandurević on 17 July 1995, p. 1, Ex. P5336, *Karadžić*; Zvornik Public Security Centre report dated 19 July 1995, Ex. P4965, *Karadžić*; VRS Zvornik Brigade report dated 22 July 1995, Ex. D4856, *Karadžić*; VRS Zvornik Brigade combat report dated 25 July 1995, p. 1, Ex. P4590, *Karadžić*; Intercepted conversation of 2 August 1995, Ex. P6065, *Karadžić*.

⁶² ICTY Trial Judgment in *Karadžić* of 24 March 2016, para. 5475; Order of the Semizovac forward command post and Special Police Brigade dated 17 July 1995, Ex. P5097, *Karadžić*; Order of the VRS Main Staff dated 17 July 1995, p. 1, Ex. P4588, *Karadžić*; Testimony of Dragomir Keserović, 25 July 2013, pp. 42033, 42035–42041, 42043–42044, *Karadžić*; Statement of Ljubo Bojanović, pp. 11735, 11740–11741, Ex. P116; *Karadžić*; Excerpt from the Zvornik Brigade diary, 17-18 July 1995, p. 2, Ex. P139, *Karadžić*.

⁶³ In 2006, Momir Nikolić was sentenced by the ICTY to 20 years of imprisonment for persecutions on political, racial and religious grounds (crimes against humanity), after pleading guilty. In July 2014 he was granted early release. Case information available at http://www.icty.org/x/cases/nikolic/cis/en/cis_nikolic_momir_1.pdf, accessed on 16 June 2017.

⁶⁴ Momir Nikolić, Statement of facts and acceptance of responsibility, 6 May 2003, para. 12, Ex. P2512, *Perišić*.

⁶⁵ ICTY Trial Judgment in *Tolimir*, 12 December 2002, paras. 520-527.

⁶⁶ *Ibid*, paras. 528-533.

⁶⁷ *Ibid*, paras. 534-538.

⁶⁸ *Ibid*, paras. 539-541.

⁶⁹ *Ibid*, paras. 542-646.

⁷⁰ *Ibid*, paras. 547-551, 5492.



Deportation of Srebrenica Refugees

15 July

The first known deportation case occurred while the mass killings of men from Srebrenica were still ongoing. Namely, the pre-war head of the Bratunac police, Rešid Sinanović, survived a mass execution in Kozluk on 15 July, 1995, when the VRS killed at least 815 Srebrenica men.⁷¹ The execution took place by the bank of the River Drina itself,⁷² right opposite the village of Gornja Koviljača in Serbia. Sinanović was wounded with four bullets in his chest; he entered the river and tried to cross into Serbian territory. He was crying for help from the river, and the villagers of Gornja Koviljača rescued him and took him straight to the Banja Koviljača hospital around 15:00 on 15 July.⁷³ Due to the severity of his wounds, he was sent to Loznica hospital.

A hospital doctor who was originally from Bratunac recognized Rešid and she reported him to the Bratunac Public Security Centre.⁷⁴ Police officers took him out of the hospital and turned him over to members of the Zvornik police station.⁷⁵ The police officers told the doctors that Sinanović would be exchanged.⁷⁶

According to the data of Momir Nikolić, the then deputy commander in charge of security and intelligence of the Bratunac Brigade of the VRS, Rešid Sinanović was killed on the bridge between Zvornik (BiH) and Serbia.⁷⁷ Information about his fate was also noted in the VRS Zvornik Brigade journal, in which the entry for 16 July reads: “A Turk, a lawyer who had fled to the Loznica hospital, wounded and processed (Siniša)”⁷⁸

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His body was found in the Čančarski Put 4 secondary mass grave (about seven kilometres south of Zvornik), together with 179 victims from Srebrenica.⁷⁹ This mass grave contains mostly the bodies of

71 ICTY Trial Judgment in *Karadžić*, dated March 24, 2016, para. 5413.

72 Ibid, para. 5397.

73 Copy of a medical protocol of the ‘Dr Milenko Marin’ Health Centre in Banja Koviljača, July 15, Ex. P246, *Karadžić*; Robert Block, “River killings’ shed light on scale of horror after the fall of Srebrenica”, *Independent*, July 24, 2017, available at <http://www.independent.co.uk/news/world/river-killings-shed-light-on-scale-of-horror-after-the-fall-of-srebrenica-1593105.html>.

74 Testimony of Momir Nikolić, 14 February 2012, p. 24660, *Karadžić*; Daily operations report of the 15th Border Battalion of the VJ dispatched to the VJ General Staff, July 16, 1995, p. 2, Ex.P4403, *Karadžić*, see Appendix 1; ICTY Trial Judgment in *Karadžić*, 24 March 24 2016, footnote 17638, p. 2153.

75 Testimony of Momir Nikolić, 14 February, 2012, p. 24660, *Karadžić*; Robert Block, “‘River killings’ shed light on scale of horror after the fall of Srebrenica”, *Independent*, July 24, 2017, available at <http://www.independent.co.uk/news/world/river-killings-shed-light-on-scale-of-horror-after-the-fall-of-srebrenica-1593105.html>; Testimony of Richard Butler, 23 April 2012, p. 27876, *Karadžić*.

76 Ibid.

77 Testimony of Momir Nikolić, 14 February 2012, p. 24660, *Karadžić*.

78 Notebook of an officer on duty in the Zvornik Brigade, p. 143, Ex. P4585, *Karadžić*.

79 Dušan Janc, “*Updated Forensic Evidence Summary – Exhumation of graves and surface remains in connection with Srebrenica – January 2012*”, p. 11, Ex. P4772, *Karadžić*; ICTY Trial Judgment in *Karadžić*, dated 24 March 2016, footnote 17638, p. 2153.



victims killed on 16 July at Branjevo Military Farm, when a total of 1,200 men from Srebrenica were executed.⁸⁰

20 July

Nine days after the fall of the Srebrenica enclave, on 20 July 1995, “operatives”⁸¹ of the Ljubovija Department of Internal Affairs (OUP) (Serbia) captured and “processed” two unarmed Bosniaks who tried to find shelter in Serbia:⁸²

1. **Ahmet (father’s name: Jusuf) Tepić**, born 1 November 1952 in Srebrenica, registered resident of Srebrenica;
2. **Edin (father’s name: Ibro) Džanić**, born 25 August 1966 in Klotijevac, registered resident of Srebrenica.

The border police commander, Zoran Sević, turned them over on the same day to Vidoje Radović, a member of the Bratunac border police of Republika Srpska, of which a record was made.⁸³

Shortly after that, Vidoje Radović turned over the two captured Bosniaks to the head of Security of the Bratunac 1st Light Infantry Brigade of the VRS, Momir Nikolić, of which there is a confirmation and an official note.⁸⁴

▪ Subsequent fate of deported men

Ahmet Tepić and Edin Džanić, with a group of 54 Bosniaks, were killed on 23 July, in Bišina (Šekovići Municipality, BiH).⁸⁵ The men were killed by members of the 10th Sabotage Detachment⁸⁶ under the supervision of Vujadin Popović, Deputy Head in charge of security at the Drina Corps of the VRS.⁸⁷ Later on the same day, a loader arrived at the scene and a pit was dug. Two members of the military police of the VRS Drina Corps from Han Pijesak threw the bodies in.⁸⁸

The available evidence suggests that Ahmet Tepić and Edin Džanić, after being deported from Serbia, were most probably detained in the Sušica camp in Vlasenica. Namely, on 20 July 1995 military police

80 ICTY Trial Judgment in *Karadžić* dated 24 March 2016, para. 5464.

81 Record of the handover of Muslim persons at the Ljubovija border crossing, no. 28-193/95, dated 20 July 1995, Ex. 4D00422.E, *Popović*, see Appendix 2.

82 Ibid.

83 Ibid.

84 Confirmation of the Bratunac border police no. 01/2-4.3-48/95 dated 20 July 1995, Ex. 4D00420, *Popović*; Official note of the Bratunac Border police, dated 20 July 1995, Ex. 4D00421, *Popović*.

85 Record of exhumation of the Bišina mass grave, Ex. 1D1392, *Popović*.

86 In August 2011, the HLC published the Dossier “The 10th Sabotage Detachment of the Main Staff of the Army of Republika Srpska”, in which it describes the role of this unit in the Srebrenica genocide. The Dossier is available at http://www.hlc-rdc.org/images/stories/publikacije/Dosije_eng.pdf

87 ICTY Trial Judgment in *Tolimir* dated 12 December 2012, para. 546, ICTY Trial Judgment in *Popović et al.*, dated 10 June 2010, para. 1145.

88 Testimony of PW172, 10 March 2009, pp. 32573–32574, *Popović*.



of the Bratunac Brigade reported that the Serbian police had returned to the Bratunac Brigade two Bosnian Muslims who had crossed over to Serbia, and that they had been detained.⁸⁹ Also, the Deputy Commander in charge of security and intelligence of the VRS Bratunac Brigade, Momir Nikolić, testified that two men (Tepić and Džanić), were turned over by Serbia on 20 July and taken to the collection centres in “Vlasenica, Knežina, or Batković,” as the Bratunac Brigade did not have any detention facilities.⁹⁰ Lastly, a group of men, prisoners from the Sušica camp in Vlasenica⁹¹, were executed in Bišina. The HLC assumes that Ahmet Tepić and Edin Džanić were in that group.

The mortal remains of Ahmet Tepić (body mark: BIŠ 01 ŠEK 018 B) and Edin Džanić (body mark: BIŠ 01 ŠEK 022 B) were found on 7 June 2006 in a mass grave in Bišina, and were positively identified in 2007.⁹² Exhumation was performed on the orders of the Tuzla Cantonal Court. Tepić’s and Džanić’s mortal remains were buried on 11 July 2007 at the cemetery at the “Srebrenica-Potočari” Memorial Centre.⁹³

21 July

On 21 July 1995, members of the Bajina Bašta (Serbia) OUP captured four Bosniaks who had crossed over from Srebrenica to Serbian territory fleeing from the VRS:

1. **Smajil (father’s name: Ćamil) Mehmedović**, born 30 April 1955 in Gladovići, registered resident of Srebrenica;
2. **Ramiz (father’s name: Rasim) Muminović**, born 4 July 1957 in Pribidoli, registered resident of Srebrenica;
3. **Bekir (father’s name: Atif) Kandžetović**, born 20 March 1958 in Sulice, registered resident of Srebrenica;
4. **Ibrahim (father’s name: Atif) Kandžetović**, born 24 February 1966 in Sulice, registered resident of Srebrenica.

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In addition to identity cards and a little money, these men had only their clothes on them.⁹⁴

The Bajina Bašta OUP then turned them over to officers of the Bajina Bašta border police “for their further surrender to Republika Srpska authorities.”⁹⁵

89 Journal of the military police of the VRS Bratunac Brigade, 30 June 1995 – 29 April 1996, p. 19 (entry of 20 July 1995), Ex. P18, *Tolimir*

90 Testimony of Momir Nikolić, 6 April 2011, pp. 12439–12440, *Tolimir*.

91 ICTY Trial Judgment in *Tolimir*, dated 12 December, 2012, para. 543.

92 Record of the exhumation of the Bišina mass grave, Ex.1D1392, *Popović*.

93 Data of the Missing Persons Institute, BiH.

94 Record of surrender of persons and items at the Bajina Bašta border crossing, no. 28-239/95, dated 21 July, 1995, Ex. 4D00423, *Popović*, see Appendix 3.

95 *Ibid*.



At 15.15 hours on the same day, the commander of the Bajina Bašta border police, Risto Šeovac, with another police officer, Radojica Kijanović, turned over four men at the Bajina Bašta border crossing to Pero Milić, an officer of the Bratunac border police of Republika Srpska, of which a record was made.⁹⁶

In Skelani, at 17.00 hours on the same day, Pero Milić, an officer of the Bratunac border police of Republika Srpska, turned over four Bosniaks to the military police commander of the Skelani Separate Infantry Battalion of the VRS, Živko Milovanović, of which there is a record and an official note.⁹⁷

▪ **Subsequent fate of deported men**

There had been no trace of the four Bosniaks after they had been turned over, until their mortal remains were found in a mass grave in Glogova, Bratunac Municipality.⁹⁸

According to the available data, they were executed on the spot, next to the grave,⁹⁹ most probably between 26 and 27 July 1995.¹⁰⁰ Their hands were tied behind their backs and they were killed by shots in the nape and temple.¹⁰¹

The HLC does not know where these four men were held in the period after their deportation on 21 July to the day of their execution. Their mortal remains were identified in 2016.¹⁰²

23 July

18 On 23 July 1995, members of the Bajina Bašta OUP captured eight men in different groups, who had crossed over from Srebrenica to Serbia fleeing from the VRS:¹⁰³

1. **Hariz (father's name: Ćemail) Ibrahimović**, born 17 October 1961 in Skelani, registered resident of Srebrenica;
2. **Hazim (father's name: Ćemail) Ibrahimović**, born 9 May 1965 in Skelani, registered resident of Srebrenica;

96 Ibid.

97 Record of the handover of persons and items between police officers of the Bratunac BP, Skelani Unit and members of the VRS, or members of the Skelani Separate Battalion, Ex. 4D00426, *Popović*; Official note of Pero Milić, a police employee at the Bratunac PB, Skelani Unit, dated 21 July 1995, Ex. 4D424, *Popović*.

98 Data of the Missing Persons Institute, BiH: Smajil Mehmedović (ICRC no: 906009-02), Ramiz Muminović (ICRC no: 903877-03), Bekir Kandžetović (ICRC no: 105096-02), Ibrahim Kandžetović (ICRC no: 903373-01).

99 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 18, Ex. P674, *Popović*; *Corrigendum* of the Updated Forensic Evidence Summary – the exhumation of graves in connection with Srebrenica – March 2009, dated 13 March, 2009, prepared by Dušan Janc, investigator at the ICTY OtP, Ex. P4492, *Popović*.

100 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 20, Ex. P674, *Popović*.

101 The ICTY's activities taken in BiH during 2001 – a report of head pathologist, p. 14, Ex.P4105, *Karadžić*, see Appendix 11; Richard Wright's report on excavations and exhumations at the Glogova 1, grave L, carried out in September 2000, p. 4, Ex. P04488, *Popović*.

102 Ibid.

103 Record of the handover of persons and items in the Bajina Bašta OUP, no: 28-744 dated 23 July 1995, Ex.P3137, *Blagojević*; Record of the handover of persons and items between the Bajina Bašta BP and the Bratunac BP, Skelani Unit no. 28-240/95, dated 23 July 1995, Ex. 4D427, *Popović*.



3. **Fehidin (father's name: Ćemail) Ibrahimović**, born 20 October 1969 in Skelani, registered resident of Srebrenica;
4. **Abdurahman (father's name: Rušid) Malkić**, born 11 June 1954 in Poznanovići, registered resident of Srebrenica;
5. **Hamdija (father's name: Rušid) Malkić**, born 8 June 1958 in Poznanovići, registered resident of Srebrenica;
6. **Hamza (father's name: Hakija) Malkić**, born 25 April 1954, in Poznanovići, registered resident of Srebrenica;
7. **Sadik (father's name: Hakija) Salihović**, born 26 June 1965 in Srebrenica, registered resident of Srebrenica;
8. **Hamdija (father's name: Ahmo) Delić**, born 25 May 1972 in Srebrenica, registered resident of Srebrenica

All of the records of the Bajina Bašta border police on the taking over of the above-listed men refer to these men as "Muslim persons who fled Srebrenica".¹⁰⁴

All captured men were beaten and ill-treated in the Bajina Bašta police station,¹⁰⁵ and had their statements taken in the station.¹⁰⁶

On the same day at 14.00 hours, the Bajina Bašta border police commander, Risto Šeovac, turned over six of the eight captured Bosniaks¹⁰⁷ to Pero Milić, an officer of the Bratunac border police:

1. Hariz Ibrahimović;
2. Hazim Ibrahimović;
3. Fehidin Ibrahimović;
4. Abdurahman Malkić;
5. Hamdija Malkić;
6. Hamza Malkić.

The commander of the Bajina Bašta border police, Risto Šeovac, in his notification of 23 July dispatched to the Ministry of the Interior of the Republic of Serbia (MUP), the State Security Centre in Užice and

104 Record of the handover of persons and items at the Bajina Bašta OUP, no: 28-744 dated 23 July, 1995, Ex. P3137, *Blagojević*;

105 Al Jazeera, "Nakon bijega od smrti u Srebrenici – zatočen u Srbiji" [After Escaping Death in Srebrenica, Taken Prisoner in Serbia], 9 July 2015, 2:35min, available (in Bosnian) at <http://balkans.aljazeera.net/vijesti/nakon-bijega-od-smrti-u-srebrenici-zatocen-u-srbiji>, accessed on 30 May 2017; Note made during a phone conversation between the HLC and Abdurahman Malkić on 30 May, 2017.

106 Statements of Hamdija Delić and Sadik Salihović, taken in the Bajina Bašta police station.

107 Notification of the Bajina Bašta border police no: 28-264/95-338, dated 23 July 1995, Ex. P2096, *Popović*, see Appendix 4; Record of the completed handover of persons and items between the Bajina Bašta BP and the Bratunac BP, Skelani Unit no 28-240/95, dated 23 July 1995, Ex. 4D427, *Popović*; Record of the handover of persons and items between the Bajina Bašta BP and the Bratunac BP, Skelani Unit no 28-241/95, dated 23 July 1995, Ex. 4D428, *Popović*.



the SUP in Užice, stated that “the first 6 persons were turned over at the Ljubovija border crossing in line with the agreement with the state security officers.”¹⁰⁸

The journal of the Bratunac military police, in the entry for 23-24 July 1995, reads that “during the day six Muslims were brought and detained”.¹⁰⁹ On the same day, the Bratunac border police turned over six Bosniaks to members of the 1st Bratunac Light Infantry Brigade of the VRS, of which there is an official note.¹¹⁰

The other two men from the same group of captured Bosniaks – Sadik Salihović and Hamdija Delić – were not turned over with this group, “as they had harmed themselves in the meantime to avoid being returned.”¹¹¹

Later that day, 23 July 1995 at 18.00 hours, the commander of the Bajina Bašta (Serbia) police station, Slavko Petrović, and a member of the Bajina Bašta OUP, Milovan Jevtović, turned over Sadik Salihović and Hamdija Delić to Milun Perendić, an officer of the Skelani State Security Centre (Republika Srpska).¹¹²

Members of the Skelani State Security Centre tried to turn over the two Bosniaks to the military police in Bratunac; however, they refused to accept them. The journal of the Bratunac military police “23-24/07/95” entry reads: “Later, two more Muslims were brought in, who were returned because they had cut their own throats with a glass bottle while in detention in Skelani and had already lost a lot of blood. They were returned.”¹¹³ Members of the Skelani State Security Station had a phone conversation at around 22.00 hours with the late Ljubo Bojanović,¹¹⁴ officer responsible for moral, religious and legal matters in the Zvornik Brigade of the VRS, who told them to kill the two captured Muslims. Bojanović, a member of the Zvornik Brigade of the VRS, wrote down in the brigade’s journal: “Officers in Skelani are holding two wounded Turks – I told them to kill them, as Bratunac would not accept them.”¹¹⁵ In his testimony before the ICTY, Bojanović confirmed that the handwriting in the journal was his.¹¹⁶

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108 Notification of the Bajina Bašta Border Police no 28-264/95-338, dated 23 July 1995, Ex. P2096, *Popović*, see Appendix 4.

109 Journal of the Bratunac military police, 23 July 1995 entry, p. 25, Ex. P18, *Tolimir*.

110 Official note of Radoje Vidović, Bratunac Border Police, dated 23 July 1995, Ex. 4D425, *Popović*.

111 Notification of the Bajina Bašta Border Police no: 28-264/95-338, dated 23 July 1995, Ex. P2096, *Popović*, see Appendix 4.

112 Record of the completed handover of persons and items in the Bajina Bašta OUP, no. 28-744, dated 23 July 1995, Ex. P3137, *Blagojević*.

113 Journal of the Bratunac military police, 23 July 1995 entry, p. 25, Ex. P18, *Tolimir*.

114 ICTY ruling in *Tolimir* on the prosecution’s motion regarding admission of the testimony of the late Ljubo Bojanović as evidence, November 25, 2009, p.1, para. 1, available at <http://www.icty.org/x/cases/tolimir/tdec/en/091125.pdf>.

115 Journal of the Zvornik Brigade of the VRS, 23 July 1995 entry, made between 21.45 hours and 00.00 hours, Ex. P133a, p. 178, *Blagojević*.

116 Testimony of Ljubo Bojanović, 9 July 2004, p. 11761, *Blagojević*; Testimony of Vinko Pandurević, 25 February 2009, pp. 32060-32064, *Popović*, accessed on 16 June 2017.



- **Subsequent fate of deported men**

The group of six deported men

According to the HLC data, Abdurahman, Hamdija, Hamza Malkić, and Fehidin, Hariz and Hazim Ibrahimović are the only Srebrenica refugees who survived after being deported from Serbia. All six of them were, after the deportation, moved to the Batković camp, near Bijeljina,¹¹⁷ from where they were liberated at the end of December 1995, when the camp was closed down.¹¹⁸

The group of two deported men

There has been no trace of the two Bosniaks after they were turned over to the Republika Srpska authorities, and they are still registered as missing on the list of the ICRC: Sadik Salihović (ICRC missing person mark: BAZ-913059-02)¹¹⁹ and Hamdija Delić (ICRC missing person mark: BAZ-910454-03).¹²⁰

24 July

On 24 July 1995 at 16.00 hours, members of the Bajina Bašta OUP captured six Srebrenica Bosniaks and then turned them over to the Bajina Bašta border police.¹²¹

1. **Fahrudin (father's name: Mehmed) Avdić**, born 28 January 1970 in Osatica, registered resident of Srebrenica;
2. **Mefail (father's name: Suljo) Rahmić**, born 11 January 1966 in Zapolje, registered resident of Srebrenica;
3. **Meho (father's name: Šefik) Mulalić**, born 29 November 1973 in Ljubovija, registered resident of Srebrenica;
4. **Ferid (father's name: Alija) Halilović**, born 12 August 1966 in Klotijevac, registered resident of Srebrenica;
5. **Muharem (father's name: Jahije) Husić**, born 8 July 1964 in Ljubovija, registered resident of Srebrenica;
6. **Nedžib (father's name: Šaban) Rahmić**, born 10 January in 1970 in Zapolje, registered resident of Srebrenica.

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117 Al Jazeera, "Nakon bijega od smrti u Srebrenici – zatočen u Srbiji" [After Escaping Death in Srebrenica, Taken Prisoner in Serbia], 9 July 2015, 2:35min, available (in Bosnian) at <http://balkans.aljazeera.net/vijesti/nakon-bijega-od-smrti-u-srebrenici-zatocen-u-srbiji>, accessed on 30 May 2017. See also the testimony of Momir Nikolić, 6 April 2011, pp. 12439–12440, *Tolimir*.

118 Note about a phone conversation between the HLC and Abdurahman Malkić dated 30 May 2017; ICTY Trial Judgment in *Tolimir*, dated 12 December 2012, para. 557.

119 The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?cid=137493>, accessed on 6 June 2017.

120 The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?cid=141281>, accessed on 6 June 2017.

121 Record of the completed handover of persons and money between Bajina Bašta BP and the Bratunac BP no. 28-242/95, dated 24 July 1995, Ex. 4D00430, *Popović*, see Appendix 5.



Only an hour and a half after their arrest, they were in the hands of the VRS. Namely, at 17.00 hours, the commander of the Bajina Bašta border police, Risto Šeovac, turned over the six men at the Ljubovija border crossing to Vidoje Radović, an officer of the Bratunac border police, of which a record was made.¹²²

At 17.30 hours, on the same day, Radović turned over the six Bosniaks to the head of security of the 1st Bratunac Brigade of the VRS, Momir Nikolić, of which there is a confirmation and an official note.¹²³

▪ **Subsequent fate of deported men**

There had been no trace of the six Bosniaks after they were turned over to the VRS, until their mortal remains were found on 20 October, 2000 in one of the mass graves in Glogova, Bratunac Municipality.¹²⁴

According to the available data, they were shot on the spot at the grave site,¹²⁵ most probably between 26 and 27 July 1995.¹²⁶ Their hands were tied behind their backs and they were killed with shots fired to the nape or temple.¹²⁷

The HLC does not know where they were held in the period between their deportation on 24 July to the day of their execution. Their mortal remains were identified between 2003 and 2006,¹²⁸ after which they were buried at the cemetery in the “Srebrenica-Potočari” Memorial Centre.¹²⁹

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26 July

On 26 July 1995, members of the Ljubovija OUP captured three Srebrenica Bosniaks and then turned them over to the Ljubovija border police.¹³⁰

122 Ibid.

123 Confirmation of the Bratunac BP no. 01/2-4.3-49/95, dated 24 July 1995, Ex. 4D00431, *Popović*; Official note of Radoje Vidović, the Bratunac BP, dated 24 July 1995, Ex. 4D432, *Popović*.

124 Data of the Missing Persons Institute, BiH; Fahrudin Avdić (ICRC no: 910208-03), Mefail Rahmić (ICRC no: 946953-01), Meho Mulalić (ICRC no: 967250-01), Ferid Halilović (ICRC no: 000709-01), Muharem Husić (ICRC no: 904246-01), Nedžib Rahmić (ICRC no: 903451-02).

125 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 18, Ex.P674, *Popović*; *Corrigendum of the Updated Forensic Evidence Summary – the exhumation of graves in connection with Srebrenica – March 2009*, dated 13 March 2009, prepared by Dušan Janc, investigator at the ICTY's OtP, Ex. P4492, *Popović*.

126 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 20, Ex. P674, *Popović*.

127 The ICTY's activities in BiH during 2001 – Report of the Head Pathologist, p. 14, Ex. P4105, *Karadžić*, see Appendix 11; Report of Richard Wright on excavations and exhumations at Glogova 1 locality, L grave, conducted in September 2000, p. 4, Ex. P04488, *Popović*.

128 Ibid. Fahrudin Avdić was identified on 15 June 2006; Mefail Rahmić was identified on 25 March 2004; Meho Mulalić was identified on 22 December 2004; Ferid Halilović was identified on 25 March 2003; Muharem Husić was identified on 28 June 2004; Nedžib Rahmić was identified on 25 August 2003.

129 Data of the Missing Persons Institute of BiH.

130 Record of the completed handover of persons and money between the Ljubovija BP and the Bratunac BP no. 28-199/95, dated 26 July 1995, Ex.4D00435, *Popović*, see Appendix 6.



1. **Sadik (father's name: Hasib) Isaković**, born 27 July 1974 in Orlice, registered resident of Srebrenica;
2. **Naser (father's name: Miralem) Duraković**, born 5 March 1971 in Srebrenica, registered resident of Srebrenica;
3. **Emir (father's name: Jahije) Duraković**, born 22 March 1973 in Potočari, registered resident of Srebrenica.

On the same day at 15.00 hours, the commander of the Ljubovija Border Police, Zoran Sević, turned over the three Bosniaks to Dragan Vasiljević, an officer of the Bratunac Border Police.¹³¹

At 18.00 hours on the same day, Vidoje Radović turned over the three Bosniaks to the head of security of the 1st Bratunac Light Infantry Brigade of the VRS, Momir Nikolić, of which there is a confirmation and an official note.¹³²

▪ Subsequent fate of deported men

There has been no trace of these three men since they were turned over. Sadik Isaković is still registered as missing on the list of the ICRC, with a mark: BAZ-903416-02.¹³³

The mortal remains of Emir and Naser Duraković were found in one of the mass graves in Glogova, Bratunac Municipality.¹³⁴ According to the available data, they were executed at the grave site,¹³⁵ most probably between 26 (after 18.00 hours) and 27 July 1995.¹³⁶ Their hands were tied behind their backs and they were killed with shots fired to the nape or temple.¹³⁷

The mortal remains of Emir Duraković were identified on April 13, 2006, and of Naser Duraković on May 9, 2009,¹³⁸ after which they were buried at the “Srebrenica-Potočari” Memorial Centre.¹³⁹

131 Ibid.

132 Confirmation of the Bratunac BP no. 01/2-4.3-50/95, dated 26 July 1995, Ex. 4D00433, *Popović*; Official note of Vasiljević Dragan, Bratunac BP, dated 26 July 1995, Ex. 4D434, *Popović*.

133 The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?cid=138717>, accessed on 6 June 2017.

134 Data of the Missing Persons Institute, BiH; Naser Duraković (ICRC no: 911592-01), Emir Duraković (ICRC no: 915739-01).

135 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 18, Ex.P674, *Popović*; *Corrigendum of the Updated Forensic Evidence Summary – the exhumation of graves in connection with Srebrenica – March 2009*, dated 13 March 2009, prepared by Dušan Janc, investigator of the ICTY Otp, Ex. P4492, *Popović*.

136 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 20, Ex. P674, *Popović*. Glogova is only 20 km away from the Ljubovija border crossing.

137 The ICTY's activities in BiH during 2001 – Report of the Head Pathologist, p. 14, Ex. P4105, *Karadžić*, see Appendix 11; Report of Richard Wright on the excavations and exhumations at the Glogova 1 locality, L grave, conducted in September 2000, p. 4, Ex. P04488, *Popović*.

138 Ibid.

139 Data of Missing Persons Institute of BiH.



29 July

On 29 July 1995, members of the Ljubovija OUP captured three Bosniaks, who had crossed the Drina into Serbia after the fall of Srebrenica, and turned them over to the Ljubovija Border Police:¹⁴⁰

1. **Hajrudin (father's name: Husein) Bečić**, born 3 November 1958 in Klotjevac, registered resident of Srebrenica;
2. **Muhidin (father's name: Osman) Siručić**, born 27 January 1958 in Voljavica, registered resident of Srebrenica;
3. **Šefik (father's name: Ševke) Efendić**, born 28 October 1973 in Srebrenica, registered resident of Srebrenica.

On the same day at 13.00 hours, at the Ljubovija Border Police, Zoran Sević turned over the three Bosniaks to Vidoje Radović, an officer of the Bratunac Border Police.¹⁴¹

At 14.10 hours on the same day, Radović turned them over to the head of security of the 1st Bratunac Light Infantry Brigade of the VRS, Momir Nikolić, of which there is a confirmation and an official note.¹⁴²

▪ Subsequent fate of deported men

There has been no trace of the three Bosniaks after they were turned over to the Bratunac Brigade, and they are still registered as missing on the list of the ICRC: Hajrudin Bečić (ICRC no: BAZ-914354-01),¹⁴³ Muhidin Siručić (ICRC no: BAZ-905607-02)¹⁴⁴ and Šefik Efendić (ICRC no: BAZ-900770-01).¹⁴⁵

30 July

On 30 July 1995, members of the Ljubovija OUP captured a Bosniak who fled into the territory of the FRY from Srebrenica and then turned him over to the Ljubovija Border Police.¹⁴⁶

Hajro (father's name: Suljo) Ahmetović, born 4 May 1963 in Žedanjsko, registered resident of Srebrenica.

¹⁴⁰ Record of the completed handover of persons and money between the Ljubovija BP and the Bratunac BP no. 28-203/95, dated 29 July 1995, Ex. 4D00437, *Popović*, see Appendix 7.

¹⁴¹ *Ibid.*

¹⁴² Confirmation of the Bratunac BP no. 01/2-4.3-51/95, dated 29 July 1995, Ex. 4D00530, *Popović*; Official note of Vidoje Radović, the Bratunac BP, dated 29 July 1995, Ex.4D436, *Popović*.

¹⁴³ The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?fliid=5e936995-db2d-44f0-ab4e-df576001d82d>, accessed on 6 June 2017.

¹⁴⁴ The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?fliid=9405e284-0c4a-4dfa-b018-ac6f158843b1>, accessed on 6 June 2017.

¹⁴⁵ The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?cid=141659>, accessed on 6 June 2017.

¹⁴⁶ Record of the completed handover of persons and items between the Ljubovija BP and the Bratunac BP no. 28-205/95, dated 30 July 1995, Ex. 4D00441, *Popović*, see Appendix 8.



On the same day, at 14.00 hours, Zoran Sević, an officer of the Ljubovija Border Police, turned over Hajro Ahmetović to Vidoje Radović, officer of the Bratunac Border Police.¹⁴⁷

Later on the same day, Radović turned over Ahmetović to Mirko Janković, officer of the Military Police of the Bratunac Brigade of the VRS, of which there is a confirmation and an official note.¹⁴⁸

- **Subsequent fate of deported man**

There has been no trace of Hajro Ahmetović since he was turned over to the Bratunac Brigade, and he is still registered as missing on the list of the ICRC, with the designation mark: BAZ-904169-01.¹⁴⁹

31 July

On 31 July 1995, members of the Bajina Bašta OUP captured a Srebrenica Bosniak and then turned him over to the Bajina Bašta Border Police.¹⁵⁰

Azem (father's name: Memiš) Avdić, born 19 January 1954 in Osmače, registered resident of Srebrenica.

On the same day, around 14.00 hours, the commander of the Bajina Bašta Border Police, Risto Šeovac, turned over Azem Avdić to Vidoje Radović, officer of the Bratunac Border Police, at the Ljubovija border crossing, of which there is a record.¹⁵¹

Later that day, Radović turned over Avdić to Mirko Janković, member of the Military Police of the Bratunac Brigade of the VRS, of which there is a confirmation and an official note.¹⁵²

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- **Subsequent fate of deported man**

There has been no trace of Azem Avdić since he was turned over to the Bratunac Brigade of the VRS, and he is still registered as missing on the list of the ICRC, with the designation mark: BAZ-913190-01.¹⁵³

147 Ibid.

148 Confirmation of the Bratunac BP no. 01/2-4.3-52/95, dated 30 July 1995, Ex. 4D00439, *Popović*; Official note of Vidoje Radović, Bratunac BP, dated 30 July 1995, Ex. 4D440, *Popović*.

149 The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?flid=22e17895-70ad-427b-a80d-13cfed76458a>, accessed on 6 June 2017.

150 Record of the completed handover of persons and items between the Bajina Bašta BP and the Bratunac BP no. 28-252/95, dated 31 July 1995, Ex. 4D00442, *Popović*, see Appendix 9.

151 Ibid.

152 Confirmation of the Bratunac BP no. 01/2-4.3-56/95, dated 31 July 1995, Ex. 4D00443, *Popović*; Official note of Pero Milić, Bratunac BP, dated 31 July 1995, Ex. 4D444, *Popović*.

153 ICRC profile available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?flid=3991f800-14eb-42bb-8611-804bd98d4b27>, accessed on 6 June 2017.



1 August

On 1 August 1995 members of the Ljubovija UOP captured a Bosniak who escaped from Srebrenica to the territory of Serbia:¹⁵⁴

Ibro (father's name: Munib) Krlić, born 16 October 1971 in Bekići, registered resident of Srebrenica.

After the “operational processing of the person,” members of the Ljubovija OUP turned him over to the Ljubovija border police.¹⁵⁵

On the same day at 12.00 hours, Zoran Sević, an officer of the Ljubovija Border Police, turned over Ibro Krlić to Vidoje Radović, officer of the Bratunac Border Police.¹⁵⁶ Radović then turned Krlić over to Mirko Janković, member of the Bratunac Brigade of the VRS, of which there is a confirmation and an official note.¹⁵⁷

▪ Subsequent fate of deported man

There has been no trace of Ibro Krlić since he was turned over to the Bratunac Brigade, and he is still registered as missing on the list of the ICRC, with the designation mark: BAZ-912316-01.¹⁵⁸

“L” mass grave – Glogova 1 site

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Of the 30 Srebrenica refugees whose fate has been the subject of this Dossier, 15 have been found in mass graves in BiH. In addition to Ahmet Tepić and Edin Džanić (deported on 20 July), who were buried in a mass grave in Bišina, and Rešid Sinanović (deported on 15 July), who was buried in the Čančarski put 4 mass grave, the remaining 12 deported men were buried in one of the mass graves in Glogova.

154 Record of the completed handover of persons and items between the Ljubovija BP and the Bratunac BP no. 28-210/95, dated 1 August 1995, Ex. 4D00447, *Popović*, see Appendix 10.

155 Ibid.

156 Ibid.

157 Confirmation of the Bratunac BP no. 01/2-4.3-57/95, dated 1 August 1995, Ex. 4D00445, *Popović*; Official note of Vasiljević Dragan, Bratunac BP, dated 1 August 1995, Ex. 4D446, *Popović*.

158 The ICRC profile is available at <https://familylinks.icrc.org/bosnia/en/Pages/person-details.aspx?flid=54e5abcb-963e-46b1-8e2f-451e7432373c>, accessed on 6 June 2017.



A complex of graves at Glogova site represents the so-called “graves in connection with Srebrenica,”¹⁵⁹ where victims of the Srebrenica genocide were buried. A significant number of the mortal remains found in Glogova represent those of the victims killed in a warehouse in Kravica on 13 July 1995.¹⁶⁰

However, as found by the ICTY, the Glogova graves do not contain only victims from Kravica but, amongst others, “12 persons returned to the VRS from Serbia,”¹⁶¹ as follows:

	Full Name	Deportation Date
1.	Smajil Mehmedović	21 July 1995
2.	Ramiz Muminović	21 July 1995
3.	Bekir Kandžetović	21 July 1995
4.	Ibrahim Kandžetović	21 July 1995
5.	Fahrudin Avdić	24 July 1995
6.	Mefail Rahmić	24 July 1995
7.	Meho Mulalić	24 July 1995
8.	Ferid Halilović	24 July 1995
9.	Muharem Husić	24 July 1995
10.	Nedžib Rahmić	24 July 1995
11.	Naser Duraković	26 July 1995
12.	Emir Duraković	26 July 1995

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More precisely, 12 Bosniaks deported from Serbia were found in the L grave at the Glogova 1 site.¹⁶²

159 The ICTY’s activities in BiH during 2001 – Report of the head pathologist, p. 14, Ex. P4105, *Karadžić*, see Appendix 11.

160 That is why the indictment for Kravice of the War Crimes Prosecutor’s Office of the Republic of Serbia mistakenly lists as victims some of the Srebrenica refugees deported by Serbia: Fahrudin Avdić, Mefail Rahmić, Meho Mulalić, Ferid Halilović, Muharem Husić, Nedžib Rahmić, Naser Duraković And Emir Durakovic; see indictment of War Crimes Prosecutor’s Office, KTO.no. 2/15, 21 January 2016, available at http://www.tuzilastvorz.org.rs/upload/Indictment/Documents_sr/2016-10/kto_2_15_dopuna_optuznice_od_21_01_2016_1.pdf, accessed on 3 July 2017. See also ICTY Trial Judgment in *Tolimir* dated 12 December 2012, para. 370.

161 ICTY Trial Judgment in *Popović et al.*, dated 10 June 2010, para. 443; ICTY Trial Judgment in *Tolimir* dated 12 December 2012, para. 370; See also testimony of Dušan Janc, 14 May 2010, pp. 1827–1828, *Tolimir*; data of the Missing Persons Institute of BiH.

162 *Corrigendum* of the Updated Forensic Evidence Summary – the exhumation of graves in connection with Srebrenica – March 2009, dated 13 March, 2009, prepared by Dušan Janc, investigator at the ICTY Otp, Ex. P4492, *Popović*.



Only the men deported from Serbia, 12 of them, were buried in that grave.¹⁶³ The L grave of the Glogova 1 mass grave was created by 27 July 1995;¹⁶⁴ and on 26 July 1995, the last group of Bosniaks whose bodies were found in it had been deported.

The exhumation of this grave was completed between 20 and 28 September 2000.¹⁶⁵ According to the findings of the forensic anthropologist who carried out the exhumation of the grave, these 12 Bosniaks turned over to the VRS were shot on the spot, next to the L grave.¹⁶⁶

Their hands were tied behind their backs and they were tied to each other in pairs.¹⁶⁷ All men were killed in the same manner, with a shot fired into the nape or temple.¹⁶⁸

Personal items of deported refugees

The men deported by Serbia to the armed forces of Republika Srpska, were turned over with the personal items they had on them at the time of capture, and a record was kept about these transactions in the “record on the handover of persons *and items*”¹⁶⁹ that was drafted during each deportation. Most men had only their identification documents on them (some not even that), money, jewelry and, in some cases, pieces of weapons. However, they were found in the grave without any of these personal items.¹⁷⁰

The money and jewelry seized from the refugees was kept in the safety deposit box of the head of security of the Bratunac Brigade of the VRS, Momir Nikolić, who was taking over the men deported from Serbia from Republika Srpska police station in Bratunac. During his testimony before the ICTY he explicitly mentioned the jewelry and money taken from the Bosniaks returned from Serbia and put

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163 Report of Richard Wright on the excavations and exhumations at the Glogova 1 locality, L grave, conducted in September 2000, Ex. P04488, *Popović*.

164 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 20, Ex.P674, *Popović*.

165 Report of Richard Wright on the excavations and exhumations at the Glogova 1 locality, L grave, conducted in September 2000, p. 3, Ex.P04488, *Popović*.

166 Report on the excavations and exhumations of the Glogova 1 mass grave in 2000, p. 18, Ex.P674, *Popović*; *Corrigendum* of the Updated Forensic Evidence Summary – the exhumation of graves in connection with Srebrenica – March 2009, dated 13 March, 2009, prepared by Dušan Janc, investigator at the ICTY OtP, Ex. P4492, *Popović*.

167 Report of Richard Wright on the excavations and exhumations at the Glogova 1 site, L grave, conducted in September 2000. p. 4, Ex.P04488, *Popović*.

168 The ICTY’s activities in BiH during 2001 – Report of the head pathologist, p. 14, Ex. P4105, *Karadžić*, see Appendix 11; Report of Richard Wright on the excavations and exhumations at the Glogova 1 locality, L grave, conducted in September 2000, p. 4, Ex.P04488, *Popović*.

169 See e.g., Record of the completed handover of persons and items at the Bajina Bašta border crossing no. 28-239/95, dated 21 July 1995, Ex. 4D00423, *Popović*, see Appendix 3; Record of the completed handover of persons and items between police officers of the Bratunac BP, Skelani Unit and members of the VRS, i.e., members of the Skelani Independent Battalion, Ex. 4D00426, *Popović*.

170 The ICTY’s activities in BiH during 2001 – Report of the head pathologist, p. 16, Ex. P4105, *Karadžić*, see Appendix 11.



in his brigade's safety deposit box as an example of taking spoils of war.¹⁷¹ In April 1997 he handed that jewelry over to the VRS's commission as spoils of war:¹⁷²

- 1 gold chain (taken away from Ferid Halilović on 24 July 1995);¹⁷³
- 1 pearl necklace (taken away from Hamzo Malkić on 23 July 1995);¹⁷⁴
- 1 gold man's ring (taken away from Ferid Halilović on 24 July 1995);¹⁷⁵
- 4 small gold coins (drilled) (taken away from Ferid Halilović on 24 July 1995);¹⁷⁶
- 10 gold women's rings (taken away from Hamzo Malkić on 23 July 1995.);¹⁷⁷
- 2 pairs of gold earrings (owner unknown to the HLC).

The events after 1 August 1995

The capture of men from Žepa

A little more than two weeks after overrunning Srebrenica, the VRS took over another UN safe area in eastern Bosnia – Žepa. Having forcibly transferred more than 4,000 civilians from the Žepa enclave, the VRS forced the Bosniak representatives of Žepa to sign a capitulation agreement on 27 July 1995. The agreement envisaged the surrender of the troops of the Army of BiH and other “able-bodied Žepa residents of fighting age” to the VRS.¹⁷⁸

Knowing what happened to the captured men from Srebrenica, the men from Žepa refused to surrender to the VRS. The men then had two choices – either to try to reach “liberated territory” held by the Army of BiH, and thus risk being captured by the VRS en route, or to take flight over the River Drina into Serbia and surrender to the authorities of the then Federal Republic of Yugoslavia. The majority of the men opted for the latter course of action.

Between 1 and 10 August, approximately 800 Bosniaks from Žepa crossed to the Serbian bank of the River Drina. Most of them were members of the Army of BiH, but there were also civilians, including dozens of underage boys. Almost immediately after crossing, the men were arrested by border guards of the Yugoslav Army and members of the Special Police Units of the Serbian MUP.

171 Testimony of Momir Nikolić, 24 April 2009, p. 33147, *Popović*.

172 Report on the handover of material and technical equipment kept in the safety deposit box of the law enforcement authorities, 4 April 1997, p. 2, Ex.P94, *Blagojević*.

173 Confirmation of the Bratunac BP no. 01/2-4.3-49/95, dated 24 July 1995, Ex. 4D00431, *Popović*.

174 Official note of Radoje Vidović, Bratunac BP, dated 23 July 1995, Ex. 4D425, *Popović*.

175 Confirmation of the Bratunac BP no. 01/2-4.3-49/95, dated 24 July 1995, Ex. 4D00431, *Popović*.

176 *Ibid*.

177 Official note of Radoje Vidović, Bratunac BP, dated 23 July 1995, Ex. 4D425, *Popović*.

178 HLC, *Dossier: Šljivovica and Mitrovo Polje*, available at http://www.hlc-rdc.org/wp-content/uploads/2016/12/Dosije_Sljivovica_i_Mitrovo_polje_eng.pdf.



After registration and interrogation, all detainees were taken to the Šljivovica camp in Braneško Polje, near Čajetina. As the camp in Šljivovica could not accommodate so many people, a group of detainees was transferred to another camp, located in Mitrovo Polje (Aleksandrovac municipality).

The camps closed in the first half of 1996, when all the captured men were released.¹⁷⁹

A sudden change in practice: Serbia stops deporting Bosnian Muslims

In the period relevant to this dossier, 1 August 1995 stands out as a turning point as regards Serbia's treatment of refugees from the safe areas in eastern Bosnia. Despite being pressured by the VRS¹⁸⁰ to hand the men from Žepa back to the VRS just as it had previously handed over the refugees from the Srebrenica enclave, Serbia declined to do so.¹⁸¹

The available evidence indicates that this change in the treatment of the men from Žepa by FRY border guards was a result of a decision made at the highest political level. Momčilo Perišić, the Chief of the VJ General Staff at the time, testified that members of the Užice MUP wanted to kill the Bosniaks arriving from Žepa, and that he informed Slobodan Milošević about this.¹⁸² Also, Ljubiša Beara, Head of the Security Administration at the VRS Main Staff, as stated in the intercepted conversation of 1 August 1995, came to Serbia in order to take over the "parcels," that is, the men who had fled Žepa, and complained in the intercepted conversation that the Serbian authorities had told him he came to Serbia for nothing, because "the order" regarding the Bosnian Muslims had come "from the top level."¹⁸³

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179 From the moment of capture until release, the men from Žepa were subjected to torture, sexual violence, inhumane treatment, humiliation and starvation, and were robbed of their belongings and money. Three detainees died as a result of the torture. For more details about the captivity of the men from Žepa in camps in Serbia, see: HLC, *Dossier: Šljivovica and Mitrovo Polje*, available at http://www.hlc-rdc.org/wp-content/uploads/2016/12/Dosije_Sljivovica_i_Mitrovo_polje_eng.pdf

180 Intercepted conversation between members of the VRS and a certain Serbian government representative, Ex. P345; *Tolimir*; ICTY Trial Judgment in *Tolimir*, 12 December 2012, para. 675.

181 Intercepted conversation of Ljubiša Beara, Ex. P1381a, *Popović*; ICTY Trial Judgment in *Popović* of 10 June 2010, Vol I, para. 735. There are indications that Serbia nonetheless allowed VRS members to enter the camps and interrogate detainees. The Security Administration of the Main Staff of the VRS on 10 August 1995 sent a letter to the Ministry of Justice of Republika Srpska and the State Security Division (RDB) of the Serbian MUP. The letter, signed by Ljubiša Beara, Chief of Security of the VRS Main Staff, notes that a certain number of members of the Army of BiH from Žepa had been taken prisoner by the VJ and MUP of the Republic of Serbia. This document goes on to say that the VRS was maintaining constant communication with the Serbian RDB, which set up a field office in Užice for the purpose of interrogating the detainees regarding their involvement in the crimes against Serbs committed in the Žepa area. The VRS allegedly wanted the detainees to be transferred from Serbia to the prison in Foča, where statements would be taken from them to document crimes against Serbs. To this end, the VRS formed a team, led by Zoran Čarkić, which was to take statements from the detainees, and called on the Republic of Serbia to follow suit. From the foregoing it can be inferred that the VRS pressured Serbia to hand over to the VRS the detainees, so they could document the alleged crimes committed by the Army of BiH against Serbs in the Podrinje region. However, although the Republic of Serbia did not surrender to the VRS any of the men of the Žepa area who had been taken prisoner in Serbia, it took it upon itself to interrogate them, thus violating its obligations under international law. See, VRS Main Staff Security Administration strictly confidential no. 12/46-547/95 of 10 August 1995, HlcIndexin: 038-4163-1; Testimony of Milan Vojinović, 22 July 2008, pp. 23748-9, *Popović*.

182 Momčilo Perišić interview, Ex. P802, p. 27, *Perišić*.

183 ICTY Trial Judgment in *Popović*, 10 June 2010, Vol. II, para. 1291.



This decision was reached, in all likelihood, as a result of the pressure of the international community combined with the opportunism of the Serbian political leadership at the time. When Žepa fell, the international community began to realise that the men who had disappeared from Srebrenica had actually been killed by the VRS.¹⁸⁴ The available evidence suggests that right after the first deportations described in this Dossier had taken place, the relevant international organisations, such as the UN High Commissioner for Refugees (UNHCR), were aware that the refugees from Srebrenica were being deported.¹⁸⁵ At the request of Hasan Muratović, the then minister in the BiH Government responsible for cooperation with the UN, and fearing for the lives of the men and boys of Žepa, the EU Special Envoy to the former Yugoslavia, Carl Bildt, held negotiations with the President of the FRY, Slobodan Milošević, about Serbia “guaranteeing security” to the Bosniaks from this fallen enclave “if they ever cross the border.”¹⁸⁶ This is how Bildt describes the negotiations with Milošević in his memoirs:

There was a risk that Milošević would inform Mladić about what was going on, which would inevitably lead to a massacre in the woods and on the hills [...]. I updated him [Milošević] on the situation in Žepa [...] Milošević immediately saw a political opportunity in it. He intended to immediately give instructions to the border guards to go to the aid of the soldiers [men from Žepa], who were to be treated as refugees.¹⁸⁷

That this change was indeed a result of a political decision, notably, Milošević’s decision to comply with the requests of the international community, is evidenced by the fact that already on 31 July 1995 – in the wake of the Milošević-Bildt meeting and before the first big wave of refugees had even arrived in Serbian territory – the VJ Border Battalion set up a commission to take in the refugees from Žepa.¹⁸⁸

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Responsibility of the Republic of Serbia

In deporting the Srebrenica refugees and turning them over to the armed forces of Republika Srpska, Serbia not only acted contrary to several international treaties, including the Convention on Refugees, but may also be found responsible for international crimes, namely war crimes, crimes against humanity and genocide.

184 Testimony of Rupert Anthony Smith, 22 March 2011, p. 11597, *Tolimir*; Carl Bildt, „Zadatak: Mir“ [The Struggle for Peace in Bosnia], Radio B92, Belgrade, 1999, p. 106.

185 Robert Block, “‘River killings’ shed light on scale of horror after the fall of Srebrenica“, *Independent*, 24 July 2017, available at <http://www.independent.co.uk/news/world/river-killings-shed-light-on-scale-of-horror-after-the-fall-of-srebrenica-1593105.html>

186 Carl Bildt, “Zadatak mir“ [The Struggle for Peace in Bosnia], Radio B92, Belgrade, 1999, p. 115.

187 *Ibid*, pp. 115-116.

188 Testimony of Branko Gajić, 11 March 2010, p. 10884, *Perišić*; List of men who crossed the Drina, Ex. P111, *Tolimir*.



According to the UN Convention on the Status of Refugees, to which Serbia is a Contracting State,¹⁸⁹ “no Contracting State shall expel or return (*refouler*) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”¹⁹⁰

As regards Serbia’s mode of responsibility for other internationally wrongful acts, notably its participation in the mass human rights violations committed in Srebrenica by turning over the male refugees to the perpetrators of these violations, it can best be characterised as *aiding* or complicity¹⁹¹ in the commission of international crimes.

No court, national or international, has ever addressed the individual criminal responsibility of any member of the Serbian state organs or its leadership, or the responsibility of the state itself for the events described in this Dossier.

- **Bosnian genocide case before the International Court of Justice**

In its judgment delivered in 2007, the International Court of Justice (ICJ) ruled that genocide was committed in July 1995 in Srebrenica,¹⁹² and found Serbia and Montenegro (as the state was called at the time) to have been in breach of its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, for having failed to prevent the genocide at Srebrenica¹⁹³ and punish the perpetrators, i.e. hand them over to the ICTY.¹⁹⁴ Serbia was cleared of other modes of international responsibility envisaged by the Convention on Genocide, namely committing an act of genocide, conspiracy to commit genocide, attempt to commit genocide and complicity in genocide.

The evidence presented in this Dossier was not put before the ICJ in this case. When it came to Serbia’s treatment of Bosnian Muslim refugees in the summer of 1995, the BiH’s application to the ICJ only pointed to the confinement and abuse of the refugees from Žepa in camps in Serbia, making no

189 Convention Relating to the Status of Refugees, drawn up at Geneva on 28 July 1951 and entering into force on 22 April 1954(Official Journal of the Federative People’s Republic of Yugoslavia – International Treaties, No. 7/60).

190 Article 33 of the Convention on the Status of Refugees, available at <http://www.unhcr.rs/media/1951Refugee-ConventionSer.pdf>.

191 The International Court of Justice (ICJ) in its judgment equated “complicity” with “aiding and abetting.” Namely, the Convention on the Prevention and Punishment of the Crime of Genocide refers to this form of participation in genocide as complicity in genocide. The ICJ established that the term “complicity” as such does not exist in the current terminology of the law of international state responsibility, but that it entails and is “similar” to “aid or assistance”, a category of the customary rules constituting the law of state responsibility for wrongful acts. See: International Court of Justice, Judgment, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Yugoslavia*), paras. 419-420, available at <http://www.icj-cij.org/files/case-related/91/091-20070226-JUD-01-00-EN.pdf>.

192 The ICTY found that genocide was committed in Srebrenica in the following cases: *Blagojević and Jokić*, *Erdemović*, *Vujadin Popović et al.*, *Radislav Krstić*, *Zdravko Tolimir*, *Momir Nikolić*, *Dragan Obrenović* and *Radovan Karadžić*.

193 International Court of Justice, Judgment, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Yugoslavia*), para. 438.

194 *Ibid.*, para. 449.



mention of the deportations of dozens of Srebrenica refugees described in the Dossier.¹⁹⁵ In its reply, Serbia vehemently denied the accusations of BiH, claiming it in fact provided shelter to these men:

„Several hundreds of Muslims from Eastern Bosnia fled to the territory of FR Yugoslavia i.e. the Republic of Serbia, at the end of July 1995. These are the people who left the Muslim army and sought protection in the territory of the FR Yugoslavia. They were accepted on the territory of FR Yugoslavia, provided with accommodation and medical and other assistance. These people were also taken care of by the representatives of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees.

It would be absurd for a state which had committed genocide against Muslims to let Muslim refugees into its territory and to provide shelter for them.¹⁹⁶

The ICJ ruled that Serbia cannot be held responsible for *committing* the act of genocide, because “it has not been shown that the FRY army took part in the massacres, nor that the political leaders of the FRY had a hand in preparing, planning or in any way carrying out the massacres,”¹⁹⁷ i.e. that the units which carried out the genocide were not *de jure*¹⁹⁸ or *de facto*¹⁹⁹ organs of the FRY. “A more delicate question,²⁰⁰ as the court put it, was whether Serbia may be held responsible for complicity (aiding) in genocide. To determine whether Serbia was responsible of complicity in genocide, the court had to consider whether the following two conditions had been fulfilled:²⁰¹

- 1) That Serbia aided and assisted the perpetrators; and
- 2) **That Serbia was aware, at the time of supplying aid or assistance to the perpetrators, that the killings were about to be committed or were already under way with the *specific* (genocidal) *intent* on the part of the perpetrators to destroy, in whole or in part, the Bosnian Muslims from Srebrenica.**

As regards the first condition, that of aiding, the ICJ had previously established in its judgment the following: “Undoubtedly, the quite substantial aid of a political, military and financial nature provided by the FRY to the Republika Srpska and the VRS, beginning long before the tragic events of Srebrenica,

195 Application of Bosnia and Herzegovina, p. 753, paras. 475-476, available at <http://www.icj-cij.org/docket/files/91/10505.pdf>

196 Written Observations of Serbia, 23 July 1997, pp. 291-292, available at <http://www.icj-cij.org/docket/files/91/10503.pdf>, accessed on 15 June 2017.

197 International Court of Justice, Judgment, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Yugoslavia*), para. 386.

198 Ibid, para. 395.

199 Ibid, para. 413.

200 Ibid, para. 418.

201 Ibid, paras. 420-421.



continued during those events.²⁰² Having examined the second condition, the court found that Serbia cannot be found responsible for complicity in genocide, as “it has not been conclusively established that, at the crucial time, the FRY supplied aid to the perpetrators of the genocide **in full awareness** that the aid supplied would be used to commit genocide.”²⁰³

However, besides awareness of the existence of genocidal intent on the part of those who killed the men from Srebrenica (which is more difficult to prove), for the purpose of this Dossier and for determining other internationally wrongful acts, other degrees of awareness are also relevant – awareness of crimes committed after the fall of Srebrenica and throughout the war in BiH. For instance, Serbia’s responsibility for violating the principle of non-refoulement as defined in the Convention on Refugees can be proved by showing that the organs of the Republic of Serbia knew that the refugees’ lives and freedom would be threatened in Republika Srpska. Serbia’s responsibility for other international crimes can be proved by showing that the authorities of the Republic of Serbia knew that the armed forces of Republika Srpska were committing war crimes and crimes against humanity and massive atrocities against Bosnian Muslims.²⁰⁴

Additional evidence showing what the Serbian leadership knew about the events in Srebrenica only emerged in 2011 – four years after the ICJ judgment –, in the ICTY Trial Chamber Judgment delivered in the case against former Chief of the VJ General Staff, Momčilo Perišić.²⁰⁵ It is noteworthy that, among other things, Perišić was charged with aiding and abetting the crime in Srebrenica, not as an act of genocide but as a war crime and a crime against humanity. In contrast to the ICJ case, the evidence against Perišić did not focus solely on his knowledge of the genocidal intent of the Srebrenica massacre (knowledge of genocidal intent), but on his knowledge of the crimes in Srebrenica, as well as of other crimes committed during the war in BiH.

What did Serbia know?

The overview, in the Dossier below, shows what Serbia – its leadership and organs - was aware of regarding the crimes of the Bosnian Serb military and police committed in eastern BiH before and after the fall of Srebrenica in July 1995, but with an emphasis on the fact that this is only a portion of the most significant information that the HLC has collected.

202 Ibid, para. 422.

203 Ibid, para. 423.

204 Article 16, International Law Commission, Draft Articles on Responsibility of States for Internationally Wrongful Acts, November 2001, Supplement No. 10 (A/56/10), chp.IV.E.1]. See also: ICJ Judgment, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Yugoslavia*), para. 421.

205 The ICTY Appeals Judgment of 28 February 2013 acquitted Momčilo Perišić. However, the appeals judgment did not dismiss the findings made by the Trial Chamber that Perišić, as the Chief of the VJ General Staff, had knowledge of the crimes in Srebrenica at the time of the events described in this Dossier.



1. Serbia knew that the captured men had fled from Srebrenica

Members of the Serbian border police knew that each captured man they turned over to the Republika Srpska authorities came from Srebrenica. All of the records created for the groups or individuals apprehended and then turned over, explicitly stated that they were registered residents of Srebrenica.²⁰⁶ In addition, one of the records designated the captured men as “Muslim persons who have fled Srebrenica.”²⁰⁷

The Interior Ministry of the Republic of Serbia (MUP), competent SUPs, the State Security and the General Staff of the VJ were kept informed about the arrests and handing over of persons from Srebrenica to the armed forces of Republika Srpska.²⁰⁸

2. Serbia knew that the Bosniaks were in danger from the Bosnian Serbs Army and Police

The awareness of the Republic of Serbia authorities that the Bosniaks’ lives and freedom would generally be endangered in the hands of the armed forces of Republika Srpska is relevant for putting forward the arguments for the violation of the Convention Relating to the Status of Refugees, but also for international crimes. This section, therefore, tackles the issue of awareness of the position of the Bosniak men during the war in BiH in general, while the awareness of the Republic of Serbia about the specific set of events taking place in Srebrenica will be the subject of another section.

Today there is a lot of publicly available evidence that undoubtedly indicates that the leadership of Serbia was completely and timely informed about the war events in BiH and the crimes of the armed forces of Republika Srpska against Bosniak civilians. For example, the evidence indicates that the State Security had been regularly reporting to the leadership of Serbia about the war events – there was a special “red line” that directly connected the FRY President with the State Security of the Interior

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²⁰⁶ See Record of the handover of Muslim persons at the Ljubovija border crossing, no. 28-193/95, dated 20 July 1995, Ex. 4D00422.E, *Popović*, see Appendix 2; Record of the handover of persons and items at the Bajina Bašta border crossing no. 28-239/95, dated 21 July 1995, Ex. 4D00423, *Popović*, see Appendix 3; Record of the handover of persons and items in the Bajina Bašta OUP, no: 28-744, dated 23 July 1995, Ex. P3137, *Blagojević*; Record of the handover of persons and money between Bajina Bašta border police and Bratunac border police no. 28-242/95, dated 24 July 1995, Ex. 4D00430, *Popović*, see Appendix 5; Record of the completed handover of persons and money between the Ljubovija border police and the Bratunac border police no. 28-199/95, dated 26 July 1995, Ex. 4D00435, *Popović*, see Appendix 6; Record of the completed handover of persons and money between the Ljubovija border police and the Bratunac border police no. 28-203/95, dated 29 July 1995, Ex. 4D00437, *Popović*, see Appendix 7; Record of the completed handover of persons and money between the Ljubovija border police and the Bratunac border police no. 28-205/95, dated 30 July 1995, Ex. 4D00441, *Popović*, see Appendix 8; Record of the completed handover of persons and money between the Bajina Bašta border police and the Bratunac border police no. 28-252/95, dated 31 July 1995, Ex. 4D00442, *Popović*, see Appendix 9; Record of the completed handover of persons and money between the Ljubovija border police and the Bratunac border police no. 28-210/95, dated 1 August 1995, Ex. 4D00447, *Popović*, see Appendix 10.

²⁰⁷ See Record of the handover of persons and items at the Bajina Bašta border crossing no: 28-744, dated 23 July 1995, Ex. P3137, *Blagojević*.

²⁰⁸ See Daily operations report of the VJ’s 15 Border Battalion sent to the VJ General Staff, 16 July 1995, p. 2, Ex. P4403, *Karadžić*, see Appendix 1; Record of the handover of persons and items at the Bajina Bašta border crossing no.28-744, dated 23 July 1995, Ex. P3137, *Blagojević*.



Ministry of Serbia (MUP), and introduced to provide information about the war.²⁰⁹ The Security Administration of the VJ General Staff was receiving information and reports from the intelligence and security authorities of the VRS,²¹⁰ while the Security Administration and the Intelligence Agency were dispatching to the VJ General Staff daily and weekly reports;²¹¹ a multitude of transcripts of intercepted conversations between the military and senior police officers of Serbia and those of Republika Srpska show that the parties were consulting with each other, and reported to each other about operations and discussed crimes;²¹² Serbian leaders discussed the crimes in BiH in sessions of the Supreme Defence Council;²¹³ international human rights organizations were reporting about crimes in BiH;²¹⁴ the UN Security Council passed a series of resolutions in which it expressed its concern about crimes against the Bosniaks²¹⁵ and, accordingly, directly informed the leaders of the FRY.²¹⁶

In addition, already on 24 July 1995, the ICTY filed joint charges against Radovan Karadžić and Ratko Mladić for genocide, crimes against humanity and war crimes committed against the civilian population across the entire BiH,²¹⁷ and they were officially served on the FRY authorities in Belgrade together with an arrest warrant.²¹⁸ Also, the media in Serbia comprehensively reported about the indictment and its contents.²¹⁹

209 Witness B-179: pp. 26594-26595 p. 111, interim judgment *Milošević*; General Vasiljević: pp. 15908-15910, 16263.

210 ICTY Trial Judgment in *Perišić*, dated 6 September 2011, paras. 1535., 1400–1403, 1427–1432.

211 *Ibid*, paras. 1392, 1396, 1400.

212 See intercepted conversations, Ex.P00613, *Milošević*.

213 Stenographic notes taken during the 6th session of the SDC, held 9 December 1992, pp. 17–18, Ex. P788, *Perišić*; Stenographic notes taken during the 8th session of the SDC, 12 March 1993, p. 45, Ex.P2692, *Perišić*.

214 See e.g., Report of the Special Rapporteur of the Commission on Human Rights Tadeusz Mazowiecki on the situation of human rights in the territory of the former Yugoslavia, 28 August 1992, Ex.no.P2349, *Perišić*; Report of the Special Rapporteur of the Commission on Human Rights Tadeusz Mazowiecki on the situation of human rights in the territory of the former Yugoslavia, 27 October 1992, Ex.no.P2440, *Perišić*; Report of the Special Rapporteur of the Commission on Human Rights Tadeusz Mazowiecki about human rights status in the former Yugoslavia, 17 November 1992, Ex.no.P2441, *Perišić*; Report of the Special Rapporteur of the Human Rights commission Tadeusz Mazowiecki about human rights status in the former Yugoslavia, 10 February 1993, Ex. P2442, *Perišić*; Report of the Special Rapporteur of the Commission on Human Rights Tadeusz Mazowiecki about human rights status in the former Yugoslavia, 5 May 1993, Ex.P2443, *Perišić*; Human rights Watch, War Crimes in Bosnia-Herzegovina: Bosanski Samac, April 1994; Amnesty International, Bosnia and Herzegovina: Gross abuses of basic human rights, October 1992; Amnesty International, Bosnia and Herzegovina: Rape and sexual abuse by armed forces, January 1993.

215 For instance, UNSC Resolution 752, 15 May 1992; UNSC Resolution 757, 30 May 1992; Statement of the President of the UN Security Council, 4 August 1992; UNSC Resolution 771, 13 August 1992, p. 1; UNSC Resolution 780, 6 October 1992; UNSC Resolution 808, 22 February 1993; UNSC Resolution 827, 25 May 1993; UNSC Resolution 941, 23 September 1994.

216 Stenographic notes taken during a session held to discuss state policy, 18 August 1992, p. 18; Ex. P2883, *Perišić*.

217 ICTY indictment against Radovan Karadžić and Ratko Mladić, 24 July 1995, Ex.P1628, *Perišić*.

218 ICTY warrant for the arrest of Ratko Mladić, 25 July 1995 (served on the FRY), Ex.P1630, *Perišić*; Notice served on the FRY with the ICTY order for the arrest of Ratko Mladić, 26 July 1995, Ex.P1632, *Perišić*.

219 See for instance Mirko Klarin, "Karadžić, Mladić and Martić optuženi za ratne zločine", [Karadžić, Mladić and Martić charged with war crimes], *Naša Borba*, 26 July, 1995; Dragica Veljković, "Pravo u senci politike", [Law overshadowed by politics], *Večernje Novosti*, 26 July, 1995; Mirko Klarin, "Vrhunska vlast - vrhunska odgovornost" [Supreme authority - supreme responsibility], *Naša Borba*, 27 July, 1995.



The ICTY has indisputably established that the leaders of Serbia, i.e., the VJ General Staff, were aware of the discriminatory intent and punishable conduct of the VRS, not just in Srebrenica but in other places in BiH.²²⁰

However, in establishing the responsibility of the Republic of Serbia authorities for deportation of refugees, the attitude of the Serbian authorities towards the fear that the captured men expressed is even more important than the level of Serbian awareness of the character of the war in BiH and the danger that was threatening the Bosniaks. Namely, “establishing the status of a refugee... primarily involves *an assessment of the statement of a person* applying for the status of a refugee, rather than judging about the situation in the country of his/her origin.”²²¹ Given that some refugees, while in the hands of the police, hurt themselves severely “in order to avoid being returned” (of which the Bajina Bašta police notified the Serbian MUP),²²² they must have felt enormous fear of the armed forces of Republika Srpska, and the Republic of Serbia authorities, including those at the highest levels, were aware of that.

3. Serbia was aware that the men it deported to the MUP of Republika Srpska were immediately referred to the VRS

The Republic of Serbia police turned over the deported refugees whose fate is the subject of this Dossier to the border police of Republika Srpska. The border police of Republika Srpska surrendered them to the VRS immediately afterwards. However, given the frequency of the operation and that it was done routinely, the HLC believes that the Republic of Serbia police at the very least knew that those men would be immediately turned over to the VRS.

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Namely, in the records on the handover of the Srebrenica men, the time of the handover was also included. In some cases, the handover between the Serbian police and the police of Republika Srpska was immediately before the handover between the police of Republika Srpska and the VRS.²²³ In some other cases, the time entries were illogical, as it seems that the handover from the hands of the police of Republika Srpska to the VRS occurred before the Serbian police turned the same persons over to

220 ICTY Trial Judgment in *Perišić*, dated 6 September 2011, paras. 1541, 1484–1487.

221 Handbook on Procedures and Criteria for Determining Refugee Status, UN High Commissioner for Refugees, para. 37 (U.N. Doc. HCR/1P/4/Eng/REV.2).

222 See Record of the completed handover of persons and items at Bajina Bašta border crossing, no.28-744, dated 23 July 1995, Ex.P3137, *Blagojević*.

223 Compare the Record of the handover of persons and money between the Bajina Bašta border police and the Bratunac border police no. 28-242/95, dated 24 July 1995, Ex.4D00430, *Popović* (see Appendix 5) and the Confirmation of the Bratunac border police no. 01/2-4.3-49/95, dated 24 July 1995, Ex.4D00431, *Popović*.



the police of Republika Srpska.²²⁴ The HLC, therefore, concludes that the border police only formally adhered to the protocol which governed the handover between them, and hence the false entries, as they knew all along that the deported men were actually being turned over to the VRS.

The report dated 23 July 1995 by which the commander of the Bajina Bašta border police Risto Šeovac notified the Republic of Serbia MUP, the SUP in Užice and the head of the State Security Center in Užice about the surrender of a group of eight Bosniak refugees to Republika Srpska MUP, represents evidence in its own right.²²⁵ In his notification, Šeovac emphasized that the handover of the Srebrenica persons had been carried out “in accordance with the agreement with the employees of the Užice State Security Center”; and the code name of the operation – “Drina Operation” - is also of particular relevance.

Within the available documentary material, the HLC did not find any other documents under the code name “Drina Operation”, except for a directive to the Yugoslav Army, the Republic of Srpska Army and the Army of the Serbian Republic of Krajina, called the “Drina Plan”, that had been classified as a state secret.²²⁶ This document was created in November 1993 and represents a single war plan for all three allied armies (VJ, VRS and VRSK).²²⁷ The plan described the principal tasks of the VJ, VRS and VRSK in the case of external aggression.²²⁸ According to that Plan, one of the VJ’s tasks was to “jointly act with the VRS in countering Muslim forces in the Drina Valley,”²²⁹ whilst one of the VRS’s tasks was, “to jointly act with the VJ to break and destroy Muslim armed forces in the enclaves.”²³⁰

224 Compare e.g., the Record of the completed handover of persons and items between the Ljubovija border police and the Bratunac border police no. 28-210/95, dated 1 August 1995, Ex.4D00447, *Popović* (see Appendix 10) and the Confirmation of the Bratunac border police no. 01/2-4.3-57/95, dated 1 August 1995, Ex.4D00445, *Popović* (MUP of Republika Srpska-VRS at 11h, and Serbian MUP -MUP of Republika Srpska at 12h). Compare also the Record of the handover of persons and money between the Bajina Bašta border police and the Bratunac border police no.28-252/95, dated 31 July 1995, Ex.4D00442, *Popović* (see Appendix 9) and the Confirmation of the Bratunac border police no. 01/2-4.3-56/95 dated 31 July 1995, Ex.4D00443, *Popović* (MUP of the Republic of Srpska -VRS at 13h, and Serbian MUP –MUP of Republika Srpska at 14.10 hours).

225 The Record of the completed handover of persons and items at Bajina Bašta border crossing, no.28-744, dated 23 July 1995, Ex.P3137, *Blagojević*.

226 Directive issued for purposes of the Yugoslav Army, Republic of Srpska Army and the Army of the Serbian Republic of Krajina (the “Drina Plan”), Ex.P215, *Perišić*

227 ICTY Trial Judgment in *Perišić*, dated 6 September 2011, para. 1306.

228 The overall goal of the plan was as follows: To defend the territorial integrity of Serbian countries west of the Drina and the Danube and the FRY, and protect the Serbian people from genocide, liberate those parts of Serbian territories where Serbs made up a majority of the population, create the conditions for establishing one country consisting of the Serbian nation, and prevent the creation of Greater Croatia and a united Islamic state in the region of the former Yugoslavia. Directive issued for the purposes of the Yugoslav Army, the Republic of Srpska Army and the Army of the Serbian Republic of Krajina (the “Drina Plan”), p. 7, Ex.P215, *Perišić*.

229 Directive issued for the purposes of the Yugoslav Army, the Republic of Srpska Army and the Army of the Serbian Republic of Krajina (the “Drina Plan”), p. 9, Ex. P215, *Perišić*.

230 *Ibid.*



The “Drina Plan” anticipated that *any kind of elaboration thereof is to be done under the code-name “Drina”*,²³¹ i.e., that any further orders, instructions and actions would be labeled with such a code, which is why the HLC considers the said report of the Bajina Bašta border police labeled with the “Drina” code to be connected with the “Drina Plan”.

The ICTY found that only the VRS acted in accordance with this plan, while the VJ did not do so.²³² Nevertheless, the HLC considers that the prosecutorial authorities should pay special attention to the said report under the codename “Drina Operation”, irrespective of whether or not it actually represents part of the “Drina Plan”, as this is a unique document that shows: (1) that the deportations were carried out within an operation with its code-name; and (2) that within that operation there was a line of communication introduced to provide reports to the most significant security agencies of the Republic of Serbia.

4. Serbia was aware that the Srebrenica men were being systematically killed

A multitude of items of evidence indisputably confirms that the Republic of Serbia authorities were informed in detail about the events and crimes committed during the war in BiH. However, the Republic of Serbia was particularly interested in the events in eastern Bosnia and especially in Srebrenica, if only because of the geographic proximity between this enclave and Serbia.²³³ This was the reason why Serbia reinforced its armed forces along the border with Republika Srpska on the River Drina before the VRS attack on Srebrenica,²³⁴ and this is why it monitored the situation on a regular basis.

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One of the tasks of the counter-intelligence unit within the Security Administration was to monitor the situation in Srebrenica in order to determine “whether to expect waves of refugees who should be treated in accordance with international law”.²³⁵

Evidence shows that the VJ General Staff regularly reported and monitored the developments in Srebrenica from the beginning of July 1995.²³⁶

231 Ibid.

232 The ICTY Trial Judgment in *Prosecutor v. Perišić*, dated 6 September 2011, para. 1312.

233 Testimony of Miodrag Simić, former head of the First Administration of the VJ General Staff, 25 February 2010 p. 10095, *Perišić*; Testimony of Branko Gajić, former head of the counter intelligence unit within the Security Administration of the JNA and VJ, 12 March 2010, 10944, *Perišić*.

234 See the order of the head of the VJ General Staff to the Command of the 2nd Army, 21 June 1995, Ex.P2761, *Perišić*.

235 Testimony of Branko Gajić, former head of the counter-intelligence unit within the Security Administration of the JNA and VJ, 12 March 2010, 10962, *Perišić*.

236 The ICTY Trial Judgment in *Perišić*, dated 6 September 2011, para. 1538. See for instance Intelligence report of the 2nd Administration of the VJ General Staff, 7 July 1995, p. 1, Ex.D214, *Perišić*; Intelligence report of the 2nd Administration of the VJ General Staff, 9 July 1995, Ex. D216, *Perišić*; Intelligence report of the 2nd Administration of the VJ General Staff, 12 July 1995, Ex.D220, *Perišić*; Intelligence report of the 2nd Administration of the VJ General Staff, 13 July 1995, Ex.D222, *Perišić*.



On July 14 1995, the President of the UN Security Council issued a statement pointing to information about “the killing of innocent civilians” in Srebrenica, and condemned the “unacceptable practice of ethnic cleansing.”²³⁷ The FRY Mission to the UN dispatched a telegram to the leaders of the FRY on the same day, notifying them of the UN Security Council’s statement.²³⁸

According to the statement of the then head of the VJ General Staff, Momčilo Perišić, he learned about the mass killings in Srebrenica from Slobodan Milošević, at a meeting held by Milošević’s cabinet **between 15 and 20 July 1995** [when the first deportations of refugees from Serbia occurred].²³⁹ As he stated:

“When I learned from Milošević that a heinous crime had happened, believe it or not, ever since that day I have refused to know anything about it. I have distanced myself from it, because it is beyond me that something like that could happen [...] at the end of the 20th and the beginning of the 21st century.”²⁴⁰

A day after the deportation of the fifth group of refugees, 24 July 1995, Perišić and Milošević met with Mladić, at which time Milošević complained: “Srebrenica and Žepa have caused great damage to us.”²⁴¹

The ICTY concluded that the VJ General Staff was aware of the assertions of the crimes having been committed two days before the first recorded deportations on 13 July 1995.²⁴²

- **Media accounts**

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Independent of the official intelligence and diplomatic reports that point to the leaders of Serbia having been aware of the killing of the Srebrenica men, at the time of the deportations the Republic of Serbia authorities had also received such information from the international as well as the national media.

In his conversation with representatives of the prosecutor’s offices, Perišić admitted that “when Mladić entered Srebrenica, it was a known fact and it was on TV, it was publicly presented here and worldwide.”²⁴³ The heads of the intelligence services also confirmed that they saw the media reports about killings in Srebrenica.²⁴⁴

237 Record of the 3554th session of the UN Security Council, 14 July 1995, Ex.P2502, *Perišić*.

238 ICTY Trial Judgment in *Perišić*, dated 6 September 2011, para. 1560.

239 Ibid, para. 1544; Transcript of the conversation with Perišić, 3 December 2003, p. 27, Ex.P802, *Perišić*.

240 Transcript of the conversation with Perišić, 19 December 2003, p. 19, Ex.P807, *Perišić*.

241 Extract from Ratko Mladić’s War Diary, 24 July 1995, p. 229, Ex.P2783, *Perišić*.

242 ICTY Trial Judgement in *Perišić*, dated 6 September 2011, para. 1578.

243 Transcript of the conversation with Momčilo Perišić, 19 December 2003, p. 33, Ex. P807, *Perišić*.

244 Testimony of Branko Gajić, former head of the counter intelligence unit within the Security Administration of the JNA and VJ, 12 March 2010, 10961, *Perišić*.



However, in addition to the international media, the Serbian media outlets reported about the attack on Srebrenica, and also about the VRS crimes committed after the fall of the enclave. The section below provides a few illustrative examples of the media reports issued in that period:

12 July, *Naša Borba*: “representatives of humanitarian organizations have stated [...] that Srebrenica is ‘completely empty’ and that thousands of Bosnian Muslims have fled Srebrenica for fear of attack by Bosnian Serbs”²⁴⁵

13 July, Radio BBC:

Radio Presenter: “We have Jovan Zametica, spokesperson of Radovan Karadžić, leader of the Bosnian Serbs speaking. Mr. Zametica, it is inhumane what you are doing, isn’t it?”
Zametica: “Well, Mr. Humphreys, I will give you a good suggestion. Why wouldn’t you finally put the blame on the UN rather than on the Serbs?”

Radio Presenter: “Because it is not the UN who is the one separating men from their families, putting them on buses and taking them away from their homes. That’s why.”

Zametica: “Well, about that, we separate men from women and children and elderly people with a very good reason. [...] We simply want to question those men to find out as to whether any of them is responsible for the massacres [of Serbian civilians near Srebrenica]”.

Radio Presenter: “Therefore, all the men, from boys of the age of 16 to elderly men, are being separated from their families. Not just some of them [...] but all those men?”

Zametica: “Well, we want to conduct a thorough investigation, and if my answer has displeased you, all right [...] perhaps it is better to move on to more important topics”²⁴⁶

14 July, *Independent*: “The first group of Srebrenica refugees arrived to Tuzla yesterday [...] Crying women and children [...] said that Serbian soldiers had taken away some men behind a building and that they had heard shots being fired afterwards. [...] Able-bodied men have been taken away by Bosnian Serbs for ‘screening’, as they explained it.”²⁴⁷

14 July, *Naša Borba*: “By yesterday afternoon, around 14,000 Muslim men were deported from Srebrenica to the territory under the control of the Bosnian government. [...] The whereabouts of 7,000 people were not known, said Redmond [a media officer for the UNHCR], adding that the number included around 3,000 soldiers of the Bosnian government, who were,

245 Article on the NATO intervention in Srebrenica, published in *Naša Borba*, 12 July 1995, p. 2, Ex. P1099, *Perišić*.

246 Transcript, Radio BBC, 13 July 1995, Ex.P6475, *Karadžić*.

247 Robert Block, „Bosnians tell of atrocities“, *Independent*, 14 July 1995, Ex.P4396, *Karadžić*.



as they assumed, hiding in nearby forests and hills. [...] They [the refugees] claim that the Bosnian Serb forces were separating men who qualify for enlistment for questioning about war crimes”²⁴⁸

15 July, *Studio B*: Broadcasting a story of Belgrade journalist Zoran Petrović Piroćanac, which he filmed on 13 and 14 July 1995 in Srebrenica and the surrounding area. The footage, amongst other things, shows the bodies of dozens of men lying next to a warehouse wall of the agricultural cooperative in Kravice, riddled with bullets.²⁴⁹

15-16 July, *Naša Borba*: “Bosnian Serbs hold men above 16 for questioning, but the UNHCR, according to Redmond [media officer for the UNHCR], cannot get in touch with them.”²⁵⁰

16 July, *Independent*: [reacting to the Piroćanac’s story]: “The video camera panned across the ground in front of the anonymous building²⁵¹ in Srebrenica for perhaps four or five seconds, but it was time enough to freeze the blood in any television viewer’s veins. [...] The implication of the report [...] was that these were Muslim soldiers killed in combat. The scene, however, looked more like a place of summary execution than of combat.”²⁵²

17 July, *Agence France-Presse*: “Ogata [UN High Commissioner for Refugees] has said that ethnic cleansing was a war strategy not a consequence. [...] Leaders of the Bosnian Serbs have denied that their forces committed atrocities during the takeover of Srebrenica.”²⁵³

18 July, *Naša Borba, Večernje Novosti*: Emma Bonino, Commissioner responsible for the European Community Humanitarian Office, stated that after the fall of Srebrenica, “at least 12,000 people disappeared without a trace”, and that four buses had been seen leaving with young men and women from Srebrenica, but they had “never arrived to Tuzla or any other town in the territory of the Bosnian government.”²⁵⁴

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248 Mirko Klarin: “Etničko čišćenje na dobrovoljnoj osnovi”, [Ethnic Cleansing on a Voluntary Basis], *Borba*, 14 July 1995.

249 “Zoran Petrovic Video”, YouTube, 0:41 min, available at https://www.youtube.com/watch?v=344e_D-Vc7g, accessed on 14 June 2017. See also Antonela Riha: “Kako su srpski mediji izveštavali o Srebrenici 1995. godine?” [What was the Serbian Media Coverage on Srebrenica in 1995 like?], *Cenzolovka*, 10 July 2015, available at http://www.b92.net/info/vesti/pregled_stampe.php?nav_id=1014239, accessed 14 June 2017; Dževad Sabljaković: “Nestali snimci strave i užasa u Srebrenici”, [Horror Footage of Srebrenica has disappeared], *DW*, available at <http://www.dw.com/bs/nestali-snimci-strave-i-u%C5%BEasa-u-srebrenici/a-15755601>, accessed on 14 June 2017.

250 *Naša Borba*: “Sudbinu Srebrenice doživljava i Žepa”, [Žepa shares the same fate as Srebrenica], 15-16 July 1995.

251 It is the warehouse in Kravica. See e.g., ICTY Trial Judgment in *Tolimir*, para. 356, fn. 1569; ICTY Trial Judgment in *Karadžić*, dated 24 March 2016, para. 5229, fn. 17744.

252 Robert Block, “Bodies pile up in horror of Srebrenica”, *Independent*, 16 July 1995, available at <http://www.independent.co.uk/news/bodies-pile-up-in-horror-of-srebrenica-1591792.html>, accessed on 14 June 2017.

253 Agence France-Presse report, Tuzla, 17 July 1995, Ex.D3931, *Karadžić*.

254 Antonela Riha: “Kako su srpski mediji izveštavali o Srebrenici 1995. godine?” [What was the Serbian Media coverage of Srebrenica in 1995 like?], *Cenzolovka*, 10 July 2015, available at http://www.b92.net/info/vesti/pregled_stampe.php?nav_id=1014239, accessed on June 14, 2017.



19 July, *Naša Borba*: “[...] UNHCR representative Manuel Almeida de Silva said yesterday that the latest records show that an estimated 10,000 to 12,000 people have disappeared, emphasizing that “it is difficult to confirm the numbers in a war against civilians when people are displaced and killed.”²⁵⁵

20 July, *Independent*: “Just across the Drina river from the sleepy Serbian town of Ljubovija, a slaughter is said to be taking place [...] According to residents of the Bosnian Serb-controlled town of Bratunac and Serbs from Serbia who have visited the area, as many as 4,000 captured Muslim men from Srebrenica have been killed by Bosnian Serbs [...] Bosnian Serb police strictly control the border with orders to keep out prying foreigners. But they have been unable to stop whispers of the ongoing slaughter from crossing the Drina bridges into Serbia proper. [...] On Tuesday [18 July], two young women crossed the old iron bridge that connects Bratunac with Ljubovija on the Serbian bank of the river. [...] Neither of the women wished to be identified but one, a resident of Serbia, said she had just been to visit her brother-in-law, who was a Bosnian Serb soldier and the source of some of her news. “He and his friends are quite open about what is going on,” the woman said. “They are killing Muslim soldiers.” They said they killed 1,600 yesterday [Monday] alone and estimated that in all they had killed about 4,000 men.”²⁵⁶

21 July, *NIN*: “Not even one week after the fall of Srebrenica is it clear what happened to its residents. We know that most of them were put by the army of the Bosnian Serbs on buses and trucks and dispatched towards Tuzla, Kladanj and other towns in the territory under the control of the Sarajevo Government, whereas there is no reliable information as to what happened with thousands of them. [...] In the footage broadcast by ‘Studio B’, several bodies of men are visible in the drainage canal, and in a brief moving camera shot we see something that resembles a pile of dead bodies [...] Muslim refugees in Tuzla claim that last Wednesday during the afternoon and on Thursday [12 and 13 July] a great number of captured men were shot. [...] Rumours of mass executions could not be confirmed, as Pale has not allowed access to prisoners to any international organization.”²⁵⁷

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255 *Naša Borba*: “Ranjenici iz Srebrenice prebačeni u Tuzlu”, [The Wounded from Srebrenica transferred to Tuzla], 19 July 1995.

256 Robert Block, “Mass slaughter in a Bosnian field knee-deep in blood”, *Independent*, 20 July 1995, available at <http://www.independent.co.uk/news/mass-slaughter-in-a-bosnian-field-knee-deep-in-blood-1592392.html>, accessed on 14 June 2017.

257 D. Č: “Grad duhova” [A Ghost City], *NIN*, 21 July 1995, p. 7, Ex.P1096, *Perišić*.



22 July, *Naša Borba*: “Reports of atrocities [...] began coming in with the first refugees who came to Tuzla after the fall of Srebrenica, communicating their accounts of killings, mass shootings, slaughter, rape, separation of men [...] Such a ‘conspiracy of silence’ has been broken by the Dutch minister of development cooperation, who [...] publicly disclosed ‘killings of thousands of Muslims.’”²⁵⁸

22 July, *Independent*: “In the last few days, stories of mass executions of prisoners have started to cross the Drina River, which separates Bosnia from Serbia proper. This time, to the irritation of the Bosnian Serb authorities, the tales are recounted by Serbs, not only their Muslim “enemies”. One Serb woman married to a man from Bratunac claims to have seen one of the execution sites, a playground in Bratunac. She described the field as being “knee-deep in blood.”²⁵⁹

24 July, *Independent*: “In the days after Srebrenica fell, residents [of Loznica] reported seeing “truckloads” of men being brought to shallow pits dug on the other side of the riverbank and shot by Bosnian Serb soldiers. “Dozens of people stood on a hill here and watched this,” said one Serb from the area who did not want to be identified. “Last week I saw, with my own eyes, 50 men shot as they were forced to jump off the back of a truck into a pit.”²⁶⁰

25 July, *Naša Borba*: “Special Rapporteur of the Commission on Human Rights Tadeusz Mazowiecki yesterday accused Bosnians Serbs of “barbaric actions” against Muslims, after the takeover of Srebrenica on 11 July. “These events require a thorough investigation. But I can say that whatever happened cannot be described as a ‘moderate’ violation of human rights, but as a very serious violation of human rights, and on a wide scale”, said Mazowiecki. [...] Dutch members of the Peace Corps who were previously deployed around Srebrenica confirmed on Sunday [23 July], after returning to the UN Headquarters in Croatia, that they had been witnesses of killings and torture of Muslims by Bosnian Serbs.”²⁶¹

258 Mirko Klarin: “Muslimani ubijani jer su pokušali da pobegnu”, [Muslims killed because they Tried to Escape] *Naša Borba*, 22 July 1995, Ex. P1103.

259 Robert Block, “At the mercy of Mladic”, *Independent*, 22 July 1995, available at: <http://www.independent.co.uk/news/world/at-the-mercy-of-mladic-1592873.html>, accessed on 14 June 2017.

260 Robert Block: “‘River killings’ shed light on scale of horror after the fall of Srebrenica”, *Independent*, 24 July 2017, available at <http://www.independent.co.uk/news/world/river-killings-shed-light-on-scale-of-horror-after-the-fall-of-srebrenica-1593105.html>.

261 *Naša Borba*, “Srbi se u Srebrenici ponašali varvarski”, [Barbaric Conduct of Serbs in Srebrenica], 25 July 1995.



Y0313014

GENERAL STAFF OF THE YUGOSLAV ARMY
 OPERATIONS AND STAFF AFFAIRS SECTOR
 1st ADMINISTRATION
OPERATIONS CENTRE
 Strictly confidential no: 1-197
 16 July 1995

MILITARY SECRET
STRICTLY CONFIDENTIAL
 /round stamp/

DAILY OPERATIONS REPORT

From 0600 hours on 15 July to 0600 hours on 16 July 1995

1. ACTIVITIES OF THE ARMED FORCES OF NEIGHBOURING COUNTRIES

No activities of any influence to the security of the FRY /Federal Republic of Yugoslavia/ were registered in the Armed Forces of neighbouring countries.

Twenty-two air sorties were registered in Operation Deny Flight and eleven NATO air sorties in Operation Protect Safety Zone. During the day, NATO entered the VaP /airspace/ of the former BH three times, in the general sectors of Tuzla, Žepa and Srbinje (Foča).

There were no changes to the composition, location or activities of NATO PS /marines/, the ZEU /European Union/ or the 6th AF /the US Sixth Fleet/ in the Adriatic.

The Muslim forces are continuing to carry out surprise attacks and diversionary operations along the entire frontline.

Data is confirmed that the ŠVK /Chief of the Supreme Command/ of the MV /Muslim Army/ has completed preparations to continue the operations to lift the blockade of Sarajevo. An MV attack is expected along the Visoko-Iljaš and Nišići-Vogošća axes.

Parts of the units of the 2nd Corps (254th and 255th Brigade) carried out unsuccessful attacks on Mt Majeвица and on the Kalesija-Memići axes in order to receive the broken-up parts of the 28th Division from Srebrenica, which are attempting to break out of encirclement towards Tuzla. Smaller parts of this division have managed to fight their way into Žepa.

The 3rd Corps Command is lifting the manning levels of ž/s /expansion unknown/ and MTS /technical equipment and materiel/ on the territory of Maglaj and Zavidovići in order to launch an attack on the Zavidovići – Vozuća axis.

Parts of the units of the 5th Corps (517th Brigade) carried out an attack on the Šturlić village – Komesarec village axis, 10 km south of Velika Kladuša.

The HVO /Croatian Defence Council/ GŠ /Main Staff/ is carrying out the additional mobilisation of v/o /conscripts/ in the territory of the HR HB /Croatian Republic of Herceg-Bosna/ and is dispatching them to the units holding positions on the Kupres, Glamoč and Grahovo axes.

Croatia is continuing to concentrate its forces in the general sector of Sisak and is bringing in two battalions from the 123rd Brigade (Požega village).

2. SITUATION AT THE STATE BORDER

At around 2300 hours on 14 July, members of the Mali Zvornik MUP /Ministry of the Interior/ caught two members of the MV (a lieutenant and a private). A pistol was found on the lieutenant. They were both wearing civilian clothes. They are now at the Mali Zvornik MUP.

At around 1600 hours on 15 July, a civilian called PETROVIĆ from Gornja Koviljača village at elevation Trbušnica, 15th Loznica grb /border battalion/ said that a wounded Muslim soldier (earlier acquaintance) called Rešid SIMONOVIĆ was staying at his place and was seeking medical attention. PETROVIĆ said that this man was from Bratunac, but the doctor at the Banja Koviljača MC /medical centre/ recognised him as being from Srebrenica. PETROVIĆ said that two other Muslim soldiers were having lunch in Banja Koviljača and had taken the bus to go to Mali Zvornik. Rešid, the wounded man, said that about 20-30 Muslims (men and women) were waiting in the Kozluk village sector and that they would try to enter the FRY /Federal Republic of Yugoslavia/ after nightfall.

On 15 July a team of the UN Monitoring Mission inspected a part of the d/g /state border/ in the Sjeverin and Rača elevation sectors of the 17th Priboj grb. There were no objections.

On 15 July wounded men were transported from the RS /Republika Srpska/ to the VMA /Military Medical Academy/ by HT-40s /transport helicopters/ between 1155 and 1700 hours on the Zaovina – VMA – Batajnica route and back.

According to the information of the OU /Intelligence Administration/ Centre in Sombor, waste was released into the Drava river from Osijek on 15 July. Its arrival is expected in the zone of responsibility. This waste material also includes gas tanks. Measures have been taken to avoid undesired consequences.

Attempts at illegal border crossings

On 15 July in the Globočica elevation sector, 57th Uroševac grb, border security organs caught a person (Yugoslav) trying to cross the border illegally from the BJRM /Former Yugoslav Republic of Macedonia/ to the FRY. He was handed over to the organs of the Uroševac MUP. Ten DM /German marks/ and 70 denars were confiscated from him.

On 15 July on Lake Skadar, 10th Zoganj grb, the border security organs caught a person (Albanian) trying to cross the border illegally from Albania to the FRY. After his personal identity card was checked, he was returned to Albania.

3. SITUATION, ACTIVITIES AND CHANGES IN THE UNITS OF THE VJ /YUGOSLAV ARMY/

1st Army

On 15 July 732 conscripts were called up and 448, or 61% of the conscripts, responded to a one-day military training, the return of military equipment and the change of wartime assignment into units of the Army (36th okbr /Armoured Brigade/, 80th mtbr /Motorised Brigade/ and 544th mtbr).

RM /Navv/

Between 1230 and 1430 hours on 15 July, Dr Radoje KONTIĆ, Federal Prime Minister, the 2nd Army Commander and the RM Commander sailed around the Boka Kotor bay in the *Jadranka* motor yacht.

On 15 July in the Kumbor sector there was a one-day military training on the following subject: VOST /visual observation stations/ in the PVO /anti-aircraft defence/ system in the zone of responsibility of the RM. Sixty-three conscripts were called-up to the training and 17, or 27%, responded, as well as 15 officers, 10 non-commissioned officers and 25 privates. The training was marked as very good.

MUP /Ministry of the Interior/ OF THE
 REPUBLIC OF SERBIA
 Number: 28-193/95
 Date: 20 July 1995
 L J U B O V I J A

R E C O R D
 Of transfer of persons of Muslim nationality
 at GP /border crossing/ Ljubovija

Compiled on 20 July 1995 in the offices of SM for KPDPG /police station for border crossing control/ Ljubovija, concerning transfer of persons of Muslim nationality who crossed the state border illegally. We are handing the above-mentioned persons to the police station for border crossing control in Bratunac. They were captured and processed by operatives of OUP /internal affairs organ/ Ljubovija. They are:

1. Ahmet TEPIĆ, father's name Jusuf, mother's name Habiba née MEHOLJIĆ, born on 1 November 1952 in Srebrenica, residing in Srebrenica, address: Ulica Petriča bb /no number/, machine engineer, married, father of three, completed military service, Muslim, ID card number 714/91 issued by SJB /Public Security Station/ Srebrenica, JMBG /Personal Identification Number/ 0111952183156,

2. Edin DŽANIĆ, father's name Ibro, mother's name Zejna née MAMIĆ, born on 25 August 1966 in Klotijevac, Srebrenica Municipality, residing in Srebrenica, completed primary school, married, father of two, Muslim.

Concluded with number 2 (two).

PERSONS HANDED OVER BY:
 Zoran SEVIĆ
 /signature/

PERSONS RECEIVED BY:
 Vidoje RADOVIĆ
 /signature/
 /stamp:/ Republic of Serbia
 Ministry of the Interior
 Belgrade

Republic of Serbia
 MINISTRY OF THE INTERIOR
 POLICE STATION FOR BORDER
 CROSSING CONTROL
 BAJINA BAŠTA
 Number: 28-239/95
21 July 1995
 BAJINA BAŠTA

R E C O R D
 O N

transfer of persons and items at the Bajina Bašta border crossing

At 1515 hours on 21 July 1995 at the Bajina Bašta border crossing, more specifically along the imaginary line of separation, members of the Bajina Bašta SM for KPDG /Police Station for Border Crossing Control/ handed over to the members of the Bratunac Department of the SP for KPG /Police Station for Border Crossing Control/ in Skelani several persons and their personal belongings.

The Bratunac OM /Branch Police Station/ of the SP for KPG /Police Station for Border Crossing Control/ received the following persons in Skelani:

1. MEHMEDOVIĆ, Smajil, son of Ćamil, born on 30 April 1955 in Gladovići, Srebrenica municipality, last address in Srebrenica, who had 40 German marks in the denominations of 2x20, without any other luggage or personal documents except items of clothing he wore;
2. MUMINOVIĆ, Ramiz, son of Rasim, born on 4 July 1957 in Pribidoli, Srebrenica municipality, last reported address in Srebrenica, who had the following items:
 - a) 2,260 German marks in denominations of 1x500, 2x200, 8x100, 4x50, 9x20, 12x10 and old denominations of 1x20, 2x10 and 4x5, and one 100 Swiss franc note.
 - b) A personal identity card number 2971/89 issued by the Srebrenica SUP /Secretariat of the Interior/, a driver's licence registration number 2009 issued by the Srebrenica SUP and a health card, all in his name.
3. KANDŽETOVIĆ, Bekir, son of Atif, born on 20 March 1958 in Sulice, Srebrenica municipality, last address in Srebrenica who had the following items:
 - a) 650 German marks in denominations of 4x100, 3x50, 2x20, 4x10 and 4x5, and 220 (new) dinars in denominations of 10 dinars (22x10).
 - b) A personal identity card number 1047/87 issued by the Srebrenica SUP and a driver's licence registration number 2277 issued by the Srebrenica SUP in his name, and
4. KANDŽETOVIĆ, Ibrahim, son of Atif, born on 24 February 1966 in Sulice, Srebrenica municipality, last address in Srebrenica, who did not have any luggage or personal identity documents except items of clothing.

Based on record number 28-744/95 of 21 July 1995, these persons were handed over to the Bajina Bašta SM for KPDG by members of the Bajina Bašta OUP /Internal Affairs Organ/ in order to be transferred to the state organs of Republika Srpska. The persons were handed over at the border crossing to the Bajina Bašta SM for KPDG by Risto ŠEOVAC and Radojica KIJANOVIĆ, Pero MILIĆ took over the persons and the items described on behalf of the Bratunac OM SP for KPG in Skelani.

Persons and items taken over by:
Pero MILIĆ
/signed/

Persons and items handed over by:
Risto ŠEOVAC
/signed/
Radojica KIJANOVIĆ
/signed/

Republic of Serbia
 MINISTRY OF THE INTERIOR /
 Bajina Bašta KPDG /State Border Crossing Control/ SM /Police
 Station/
 No. 28-264/95 - 338
 23 July 1995
 BAJINA BAŠTA

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TO:

The Republic of Serbia MUP
 - UZS /Administration for Foreigners, Border and Administrative Affairs/-

Užice CRDB /State Security Department Centre/ - the Chief
 Užice SUP /Secretariat of the Interior/ - OZS /Department for Foreigners/

We hereby inform you that at the Bajina Bašta KPDG SM official premises, at 1400 hours on 23 July 1995, we handed over the following persons and items to the Bratunac KPDG SM Skelani branch:

1. Hariz IBRAHIMOVIĆ son of Ćemail, born 17 October 1961 in Skelani, , last place of residence Srebrenica. In addition to his clothes he had DM 170 in the following currency denominations: 1 x 100, 1 x 50 and 1 x 20, and 210 FRY new dinars in the following currency denominations: 10 x 20 and 2 x 5;
2. Hazim IBRAHIMOVIĆ, son of Ćemail, born 9 May 1965 in Skelani, , last place of residence in Srebrenica. Except for his clothes he had no luggage or personal identification papers;
3. Fahidin IBRAHIMOVIĆ, son of Ćemail, born 20 October 1965 in Skelani, last place of residence in Srebrenica. In addition to his clothes he had identity card no. 1693 issued in his name by the Srebrenica SUP /Secretariat of the Interior/.
4. Abdurahman MALKIĆ son of Rušid, born 11 June 1954 in Poznanovići, last place of residence in Srebrenica. In addition his clothes he had 100 DM in the following currency denominations: 1 x 50, 2 x 20 and 1 x 10, one 100 Swiss franc note, a 7.65 mm calibre *Zastava* pistol, serial no. P/C/-109475, with a magazine of seven bullets of the same calibre, identity card no. 654/83 issued by the Srebrenica SUP and passport no. BH 650059, issued in his name by the Srebrenica SUP;
5. Hamdija MALKIĆ, son of Rušid, born 8 June 1958 in Poznanovići, last place of residence in Srebrenica. In addition to his clothes he had 255 DM in the following currency denominations: 1 x 100, 3 x 20 and 9 x 10 and 1 x 5, a 7.62 mm calibre *Zastava* pistol, serial no. 0-272885, with a magazine of eight bullets of the same calibre, identity card no. 1654/87 issued by the Srebrenica SUP and driver's licence no. 3013, issued in his name by the Srebrenica SUP;

6. Hamza MALKIĆ, son of Hakija, born 25 April 1964 in Poznanovići, last place of residence in Srebrenica. In addition to his clothes he had a 6.35 calibre *Zbrojovka* pistol, serial no. B-263255 with a magazine of five bullets; 620 DM in the following currency denominations: 6x 100 and 1 x 20; 10 (ten) gold ladies' rings of various shapes and sizes; one pearl necklace; identity card no.309/86 issued by the Srebrenica SUP and driver's licence no. 3402 issued by the Srebrenica SUP in his name.
7. Sadik SALIHOVIĆ, son of Hakija, born 26 June 1965 in Srebrenica, last place of residence in Srebrenica. In addition to his clothes he had a 7.65 calibre *Zastava* pistol, serial no. 21987 with a magazine of five bullets of the same calibre, and one knife in a leather sheath; and
8. Hamdija DELIĆ, son of Ahmo, born 25 May 1972 in Srebrenica, last place of residence in Srebrenica. In addition to his clothes he had a hand grenade, serial no. 7202, and no personal identification papers.

On 23 July 1995 the Bajina Bašta OUP employees handed over the above persons to the members of Bajina Bašta KPDG SM in order to be further handed over to the Republika Srpska state organs because they entered the FRY illegally without valid passports or third country visas. Since these persons were of no interest for further operative processing, they were handed over to the above border control police station and recorded under nos. 28-240/95 and 28-241/95.

Please note that in line with the agreement with the CRDB employees the first six persons were handed over at the Ljubovija border crossing, while SALIHOVIĆ and DELIĆ were handed over at the Bajina Bašta border crossing because they had injured themselves in order to avoid the extradition.

KPDG SM Commander
Risto ŠEOVAC
/signed/

REPUBLIC OF SERBIA
 MINISTRY OF THE INTERIOR
 Border Control Police Station /SM for KPDG/
BAJINA BAŠTA
 No. 28-242/95
24 July 1995
 BAJINA BAŠTA

RECORD

of

transfer of people and items between the Bajina Bašta SM for KPDG
 and the Bratunac KPG /border control/ Police Station

At 1700 hours on 24 July 1995, a transfer took place in the general area of the Ljubovija border crossing. The following people who had illegally entered the FRY /Federal Republic of Yugoslavia/, and their possessions, were handed over by the personnel of the Bajina Bašta SM for KPDG to the personnel of the Bratunac KPG Police Station, who took over the people and items:

On this occasion the personnel of the Bajina Bašta SM for KPDG handed over the following to the personnel of the Bratunac KPG Police Station:

1. Fahrudin AVDIĆ, son of Mehmed, born on 28 January 1970 in Osatica, last place of residence in Srebrenica; apart from his clothes he also had a pair of nail clippers and a cigarette case;
2. Mefail RAHMIĆ, son of Suljo, born on 11 January 1969 in Zapolje, Bratunac municipality, last place of residence Srebrenica, apart from his clothes he also had 160 DM /German marks/ in the following denominations: one 50-mark note, four 20-mark notes and three 10-mark notes; ID card number 838/87 issued by the Bratunac SUP /Secretariat of the Interior/ and a driving licence, number 4409, issued by the Bratunac SUP, all in his name;
3. Meho MULALIĆ, son of Refik, born on 29 November 1973 in Ljubovija, last place of residence in Srebrenica; he only had his clothes, no luggage or documents;
4. Ferid HALILOVIĆ, son of Alija, born on 12 August 1966 in Klotijevac, last place of residence Srebrenica; apart from his clothes he also had a gold necklace, a man's gold ring, four small coins with holes drilled at the top, ID card number 1425//illegible/, /?issued by/ the Srebrenica SUP, , a driving licence /illegible/ issued by the Srebrenica SUP, /?a military record booklet no. 181950/, all in his name, and a driving licence no. /?4546/ in the name of Sahib MUHIĆ from /illegible/ and a health insurance card in his name;
5. Muharem HUSIĆ, son of Jahija, born on /?3/ July /?1964/ in Ljubovija, last place of residence Srebrenica; apart from his clothes he also had an ID card number 1175/89 issued by the Srebrenica SUP, an employment record booklet number 695633 in his name, and one 20-DM /German mark/ bill,

6. Nedžib RAHMIĆ, son of Šaban, born on 10 January 1970 in Zapolje, Bratunac municipality, last place of residence Srebrenica; he only had his clothes and no luggage or personal documents.

At 1600 hours on 24 July 1995, according to record no. 28-744/95, the above persons and their possessions were handed over by the personnel of the Bajina Bašta OUP /Department of the Interior/ to the personnel of the Bajina Bašta SM for KPDG, so that they could be transferred to the interior affairs organs of Republika Srpska, since they had illegally entered the territory of the FRY and did not have valid travel documents or visas for travelling to third countries.

The people and items were handed over by Risto ŠEOVAC on behalf of the Bajina Bašta SM for KPDG and taken over by Vidoje RADOVIĆ on behalf of the Bratunac Police Station for KPG /border control/.

People and items taken over by
Vidoje RADOVIĆ
/signed/

People and items handed over by
Risto ŠEOVAC
/signed and stamped/

REPUBLIC OF SERBIA
 MINISTRY OF THE INTERIOR
 Border Control Police Station /SM for KPDG/

LJUBOVIJA

No. 28-199/95

26 July 1995

LJUBOVIJA

RECORD

of

transfer of people and money between the Ljubovija SM for KPDG and the Bratunac PS for KDG /Border Control Police Station/

At 1500 hours on 26 July 1995, at the premises of the Ljubovija SM for KDG, the following people, who had illegally entered the FRY /Federal Republic of Yugoslavia/, were handed over by the personnel of the Ljubovija SM for KPDG to the personnel of the Bratunac PS for KPG, who took over the people and the money found on them:

1. Sadik ISAKOVIĆ, son of father Hasib and mother Adila, née ČEVRIĆ, born on 27 July 1974 in Orlice, Bratunac municipality, where he also resides, completed eight grades of elementary school, farmer, single, did not do his military service,
2. Nasir DURAKOVIĆ, son of father Miralem and mother Temza, née DURAKOVIĆ, born on 5 March 1971 in Srebrenica, residing in Potočari, Srebrenica municipality, completed secondary school, road traffic technician, unemployed, did his military service, and
3. Emir DURAKOVIĆ, son of father Jahija and mother Hana, née /?LOLI/, born on 22 March 1973 in Potočari, Srebrenica municipality, where he also resides, did not do military service, completed eight grades of elementary school, farmer.

The above persons were handed over by the personnel of the Ljubovija OUP /Department of the Interior/ to the personnel of the Ljubovija SM for KPDG together with the following items and money which had been found on them:

1. A 6.35 mm ROHM RG800 pistol, no serial number, with a clip and three bullets of the same calibre,
2. one hunting knife,
3. foreign currency: 1,820 DM /German marks/ (one 500-mark bill, serial number V1342294X,
 – 8 x 100, serial numbers: AG4877193A6; AD5529721D9;
 DD6187659C4; AU2071298D2;
 DD9644316U8; AN9694021D8;
 AN4546045D3; ND2401951J;
 – 8 x 50 AG9433841Z3; AU0821519A5;
 AN8907151Z8; AG4958295D1;
 AL5745892T2; AA8653217D1;
 JE5453167D; KM2863138J;

REPUBLIC OF SERBIA
 MINISTRY OF THE INTERIOR
 Border Control Police Station /SM for KPDG/

LJUBOVIJA

No. 28-203/95

29 July 1995

LJUBOVIJA

RECORD

of

transfer of people and money between the Ljubovija SM for KPDG and
 the Bratunac PS for KDG /Border Control Police Station/

At 1300 hours on 29 July 1995, at the premises of the Ljubovija SM for KDG, the following people, who had illegally entered the FRY /Federal Republic of Yugoslavia/, were handed over by personnel of the Ljubovija SM for KPDG to personnel of the Bratunac PS for KPG, who took them over, together with the money found on them:

1. Hajrudin BEČIĆ, son of father Husein and mother Meva, née BEKTIĆ, born on 3 November 1958 in Klotijevac, Srebrenica municipality, where he also resides, graduated from the Pedagogical Academy, a teacher, married, father of one, Muslim, ID card number: 1045/90 issued by the Srebrenica SJB /Public Security Station/, JMBG /personal identification number/: 0311958183130,
2. Muhidin SIRUČIĆ, son of father Osman and mother Alija, née ALIĆ, born on 27 January 1958 in Voljavica, Bratunac municipality, where he also resides, graduated from the Civil Engineering Faculty, engineer, married, father of two, completed compulsory military service, Muslim, ID card number: 727/91 issued by the Bratunac SJB, JMBG: 2701958181359,
3. Šefik EFENDIĆ, son of father Ševko and mother Fatima, née KANDŽETVIĆ, born on 28 October 1973 in Srebrenica where he also resides at Učina Street bb /no number/, student of the civil engineering school, married, did not complete compulsory military service, Muslim.

The above persons were handed over by personnel of the Ljubovija OUP /Department of the Interior/ to personnel of the Ljubovija SM for KPDG together with the following money which had been found on them:

1. Foreign currency: 580 DM /German marks/ (five 100-mark bills, serial numbers: DA039357136, DS6986185D0, AD5034273Y0; AA1818095D8; DD4784314D2; – four 20-mark bills: AK0173502C1; AC0672311K7; AN6686700C2; GP5083907F;
2. Foreign currency: 30 US dollars (three 10-dollar bills, serial numbers: E02726933; J85479642I; B05567409X;
3. Foreign currency: 100 ACH /Austrian schillings/ (one 100-schilling note, serial number K21 0909L;
4. Foreign currency: 20 Australian dollars (one 20-dollar bill, serial number PIT797914)

Handed over on behalf of the
Ljubovija SM for KPDG
Zoran SEVIĆ
/signed/

/stamped/

Received on behalf of the
Bratunac PS for KDG
Vidoje RADOVIĆ
/signed/

REPUBLIC OF SERBIA
 MINISTRY OF THE INTERIOR
 Police Station for
 Border Crossing Control
 LJUBOVIIJA

Number 28-205/95
 30 July 1995
 LJUBOVIIJA

RECORD of

Transfer of Persons, Money and Possessions between the Ljubovija SM /Police Station/ for KPDG /Border Crossing Control/ and the Bratunac PS /Police Station/ for KDG /Border Crossing Control/

At 1400 hours on 30 July 1995 a transfer of Muslims who illegally crossed the state border of the FRY /Federal Republic of Yugoslavia/ was held at the premises of the Ljubovija SM for KPDG. We received the following person who was debriefed by the Ljubovija OUP /internal affairs organ/:

1. Hajro AHMETOVIĆ, son of Suljo and Beguna née Huseinović, born 4 May 1963 in Žedanjsko, Srebrenica SO /Municipality/ where he resides, completed the Faculty of Mining and Geology, a mining engineer by profession, employed at the Srebrenica bauxite mine, single, completed compulsory military service. He had 200 Swiss Francs in denominations of 2 x 100 notes, with serial numbers: 83X1341082 and 83C0817898.

Both the subject and the money were turned over to employees of the Bratunac PS for KGD.

On behalf of the Ljubovija
 SM for KPDG
 Turned over by: Zoran SE/?V/IĆ
 /signature/

/stamp/

On behalf of the Bratunac
 PS for KDG
 Received by: Vidoje RADOVIĆ
 /signature/

/Partly legible stamp
Numbers 28-252/95
31 July 1995
Bajina Bašta/

RECORD

of the handover of persons and items between the Bajina Bašta KPMG /State Border Crossing Control/ SM /Police Station/ and the Bratunac KPG /Border Crossing Control/ Police Station/

At 1410 hours on 31 July 1995, in the general area of the Ljubovija border crossing, the Bajina Bašta KPDG SM employees handed over persons who had illegally crossed into SRJ /Federal Republic of Yugoslavia/ and their personal items to employees of the Bratunac KPG police station.

On this occasion the Bajina Bašta KPMG SM employees handed over the following person to the Bratunac police station employees:

1. Azem AVDIĆ, son of Memiš, born 19 January 1954 in Osmače, Srebrenica municipality, last place of residence Srebrenica. He had no personal identification documents or any other personal items except for items of clothing.

The Bajina Bašta OUP employees handed over the above person to the Bajina Bašta KPDG SM, according to record no. 28-744/95, on 31 July 1995 in order to return them to the interior affairs' organs of Republika Srpska, because he entered the FRY illegally and without any documents.

Risto ŠEOVAC handed over the above person and items on behalf of the Bajina Bašta KPDG SM, to Vidoje RADOVIĆ, representative of the Bratunac KPG police station.

Person and items taken over by:

- for Vidoje RADOVIĆ
/a signature/

Persons and items handed over by:

Risto ŠEOVAC
/signed/

REPUBLIC OF SERBIA
MINISTRY OF THE INTERIOR
Police Station for
Border Crossing Control
LJUBOVIJA

Number 28-210/95
1 August 1995
L J U B O V I J A

R E C O R D of
Transfer of Persons and Goods between the Ljubovija SM /Police Station/ for KPDG
/Border Crossing Control/ and the Bratunac PS /Police Station/ for KDG /Border
Crossing Control/

At 1200 hours on 1 August 1995, a transfer of Muslims who illegally crossed the state border with the FRY /Federal Republic of Yugoslavia/ was conducted at the premises of the Ljubovija SM for KPDG. The following persons were received from members of the Ljubovija OUP /internal affairs organ/ who also debriefed them. The person in question is

1. Ibro KRLIĆ, son of Munib and Hadžiba née Osmanović, born 16 October 1971 in Bektići, Srebrenica SO /municipality/ where he resides, completed elementary school, farmer by occupation, married, father of one, completed compulsory military service. He had a *Beretta* 7.65 mm calibre pistol with one ammunition clip and 5 (five) 7.65 mm calibre bullets.

The aforementioned person, pistol and the ammunition were handed over to members of the Bratunac PS for KDG.

On behalf of the Ljubovija SM for KPDG	On behalf of the Bratunac PS for KDG
Turned over by: Zoran SEVIĆ	Received by: Vidoje RADOVIĆ
/signature/	/signature/
/stamp/	

Grave L

Grave L was an intact and unrobbed grave containing the bodies of 12 men. It was distinctive in that the men were tied together in pairs by ligatures around their wrists.

- The men were aged between 20 and 50 although one may have been younger
- They were all still wearing clothing, none of it military. Whether or not of any significance was the fact that in the six who were wearing lacing shoes, the laces were missing
- None of them had any personal possessions whatsoever

Ligatures (and blindfolds)

- The twelve men had been tied together in pairs by ligatures around their wrists. Essentially each man had his hands tied together behind his back by loops of thick white string around each wrist. This was then connected to the ligature of another man, either by the same string continuing or by a separate short length linking the two. The lengths of the string were such that the two men were probably back to back although it might also have been possible for them to have been positioned side to side with their arms drawn together. The same type of string had been used in every case.
- In three men pieces of wide parcel tape were found with the fragmented skulls, possibly representing blindfolds over the eyes or gags over the mouth.

Injuries

(1) Gunshot injuries

Each of the men had been killed in the same way, by a single gunshot injury to the back or the side of the head. The injury patterns were remarkably similar for each pair:

- in eight of the men i.e. four pairs, there was a single shot low down at the back of the head, either in the midline or just to the side, fragmenting the skull and exiting through the top or the front
- one pair had both been shot through the side of the head, both of them on the left side - one through the lower jaw and the other just in front of the ear; interestingly, these were two of the men with the parcel tape
- the last pair had again been shot through the back of the head but in one, the shot was higher up than usual and in the other, there may have been two shots; both men were also the only two to have shots anywhere else, each of them having been shot twice in the chest and one of the shots having clearly been fired from above, passing down through the right shoulder

The consistency of the shots to the head, when considered with the ligatures, very much suggested close-range targeted injuries. The weapons used appeared to have been high velocity rifles.

(2) Other injuries

None of the men showed any evidence of blast injury but most had additional fractures, variably involving the ribs, spine, shoulder blades, pelvis and upper arms. The benefit of the doubt was given to these being post mortem injuries, although the possibility that some represented injuries caused in life could not be entirely excluded.

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